

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #99/04-250: Preliminary Determination Pursuant to the Audit of the Human Resources Administration and its compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy from July 1, 1995 to June 30, 1998.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, the Equal Employment Practices Commission audited the Human Resources Administration's compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy; and

Whereas, in accordance with chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the audit of the Human Resources Administration (HRA) and its compliance with the Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Supervisors were not directed to discuss the Discrimination Complaint and Investigation Procedure with their subordinates.
2. Although HRA's EEO Director performed all the functions of an EEO Officer, she did not have the latter title.
3. HRA did not have EEO Counselors of both sexes to receive and investigate discrimination complaints.
4. HRA is unsure if its EEO liaisons received basic training for EEO professionals from the Department of Citywide Administrative Services.

5. Eighteen of the 21 HRA complaint files provided to the EEPC do not contain copies of the mandated "Notice of Discrimination Complaint."
6. The terms of complaint settlements were not uniformly reduced to writing.
7. HRA's confidential findings and recommendations are not signed by the agency head.
8. Although the complainants and respondents are notified in writing of the EEO Office's determinations, none of those notices contain the rationale(s) for the determinations.

Be It Finally Resolved,

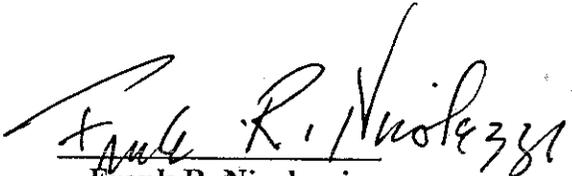
that the Commission authorizes the Vice-Chairman to forward a letter to the Administrator/Commissioner of the Human Resources Administration, Jason A. Turner, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the latter indicating what corrective actions the Human Resources Administration will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved with abstention by Commissioner Mendez on May 27, 1999.

Angela Cabrera
Commissioner

Manual A. Mendez
Commissioner

Jeanette Diaz, Esq.
Commissioner


Frank R. Nicolazzi
Vice-Chairman

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #00/04-096C. Determination of implementation by the Human Resources Administration of recommended corrective actions made by the EEPC pursuant to its audit of the New York City Human Resources Administration Complaint and Investigation Procedures of the City's Equal Employment Opportunity Policy from July 1, 1995 to June 30, 1998.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to its audit of the New York City Human Resources Administration, the Equal Employment Practices Commission issued a preliminary determination letter, dated May 27, 1999 setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC monitored the Human Resources Administration for six months, from September 1999 through February 2000, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, nine of nine of the aforementioned recommended corrective actions are required by or are consistent with the City's Equal Employment Opportunity Policy which replaced the former Affirmative Employment Plan (AEP).

Be It Resolved,
that the New York City Human Resources Administration has fully implemented nine of nine recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

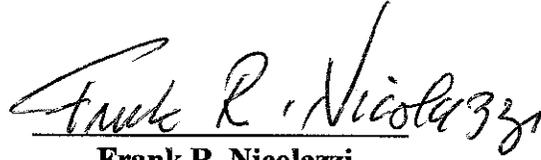
Be It Finally Resolved,
that the Commission authorizes the Vice-Chairman to forward a letter to the Commissioner of the New York City Human Resources Administration, Jason A. Turner, formally informing him that the agency has implemented nine of nine recommended corrective actions to the Commission's satisfaction.

Approved unanimously on October 19, 2000

Chereé A. Buggs Esq.
Commissioner

Angela Cabrera
Commissioner

Manuel Méndez
Commissioner

A handwritten signature in black ink, reading "Frank R. Nicolazzi". The signature is written in a cursive style with a large, sweeping initial "F".

Frank R. Nicolazzi
Vice-Chair



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JASON A. TURNER
Administrator/Commissioner

MARK HOOVER
First Deputy Commissioner

MEMORANDUM

DATE: February 29, 2000

| | | | |
|------------|--------------|----------------------|-------------|
| TO: | F. Abbadessa | G. Caldwell | F. Lipton |
| | B. Blaustein | J. Corbett | J. McKay |
| | R. Bonamarte | D. Fecci | R. Permahos |
| | A. Bush | I. Jimenez-Hernandez | P. Smith |
| | | | D. Sproles |

FROM: Mark Hoover 

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY PROGRAM/AUDIT

In April 1999, the Equal Employment Practices Commission (EEOC) conducted an audit of HRA's Office of Equal Employment Opportunity (OEEEO) for the period extending July 1, 1995 through June 30, 1998. The purpose of this audit was to evaluate HRA's compliance with the Equal Employment Opportunity Policy (EEO) and Discrimination Complaint and Investigation Procedure Guidelines.

During the course of that audit, EEOC identified several areas of non-compliance and issued requests for corrective actions and/or recommendations where it was determined that HRA had failed to comply in whole or in part with the Equal Employment Opportunity (EEO) regulations. HRA is committed to ensuring that EEO standards are met and maintained to the highest degree possible. To achieve this end, HRA has taken the following course of action:

1. **Line managers are required to personally communicate information about the EEO complaint procedure to their subordinates.** During the month of December 1999, managers and supervisors were required to personally communicate information regarding the EEO complaint procedure by conducting general staff meetings to review and discuss the Discrimination Complaint and Investigation Procedure. OEEEO guidelines were disseminated in November 1999.

2. **A "Notice of Discrimination Complaint" form should be sent to all respondents and kept in the complaint file after an internal complaint is filed.** The OEEEO will ensure that all respondents are informed of and given an opportunity to respond to complaints.
3. **To insure that individuals of both sexes are available to receive and investigate discrimination complaints, HRA should appoint a full-time male EEO Counselor to the EEO Office.** Effective January 31, 2000, Donald Lemons was appointed as the full-time male EEO Counselor to HRA's OEEEO.
4. **If the EEO Director's replacement performs the same EEO and managerial functions, he or she should assume the EEO Officer title.** Effective June 28, 1999, Lilla Sexton was appointed as the new EEO Officer and Director of Disability Access and Compliance for HRA.
5. **All existing HRA Program EEO Liaisons who have not already received the DCAS Basic Training for EEO Professionals will be required to register for this training. In the future, all staff designated as EEO Liaisons will be required to register for DCAS training.** EEO Liaisons who have not previously attended DCAS training will be placed on the DCAS waiting list for the next Basic Training courses, which are scheduled to begin in late March and early May 2000.

HRA will continue to monitor for audit compliance to ensure the equality of opportunity for its employees and job applicants.

c: Jason A. Turner