

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/13-902: Preliminary Determination Pursuant to the Audit of the Bronx County District Attorney's Office (DABC) Equal Employment Opportunity Program from July 1, 2007 through June 30, 2010.

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, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the Bronx County District Attorney'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 Bronx County District Attorney's Office compliance with its Equal Employment Opportunity Policy (EEOP), as well as Commission policies and EEO standards expressed in the City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Complaint file #2008-02 did not contain a written notice to the respondent regarding the determination of the investigation.
2. The agency did not include the EEO tagline in every job advertisement.
3. Although the EEO Administrator reports to the agency head on EEO matters, the agency's organizational chart did not indicate this reporting relationship. The EEO Administrator/Officer title was not indicated on the chart.
4. Although the EEO Administrator meets with the agency head, notes or an agenda of meetings with the agency head when discussing EEO operational decisions were not kept.
5. Although the agency's EEO Policy indicated the agency's EEO Administrator as the person who handles reasonable accommodation requests, 77% of the respondents to the *EEPC's Employee Survey* stated that they do not know who the *Disability Rights Coordinator* (the person responsible for handling reasonable accommodation requests and ensuring

compliance with all federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities) is.

Be It Finally Resolved,

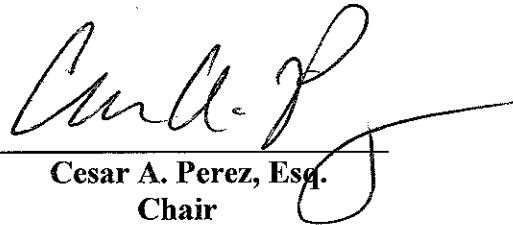
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Bronx County District Attorney Robert T. Johnson, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipts of the letter indicating what corrective actions the Bronx County District Attorney's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on September 9, 2010.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair