

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

**RESOLUTION # 04/04-313:** Preliminary Determination Pursuant to the Audit of the Office of Collective Bargaining's (OCB) Equal Employment Opportunity Program from January 1, 2001 through June 30, 2003.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) 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 OCB's Equal Employment Opportunity Program; 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 OCB's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency did not print a general EEO Policy Statement, a Disabilities Policy Statement, or a Discrimination Complaint Procedure.
2. OCB did not distribute its Sexual Harassment Policy Statement.
3. The agency's Sexual Harassment Policy Statement was not available in alternate formats for persons with disabilities.
4. One job advertisement placed by OCB during the audit period did not contain the EEO tag line.
5. OCB did not participate in the Section 55-A Program.
6. OCB did not issue a Reasonable Accommodation Procedure for persons with disabilities.
7. The male EEO Counselor did not receive DCAS's training for EEO professionals.

8. The agency did not conduct formal EEO training sessions for its employees.
9. The Director of Administration had the reality or appearance of a conflict of interest by serving as the EEO Counselor.

**Be It Finally Resolved,**

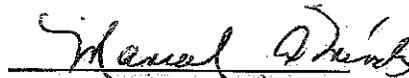
that the Commission authorizes the Vice Chair/Commissioner to forward a letter to Chairperson Marlene A. Gold formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the Office of Collective Bargaining will take to bring the agency into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on March 25, 2004.

**Angela Cabrera**  
Commissioner

**C. Catherine Rimokh, Esq.**  
Commissioner

**Veronica Villanueva, Esq.**  
Commissioner

  
**Manuel A. Méndez**  
Vice Chair/Commissioner

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

**RESOLUTION #04/15-313C:** Determination of implementation by the Office of Collective Bargaining of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of Collective Bargaining's Charter-mandated Equal Employment Opportunity Program from January 1, 2001 to June 30, 2003.

**Whereas**, pursuant to Chapter 36, Sections 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission 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 Office of Collective Bargaining (OCB), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated March 25, 2004 setting forth its findings and recommended corrective actions; and

**Whereas**, in response to EEPC's preliminary determination letter, OCB submitted its response on April 28, 2004; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on May 3, 2004 identifying those recommendations accepted and rejected by OCB; and

**Whereas**, in response to EEPC's final determination letter, OCB submitted its response on May 10, 2004; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor OCB for a period not to exceed six months, from July 2004 through December 2004, to determine whether it implemented the aforementioned recommended corrective actions; and

**Whereas**, the Office of Collective Bargaining submitted its Final Compliance Report one month early on December 8, 2004; and

**Whereas**, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

**Whereas**, the members of this Commission have reviewed a Compliance Summary Report, prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

**Be It Resolved,**

that the Office of Collective Bargaining has implemented the 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.

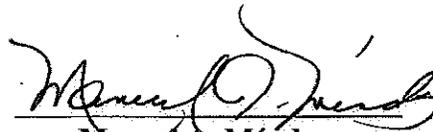
**Be It Finally Resolved,**

that the Commission authorizes the Vice-Chair to forward a letter to the Chair of the Office of Collective Bargaining, Ms. Marlene A. Gold, formally informing her that OCB has implemented the recommended corrective actions to the Commission's satisfaction.

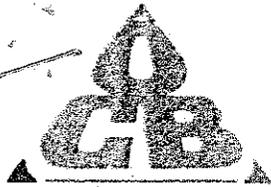
Approved unanimously on December 13, 2004.

**Chereé A. Buggs, Esq.**  
**Commissioner**

**Veronica Villanueva, Esq.**  
**Commissioner**



**Manuel A. Méndez**  
**Vice-Chair**



## OFFICE OF COLLECTIVE BARGAINING

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### IMPARTIAL MEMBERS

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SUSAN J. PANEPENTO

### CITY MEMBERS

RICHARD A. WILSKER  
M. DAVID ZURNDORFER

### LABOR MEMBERS

CHARLES G. MOERDLER  
BRUCE H. SIMON

# MEMORANDUM

**TO:** All Staff

**FROM:** Marlene Gold

**DATE:** February 20, 2004

**SUBJECT:** Office of Collective Bargaining's  
Updates & Enhancements to our EEO Policy

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As Chairperson of the Office of Collective Bargaining, I reaffirm this agency's strong and continuing commitment to maintaining fair employment practices for all its employees and job applicants. In cooperation with the EEPC we have implemented some enhancements and updates recommended by the commission pursuant to the current audit.

### Enhancements:

- 1) We updated our OCB's EEO policies.
- 2) For our disabled employees we are taping our policy in both Spanish & English, printing it in large print and will also be available in Braille.
- 3) We will conduct EEO training meetings once a year, and will provide you with new information as it becomes available to us.
- 4) OCB is participating in the '55-a program.
- 5) Steven DeCosta has been nominated our new male EEO Counselor.

6) We have provided you with the "Reasonable Accommodation Procedure," "The 55-a brochure" and our enhanced "EEO policy."

I encourage you to review these policies and discuss with our EEO Counselor.

Thank you for giving this your attention.