

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/18-042(QCC): Preliminary Determination Pursuant to the Audit of Compliance by the Queensborough 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.

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 Queensborough Community College's Affirmative Action/Equal Employment Opportunity and Diversity 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 Queensborough Community College's compliance with its Affirmative Action/Equal Employment Opportunity and Diversity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The college did not have a plan for AA/EEO and Diversity Training. In addition, 75% of respondents to the *EEPC's Employee Survey* indicated they did not receive AA/EEO and Diversity training during the past 3 years. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section II.2a, July 2008 and EEPC/Sect. 831, City Charter)
2. The two internal complaint files did not contain a Charge of Discrimination Form. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section II.4, July 2008)
3. The two internal complaint files did not contain written notification informing the complainant and accused that an investigation had begun, which may include interviews with third parties, and that the President shall determine what action, if any, to take after the investigation is complete. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section II.7b2,3, July 2008)

4. The two internal complaint files did not contain an *Actions Taken in Response to Discrimination/Harassment Complaint Form* that the AA/CDO reported the investigation findings to the President for review and signature. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section II.8a,d, July 2008)
5. The two internal complaint files did not contain documentation that the complainant(s) and respondent(s) to the investigation were apprised in writing of the outcome and action taken as a result of the complaint. (CUNY, *Policies and Procedures on Non-Discrimination and Sexual Harassment*, Section II.8c, July 2008)
6. The remaining two advertisements (1. Instructor or Assistant Professor/Library 2. Instructor or Assistant Professor/Biology, Instructor or Assistant Professor/Mathematics, and Lecturer/Mathematics) during the period in review did not indicate that the college is an Equal Opportunity Employer. (EEPC/Sect. 831, City Charter)

Be It Finally Resolved,

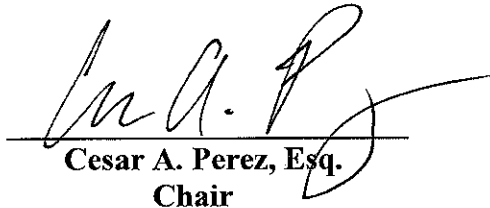
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to President Diane Bova Call, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the Queensborough Community College's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved by three affirmative votes and one abstention on October 6, 2011.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner


Cesar A. Perez, Esq.
Chair