

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/01-905: Preliminary Determination Pursuant to the Audit of the Office of the Richmond County District Attorney's (RCDA) Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

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, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the RCDA'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 the RCDA'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's organization chart did not include the EEO Officer, or reflect the reporting relationship between the District Attorney and EEO Officer. (EEPC Position)
2. Appropriate documentation of meetings and other communications between the EEO Officer and the agency head regarding decisions that impact the administration of the agency's EEO program was not maintained. (EEPC Position)
3. The agency's current EEO representatives did not receive formal EEO training. (EEPC Position)

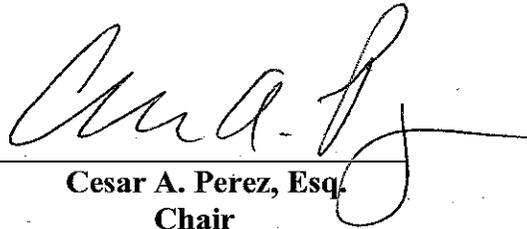
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to District Attorney Daniel M. Donovan, Jr. 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 RCDA will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on March 3, 2011.

Angela Cabrera
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #11/10-905C: Determination of implementation by the Richmond County District Attorney's Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Richmond County District Attorney's Office Charter-mandated Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

Whereas, pursuant to Chapter 36, Section 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 Chapter 35, Section 814(a)(12) of the New York City Charter, the City established uniform standards and procedures designed to insure equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Richmond County District Attorney's Office established uniform standards and procedures designed to insure equality of opportunity for employees and job applicants of the Richmond County District Attorney, consistent with federal, state and local laws; and

Whereas, pursuant to its audit of the Richmond County District Attorney (RCDA), the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated March 3, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the RCDA submitted its response to the EEPC's Preliminary Determination letter, on March 28, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a compliance initiation letter in lieu of a final determination letter on April 4, 2011; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the RCDA for a period not to exceed six months, from May 2011 through October 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Richmond County District Attorney submitted its Final Compliance Report on July 18, 2011; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Richmond County District Attorney's Office'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 Richmond County District Attorney has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

Be It Finally Resolved,

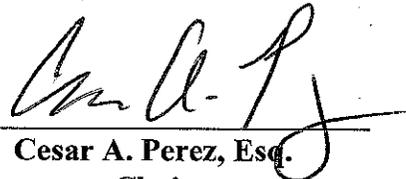
that the Commission authorizes the Chair Cesar A. Perez, Esq., to forward a letter to the Richmond County District Attorney, Daniel M. Donovan, Jr., formally informing him that the RCDA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on July 28, 2011

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair



OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY

JUL 19 2011 PM 4:45

DANIEL M. DONOVAN, JR.
DISTRICT ATTORNEY

130 STUYVESANT PLACE
STATEN ISLAND, NEW YORK 10301

TO: All Employees

FROM: Daniel M. Donovan, Jr. *DMD, Jr.*

DATE: July 15, 2011

SUBJECT: **Equal Employment Opportunity Program**

I would like to reaffirm my dedication to maintaining a work environment that recognizes and appreciates the diversity of its workforce. We intend to promote equal employment opportunity (EEO) by continuing effective measures or implementing new strategies and programs, when necessary, that prevent, diminish or eliminate barriers to equal opportunity.

The Richmond County District Attorney's Office (RCDA) is an equal employment opportunity employer committed to compliance with federal, state and local laws prohibiting employment discrimination. Employment decisions at RCDA will be made on the basis of merit, fitness and equality of opportunity and without discrimination based on *age, alienage, color, creed, disability, gender (including gender identity), genetic predisposition or carrier status, marital status, military status, national origin, prior record of arrest or conviction, race, religion, sexual harassment, sexual orientation or status as a victim of domestic violence, sex offenses or stalking.*

As recommended by the NYC Equal Employment Practices Commission, the RCDA organizational chart has been updated to reflect the EEO Officer's direct report to the District Attorney. The organizational chart may be found on the office intranet.

Detailed information regarding the RCDA EEO program, its policies and procedures may be found on the office intranet at: <http://intranet.rcdaoffice.org/eoo.htm>

Employees with EEO concerns are advised to speak with Frank Malandro, EEO Officer, or Camille Gatins, EEO Counselor. Each can be reached at the following:

Frank Malandro
130 Stuyvesant Place, Rm. 720
(718) 556-7037
frank.malandro@rcda.nyc.gov

Camille Gatins
130 Stuyvesant Place, 7th Floor
(718) 556-7025
camille.gatins@rcda.nyc.gov

I thank you for sharing my commitment to creating a work environment that encourages and appreciates diversity.