



# EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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October 6, 2011

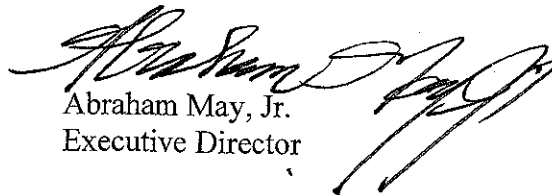
Arlene Peterson  
Affirmative Action Officer  
LaGuardia Community College  
31-10 Thomson Avenue  
Long Island, New York 11101

Re: Resolution #11/19-042(LAGCC) Audit of Compliance by the LaGuardia Community College with the City University of New York's Affirmative Action/Equal Employment Opportunity and Diversity Policy from July 1, 2007 to June 30, 2010.

Dear Ms. Peterson:

Enclosed is the Preliminary Determination. The original was forward to President, Dr. Gail Mellow.

Sincerely,

  
Abraham May, Jr.  
Executive Director



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Dr. Gail Mellow, President

LaGuardia Community College

31-10 Thomson Avenue

Long Island City, New York 11101

Re: Resolution #11/19-042(LAGCC) Audit of Compliance by the LaGuardia Community College with the City University of New York's Affirmative Action/Equal Employment Opportunity and Diversity Policy from July 1, 2007 to June 30, 2010

Dear President Mellow:

Pursuant to Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) is empowered 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. (New York City Charter, Chapter 36, sections 831(d)(2) and (5).)

The Charter defines city agency as any "city, county, borough, or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government, where the majority of the board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..." The LaGuardia Community College of the City University of New York (CUNY) is funded by the City of New York and is therefore considered a city agency pursuant to Chapter 36, section 831(a) of the New York City Charter.

This Commission is empowered by Section 831 of the City Charter to recommend all necessary and appropriate actions to ensure fair and effective affirmative employment programs for minority group members, women and other protected classes. This audit measures the LAGCC's compliance with its Affirmative Action/Equal Employment Opportunity and Diversity Policy, as well as Commission policies and EEO standards expressed in the Federal, State and

City Human Rights Laws. All recommendations for corrective actions are consistent with both the audit's findings and the parameters set forth in the LAGCC's Affirmative Action/Equal Employment Opportunity and Diversity Policy (AA/EEO) and Discrimination Complaint Procedure.

The purpose of this audit is to evaluate the college's compliance with the standards cited above, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

### **Scope and Methodology**

Audit methodology included an analysis of the college's responses to an *EEPC Document and Information Request Form*. The EEPC sent interview questionnaires to the college's former and current Affirmative Action/Compliance and Diversity Officers (AA/CDO), Human Resources Director, Agency Counsel/Legal and Labor Designee, 504/ADA Disability Rights Coordinator, and two EEO Counselors/Deputy Coordinators/Sexual Harassment Awareness and Intake Committee. The EEPC Auditor also had a follow-up discussion of audit findings with the current AA/CDO.

In addition, the EEPC's Executive Director provided links to the *EEPC's Employee Survey* and *EEPC's Supervisor/Manager Survey* for the President's distribution to employees. The *EEPC's Employee Survey* was distributed to 855 full-time employees; 249 (29%) responded. The *EEPC's Supervisor/Manager Survey* was distributed to 157 supervisors/managers; 72 (22%) responded. Survey findings are included as appendices 1 and 5.

### **Description of the Agency**

LaGuardia Community College was established by the New York City Board of Higher Education in March 1970 and opened its doors in the fall of 1971. The College has a long history of commitment and service to diverse learning strategies and the needs of New York City students and the Queens community. All students are required to participate in cooperative education—a blend of work and study—to capitalize on taking academic courses while gaining an experiential component. Since admitting its first class of 540 students, LaGuardia, a college of the City University of New York, has grown to over 17,000 credit students and 313 full-time teaching faculty.

### **Personnel Activity during the Audit Period**

During the period in review, the total number of employees increased from 2,038 to 2,240. The number of African-American employees increased from 386 to 433, Asian/Pacific Islander employees increased from 231 to 275, Caucasian employees increased from 974 to 1,033, Hispanic employees increased from 443 to 495, and Native-Americans remained at 4. Female employees increased from 1,120 to 1,219. (Appendices 2 and 3)

The colleges' applicant, hires, promotions, and separations data are included in appendix 4.

## **Discrimination Complaint Activity during the Audit Period**

During the period in review, 6 internal discrimination complaints were filed. The AA/CDO indicated she completed and issued reports for 5 of these complaints: 4 of the 5 involved students' complaints. The complaints were handled informally. The other internal discrimination complaint was also filed with an external agency.

At the time of this audit, no internal discrimination complaints were pending. The college reports 11 external discrimination complaints. (Appendix 6)

## **Legal Issues**

The college reported three EEO judgments/settlements that occurred during the audit period and the two years prior. The college reports one pending EEO lawsuit.

## **PRELIMINARY DETERMINATION**

Following are our preliminary determinations with required corrective actions and recommendations pursuant to the audit.

### **AA/EEO Policy and Diversity Documents**

The LAGCC is in compliance with the following requirements:

1. The President issued a general *Statement of Affirmative Action and Equal Employment Opportunity*. Initially it was distributed by hard copy and then by email. In addition, 66% of respondents to the *EEPC's Supervisor/Manager Survey* indicated they had received a copy of the college's *Statement of Affirmative Action and Equal Employment Opportunity*.
2. The college's AA/EEO and Diversity Policies (which includes the *Statement of Nondiscrimination, Procedures for Processing Complaints of Alleged Discrimination, Section 504/ADA Policy Statement, Title IX Policy Statement, and Policy Against Sexual Harassment*) were distributed via hard copy initially and then through email. In addition, 77% of respondents to the *EEPC's Supervisor/Manager Survey* indicated it could be found in the college's AA/EEO and Diversity Office and 78% indicated it could be found in the HR/Personnel Office. Eighty-seven percent of respondents to the *EEPC's Employee Survey* indicated the college's AA/EEO and Diversity Policies was posted on the college's bulletin boards or kept in an area accessible to employees.

### **EEO Training Standards**

The LAGCC is in compliance with the following requirements:

1. The AA/CDO is also the AA/EEO and Diversity Trainer. The AA/CDO received AA/EEO and Diversity training and experience from the New York City Commission on Human Rights and New York City Fire Department. Other qualifications included law school education in employment law and a Cornell University EEO Studies Certificate.

2. During new employee orientation, the college ensured that new employees were advised of the AA/EEO and Diversity Policies and the employees' rights and responsibilities under such policies, and the discrimination complaint procedure. Sexual Prevention Harassment Awareness/Non-discrimination Policies Training was provided to employees in October and November 2010.

The LAGCC is in partial compliance with the following requirement:

Although the college provided Sexual Prevention Harassment Awareness/Non-discrimination Policies Training to employees, 62% of respondents to the *EEPC's Employee Survey* indicated they did not receive Sexual Prevention Harassment Awareness/Non-discrimination Policies Training during the past 3 years. Corrective action is required.

Recommendation: The College should develop an AA/EEO and Diversity training plan to ensure that all individuals who work within the campus, including managers and supervisors, are trained concerning AA/EEO and Diversity-related policies, rights, and responsibilities. (*LAGCC/CUNY Affirmative Action Program*, p. 7 and *EEPC/Sect. 831, City Charter*)

### **Discrimination Complaint and Investigation Procedures**

The LAGCC is in compliance with the following requirements:

1. The college has established an internal complaint investigation procedure by which the Affirmative Action/Compliance and Diversity Officer investigates discrimination complaints.
2. The college maintained a monthly log of discrimination complaints.

### **EEO Internal Discrimination Complaint Files**

The college submitted five files that it designated as "discrimination complaint files" to the EEPC for review. Four of the five files were regarding student complaints. The remaining file was an anonymous complaint; the case appeared to be informally handled.

The LAGCC is not in compliance with the following requirements:

The anonymous complaint file did not include a copy of an investigative report addressed to the President. The file did not contain written correspondence notifying the complainant and respondent of the outcome of the investigation. (Corrective action is required.)

Recommendation: If both the complainant and the respondent are satisfied with the results of the investigation and resolution of the complaint is agreed upon, the AA/CDO should notify both in writing as to the outcome of the investigation. (*LAGCC/CUNY Affirmative Action Program*, p. 4)

Recommendation: The AA/CDO should inform the President in writing of the investigation and resolution of the complaint. (*EEPC/Sect. 831, City Charter*)

## **Selection and Recruitment System**

The LAGCC is in compliance with the following requirements:

1. The college indicated it is an Equal Opportunity Employer via the last five internal job vacancy notices: (1) Student Life Child Center Specialist; (2) Academic Student Support Counselor/College Discovery; (3) Academic Resource Center Coordinator; (4) Enrollment Registrar Manager/Records and Registration; and (5) Institutional Research Manager included this indication.

The college submitted six *Consolidated Advertising Forms*, but did not submit the actual advertisements. Note: When advertising externally, the college should indicate it is an EEO employer.

2. Ninety-two percent of respondents to the *EEPC's Supervisor/Manager Survey* indicated they interviewed candidates for positions; 93% of these respondents also indicated they had received training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview.
3. The college conducts annual evaluations for its managerial and non-managerial employees. Eighty-six percent of respondents to the *EEPC's Employee Survey* indicated they received annual performance evaluations. In addition, 65% of respondents to the *EEPC's Supervisor/Manager Survey* indicated they also received annual performance evaluations.
4. The college assesses its methods of recruitment and the manner in which candidates were selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. As a result of the assessments many changes were made in the recruitment and selection process: the President recommended searches cast a wide net to get qualified diverse candidates; the Affirmative Action Program kept statistics on whether or not women and minorities were underrepresented in each position; and, it was recommended to Department Chairpersons that targeted recruitment was necessary. In addition, the AA/CDO consulted with the Department Chair persons and approved recruitment resources.
5. The college submitted a list of recruitment resources which included minority-oriented publications, professional organizations, and diversity websites.

## **EEO Professionals' Responsibilities/Reporting Arrangement**

The LAGCC is in compliance with the following requirements:

1. The college has appointed an AA/CDO to coordinate the College's Affirmative Action Program. The AA/CDO received AA/EEO and Diversity training and experience from the New York City on Human Rights and New York City Fire Department. Other qualifications included Law School education with employment law training and a Cornell EEO Studies Certificate.

2. The college identified its AA/CDO in its annual *Statement of Affirmative Action and Equal Employment Opportunity*. In addition, 68% of respondents to the *EEPC's Employee Survey* indicated they know who the AA/CDO is.
3. During the audit period the college's organization chart established that the AA/CDO reported to the President. The AA/CDO met with the President at least 12 times annually to discuss AA/EEO issues; an agenda and minutes were kept.
4. During the audit period the college's AA/CDO oversaw activities that impacted EEO within the college such as selection, recruitment, and reasonable accommodations. There were at least one male and one female professional available and authorized to investigate discrimination complaints. The AA/CDO met with the AA/EEO Counselors at least ten times annually; an agenda and minutes were kept.

### **EEO and Reasonable Accommodation for Persons with Disabilities**

#### The LAGCC is in compliance with the following requirements:

1. The college's Reasonable Accommodation Procedure is included in its AA/EEO and Diversity Policies. During the audit period, the college provided 16 reasonable accommodations which included alternative chair, large computer monitors, optical/wheel mouse, zoomtext software, classroom location change).
2. The college appointed an ADA/504 Compliance Coordinator 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. The Human Resources Director oversees all reasonable accommodation requests. In addition, 59% of respondents to the *EEPC's Employee Survey* indicated they know who the ADA/504 Compliance Coordinator is.
3. The college reports that there were no requests for EEO Policies in alternative formats. The college is committed to having alternative formats (such as large print, audio tape, and/or Braille) available upon request for use by persons with disabilities.
4. In response to this audit, the LAGCC completed the EEPC's checklists for determining accessibility. The location (31-10 Thomson Avenue, Long Island City, NY/4 Buildings) were accessible to and usable by persons with disabilities (e.g. facilities contain street accessible entrances, ramp access (in the process of being modified), wheelchair accessible elevators, bell and Braille in elevators, wide restroom stalls, grab bars in restroom, and low sink or bathroom fixtures).

### **SUMMARY OF RECOMMENDED CORRECTIVE ACTIONS**

1. The College should develop an AA/EEO and Diversity training plan to ensure that all individuals who work within the campus, including managers and supervisors, are trained

concerning AA/EEO and Diversity-related policies, rights, and responsibilities. (LAGCC/CUNY Affirmative Action Program, p. 7 and EEPC/Sect. 831; City Charter)

2. If both the complainant and the respondent are satisfied with the results of the investigation and resolution of the complaint is agreed upon, the AA/CDO should notify both in writing as to the outcome of the investigation. (LAGCC/CUNY Affirmative Action Program, p. 4)
3. The AA/CDO should inform the President in writing of the investigation and resolution of the complaint. (EEPC/Sect. 831, City Charter)

In addition to the above recommendations, during the compliance process, the Commission requires that the college distribute a memorandum to all staff informing them of the changes that are being implemented in the college's Affirmative Action/Equal Employment Opportunity and Diversity Program pursuant to the audit. This memorandum should re-emphasize the college head's commitment to the college's Affirmative Action/Equal Employment Opportunity and Diversity Program.

### **Conclusion**

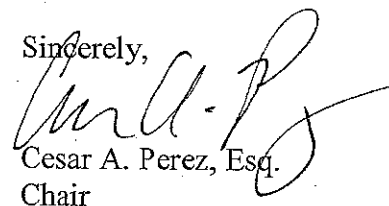
Pursuant to Chapter 36 of the New York City Charter and the previously cited preliminary determinations relating to EEPC's audit of the LAGCC's compliance with its Affirmative Action/Equal Employment Opportunity and Diversity Policy, as well as Commission policies and EEO standards expressed in the Citywide EEO Policy, we respectfully request your response to the aforementioned preliminary determinations.

Your response should indicate what corrective actions your office will take to bring the college in compliance with the aforementioned policies and which recommendations it intends to follow. As your staff informed us during the exit meeting, you have already implemented some of our recommended corrective actions. Please specify these corrective actions in your response, and include any documentation as addenda to your formal response to the Preliminary Determination.

Pursuant to Section 832 of the New York City Charter, if you do not implement all of these recommendations for corrective actions during a compliance period not to exceed six months, this Commission may publish a report and recommend the appropriate corrective actions that you should implement in your agency's EEO Plan.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission auditors during the course of this audit. If you have any questions regarding these preliminary determinations, please let us know.

Sincerely,



Cesar A. Perez, Esq.  
Chair



# Appendix 1

**Supervisor/Manager Survey: LaGuardia  
Community College**



**1. City University of New York**

	Response Percent	Response Count
College: <input type="text"/>	100.0%	73
<b>answered question</b>		<b>73</b>
<b>skipped question</b>		<b>1</b>

**2. How many employees are under your supervision?**

	Response Percent	Response Count
5 or less <input type="text"/>	28.4%	21
6-10 <input type="text"/>	21.6%	16
11-20 <input type="text"/>	10.8%	8
21 or more <input type="text"/>	39.2%	29
<b>answered question</b>		<b>74</b>
<b>skipped question</b>		<b>0</b>

**3. How long have you worked for this college?**

	Response Percent	Response Count
Over 3 years <input type="text"/>	87.8%	65
3 years or less <input type="text"/>	12.2%	9
<b>answered question</b>		<b>74</b>
<b>skipped question</b>		<b>0</b>

**4. Each CUNY college president should issue annually a written statement that reaffirms support for AA/EEO and Diversity. Have you received a copy of the president's statement?**

		Response Percent	Response Count
Yes	<input checked="" type="checkbox"/>	66.2%	49
No	<input type="checkbox"/>	2.7%	2
Do not remember	<input type="checkbox"/>	31.1%	23
<b>answered question</b>			<b>74</b>
<b>skipped question</b>			<b>0</b>

**5. In your college, where can the policies and procedures on Affirmative Action, Disability Accommodations, and Non-Discrimination/Sexual Harrassment Prevention be found? (Check all that apply.)**

		Response Percent	Response Count
The AA/EEO and Diversity Office	<input checked="" type="checkbox"/>	76.7%	56
The HR/Personnel Office	<input checked="" type="checkbox"/>	78.1%	57
The Intranet	<input checked="" type="checkbox"/>	49.3%	36
Your Office	<input type="checkbox"/>	32.9%	24
Do not know	<input type="checkbox"/>	1.4%	1
<b>answered question</b>			<b>73</b>
<b>skipped question</b>			<b>1</b>

**6. Of the choices above, which is most easily accessible to you?**

	Response Percent	Response Count
The AA/EEO and Diversity Office	20.5%	15
The HR/Personnel Office	23.3%	17
The Intranet	32.9%	24
Your Office	23.3%	17
	<b>answered question</b>	<b>73</b>
	<b>skipped question</b>	<b>1</b>


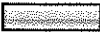
**7. Do you know the name of your college's Affirmative Action/Compliance and Diversity Officer (AA/CDO)?**

	Response Percent	Response Count
Yes	87.7%	64
No	12.3%	9
	<b>answered question</b>	<b>73</b>
	<b>skipped question</b>	<b>1</b>



**8. Have you been informed of your protections against illegal employment discrimination and sexual harassment in accordance with the college's AA/EEO and Diversity Policies by your college's AA/CDO?**

	Response Percent	Response Count
Yes	90.4%	66
No	9.6%	7
	<b>answered question</b>	<b>73</b>
	<b>skipped question</b>	<b>1</b>

9. Have you been informed of your responsibilities as a supervisor in accordance with your college's AA/EEO and Diversity Policies by your college's AA/CDO?

		Response Percent	Response Count
Yes		84.9%	62
No		15.1%	11
answered question			73
skipped question			1

10. CUNY's Policies and Procedures on Non-Discrimination and Sexual Harassment require persons with supervisory responsibility to take steps to create a workplace free of discrimination and harassment such as arranging for posting of the policies in their work areas. Have you done this?

		Response Percent	Response Count
Yes		78.1%	57
No		21.9%	16
answered question			73
skipped question			1

**11. These policies also require supervisory personnel to encourage aggrieved persons to contact the AA/CDO. Have you done this?**

	Response Percent	Response Count
Yes	56.2%	41
No	6.8%	5
Not Applicable	37.0%	27
<b>answered question</b>		<b>73</b>
<b>skipped question</b>		<b>1</b>




**12. Did you receive sexual harassment prevention training from this college during the past 3 years ?**

	Response Percent	Response Count
Yes	49.3%	36
No	50.7%	37
<b>answered question</b>		<b>73</b>
<b>skipped question</b>		<b>1</b>



**13. Did you receive training on AA/EEO and Diversity?**

	Response Percent	Response Count
Yes	56.9%	41
No	43.1%	31
<b>answered question</b>		<b>72</b>
<b>skipped question</b>		<b>2</b>




**14. When you were hired, did you receive an orientation session that included a review of the college's AA/EEO and Diversity Policies?**

		Response Percent	Response Count
Yes		30.6%	22
No		22.2%	16
Do not remember		47.2%	34
answered question			72
skipped question			2



**15. Do you participate in orientation sessions for new employees?**

		Response Percent	Response Count
Yes		51.4%	37
No		48.6%	35
answered question			72
skipped question			2





**16. Do new employee orientation sessions include information on the AA/EEO and Diversity Policies?**

		Response Percent	Response Count
Yes		70.3%	26
No		5.4%	2
Do not know		24.3%	9
answered question			37
skipped question			37

**17. Do you interview candidates for positions in your agency?**




		Response Percent	Response Count
Yes		91.7%	66
No		8.3%	6
<b>answered question</b>			<b>72</b>
<b>skipped question</b>			<b>2</b>

**18. A structured interview is a method that standardizes the type and order of interview questions asked to ensure that a fair comparison can be made between interviewees. Did your college provide you with training and/or a guide that outlines illegal or discriminatory questions and includes instructions for conducting a structured interview?**



		Response Percent	Response Count
Training		6.1%	4
Guide		21.2%	14
<b>Both training and guide</b>		<b>65.2%</b>	<b>43</b>
Neither		7.6%	5
<b>answered question</b>			<b>66</b>
<b>skipped question</b>			<b>8</b>





**19. When was your last performance evaluation?**

	Response Percent	Response Count
Within the past year 	75.0%	54
Over a year ago 	23.6%	17
I have not received a performance evaluation 	1.4%	1
	answered question	72
	skipped question	2

**20. Does your performance evaluation include an EEO component? (A section that rates your ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner.)**

	Response Percent	Response Count
Yes 	53.5%	38
No 	46.5%	33
	answered question	71
	skipped question	3

**21. Do you conduct formal performance evaluations of the employees under your supervision annually?**

	Response Percent	Response Count
Yes 	83.3%	60
No 	16.7%	12
	answered question	72
	skipped question	2



**22. Do you believe the college has provided sufficient training to supervisors/managers on their responsibilities in assisting employees who may complain about discrimination or harassment?**

		Response Percent	Response Count
Yes	<input type="checkbox"/>	80.6%	58
No	<input type="checkbox"/>	19.4%	14
<b>answered question</b>			<b>72</b>
<b>skipped question</b>			<b>2</b>

**23. Race/Ethnicity**

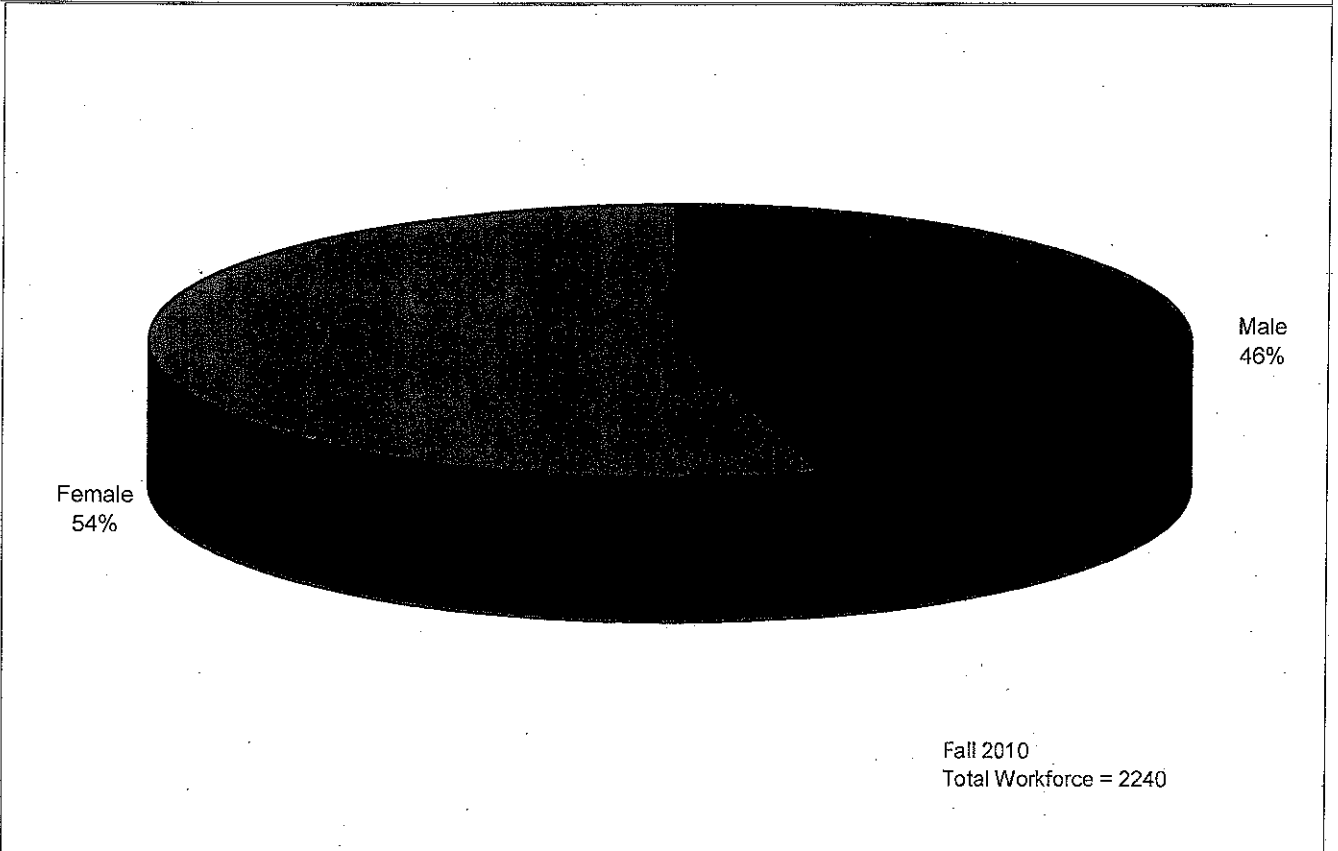
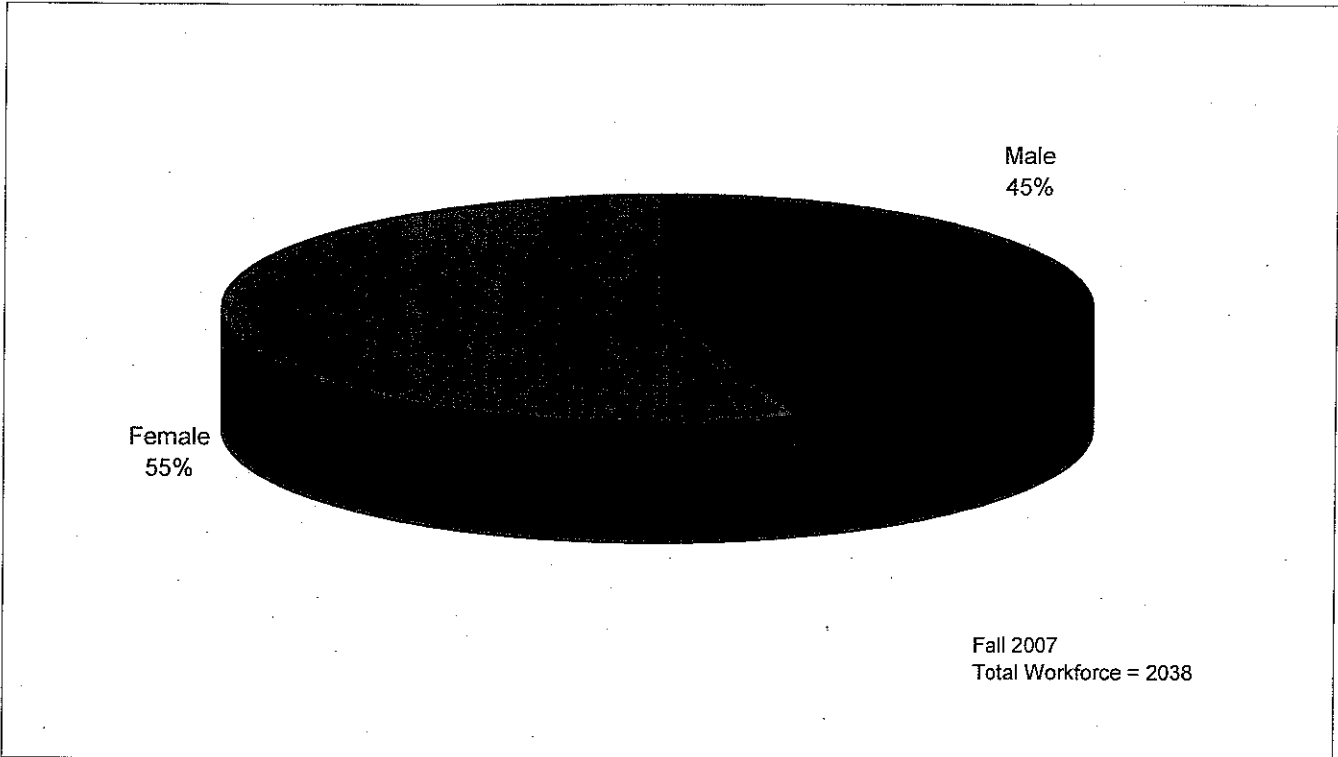
		Response Percent	Response Count
Asian or Pacific Islander	<input type="checkbox"/>	7.9%	5
American Indian or Alaska Native	<input type="checkbox"/>	0.0%	0
Black (not of Hispanic origin)	<input type="checkbox"/>	15.9%	10
Hispanic	<input type="checkbox"/>	12.7%	8
White (not of Hispanic origin)	<input type="checkbox"/>	55.6%	35
Other	<input type="checkbox"/>	7.9%	5
<b>answered question</b>			<b>63</b>
<b>skipped question</b>			<b>11</b>

## 24. Gender

		Response Percent	Response Count
Male		35.4%	23
Female		64.6%	42
		answered question	65
		skipped question	9

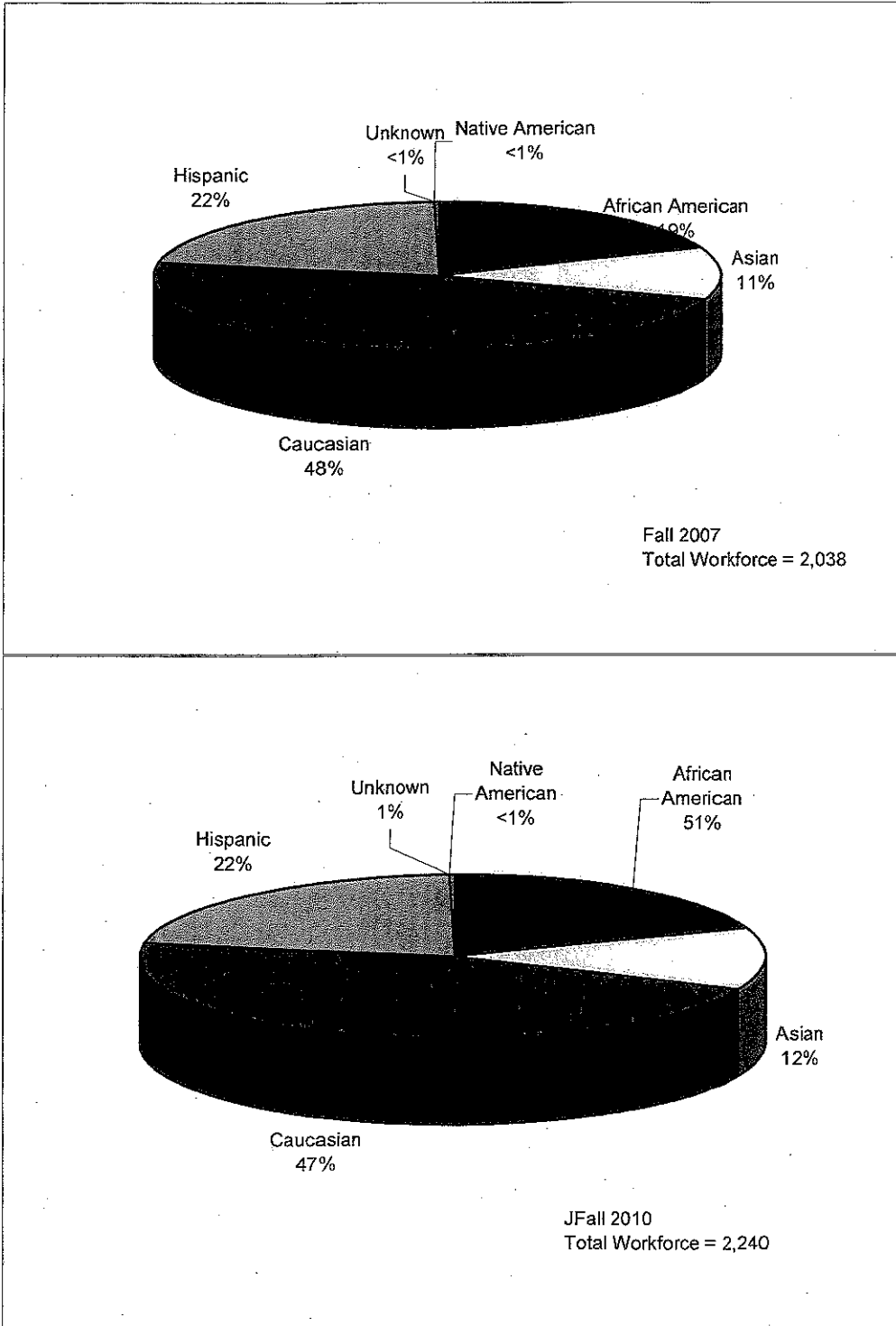
## Appendix - 2

### LaGuardia Community College Workforce by Gender



Appendix - 3

LaGuardia Community College  
Workforce by Ethnicity



### AA/EEO & Diversity Program: LaGuardia Community College Edit

- View Summary
- Browse Responses
- Filter Responses
- Crosstab Responses
- Download Responses
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Default Report [+ Add Report](#)

## Response Summary

Total Started Survey: 266  
Total Completed Survey: 249 (93.6%)

Select a page to view below or view all pages:

« #1. EMPLOYEE SURVEY »

PAGE: EMPLOYEE SURVEY

### 1. City University of New York

Download

	Response Percent	Response Count
College Name: <a href="#">Show Responses</a>	100.0%	266

answered question 266

skipped question 0

Select a page to view below or view all pages:

« #1. EMPLOYEE SURVEY »

1. City University of New York

	Response Percent	Response Count
College Name: <input type="text" value="City University of New York"/>	100.0%	266
<b>answered question</b>		<b>266</b>
<b>skipped question</b>		<b>0</b>



2. Equal Employment Opportunity (EEO) guarantees the right of all persons to be accorded full and equal consideration on the basis of merit, regardless of protected group status. Do you agree with this principle?

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	96.6%	253
No <input type="checkbox"/>	3.4%	9
<b>answered question</b>		<b>262</b>
<b>skipped question</b>		<b>4</b>



3. Do you know who your college's Affirmative Action/Compliance and Diversity Officer (AA/CDO) is?

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	67.6%	175
No <input type="checkbox"/>	32.4%	84
<b>answered question</b>		<b>259</b>
<b>skipped question</b>		<b>7</b>




4. Are the AA/EEO and Diversity Policies posted on your college's bulletin boards or kept in an area otherwise accessible to employees?

		Response Percent	Response Count
Yes		86.8%	223
No		13.2%	34
answered question			257
skipped question			9

5. Do you believe your college practices EEO (i.e. ensures fairness in all aspects of employment including hiring, selection, promotions, etc.)?

		Response Percent	Response Count
Yes		78.7%	200
No		21.3%	54
answered question			254
skipped question			12

6. How often has your manager or supervisor reaffirmed the college's commitment to the principle of EEO during staff meetings within the past year?

		Response Percent	Response Count
Two or more times		34.5%	87
One time		29.0%	73
At no time		36.5%	92
answered question			252
skipped question			14



**7. How often has your manager or supervisor discussed employees' right to file a discrimination complaint with the college's AA/CDO during staff meetings within the past year?**

	Response Percent	Response Count
Two or more times	16.7%	42
One time	18.7%	47
At no time	64.5%	162
<b>answered question</b>		<b>251</b>
<b>skipped question</b>		<b>15</b>

**8. When hired, were you advised of the college's AA/EEO and Diversity Policies and of your rights and responsibilities under such policies?**

	Response Percent	Response Count
Yes	52.6%	132
No	9.6%	24
Do Not Remember	37.8%	95
<b>answered question</b>		<b>251</b>
<b>skipped question</b>		<b>15</b>

**9. Do you know how to file an EEO complaint?**

	Response Percent	Response Count
Yes	48.6%	122
No	51.4%	129
<b>answered question</b>		<b>251</b>
<b>skipped question</b>		<b>15</b>

10. If you had an EEO complaint, would you bring it to your college's AA/EEO and Diversity Office?

	Response Percent	Response Count
Yes <input type="checkbox"/>	68.0%	170
No <input type="checkbox"/>	6.4%	16
Undecided <input type="checkbox"/>	25.6%	64
answered question		250
skipped question		16

11. Would you prefer to file an EEO complaint with an office outside your college?

	Response Percent	Response Count
Yes <input type="checkbox"/>	25.2%	63
No <input type="checkbox"/>	45.2%	113
Undecided <input type="checkbox"/>	29.6%	74
answered question		250
skipped question		16

12. During the past 3 years, did you file a complaint with your college's AA/EEO and Diversity Office?

	Response Percent	Response Count
Yes <input type="checkbox"/>	0.4%	1
No <input type="checkbox"/>	99.6%	249
answered question		250
skipped question		16

**13. Was your manager or supervisor supportive of your right to file a complaint?**

	Response Percent	Response Count
Yes	0.0%	0
No	100.0%	1
Not Applicable	0.0%	0
<b>answered question</b>		<b>1</b>
<b>skipped question</b>		<b>265</b>




**14. During the past 3 years, did you receive AA/EEO and Diversity training?**

	Response Percent	Response Count
Yes	34.4%	86
No	62.4%	156
Employed for less than 12 months	3.2%	8
<b>answered question</b>		<b>250</b>
<b>skipped question</b>		<b>16</b>




**15. How informative was this training?**

	Response Percent	Response Count
Very informative	50.0%	43
Somewhat informative	41.9%	36
Not really informative	5.8%	5
Not Applicable	2.3%	2
<b>answered question</b>		<b>86</b>
<b>skipped question</b>		<b>180</b>

**16. Does your college use training and development programs in order to improve job performance and/or career opportunities?**

		Response Percent	Response Count
Yes		87.2%	218
No		6.0%	15
I do not know		6.8%	17
answered question			250
skipped question			16

**17. Are vacant positions advertised on bulletin boards or other areas accessible to employees in a timely manner?**

		Response Percent	Response Count
Yes		75.1%	187
No		10.4%	26
Do not remember		14.5%	36
answered question			249
skipped question			17

**18. Have you received annual performance evaluations within the past 3 years?**

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	86.3%	215
No <input type="checkbox"/>	10.4%	26
Employed for less than 12 months <input type="checkbox"/>	3.2%	8
<b>answered question</b>		<b>249</b>
<b>skipped question</b>		<b>17</b>




**19. Did your evaluation contain recommendations for improving your job performance?**

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	76.7%	165
No <input type="checkbox"/>	23.3%	50
<b>answered question</b>		<b>215</b>
<b>skipped question</b>		<b>51</b>



**20. Did your evaluation contain recommendations for career advancement within the college?**

	Response Percent	Response Count
Yes <input checked="" type="checkbox"/>	47.0%	101
No <input type="checkbox"/>	53.0%	114
<b>answered question</b>		<b>215</b>
<b>skipped question</b>		<b>51</b>

**21. The Career Counselor is a trained professional (often the Human Resources Director) familiar with civil service and provisional jobs who provides career counseling to employees who request such guidance. Do you know who your college's Career Counselor is?**

		Response Percent	Response Count
Yes		34.1%	85
No		55.0%	137
Not Applicable		10.8%	27
answered question			249
skipped question			17

**22. The Disability Rights Coordinator is responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws pertaining to persons with disabilities. Do you know who your college's Disability Rights Coordinator is?**

		Response Percent	Response Count
Yes		58.6%	146
No		41.4%	103
answered question			249
skipped question			17


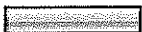



23. Employers are required to take appropriate action to reasonably accommodate qualified employees and applicants with disabilities, and those who are victims of domestic violence, sex offenses, or stalking, to enable to them to perform their jobs or enjoy equal benefits and privileges of employment. Employers are also required to provide reasonable accommodations for the religious observances, beliefs and practices of an employee or applicant. During the past 3 years, did you ask for a reasonable accommodation due to any of the above?

		Response Percent	Response Count
Yes	<input type="checkbox"/>	11.2%	28
No	<input type="checkbox"/>	88.8%	221
answered question			249
skipped question			17



24. Was your accommodation granted?

		Response Percent	Response Count
Yes	<input type="checkbox"/>	85.7%	24
No	<input type="checkbox"/>	14.3%	4
answered question			28
skipped question			238

## 25. Race/Ethnicity

		Response Percent	Response Count
Asian or Pacific Islander		10.8%	24
American Indian or Alaska Native		0.0%	0
Black (not of Hispanic origin)		20.6%	46
Hispanic		22.0%	49
White (not of Hispanic origin)		42.2%	94
Other		4.5%	10
		answered question	223
		skipped question	43

## 26. Gender

		Response Percent	Response Count
Male		42.2%	95
Female		57.8%	130
		answered question	225
		skipped question	41



Appendix - 6

LaGuardia Community College

External Complaints\*

Total number of external complaints filed: 11

Name of Outside Agency	Year	Nature of complaint	Status of complaint (incl. finding by outside agency)
EEOC	2005	Race/Nationality	Dismissed: Insufficient Evidence
USDC	2008	Race/Nationality	Dismissed w/o Prejudice; Settlement: \$60,000 incl. atty's Fees
EEOC	2008	Age	Withdrawn Simultaneous w/Grievance; Settled for \$11,375.50
EEOC	2008	Age	Withdrawn Simultaneous w/Grievance; Settled for \$11,187.50
USDC	2009	Race/Age	Dismissed: Failure to State Claim and Time-Barred
EEOC	2009	Race/Age	Decision Pending
EEOC	2009	Disability	Dismissed: No Probable Cause
State Division of Human Rights	2009	Race/Color	Decision Pending
OCR	2010	Disability	Dismissed: Insufficient Evidence
EEOC	2010	Disability	Decision Pending
EEOC	2010	Race/Age	Decision Pending

\*Filed During the Audit Period