

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

RESOLUTION #98/06-136: Preliminary Determination Pursuant to the Audit of the Landmarks Preservation Commission and its compliance with the City Charter-mandated Affirmative Employment Plan from April 1, 1994 to September 30, 1996.

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 Landmarks Preservation Commission's compliance with the Affirmative Employment Plan; 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 Landmarks Preservation Commission (LPC) 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. LPC records did not indicate whether the AEP was available, distributed to employees or posted or whether the EEO and Sexual Harassment Policy Statements were distributed.
2. LPC did not ensure that the AEP was discussed with new employees.
3. Ninety percent of employee survey respondents indicated that they did not know what the AEP was.
4. The EEO Officer did not uniformly meet with supervisors to discuss their rights and responsibilities under the AEP.
5. Supervisors did not hold meetings with their staff to discuss the AEP.
6. Managerial/supervisory evaluations did not include criteria related to EEO performance.

7. Vacancy advertisements did not uniformly include the "EEO tagline."
8. There is no documentation indicating that LPC informed employees about the 55A program.
9. There is no record indicating that the discrimination complaint procedure was distributed to employees; seventy percent of survey respondents indicated they did not know how to file a discrimination complaint and sixty percent indicated they did not have a copy of the complaint procedure.
10. Supervisors were no uniformly familiar with the discrimination complaint procedure and did not discuss the procedure with their staff.
11. There is no record that sexual harassment prevention training was provided to LPC employees.
-  12. The EEO Officer did not advise the agency on recruitment strategies. While LPC tends to draw full time staff from college interns, the agency's recruitment strategy did not include out reach to interns from minority student organizations at colleges and universities.
13. LPC did not advertise vacancies in the Social Science job group in minority publications.
14. LPC did not analyze whether women and minorities are rejected at a higher rate as compared to non-minority and male candidates.
15. LPC has not reviewed any criteria or devices used by the agency for selecting, evaluating or promoting employees to determine if there was a disparate impact o minorities or women.
16. LPC did not maintain applicant data.
17. LPC did not provide structured interview training to staff involved in interviewing prospective employees.
18. LPC's EEO Officer also serves as agency Counsel.
19. There is no documentation of meetings relating to EEO issues between LPC's chair and EEO Officer.
20. The EEO Officer did not meet regularly with EEO counselors.
21. Staff time allocated to implementing LPC's EEO program was inadequate and implementation of EEO mandates during the audit period appeared to have a low priority.
22. LPC's record keeping relating to implementing its EEO program during the audit period was poor.

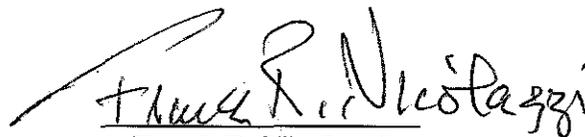
Be It Finally Resolved,

that the Commission authorizes the Chairman to forward a letter to the Commissioner of the Landmarks Preservation Commission, Jennifer Raab, 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 Landmarks Preservation Commission will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on September 17, 1998.

Angela Cabrera
Commissioner

Manuel Mendez
Commissioner

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

Frank R. Nicolazzi
Vice - Chairman

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

RESOLUTION #99/06-136C. Determination of implementation by the Landmarks Preservation Commission of recommended corrective actions made by the EEPC pursuant to its audit of the New York City Landmarks Preservation Commission's Affirmative Employment Plan from April 1, 1994 to September 30, 1996.

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 Landmarks Preservation Commission, the Equal Employment Practices Commission issued a preliminary determination letter, dated September 17, 1998 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 New York City Landmarks Preservation Commission for six months, from November 1998 through April 1999, 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). Now, Therefore,

Be It Resolved,
that the New York City Landmarks Preservation Commission has fully implemented 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 Vice-Chairman to forward a letter to the Chairman of the New York City Landmarks Preservation Commission, Jennifer Raab, formally informing her that the agency has implemented all recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 24, 1999.

Manuel Mendez
Commissioner

Angela Cabrera
Commissioner

Jeanette Diaz
Commissioner

A handwritten signature in black ink that reads "Frank R. Nicolazzi". The signature is written in a cursive style with a horizontal line under the name.

Frank R. Nicolazzi
Vice-Chair