

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #05/16-858: Preliminary Determination Pursuant to the Audit of the Department of Information Technology and Telecommunications's (DoITT) Equal Employment Opportunity Program from July 1, 2002 through June 30, 2004.

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 Department of Information Technology and Telecommunications'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 Department of Information Technology and Telecommunications'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. DoITT did not complete one complaint investigation within 90 days of its filing. (DCPIG; April 96 Amendment)
2. In the above cited complaint, a notification delay letter, stating the reason for the delay, was not sent to the parties of the investigation. (DCPIG; April 96 Amendment)
3. DoITT did not fully address underutilization in certain protected groups by expanding its recruitment efforts. (Sect. IV, EEOP)
4. DoITT did not conduct an adverse impact study. (Section IV, EEOP).
5. DoITT's EEO Officer did not report to the agency head, or if approved by DCAS, to a direct report to the agency head. (Sect. VB, Citywide EEO Policy)
6. DoITT's EEO Officer did not maintain appropriate documentation of meetings and other communications regarding EEO program operational decisions.

7. DoITT did not develop a plan to evaluate all employees annually.
8. DoITT employees were not aware of the identity, location and telephone number of the Career Counselor. (Sect. IV, EEOP). (Sect. IV, EEOP)

Be It Finally Resolved,

that the Commission authorizes the Vice-Chair, Manuel A. Méndez, to forward a letter to the Department of Information Technology and Telecommunications Commissioner, Gino P. Menchini, 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 Department of Information Technology and Telecommunications will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 14, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner


Manuel A. Méndez
Vice-Chair

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

RESOLUTION #07/02-858C: Determination of implementation by the Department of Information Technology and Telecommunications of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Information Technology and Telecommunications' Charter-mandated Equal Employment Opportunity Program from January 1, 2003 to December 31, 2004.

Whereas, pursuant to Chapter 36, Sections 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 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 its audit of the Department of Information Technology and Telecommunications (DoITT), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter December 14, 2005 setting forth its findings and recommended corrective actions; and

Whereas, the DoITT submitted its response to EEPC's preliminary determination letter, on March 7, 2006; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on April 25, 2006 identifying those recommendations accepted and rejected by DoITT; and

Whereas, in response to EEPC's final determination letter, DoITT submitted its response on May 2, 2006; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DoITT for a period not to exceed six months, from July 2006 through December 2006, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Information Technology and Telecommunications submitted its Final Compliance Report on December 15, 2006; 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 EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the Department of Information Technology and Telecommunications has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

Be It Finally Resolved,

that the Commission authorizes the Vice-Chair, Manuel A. Méndez, to forward a letter to the Commissioner of the Department of Information Technology and Telecommunications, Paul J. Cosgrave, formally informing him that the DoITT has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on January 25, 2007.

**Angela Cabrera
Commissioner**


**Veronica Villanueva, Esq.
Commissioner**


**Manuel A. Méndez
Vice-Chair**



THE CITY OF NEW YORK
DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS
Paul J. Cosgrave, Commissioner

MEMORANDUM

TO: All Staff
FROM: Paul J. Cosgrave 
DATE: July 24, 2006
SUBJECT: Equal Employment Practices Commission Audit

The Equal Employment Practices Commission (EEPC) has completed its audit of DoITT. The EEPC audit, which is conducted once every four years, pursuant to Chapter 36 of the City Charter, assessed the agency's compliance with the City's Equal Employment Opportunity Policy. Although the audit specifically addressed a twenty-four month period ending in December of 2004, the auditors also conducted staff interviews and distributed mail-in surveys to ascertain how effectively the agency is addressing current Equal Employment Opportunity (EEO) issues.

While our agency was reviewed positively during the audit process, the EEPC made recommendations to enhance DoITT's EEO program. These recommendations, which the agency has begun to implement, include the following:

- DoITT will be developing a plan to evaluate all employees annually.
- DoITT will be conducting an adverse impact study to assess underutilization in its recruitment and hiring efforts.
- Whenever possible, investigations of EEO complaints will be completed within 90 days of the receipt of the complaint.
- DoITT will be re-distributing the agency's EEO policy as well as the contact information for the agency's Career Counselor, annually.

As agency head, EEO compliance and workplace practices are critically important to me. As a result, DoITT's Director of EEO and Diversity Initiatives, Dalela Harrison, will now report directly to me.

I want to affirm my expectation that every employee comply with both the letter and the spirit of the agency and citywide EEO policies. I urge any employee who believes that he or she is being treated unfairly, with regard to equal employment opportunity or other employment related matters, to contact Dalela Harrison to discuss those concerns. Dalela is located at 75 Park Place, and can be reached via e-mail at dharrison@doitt.nyc.gov or by telephone at (212) 788-6007. All complaints will be handled confidentially in accordance with DoITT's EEO Policy.