

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/03-041: Preliminary Determination Pursuant to the Audit of the Teachers' Retirement System's (TRS) Equal Employment Opportunity Program from January 1, 2007 to 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 Teachers' Retirement System'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 Teachers' Retirement System'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 EEO Policy did not include the current addresses and phone numbers of the New York City Commission on Human Rights, the New York State Division of Human Rights and the U.S. Equal Employment Opportunity Commission for employee wishing to file an external complaint with a local, state, or federal administrative agency.
2. The agency's EEO Policy did not include all of the protected classes under New York City and New York State Human Rights Laws.
3. The agency did not have a training plan to ensure that all individuals who work within the agency, including managers and supervisors, are trained concerning EEO-related policies, rights, and responsibilities.

4. The agency's recruitment literature did not indicate that the agency is an equal opportunity employer.
5. The agency did not appoint at least one EEO professional of each gender to receive and investigate discrimination complaints.
6. Sixty-two percent of the respondents to the *EEPC's Employee Survey* stated they did not know who the agency's EEO Officer is.
7. The agency's organizational chart did not indicate the reporting relationship between the EEO Officer and the Agency Head. The EEO Officer title is not indicated on the chart.
8. The EEO Officer did not maintain appropriate documentation of meetings and other communications with the agency head regarding decisions that impact the administration of the agency's EEO program.
9. The agency's EEO policy was not available in alternate formats for person with disabilities.
10. Sixty percent of the respondents to the *EEPC's Employee Survey* stated they do not know who the agency's Disabilities Rights Coordinator is.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Executive Director Nelson Serrano, 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 receipts of the letter indicating what corrective actions the Teachers' Retirement System will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

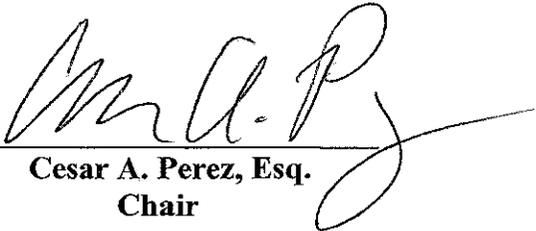
Approved unanimously on April 14, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner


Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/10-041C: Determination of implementation by the Teachers' Retirement System of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Teachers' Retirement System's compliance with its Equal Employment Opportunity Program 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 insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to the Administrative Code of the City of New York, Title 8, as amended, the City established the New York City Human Rights Law, which identified other groups for protection from discrimination in employment; and

Whereas, pursuant to its audit of the Teachers' Retirement System's (TRS) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 14, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the Teachers' Retirement System submitted its response to the EEPC's preliminary determination letter, on May 20, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a letter in lieu of a final determination on June 14, 2011, confirming the TRS' agreement with all audit recommendations; and

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

Whereas, the Teachers' Retirement System required an extension of the compliance monitoring period in order for the TRS' male Co-EEO Officer to complete the DCAS Diversity and Equal Employment Opportunity Basic Training for EEO Representatives; and

Whereas, the Teachers' Retirement System submitted its Final Compliance Report on May 7, 2012, with supplemental documents on May 31, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Teachers' Retirement System'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 Teachers' Retirement System 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,

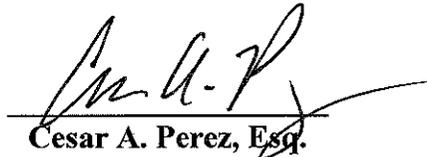
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Teachers' Retirement System Executive Director, Nelson Serrano, formally informing him that the TRS has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 28, 2012.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair



TEACHERS' RETIREMENT SYSTEM OF THE CITY OF NEW YORK
55 Water Street, New York, NY 10041 • www.trsnyc.org • 1 (888) 8-NYC-TRS

Date: May 22, 2012
To: All TRS Staff
Subject: Completed Action Steps for the 2010 EEPC Audit

This is being sent following our January 10, 2012 e-mail regarding this subject matter to share with you the TRS completed action steps resulting from the 2010 EEPC audit illustrating our support and commitment to TRS' Equal Employment Opportunity Program.

You will recall that The Equal Employment Practices Commission (EEPC) audited TRS for compliance with our Equal Employment Opportunity Policy (EEO) for the period covering January 1, 2007 through December 31, 2009. We communicated that this was part of a routine audit covering all New York City agencies, and it was not a response to any incident or concern, specific to our agency.

In summary, the EEPC recommended that TRS:

Enhance our EEO policy in the Employee Handbook to include language for classes of employees protected by the New York City Human Rights Law, specifically, it provides protection from unlawful discrimination based upon the "actual or perceived" status, and includes partnership status, and status as a victim of sex offenses or stalking. Page 2 of the Handbook has been revised.

We also included on pages 3 and 4 in the Handbook the current addresses/phone numbers of the NYC Commission on Human Rights, the NYS Division of Human Rights, and the US Equal Employment Opportunity Commission provided to you during our internal EEO training to file an external complaint.

Our earlier communication also mentioned that Carmela Crivelli, 212-612-5425, ccrivelli@trs.nyc.ny.us, and Dennis Pope, 212-612-5427, dpope@trs.nyc.ny.us are the EEO Representatives at TRS. If you have any questions regarding our EEO Policy, reasonable accommodation requests, and compliance with all federal, state, and local laws as well as City and agency policies pertaining to persons with disabilities, please contact either one of us for assistance.

TRS developed an EEO training program to ensure that all who work within the agency, including management, staff, temps and consultants were trained concerning EEO-related policies, rights, and responsibilities. This training occurred during May 2011. Quarterly ongoing training will be provided for all newly hired staff.

We thank you for your participation throughout the audit process which made it possible for us to complete our action steps. Going forward we will continue our commitment to TRS' Equal Employment Opportunity Program while preserving our positive work place environment.

Nelson Serrano

Executive Director, Teachers' Retirement System