

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

RESOLUTION #2016/944: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Office of the Queens County Public Administrator's Employment Practices and Procedures from July 1, 2012 to 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 Office of the Queens Public Administrator's (QCPA) Employment Practices and Procedures from July 1, 2012 to December 31, 2015, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 11, 2016, setting forth findings and the following required corrective actions:

1. Ensure that the principal EEO/HR Professional reviews the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), 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 in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
2. Use and maintain an applicant/candidate log or tracking system which, addition to the aforementioned fields, also captures the ethnicity of the candidate and interviewers' names. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
3. Designate a professional with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
4. Ensure that employees have access to information regarding performance evaluation standards.

5. 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.
6. Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
7. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
8. 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 19, 2016 with documentation of its efforts to rectify required corrective actions nos. 2, 4 and "Final Action"; 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 June 2, 2016 which indicated that corrective action(s) nos. 1, 2, 3, 4, 5, 6, 7 and 8 require compliance monitoring; and

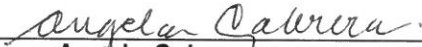
Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from June 2016 through November 2016, to determine whether it implemented remaining required corrective actions; and

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 will forward this Final Determination to Public Administrator Lois A. Rosenblatt of the Office of the Queens County Public Administrator.

Approved unanimously on June 16, 2016.



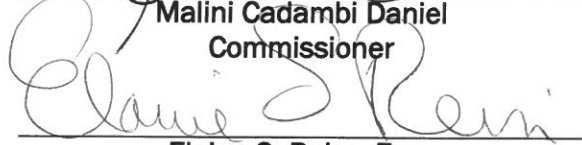
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner

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

RESOLUTION #2016/944C-12: Determination of Compliance (Monitoring Period Required) by the Office of the Queens County Public Administrator with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Office of the Queens County Public Administrator's Employment Practices and Procedures from July 1, 2012 to 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 EEPD 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 the Queens County Public Administrator's (QCPA) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 11, 2016, setting forth findings and the following required corrective actions:

1. Ensure that the principal EEO/HR Professional reviews the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), 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 in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
2. Use and maintain an applicant/candidate log or tracking system which, addition to the aforementioned fields, also captures the ethnicity of the candidate and interviewers' names. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
3. Designate a professional with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
4. Ensure that employees have access to information regarding performance evaluation standards.
5. 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.

6. Establish and implement an annual managerial/non-managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
7. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
8. 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 QCPA submitted its response to the EEPC's Preliminary Determination letter, on May 19, 2016, 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 June 2, 2016, with corrective actions #1 through #8, remaining;

Whereas, the QCPA submitted its response to the EEPC's final determination letter, on July 5, 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 June, 2016 to September, 2016 with no extension of the monitoring period;

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the QCPA submitted a copy of the agency head's memorandum to staff dated May 19, 2016, 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 Office of the Queens County Public Administrator 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 approves issuance of this Determination of Compliance to Public Administrator Lois A. Rosenblatt, of the Office of the Queens County Public Administrator.

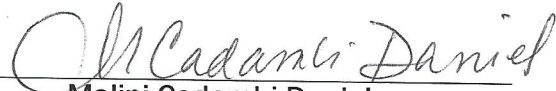
Approved unanimously on September 9, 2016.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner

Absent

Elaine S. Reiss, Esq.
Commissioner



Queens County Office of the Public Administrator

Lois M. Rosenblatt, Esq.
Public Administrator

Susan B. Brown
Deputy Public Administrator

Gerard J. Sweeney, Esq.
Counsel

MEMORANDUM

To: All Employees
From: Lois Rosenblatt, Public Administrator *LR*
Re: Equal Employment Practices Commission
Subject: Audit of Queens County Public Administrator's Office
Date: May 19, 2016

Please be advised that the New York City Equal Employment Practices Commission has been conducting an audit of the practices and policies of this office.

The EEPC has made certain recommendations to this office so that everyone fully understands the function of the EEPC and your rights as they pertain thereto. As a result of their audit, the following corrective actions were recommended:

- 1) Ensure that the principal EEO/HR Professional (SB) reviews the agency's statistical information (e.g. workforce, hires, promotions and separations by race/ethnicity and gender,) 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 in order to correct deficiencies (e.g. underutilization or adverse impact.) If necessary, consult with the Law Department, Division of Citywide Diversity and EEO or another resource for guidance.

Our response to this corrective action is as follows:

“We have consulted with Jocelyn Tan Lobo, Executive Director of Compliance with DCAS, for her guidance on the appropriate method for recording and reviewing statistical data. Upon receipt of her response, this agency will ensure that the Deputy Public Administrator/EEO Professional shall review all data on an annual basis.”

Continued...