

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #12/34-101:: Preliminary Determination Pursuant to the Audit of The New York City Public Advocate (PA) and its compliance with its Equal Employment Opportunity (EEO) Policy and Federal, State and City equal employment opportunity requirements for the period from January 1, 2009 to June 30, 2012.

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 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, the Equal Employment Practices Commission audited the PA'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 PA'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 finding:

1. Although, the agency has appointed an EEO Officer, its organization chart did not include this title or its reporting relationship.
2. A male EEO Counselor had not been appointed since the resignation of the previous Counselor (July 2010).

Be It Finally Resolved,

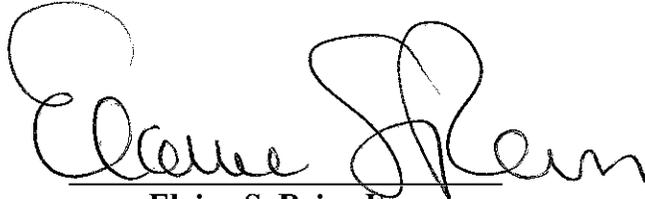
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Public Advocate Bill De Blasio formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective actions the PA

will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on October 18, 2012.

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner

A handwritten signature in black ink, appearing to read "Elaine S. Reiss". The signature is written in a cursive style with large, flowing loops.

Elaine S. Reiss, Esq.
Commissioner

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

RESOLUTION #13/12-101C: Determination of **Compliance** by the Office of the New York City Public Advocate with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program.

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 Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the Office of the New York City Public Advocate's (PA) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated October 23, 2012, setting forth its findings and required corrective actions; and

Whereas, the PA submitted its response to the EEPC's preliminary determination letter, on December 10, 2012 with documentation of its actions to rectify the areas of non-compliance identified in the preliminary determination; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the PA for a period not to exceed six months, from March 2013 through August 2013, to determine whether it implemented the aforementioned required corrective actions; and

Whereas, at the EEPC's request, pursuant to Section 815.a.(15) of the New York City Charter, on April 12, 2013, the PA provided a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPC's audit; and

Whereas, the PA implemented Corrective Action #1, which states: Because the EEO Officer should report directly to the agency head (or to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship; and

Whereas, the PA implemented Corrective Action #2, which states: The agency should designate, or secure per agreement between the agency and another City agency, an employee of each gender for complaint intake/investigation; and

Whereas, all of the EEPC's required corrective actions are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved,

that the Office of the New York City Public Advocate has implemented the required 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,

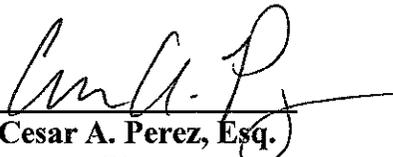
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward this Determination to Bill de Blasio, Public Advocate for the City of New York.

Approved unanimously on June 20, 2013.

Angela Cabrera
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva R. Rice
Commissioner


Cesar A. Perez, Esq.
Chair



THE PUBLIC ADVOCATE FOR THE CITY OF NEW YORK
Bill de Blasio – PUBLIC ADVOCATE

TO: All Staff
FROM: Bill de Blasio
DATE: April 12, 2013
SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practice Commission (EEPC) recently conducted an audit of the Office of the Public Advocate's compliance with the New York City's Equal Employment Opportunity (EEO) Policy. The review was of the period from January 1, 2009, through June 30, 2012. I am pleased to report that the EEPC only recommended two minor actions, both of which this office has already implemented.

First, the EEO Officer will report directly to me. This change has been reflected on the office organizational chart. Second, I have designated Calvin Rodman as the Intake/Investigation Complaint Officer for the office. Calvin will attend the Department of Citywide Administrative Services' training later this month.

It is my strong commitment that this office continues to maintain fair employment practices. If you have any concerns, please do not hesitate to address them with Elba Feliciano, the office's EEO Officer.

Signed,

A handwritten signature in black ink that reads "Bill de Blasio".

Bill de Blasio
Public Advocate for the City of New York