

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #04/05-214: Preliminary Determination Pursuant to the Audit of the Office of Labor Relations's 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 Office of Labor Relations'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 did not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

That pursuant to the audit of the Office of Labor Relations's compliance with the City's Equal Employment Opportunity Policy (EEO), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's General Anti-Discrimination Policy does not contain an up-to-date list of "protected classes" under the New York City Human Rights Law.
2. The agency's Discrimination Complaint Procedure contains an out-of-date address and telephone number for the New York State Division of Human Rights.
3. The person designated as the Disability Rights Coordinator did not attend DCAS's training for EEO professionals.
4. OLR has not conducted live EEO training sessions since 2002.
5. OLR has not conducted formal adverse impact studies.
6. Fifty-four percent of survey respondents indicated that their performance evaluations do not have recommendations for improving job performance and 73 percent indicated that their evaluations do not have recommendations for career advancement.

7. The EEO Officer did not maintain appropriate documentation of her meetings with the agency head.
8. Although the EEO Officer directed supervisors and managers to discuss the agency's EEO policies with their subordinates, there was no documentation of those meetings.
9. Sixty-eight percent of survey respondents indicated they had not received annual performance evaluations.
10. Sixty-seven percent of survey respondents indicated they do not know the identity of the persons responsible for providing career counseling.
11. Half of the supervisors interviewed by EEPC auditors indicated they had not received structured interview training.

Be It Finally Resolved,

That the Commission authorizes the Vice Chair/Commissioner to forward a letter to Commissioner James F. Hanley 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 Office of Labor Relations will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on July 29, 2004.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner

Manuel A. Méndez
Vice Chair/Commissioner

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

RESOLUTION #05/14-214C: Determination of implementation by the Office of Labor Relations of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Office of Labor Relations' 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 Office of Labor Relations (OLR), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 29, 2004, setting forth its findings and recommended corrective actions; and

Whereas, OLR submitted its response to EEPC's preliminary determination letter, on August 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 September 13, 2004 identifying those recommendations accepted and rejected by OLR; and

Whereas, in response to EEPC's final determination letter, OLR submitted its response on October 15, 2004; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor OLR for a period not to exceed six months, from December 2004 through May 2005, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, on June 9, 2005 the Office of Labor Relations requested an extension of the compliance period; and

Whereas, the Office of Labor Relations submitted its Final Compliance Report on August 10, 2005; and

Whereas, the Office of Labor Relations submitted additional information on September 6 and 16, 2005; 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 Office of Labor Relations 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 Chair, Ernest Hart, Esq., to forward a letter to the Commissioner of the Office of Labor Relations, Mr. James F. Hanley, formally informing him that OLR has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on October 26, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair



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JAMES F. HANLEY

Commissioner

PAMELA S. SILVERBLATT

First Deputy Commissioner

TO: All Employees

FROM: James F. Hanley

SUBJECT: EEPC Audit

DATE: August 12, 2005

A handwritten signature in cursive script that reads "James F. Hanley".

The Equal Employment Practices Commission audited this agency last year to ensure compliance with Equal Employment policies.

The agency's adherence with EEO policies and procedures was found to be in compliance. However, there are several areas that the Commission has requested we enhance to ensure that all employees understand their rights and responsibilities under equal employment.

During calendar year 2005 we distributed tasks and standards to OLR employees. Performance evaluation, including recommendations for improving job performance and career advancement, will be completed in January of next year.

Any employee who has questions or concerns regarding Equal Employment policies is encouraged to speak with their supervisor, EEO Liaisons, Sang Hong and Roseann Bucchino or Ms. Beach.

c: Pamela S. Silverblatt
Andrea Beach