

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #10/03-313: Preliminary Determination Pursuant to the Audit of the Office of Collective Bargaining's (OCB) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2008.

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 Office of Collective Bargaining'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 Office of Collective Bargaining'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 EEO Policy has not been updated since 2004 and does not include all the protected classes under the New York City and New York State Human Rights Laws. Sexual orientation, gender identity, and victim of a sexual offense or stalking were missing.
2. The agency's job vacancy notices and job advertisements included a tag line that stated that the City of New York is an Equal Opportunity Employer; however, the tag line did not state that the OCB is an Equal Opportunity Employer as well.
3. The agency did not conduct managerial and non-managerial annual performance evaluations pursuant to the Personnel Rules and Regulations of the City of New York.
4. Although the EEO Officer reports to the agency head on EEO matters, the agency's organization chart does not indicate the reporting relationship of the agency head and EEO Officer.

Be It Finally Resolved,

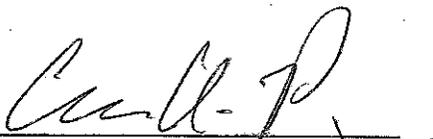
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Office of Collective Bargaining's Chairperson, Marlene A. Gold, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipts of the letter indicating what corrective actions the Office of Collective Bargaining will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on April 22, 2010.

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 #11/05-313C: 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, 2006 to December 31, 2008.

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

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 ensure 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 Office of Collective Bargaining (OCB), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 22, 2010, setting forth its findings and recommended corrective actions; and

Whereas, the OCB submitted its response to EEPC's preliminary determination letter, on May 17, 2010; and

Whereas, the EEPC submitted its Final Determination letter on May 20, 2010; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the OCB for a period not to exceed six months, from September 1, 2010 through February 28, 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Office of Collective Bargaining submitted its Final Compliance Report on April 11, 2011; 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 the 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 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 Chair of the Office of Collective Bargaining, Marlene Gold, formally informing her that the OCB has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on April 14, 2011.

Angela Cabrera
Commissioner

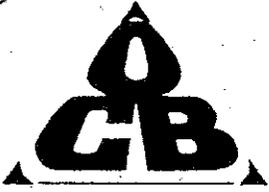
Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner



Cesar A. Perez, Esq.
Chair



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PAMELA S. SILVERBLATT

LABOR MEMBERS

CHARLES G. MOERDLER
GABRIELLE SEMEL

MEMORANDUM

TO: All Staff

FROM: Marlene Gold *MM*

DATE: April 11, 2011

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

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 OCB's EEO Policy to include all the protected classes under New York City and New York State Human Rights Laws.
- 2) The revised EEO Policy was distributed to all current and new employees and posted on the agency's bulletin board
- 3) We posted OCB's revised EEO Policy and EEO Policy Statement on the agency bulletin

board. (Sect. VB, EEOP)

4) We revised all our recruitment literature to indicate that OCB and the City of New York are equal opportunity employers. (Sect. IV, EEOP)

5) Our revised EEO Policy and EEO Policy Statement are now available in large print for visually impaired persons. (Sect. VC-2, EEOP)

6) OCB has developed and communicated to employees a timetable to issue performance evaluations on a regular annual schedule. (DCAS, Rule 7.5.4(e) of the *Personnel Rules and Regulations of the City of New York*)

I encourage you to review these policies and discuss any questions that you may have with our EEO Officer.

Thank you for giving this your attention.