

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #11/25-042(HCC): Preliminary Determination Pursuant to the Audit of Compliance by the Hostos Community College with the City University of New York's Affirmative Action/Equal Employment Opportunity and Diversity Policy from July 1, 2007 to June 30, 2010.

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 Hostos Community College's Affirmative Action/Equal Employment Opportunity and Diversity 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 Hostos Community College's compliance with its Affirmative Action/Equal Employment Opportunity and Diversity 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 two internal complaint files did not contain a Charge of Discrimination Form. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section III.4, July 2010)
2. The two internal complaint files did not contain written notification informing the complainant and accused that an investigation had begun, which may include interviews with third parties, and that the President shall determine what action, if any, to take after the investigation is complete. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section III.7b2, July 2010)
3. The two internal complaint files did not contain an *Actions Taken in Response to Discrimination/Harassment Complaint Form* to confirm that the AA/CDO reported the investigation findings to the President for review and signature. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section III.8a,d, July 2010)
4. Internal complaint #011-10 did not contain documentation that the complainant(s) and respondent(s) to the investigation were apprised in writing of the outcome and action taken as

a result of the complaint. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section III.8c, July 2010)

Be It Finally Resolved,


that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to President Felix V. Matos Rodriguez, 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 receipt of the letter indicating what corrective actions the Hostos Community College will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on November 10, 2011.

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Angela Cabrera
Chair for the Meeting

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

RESOLUTION #12/25- 468C: Determination of implementation by the Hostos Community College of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of Hostos Community College's compliance with its Equal Employment Opportunity Program from July 1, 2007 through June 30, 2010.

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 ensure 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, pursuant to its audit of the Hostos Community College's (HCC) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated November 17, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the HCC submitted its response to the EEPC's preliminary determination letter, on *January* 6, 2012; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the HCC for a period not to exceed six months, from October 2012 through March 2013, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Hostos Community College submitted its Final Compliance Report on November 13, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City University of New York's Equal Employment Opportunity Policy; and

Whereas, the members of this Commission have reviewed a Compliance Summary Report prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,
that the Hostos Community College 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, to forward a letter to the Hostos Community College President, Dr. Felix V. Matos Rodriguez formally informing him that the HCC 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

To: All Employees

From: President Félix V. Matos Rodríguez

Date: November 9, 2012

Subject: Equal Employment Practices Commission Audit

I would like to reaffirm my dedication to maintaining a respectful and non-discriminatory work environment here at Hostos Community College.

Hostos Community College is an equal employment opportunity employer committed to compliance with federal, state, and local laws prohibiting employment discrimination. Employment decisions at the College will be made on the basis of merit and in compliance with the policy of The City University of New York to recruit, employ, retain, promote, and provide benefits to employees without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, gender, sexual orientation, gender identity, marital status, legally-registered domestic partnership status, disability, predisposing genetic characteristics, alien status, citizenship, military or veteran status, or status as a victim of domestic violence.

In response to the preliminary determinations and corrective actions/recommendations identified in our recent audit by the Equal Employment Practices Commission (EEPC) for the of period of July 1, 2007 through June 30, 2010, Hostos Community College will take the following actions to be in full compliance with CUNY's Affirmative Action/Non-Discrimination/Equal Employment Opportunity (EEO) Policies, as well as the Commission's policies and EEO standards expressed in the Federal, State, and City Human Rights Laws:

EEO Internal Discrimination Complaint Files

The Affirmative Action/Compliance and Diversity Office (AA/CDO) will continue to ensure that all discrimination complaint files contain:

- The Charge of Discrimination Form completed by the complainant or AA/CDO;
- Written Notification informing the complainant(s) and respondent(s) that an investigation has begun, which may include interviews with third parties, and that the President shall determine what action, if any, will be taken after the investigation is complete;
- The Actions taken in Response to Discrimination/Harassment Complaint Form signed by the President; and
- Written communication apprising the complainant(s) and respondent(s) of the outcome and action taken as a result of the complaint.

I thank you again for sharing my commitment to creating a respectful and non-discriminatory work environment that encourages and appreciates diversity.