

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

**RESOLUTION #13/31-820C: Determination of Compliance (Monitoring Period Not Required)** by the Office of Administrative Trials and Hearings with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program from January 1, 2011 through June 30, 2013.

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 and analysis of the Office of Administrative Trials and Hearings (OATH) EEO Program, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination dated November 26, 2013, setting forth findings and the following required corrective actions:

1. Re-distribute the identity of the Career Counselor to remind employees of the identity and type of career guidance available.
2. Re-distribute the identity and responsibilities of the Disability Rights Coordinator to ensure that employees are aware of this information.
3. Indicate the reporting relationship between the Principal EEO Professional and agency head (or a direct report other than the General Counsel) in the agency's organizational chart, EEO Policy and Annual EEO Plan.

Whereas, the OATH submitted its response to the EEPC's Preliminary Determination on December 12, 2013 with documentation of its actions to rectify all of the required corrective actions;

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 December 19, 2013 which agreed and accepted documentation for implementation of the

aforementioned corrective actions and no corrective actions were remaining;

**Whereas**, at the EEPCC's request pursuant to Section 815.a.(15) of the New York City Charter, the OATH submitted a copy of the agency head's memorandum to staff dated December 18, 2013, which outlined the corrective actions implemented in response to the EEPCC's audit and reiterated commitment to the agency's EEO Program; and

**Whereas**, all of the EEPCC'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 Office of Administrative Trials and Hearings 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 Finally Resolved**, that the Commission authorizes Chair Cesar A. Perez, Esq., to forward this Determination to Commissioner, Honorable Suzanne A. Beddoe.

Approved unanimously on December 19, 2013.

Angela Cabrera  
Commissioner

Malini Cadambi Daniel  
Commissioner

Elaine S. Reiss, Esq.  
Commissioner

  
Cesar A. Perez, Esq.  
Chair



THE CITY OF NEW YORK  
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SUZANNE A. BEDDOE  
COMMISSIONER / CHIEF JUDGE  
212-933-3001

**EEO COMMITMENT STATEMENT**


OATH is committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the Citywide EEO Policy and by encouraging a work environment that values, respects and appreciates differences among employees.

As Commissioner and Chief Administrative Law Judge, I reaffirm this agency's strong commitment to maintaining fair employment practices for all its employees and job applicants. All personnel should work to maintain an atmosphere of appreciation of the diversity reflected in our staff and to comply with the letter and the spirit of this policy. Managers and supervisors are directed to make all employment decisions in accordance with the agency's EEO Policy and to ensure compliance with this policy in their areas of responsibility.

The Policy provides that all employment decisions be made on the basis of equal opportunity. Persons are not to be discriminated against based on their actual or perceived age, race, religion, creed, color, national origin, gender, gender identity (which refers to a person's actual or perceived sex), disability, marital status, military status, prior record of arrest or conviction, partnership status, sexual orientation, alienage or citizenship status, predisposing genetic characteristics, status as a victim of or witness to domestic violence, status as a victim of or witness to sexual offenses or stalking, or unemployment status. A description of the agency's procedure to address issues and complaints of illegal discrimination is available to all employees.

OATH is further committed to the recruitment, development and retention of a diverse and inclusive workforce reflective of our City's population. When we value our differences, we build stronger teams driving the best performance. OATH's mission includes the fair adjudication of all matters that come before it while ensuring access to justice for all. In the same vein, OATH is committed to principles of fairness and inclusion in the workplace. To that end, managers and supervisors should strive to promote a work environment that values equity, inclusion and respect for all.

I encourage all employees to access the resources available within OATH to address any concerns you may have. The implementation of the agency's Equal Employment Opportunity Policy is one of OATH's highest priorities and has my full support.

  
Suzanne Beddoe  
Commissioner  
Chief Administrative Law Judge

Aug. 14, 2013 (rev)