



The Public Advocate for the City of New York
Improving Access to City Services

Betsy Gotbaum
Public Advocate

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September 23, 2008

Ernest F. Hart, Esq.
Chair
NYC Equal Employment Practices Commission
40 Rector Street, 14th Floor
New York, NY 10006

Re: Response to Resolution #08/19-101/Preliminary Determination Pursuant to the
Audit of the Public Advocate's Equal Employment Opportunity Program from
January 1, 2005 to December 31, 2006

Dear Mr. Hart:

I appreciate the opportunity to respond to the Equal Employment Practices Commission ("EEPC") audit ("Audit") of the Office of the Public Advocate's ("PA") compliance with the City's Equal Employment Opportunity ("EEO") program.

The PA is, and always has been, strongly committed to ensuring fair employment practices for its employees and job applicants. As such, the PA welcomed the Audit, viewing it as a management tool to facilitate the continued improvement of the administration of the Citywide EEO Policy.

The PA accepts and will follow the Audit recommendations. As noted below, the PA has already implemented certain recommended corrective actions.

With respect to the individual Audit recommendations, following are the PA's responses:

1. EEPC Audit Recommendation

The agency's EEO Policy complaint form should be updated to include all of the "protected classes" under the New York City and New York State Human Rights Laws. An updated EEO Policy should be placed in the "new hire" package. (Sect. I, Citywide EEOP)

PA Response

The PA has updated its EEO Policy complaint form to include all of the protected classes under the New York City and New York State Human Rights Laws. The



updated Policy was distributed on December 5, 2007 to all staff members and has been placed in the "new hire" package.

2. EEPC Audit Recommendation

The PA should distribute the EEO Policy Handbook, *About EEO: What You May Not Know*, to all current and new employees.

PA Response

The EEO Policy Handbook has been distributed to all current staff members and has been placed in the "new hire" package.

3. EEPC Audit Recommendation

All agency recruitment literature should indicate that the agency is an equal opportunity employer. (Sect. IV, Citywide EEOP)

PA Response

The PA will comply with this recommendation.

4. EEPC Audit Recommendation

The PA should officially appoint the EEO officer as the disability rights coordinator and notify staff about the appointment. (Sect. VB, Citywide EEOP)

PA Response

The PA has officially appointed the EEO officer as the disability rights coordinator and notified in writing all staff on June 5, 2008. A notification of appointment will be placed in the "new hire" package.

5. EEPC Audit Recommendation

The EEO officer should develop and maintain a monthly EEO complaint log to indicate the monthly status of internal and external complaints. (DCAS, DCPIG, 1993, Sect. 12(a))

PA Response

The EEO officer will maintain a monthly EEO complaint log of internal and external complaints. I would like to reiterate that since I first took office in 2002, there have been zero EEO complaints filed.

6. EEPC Audit Recommendation

The organizational chart should include the title "EEO officer." (Sect. VB, Citywide EEOP)

PA Response

The chart has been revised to include the title "EEO officer."

7. EEPC Audit Recommendation

The PA should develop a plan to provide structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEO Policy)

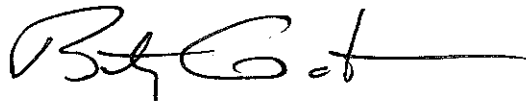
PA Response

The PA will review opportunities for scheduling appropriate staff for a course on structured interviewing and will schedule such course within the six-month compliance period.

I would like to thank your staff for their professionalism during the Audit and their production of a fair report.

You may contact Ms. Anat Gerstein, Chief of Staff, at 212-669-4743, if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Betsy Gotbaum", with a long horizontal line extending to the right.

Betsy Gotbaum

cc: Mr. Mendez
Mr. Matusewitch
Mr. May