

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

RESOLUTION # 96/02-025: Preliminary Determinations Pursuant to the Audit of the Law Department and its compliance with the City Charter-mandated Affirmative Employment Plan from January 1, 1993 to June 30, 1995.

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 Law Department's compliance with the Affirmative Employment Plan; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the Commission may make a preliminary determination pursuant to Section 831 (d) that any plan, program, procedure, approach, measure or standards 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 Law Department and its compliance with the City-Charter mandated Affirmative Employment Plan(AEP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Orientation packages distributed to new employees did not include a copy of, nor refer to, the AEP.
2. Information about rights and responsibilities under the AEP was not available in formats accessible to employees or applicants with disabilities.
3. Interview and survey results demonstrate that supervisors were not uniformly, or with any regularity, holding meetings with their staff to discuss staff rights and responsibilities under the AEP.
4. The Law Department has not provided sexual harassment prevention training on an annual basis, as required by the AEP.

5. Discrepancies exist between Law Department workforce data and CEEDS data.
6. Newspapers with significant audiences of minority group members and women were not utilized to advertize vacancies in underutilized titles.
7. Selection, promotion and evaluation devices/criteria have not been reviewed to determine if there is a disparate impact on minorities and women.
8. The Law Department has not compared rejection rates of minority and women applicants to non-minority and male applicants for positions other than Assistant Corporation Counsel.
9. The Law Department did not maintain appropriate applicant flow data, or referral/recruitment data.
10. The Law Department's "Management Performance Evaluation Form" did not include a separate rating for EEO-related performance.
11. Meetings between the EEO Officer and agency head were not appropriately documented.
12. 52.4 % of survey respondents did not know what the AEP is.
13. 52.4% of survey respondents indicated that the AEP was not available to them.
14. 49% of survey respondents did not receive annual performance evaluations.
15. 41% of survey respondents did not know how to file EEO complaints.
16. The EEO Officer did not spend 100% of her time to addressing implementation of AEP/EEO mandates.
17. The Law Department did not forward quarterly EEO reports to oversight agencies on a timely basis.

Be it finally resolved,
that the Commission authorizes the Chairman to forward a letter to the Corporation Counsel, Paul Crotty 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 letter indicating what corrective actions the Law Department will take to bring the agency in compliance with the City's Equal Employment Opportunity Policy.

Approved as unanimously, as revised, on October 16, 1996.

Jeannette Diaz, Esq.
Commissioner

Manuel A. Mendez
Commissioner

A handwritten signature in black ink, reading "Frank R. Nicolazzi". The signature is written in a cursive style with a horizontal line underneath the name.

Frank R. Nicolazzi
Vice-Chairman

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

RESOLUTION #99/08-025C Determination of implementation by the New York City Law Department with recommended corrective actions made by the EEPC pursuant to its audit of the New York City Law Department's Affirmative Employment Plan from April 1, 1993 to September 30, 1995.

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 Law Department, the Equal Employment Practices Commission issued a preliminary determination letter, dated November 12, 1996, setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the New York City Law Department for a six month period, commencing November 1997, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, all of the aforementioned recommended corrective actions are required by the City's Equal Employment Opportunity Policy which replaced the former Affirmative Employment Plan (AEP); and

Whereas, the New York City Law Department submitted its Final Compliance Report in August 1998. Now, Therefore

Be It Resolved,
that the New York City Law Department has fully implemented, within ten months, all 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 Chairman to forward a letter to Michael D. Hess, Corporation Counsel for the New York City Law Department, formally informing him that the agency has implemented all recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 24, 1999.

Manuel Mendez
Commissioner

Jeannette Diaz, Esq.
Commissioner

Angela Cabrera
Commissioner


Frank R. Nicolazzi
Vice-Chairman