

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #10/07-156: Preliminary Determination Pursuant to the Audit of the Taxi & Limousine Commission's (TLC) 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 Taxi & Limousine Commission'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 Taxi & Limousine Commission'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. Seventy-seven percent of the respondents to the EEPC's Employee Survey indicated that they did not know who the agency's Disability Rights Coordinator is.
2. The agency does not have at least two EEO representatives, who are not of the same gender to conduct discrimination complaint investigations.
3. The agency's EEO Officer did not meet with the EEO Counselors to ensure that they implement their EEO functions satisfactorily and to keep them abreast of internal and external EEO developments.
4. None of the confidential written reports submitted with the agency's complaint files were labeled "confidential".
5. The agency did not assess its criteria for selecting persons for mid-level to high-level discretionary positions to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group.

6. The agency did not utilize any organizations geared toward minority groups, women, and individuals with disabilities.
7. The agency did not use applicant logs to retain applicant/hire information for its discretionary positions (i.e. name, gender and ethnicity of applicants, the reason for selections/rejection, and the source of recruitment).
8. Seventy-five percent of the respondents to the EEPC's Employee Survey indicated that they did not know the name of the person responsible for providing career counseling.
9. Although managers and supervisors were instructed to discuss the department's EEO policies with their subordinates during normal staff meetings, documentation of these meetings was not maintained.

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Taxi & Limousine Commission's Commissioner, David Yassky, 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 Taxi & Limousine Commission will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

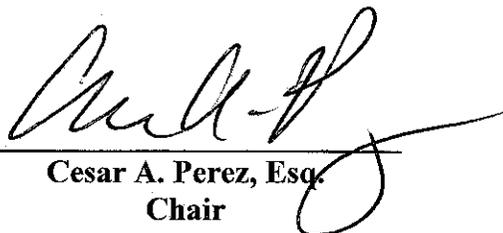
Approved unanimously on June 25, 2010.

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 #11/06-156C: Determination of implementation by the Taxi and Limousine Commission of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Taxi and Limousine Commission'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 Taxi and Limousine Commission (TLC), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated June 25, 2010, setting forth its findings and recommended corrective actions; and

Whereas, the TLC submitted its response to EEPC's preliminary determination letter, on August 3, 2010; and

Whereas, the EEPC submitted its Final Determination letter on August 18, 2010; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the TLC for a period not to exceed six months, from October 1, 2010 through March 31, 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Taxi and Limousine Commission submitted its Final Compliance Report on May 27, 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 Taxi and Limousine Commission 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,

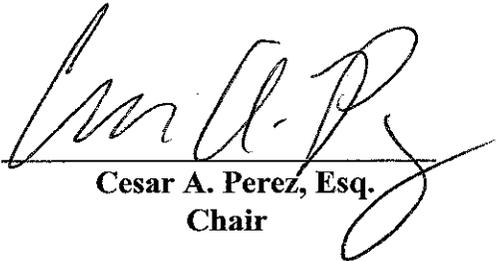
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the Taxi and Limousine Commission, David Yassky, formally informing him that the TLC has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on June 30, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair



Taxi & Limousine
Commission

David Yassky
Commissioner
TLCCommissioner@tlc.nyc.gov

MEMORANDUM

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TO : All Staff

FROM : David Yassky
Commissioner/Chair *DY*

DATE : May 27, 2011

SUBJECT : Equal Employment Practices Commission Audit

The Equal Employment Practices Commissioner (EEPC) has completed its audit of TLC's compliance with the City's Equal Employment Opportunity Policy from January 1, 2006 through December 31, 2008.

We are pleased to inform you that the recommendations for corrective measures that the EEPC listed for our agency have already been put into place. We are proud of our accomplishments, and would like to once again reaffirm our commitment to maintaining and enforcing fair employment practices for all of its employees.

I would like to call your attention to the areas where TLC has made improvements in the delivery of our EEO Program to better serve you:

- On November 17, 2010 a memorandum was issued to all staff which included the identity and pictures of the EEO Officer, Investigator, EEO Counselors, Disability Rights Coordinator and Career Counselor.
- In November, 2010 Jason Gonzalez was appointed to serve as an EEO representative to receive discrimination complaints and conduct investigations.
- The EEO Officer will conduct quarterly meetings with TLC's EEO representatives.



- TLC will assess the manner in which candidates are selected for employment by conducting adverse impact studies to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group.
- TLC will advertise any future vacancies for which underutilization of women and/or minorities have previously been identified in female-and minority-oriented organizations listed in DCAS' booklet, "Making the Most of New York City's Recruitment Resources."
- TLC will maintain applicant logs for personnel actions, discretionary hirings and applicants. These logs will include the name, gender and ethnicity of applicants, the reason for selection/rejections, and the source of recruitment.
- Managers and supervisors have been advised of the need to emphasize their commitment to the Agency's EEO policies and affirm the right of employees to file discrimination complaints with the EEO Office.

I would like to take this opportunity to encourage all staff to make use of the resources that we have made available to address any concerns. I am committed to maintaining a strong EEO Program at the TLC and urge you to do the same.