

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

RESOLUTION #08/29-132: Preliminary Determination Pursuant to the Audit of the Independent Budget Office's (IBO) Equal Employment Opportunity Program from July 1, 2005 through June 30, 2007.

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, the Equal Employment Practices Commission audited the Independent Budget Office'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 Independent Budget Office'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 IBO's EEO Policy does not include all of the protected classes under the New York City and New York State Human Rights Laws.
2. The IBO distributed an outdated EEO policy that does not include all of the protected classes under the New York City and New York State Human Rights Laws.
3. The EEO officer did not meet with the EEO counselors on a quarterly basis to ensure that they carry out their EEO functions satisfactorily and are kept abreast of internal and external EEO developments.
4. IBO employees who are involved in job interviewing did not receive structured interview training.

Be It Finally Resolved,

that the Commission authorizes the Chair to forward a letter to Director Ronnie Lowenstein 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 receipt of the letter indicating what corrective actions the Independent Budget Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 18, 2008.

Manuel A. Méndez
Vice-Chair

Angela Cabrera
Commissioner



Ernest F. Hart, Esq.
Chair

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

RESOLUTION #09/13-831C: Determination of implementation by the Business Integrity Commission of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Business Integrity Commission's Charter-mandated Equal Employment Opportunity Program from July 1, 2006 to December 31, 2007.

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 Business Integrity Commission (BIC), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated September 18, 2008, setting forth its findings and recommended corrective actions; and

Whereas, the BIC submitted its responses to EEPC's preliminary determination letter, on October 14, 2008; and

Whereas, the EEPC submitted its initiation of compliance letter on January 12, 2009; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the BIC for a period not to exceed six months, from February 1, 2009 through July 31, 2009, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Business Integrity Commission submitted a request for an extension of the audit compliance monitoring period on August 20, 2009 in order to secure EEO training for its EEO counselor; and

Whereas, the Business Integrity Commission submitted its Final Compliance Report on November 23, 2009; 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 Business Integrity 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/Chair of the Business Integrity Commission, Matthew J. Mansfield, formally informing him that the BIC has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on December 10, 2009.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner


Arva A. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

MEMORANDUM

To: Staff
From: Ronnie Lowenstein 
Date: September 14, 2009
Re: EEPC Audit Findings

As you may know, the Equal Employment Practices Commission (EEPC) conducted an audit of IBO's compliance with IBO and citywide EEO requirements and EEPC policies; the compliance period concluded this summer. The EEPC found that IBO was generally in compliance with EEO law and policies and had several recommendations for additional steps that IBO should take. Their recommendations, and IBO's response, is summarized below. Please see me or IBO's EEO officer, Nashla Rivas Salas, or our EEO counselor, Paul Lopatto, if you have any questions.

Plan Dissemination (Internal)

As recommended, IBO has revised the agency's EEO policy to include the current list of "protected classes" under New York City and New York State Human Rights Laws. We distributed the new updated policy to all current employees and will provide a copy for all future hires.

EEO Complaint and Investigation System

As recommended, IBO's EEO officer will conduct quarterly meetings with the EEO counselor to ensure that the EEO functions are being properly carried out and to review internal and external EEO developments.

Training for IBO Employees involved in the Recruitment and Hiring Process

IBO's most recent staff wide EEO training, conducted in October, 2008, included a training session limited to senior staff members. During this session, EEO policy as it relates to interviewing and hiring decisions was discussed and reviewed. IBO will continue to provide staff involved in hiring, recruiting and interviewing with an annual review of related EEO policy and correct EEO practices.

I am personally committed to the principles of Equal Employment Opportunity. As an agency, IBO will continue to seek opportunities to diversify our workforce and ensure that any current and future staff members, regardless of race, ethnicity, sex, sexual orientation, age, physical challenge, or other protected

class status, will find IBO a welcoming and productive environment. If any staff member has suggestions or wishes to help in this effort, they should please see me, Nashla, Paul or Doug.