

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #05/05-903: Preliminary Determination Pursuant to the Audit of the Kings County District Attorney's Office's (KCDA) Equal Employment Opportunity Program from July 1, 2001 through December 31, 2003.

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 KCDA'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 KCDA's compliance with its Equal Employment Opportunity Program, 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 agency's EEO Policy Statement and Discrimination Complaint Procedure do not contain the current list of "protected classes" under the New York City and New York State Human Rights Laws.
2. The agency's EEO policies in the Office Manual for non-legal staff contain the name of the former EEO Officer.
3. The agency's Discrimination Complaint Procedure contains out-of-date addresses and telephone numbers for the New York State Division of Human Rights and the U.S. Equal Employment Opportunity Commission.
4. There was no regular, general distribution of the agency's EEO policies to all employees.
5. KCDA's EEO policies are not available in alternate formats for use by persons with disabilities.
6. All of the agency's internal job postings and the one job advertisement submitted to the EEPC did not contain the EEO tag line.

7. KCDA did not issue a reasonable accommodation procedure for persons with disabilities.
8. KCDA did not participate in the Section 55-A Program.
9. The former and current EEO Officers did not receive comprehensive EEO training from the Department of Citywide Administrative Services or another appropriate agency or school.
10. Persons of both sexes were not available to receive and investigate discrimination complaints.
11. Six of the agency's internal discrimination complaint files did not contain complaint intake forms.
12. None of the confidential written reports in those files were addressed to the agency head.
13. No follow-up EEO training was provided to legal staff after their initial orientation sessions.
14. No formal EEO training was provided to the non-legal staff.
15. The former and current EEO Officers did not keep notes of their meetings regarding EEO matters with their respective supervisors.
16. KCDA, which had 970 employees at the end of the audit period, does not have a full-time EEO Officer.


Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman, or his designee, to forward a letter to the Kings County District Attorney, Charles Hynes, 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 Kings County District Attorney's Office will take to bring the agency into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on April 27, 2005.

Chereé A. Buggs, Esq.
Commissioner

Veronica Villanueva, Esq.
Commissioner


Angela Cabrera
Commissioner

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

RESOLUTION #06/09-903C: Determination of implementation by the Kings County District Attorney's Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Kings County District Attorney Office's Charter-mandated Equal Employment Opportunity Program from July 1, 2001 to December 31, 2003.

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 Kings County District Attorney Office's (KCDA), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter dated April 27, 2005 setting forth its findings and recommended corrective actions; and

Whereas, the KCDA submitted its response to EEPC's preliminary determination letter on June 24, 2005; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on July 13, 2005 identifying those recommendations accepted and rejected by the KCDA; and

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

Whereas, the Kings County District Attorney's Office submitted its Final Compliance Report on June 12, 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 Kings County District Attorney's Office 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,

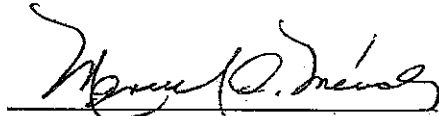
that the Commission authorizes the Vice-Chair, Manuel A. Méndez, to forward a letter to the Honorable Charles J. Hynes, Kings County District Attorney, formally informing him that the KCDA has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on August 3, 2006.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Manuel A. Méndez
Vice-Chair



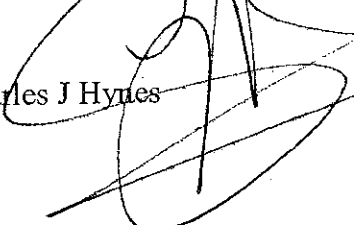
OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY

**RENAISSANCE PLAZA at 350 JAY STREET
BROOKLYN, N.Y. 11201-2908
(718) 250-2000**

CHARLES J. HYNES
District Attorney

MEMORANDUM

To: All Staff
From: District Attorney Charles J Hynes
Date: June 8, 2006
Re: Equal Employment Practices Commission Audit



I am pleased to announce the completion of a year long audit of our Office by the Equal Employment Practices Commission. The Commission is an independent city agency responsible for monitoring and auditing the equal employment practices, program, policies and procedures of all city agencies and district attorney's offices.

This Office is in full compliance with all Equal Employment practices and policies. In keeping with the recommendations of the Commission, we have increased our EEO team with the addition an EEO Counselor; our EEO staff has received specialized certification; and we have begun an office wide training program for our entire staff on issues of equal employment and sexual harassment.

I am committed to a diverse workplace, free of discrimination and sexual harassment, which provides fair employment practices at all times.

EEO Officer: Carol Moran, room 1918, Telephone: 718 - 250 - 2235
EEO Coordinator: Jossie Lawson Gilliam, room 1931, Telephone: 718 - 250 - 2994
EEO Counselor: Charles Guria, room 1779, Telephone: 718-250- 2576