

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

RESOLUTION #02/01-860: Preliminary Determination Pursuant to the Audit of the Department of Records and Information Services and its compliance with the City Charter-mandated Equal Employment Opportunity Policy from July 1, 1998 to December 31, 2000.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) 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 Records and Information Services' compliance with the City's Equal Employment Opportunity Policy; 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 Records and Information Services (DORIS) and its compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's EEO Policy was not available on audio cassette for persons with visual impairments.
2. The agency's EEO Policy contained the name, address, and telephone number of the previous EEO Officer.
3. The agency's EEO Policy was not distributed to new employees.
4. Eighty-three percent of the supervisors/managers interviewed by EEPC auditors indicated that the EEO Officer had not met with them, either individually or in a group setting, to discuss their rights and responsibilities under the EEOP.
5. Eighty-three percent of the supervisors/managers interviewed by EEPC auditors indicated that the agency had never evaluated their EEO performance.


6. The EEO Counselor did not attend the five-day training session offered by the Department of Citywide Administrative Services.
7. Since February 2001, there have not been EEO professionals of both sexes available to receive and investigate discrimination complaints.
8. DORIS violated its EEO Policy by not advertising discretionary job vacancies in female- and minority-oriented publications.
9. DORIS did not provide structured interview training to all employees involved in interviewing job applicants.
10. The agency did not conduct adverse impact studies.
11. DORIS did not inform all employees in writing of the identity, location, and telephone number of the person appointed as the career counselor.
12. No documentation was maintained of meetings between the EEO Officer and the agency head.
13. The EEO Officer did not devote 100% of her time to EEO matters.
14. The EEO Officer had no clerical support staff.
15. The EEO Officer had a conflict of interest by serving as the Director of Administration, which involved setting and implementing human resources policies.
16. The agency could not locate the files of the previous EEO Officer.

Be It Finally Resolved,

That the Commission authorizes the Vice-Chairman to forward a letter to the Commissioner of the Department of Records and Information Services, Brian G. Andersson, 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 Department of Records and Information Services will take to bring the agency in compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on March 27, 2002.

Angela Cabrera
Commissioner


Frank R. Nicolazzi
Vice-Chairman

Manuel A. Mendez
Commissioner

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

RESOLUTION #03/01-860C: Determination of implementation by the New York City Department of Records and Information Services of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the New York City Department of Records and Information Services' Charter-mandated Equal Employment Opportunity Policy from July 1, 1998 to December 31, 2000.

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 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 New York City Department of Records and Information Services, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated March 27, 2002 setting forth its findings and recommended corrective actions; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the Department of Records and Information Services (DORIS) for six months, from July 2002 through December 2002, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, DORIS' compliance period was extended one month in order to address recommendations #1, #6, #9, #12, & #14; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy. Now Therefore,

Be It Resolved,

that the New York City Department of Records and Information Services has implemented sixteen of the seventeen 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 Also Resolved,

that the Commission authorizes the Vice-Chairman to forward a Letter of Final Determination to the Commissioner of the New York City Department of Records and Information Services, Brian Andersson, formally informing him that the agency has implemented sixteen of the seventeen recommended corrective actions to the Commission's satisfaction, and

Be It Finally Resolved,

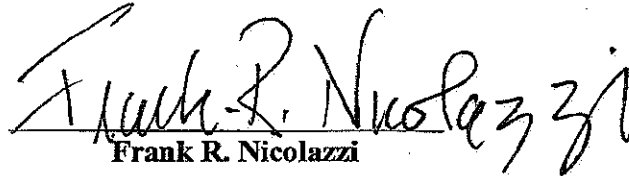
that the Letter request the Commissioner to inform the Equal Employment Practices Commission when the employees involved in interviewing job applicants receive structured interview training.

Approved unanimously on April 3, 2003.

Angela Cabrera.
Commissioner

Manuel A. Méndez
Commissioner

C. Catherine Rimokh, Esq.
Commissioner


Frank R. Nicolazzi
Vice-Chairman



NEW YORK CITY DEPARTMENT OF RECORDS AND INFORMATION SERVICES
OFFICE OF THE COMMISSIONER

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Brian G. Andersson, *Commissioner*

MEMORANDUM

To: All Staff

From: Brian G. Andersson, Commissioner *ba*

Date: October 4, 2002

Subject: **EQUAL EMPLOYMENT PRACTICES COMMISSION (EEPC) AUDIT FINDINGS**

The Department of Records and Information Services is committed to using fair employment practices for all of our employees and job applicants. The Equal Employment Practices Commission (EEPC) has recently audited our agency to ensure that we comply with EEO polices. To better improve the EEO Program in our agency, the EEPC gave us a list of recommended actions, many of which we have already implemented or are currently working on. Below are the recommended actions as prescribed by the EEPC:

1. The agency's EEO Policy should be available on cassette tape to accommodate persons with visual impairments.
2. The agency's EEO Policy should be revised to contain the name, address, and telephone number of the current EEO Officer.
3. The agency's EEO Officer should follow-up on her pledge and distribute the agency's EEO Policy to new employees.
4. The agency's EEO Officer should hold documented meetings with supervisors/managers to discuss their rights and responsibilities under the City's EEO.
5. All supervisors/managers should be rated on EEO performance in their annual performance evaluations.
6. The EEO Counselor should attend the five-day EEO training sessions offered by the Department of Citywide Administrative Services (DCAS).

7. To ensure that individuals of both sexes are available to receive and investigate discrimination complaints, the Department of Records should appoint a male EEO Counselor.
8. The Department of Records should adhere to the former Commissioner's policy and advertise job vacancies in women and minority-oriented publications.
9. The Department of Records should ensure that all staff members involved in interviewing job applicants receive structured interview training, either through internal training or through training approved by the Department of Citywide Administrative Services (DCAS).
10. The Department of Records should request the Office of Citywide Equal Employment Opportunity (OCEEO) of the Department of Citywide Administrative Services (DCAS) to obtain the necessary assistance to conduct adverse impact studies.
11. The Department of Records should inform all employees in writing of the identity, location, and telephone number of the person appointed as career counselor.
12. Appropriate documentation of meetings between the EEO Officer and the agency head should be maintained.
13. The Department of Records should maintain EEO-related files in a clearly marked and secure area so that the files can be located and reviewed by the EEO Officer's successor(s).
14. The Commissioner of the Department of Records should disseminate an agency-wide memorandum to discuss audit findings.

If staff members have question regarding the subject of this memorandum, please contact Vickie Moore, Director of Administration at 788-8622.

BGA:mp

cc: Stephen R. Rolandi, Assistant Commissioner
Vickie Moore, Director of Administration