

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #12/29-056: Preliminary Determination Pursuant to the Audit of the New York City Police Department's (NYPD) Equal Employment Opportunity Program from January 1, 2009 through December 31, 2011.

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 Department of Transportation'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 Department of Transportation's compliance with the City's 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. Twenty-seven *Checklists to Determine Accessibility for Employees/Applicants with Disabilities* indicated non-accessibility.
2. One internal complaint file was not completed within the 90-day period and did not contain a *Delay Notification Letter* or an explanation for the delay.
3. Although the agency provided an *Applicant/Candidate Log* which included the position advertised, source of recruitment, candidates interviewed and candidate selected, it did not include the gender, ethnicity of the applicant, and the reason for selection/rejection or disposition.
4. Although the EEO Officer met with the agency head on a weekly basis to discuss EEO matters, no formal notes of those meetings were kept.

5. The agency did not submit an Annual Agency-Specific EEO Plan to the EEPD for FY 2009 and FY 2010.

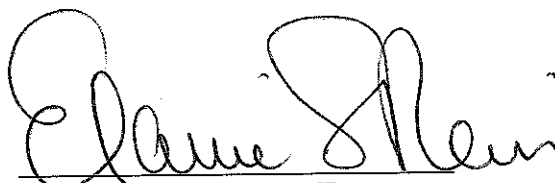
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Commissioner Raymond W. Kelly, 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 New York City Police Department will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on October 18, 2012.

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner



Elaine S. Reiss, Esq.
Commissioner