

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

RESOLUTION #2016/468: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Hostos Community College's Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

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 of the Hostos Community College's (Hostos) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 10, 2016, setting forth findings and the following required corrective actions:

1. Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency's EEO Policy.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
4. Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable.) Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources.
8. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
9. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
10. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on May 23, 2016 with documentation of its actions to rectify required corrective actions nos. 2 and 7; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 8, 2016 which agreed and accepted documentation for implementation of the aforementioned corrective actions, and indicated that corrective action(s) nos. 1, 3, 4, 5, 6, 8, 9 and 10 require compliance monitoring; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from July 2016 through December 2016, to determine whether it implemented remaining required corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

Whereas, all of the EEPC's corrective actions are required by, or 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 Commission approves issuance of this Final Determination to Dr. David Gómez, President of the Hostos Community College.

Approved unanimously on September 9, 2016.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner

Absent

Elaine S. Reiss, Esq.
Commissioner

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

RESOLUTION #2016AP/468C-27: Determination of **Compliance** (Monitoring Period Required) by the Eugenio Maria de Hostos Community College with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

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 EEPCC 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 Eugenio Maria de Hostos Community College's (Hostos) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 10, 2016, setting forth findings and the following required corrective actions:

1. Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency's EEO Policy.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
4. Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.
5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses;

or use internships to attract interested persons and to develop and hire interested and qualified candidates.

6. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable.) Then advertise in minority- or female oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources.
8. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
9. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
10. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Whereas, Hostos submitted its response to the EEPC's Preliminary Determination letter, on May 23, 2016, with documentation of its actions to rectify required corrective actions nos. 2 and 7; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 8, 2016, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions nos., 1, 3-6, and 8-10 remaining; and

Whereas, Hostos submitted its response to the EEPC's final determination letter, on August 2, 2016; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions from July 2016 through December 2016 with no extension of the monitoring period; and

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, Hostos submitted a copy of the agency head's memorandum to staff dated February 14, 2017, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated

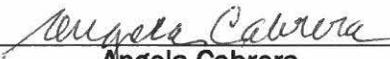
his commitment to the agency's EEO Program; and

Whereas, all of the EEPC's corrective actions are required by, or 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 Eugenio Maria de Hostos Community College has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

Be It Resolved, that the Commission will forward the Determination of Compliance to Dr. David Gómez, President of the Eugenio Maria de Hostos Community College.

Approved unanimously on February 16, 2017.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner

ABSTAINED

Elaine S. Reiss, Esq.
Commissioner

MEMORANDUM

DATE: February 15, 2017

TO: Hostos Community College Faculty and Staff

FROM: David Gómez, Ed.D., President

RE: Equal Employment Opportunity (EEO) at Hostos Community College

The City University of New York (CUNY) has a long-standing commitment to diversity and equal opportunity in all aspects of employment practices. At Hostos Community College, I fully support the policies and practices that we have implemented to foster non-discrimination, affirmative action, and diversity and inclusion in the workplace. It is my personal belief that CUNY is enriched by the strengths of the people and perspectives represented here. Accordingly, I am committed to overseeing Hostos Community College's compliance with the CUNY Policy on Equal Opportunity and Non-Discrimination, and Policy on Sexual Misconduct (including gender-based discrimination/harassment). As a federal contractor, CUNY also engages in affirmative action consistent with federal requirements.

I am pleased with our accomplishments and your efforts to embrace the diversity reflected on our campus. I am also pleased to report that Hostos is in full compliance with recommendations made by the Equal Employment Practices Commission (EEOC) - a City agency that monitors and audits the EEO programs of New York City government agencies and makes recommendations to improve their programs; these recommendations flow from the EEOC's recent review and evaluation of Hostos' employment practices and procedures covering the period January 1, 2013, to December 21, 2015. Hostos was able to immediately produce information and documentation that demonstrated its compliance with seven of the ten final recommendations of the EEOC. Based on the other recommendations:

- Hostos added contact information for equal employment practices agencies on its website and communicated the change to its employees via memorandum;
- Hostos' Chief Diversity Officer, HR Director, and Executive Counsel have begun to meet to review the annual number of EEO complaints and Hostos' employment policies/practices/programs to determine whether there are barriers to EEO and, if so, how to correct them (the meetings may be documented with an agenda and checklist of discussion points); and
- Meeting agendas will be created to further document meetings between Hostos' Chief Diversity Officer and the College President.

The EEOC notified Hostos of its full compliance status on February 10, 2017.

I encourage all employees to access the EEO resources available at Hostos and to address any concerns or questions you may have to the Office of Compliance and Diversity at 718-518-4284. You may also contact Hostos' HR Director at 718-518-6655.

I ask for your continued support to ensure equal opportunity, affirmative action, and diversity and inclusion in all employment practices at Hostos.

Thank you.