

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #12/20-256: Preliminary Determination Pursuant to the Audit of The New York City Police Pension Fund (PPF) 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 December 31, 2011.

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 PPF'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 PPF'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. The agency's EEO counselor did not receive formal training such as Basic Training for EEO Professionals.

Be It Finally Resolved,

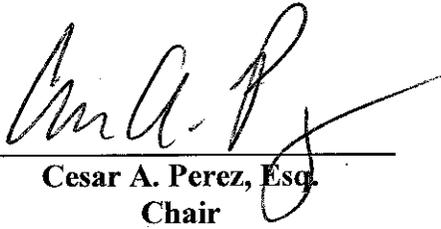
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Executive Director Kevin Holloran formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective actions the PPF

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

Approved unanimously on July 26, 2012.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #12/27-256C: Determination of implementation by the New York City Police Pension Fund of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the New York City Police Pension Fund's compliance with the Citywide Equal Employment Opportunity Policy from January 1, 2009 to December 31, 2011.

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 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 New York City Police Pension Fund (PPF), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 26, 2012, setting forth its findings and recommended corrective actions; and

Whereas, the PPF submitted its response to the EEPC's preliminary determination letter, on August 16, 2012; and

Whereas, the New York City Police Pension Fund submitted with its response to the preliminary determination documentation of actions taken to rectify the 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 consider the PPF's response to the preliminary determination, and determine whether the corrective actions taken by the agency are sufficient to remedy said non-compliance; and

Whereas, at the EEPC's request, pursuant to Section 815.a.(19) of the New York City Charter, on October 16, 2012, the PPF submitted a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPC's audit, and reaffirmed his commitment to the agency's EEO program; 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 determined that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the New York City Police Pension Fund 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 Executive Director of the New York City Police Pension Fund, Kevin Holloran, formally informing him that the PPF has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 13, 2012,

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva R. Rice
Commissioner



Angela Cabrera
Commissioner



New York City Police Pension Fund

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New York, NY 10279
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Kevin Holloran
Executive Director

MEMORANDUM

TO: All Staff

FROM: Kevin Holloran 

SUBJECT: Equal Employment Practices Commission Audit

DATE: October 12, 2012

The Equal Employment Practices Commission (EEOC) conducted an audit of the New York City Police Pension Fund (PPF) compliance by the Department of Citywide Administrative Services (DCAS) with the City's Equal Employment Opportunity Program. The audit covered the period from January 1, 2009 to December 31, 2011.

The EEOC have made audit recommendations and the PPF have made corrective actions in order to comply. I continue to urge all employees to become familiar with the EEO policies and procedures. The following items are the recommended corrective actions:

- Page 4: The PPF is not in compliance with the following requirement: #3: Although the agency has appointed an EEO officer, its organization chart does not include this title or its reporting relationship. Correction action is required.

Recommendation: 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 (EEOC/ §831, City Charter)

AGENCY CORRECTIVE ACTION: The agency organizational chart is attached to this response showing a direct reporting relationship of the EEO officer to the agency head.

- Page 5: The PPF is in partial compliance with the following requirement: #3: Although the PPF has appointed a person of each gender for complaint intake/investigation, the male EEO Counselor has not received formal training each as Basic Training for EEO Professionals. Corrective action is required.

NOTE: The male EEO Counselor has registered for and is currently awaiting the next *Basic Training for EEO Professionals* session with DCAS.

All Staff
October 12, 2012
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Recommendation: Because EEO representatives should be trained in federal, state, and city EEO laws and procedures and know how to carry out their responsibilities under the agency's EEOP, the EEO Counselor should attend the next available DCAS training session for EEO professionals or enroll in training conducted by another appropriate agency or school. The EEO Counselor should obtain a certificate of completion.

- AGENCY CORRECTIVE ACTION: Since the agency's submission to the EEPC, the male EEO counselor has taken the DCAS training session for EEO professionals on line. Attached is the certificate of completion.

As the Executive Director of the PPF, I reaffirm this agency's strong and continuing commitment to maintaining fair employment practices for all members of this organization as well as prospective job applicants. It is essential that the PPF prevents discrimination and encourage a work environment that appreciates differences among our diversified employees.

I encourage all employees to utilize the resources available within the PPF and address any concerns you may have to Ms. Melissa Hom, PPF's EEO Officer or Mr. Richard Musto, PPF's EEO Counselor.