

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/06-850: Preliminary Determination Pursuant to the Audit of the Department of Design & Construction's (DDC) 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 Department of Design & Construction'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 Department of Design & Construction's compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's job vacancy notices and advertisements did not indicate that the DDC is an Equal Opportunity Employer.
2. Sixty percent of the *EEPC's Employee Survey* respondents stated that they do not know who the agency's Disabilities Rights Coordinator is.
3. None of the 10 complaint files submitted by the agency contained a Complaint Intake Form or a complaint that captures the information required on this form
4. None of the 10 complaint files contained a written notice of discrimination complaint to the respondent.

5. Four of the 10 complaint files did not contain investigation interview notes.
6. Seventy-four percent of the EEPC's Employee Survey respondents indicated that they did not know the name of the person responsible for career counseling.
7. Managers and supervisors did not re-emphasize the agency's commitment to EEO or discuss the agency's EEO policies and procedures with their subordinate during regular staff meetings.

Be It Finally Resolved,

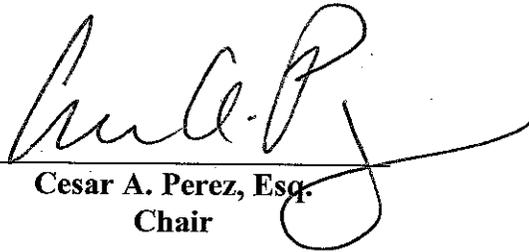
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Department of Design & Construction's Commissioner, David J. Burney, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Department of Design & Construction will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on July 28, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/12/850C: Determination of implementation by the Department of Design and Construction of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Design and Construction's compliance with the Citywide Equal Employment Opportunity Policy from January 1, 2007 to 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 ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to ensure 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, a set of 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, pursuant to its audit of the Department of Design and Construction (DDC), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 28, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the Department of Design and Construction submitted its response to the EEPC's preliminary determination letter, on August 29, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on October 12, 2011, identifying those recommendations accepted and rejected by the Department of Design and Construction; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DDC for a period not to exceed six months, from January, 2012 through June, 2012, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Design and Construction submitted its Final Compliance Report on May 25, 2012; 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 Department of Design and Construction 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 Commissioner of the Department of Design and Construction, David J. Burney, formally informing him that the Department of Design and Construction has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 28, 2012.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair



NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

DAVID J. BURNEY, FAIA
Commissioner

MEMORANDUM

TO: All Employees
FROM: David J. Burney
DATE: December 13, 2011
SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) conducts audits of the Equal Employment Opportunity offices of all New York City agencies to determine compliance with the City's Equal Employment Opportunity Policy. The EEPC's most recent audit of the Department of Design and Construction (DDC) covered the period from January 1, 2007 to December 31, 2009. Upon completion of the audit, the EEPC made recommendations to enhance DDC's Equal Employment Opportunity (EEO) practices. I am pleased to inform you that DDC has implemented all of the required actions recommended by the EEPC.

The EEPC's recommendations included:

- Ensuring that all agency recruitment literature indicates that the agency and the City of New York is an equal opportunity employer.
- Ensuring that EEO files include all required complaint forms.
- Informing all DDC employees in writing of the identity, location and telephone number of the Disability Rights Coordinator as well as the agency's Career Counselor.
- Directing managers/supervisors to meet with staff at least twice a year to emphasize their commitment to the Citywide and agency EEO policies.

As Commissioner, I want to re-affirm DDC's commitment to maintaining a workplace that fosters opportunity and appreciates diversity. Employees are encouraged to utilize the agency's resolution resources and to address equal employment opportunity related concerns with DDC's Office of EEO.

Dalela Harrison, who is the Director of EEO, is also the agency's Disability Rights Coordinator. She is located at 30-30 Thomson Ave, on the 4th floor and can be reached via email at Harrisoda@ddc.nyc.gov or by telephone at (718) 391-1776.

