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**BY MAIL AND EMAIL**

May 10, 2016

Dr. David Gómez  
President  
Hostos Community College  
475 Grand Concourse, A-341  
Bronx, NY 10452

Re: Preliminary Determination for Audit: Review, Evaluation and Monitoring of the Hostos Community College's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

Dear President Gómez:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the Commission's findings and preliminary determinations pursuant to our audit and analysis of your agency's Employment Practices and Procedures for the period covering January 1, 2013 to December 31, 2015.

The New York City Charter, Chapter 36, Section 831(d)(5), empowers this Commission to audit and evaluate city agencies' employment practices, programs, policies and procedures, and their efforts to ensure fair and effective equal employment opportunity for employees and applicants seeking employment with city agencies. Section 832.c provides that this Commission may, pursuant to an audit, make a preliminary determination that any plan, program or procedure utilized by any city agency does not provide equal employment opportunity and recommend all necessary and appropriate procedures, approaches, measures, standards and programs to be utilized by agencies in these efforts.

The Hostos Community College, which may herein be referred to as "the agency," falls within the Commission's purview under Chapter 36, Section 831(a) of the New York City Charter, which delineates 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 purpose of this audit and analysis is to evaluate the agency’s Employment Practices and Procedures, not to issue findings of discrimination pursuant to the New York City Human Rights Law. This Commission has adopted *Uniform Standards for EEPC Audits*<sup>1</sup> and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies’ EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. These standards are founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; the New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); the New York State Civil Service Law §55-a; the Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7); the Americans with Disabilities Act; and its Accessibility Guidelines, and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters.

Since this Commission is empowered to review and recommend actions which each agency should consider including in its annual plan of measures and programs to provide equal employment opportunity (Annual EEO Plan), the audited agency should incorporate required corrective actions in its current EEO Program and prospective Annual EEO Plans.

## Scope and Methodology

This Commission’s audit methodology includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, review of the agency’s *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System* (CEEDS).

This Commission reviews the workforce statistics and utilization analysis information available via CEEDS to understand the concentrations of race and gender groups within an agency’s workforce. (CEEDS may be unavailable for certain non-mayoral agencies. In such cases, the EEPC requests that the agency submit similar statistics and analysis.) EEO Program Analysts examine imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. Personnel transactions are reviewed in order to ascertain the agency’s employment practices. Where underutilization is revealed within an agency’s workforce, EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career

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<sup>1</sup> Corresponding audit/analysis standards are numbered throughout the document.



Counselors, 55-a Program Coordinators) and others involved in EEO program administration such as the Principal Human Resources Professional are given a two-week deadline to complete and return their individual questionnaires. The Commission's EEO Program Analysts also conduct additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

To encourage response, the EEPC requests that the head or deputy of each agency send emails to employees and to supervisors/managers that provide links to our questionnaires.

### **Description of the Agency**

Hostos Community College is part of City University of New York (CUNY), the nation's leading urban public university serving more than 500,000 students at 24 colleges. Hostos Community College is an educational agent for change, transforming and improving the quality of life in the South Bronx and neighboring communities since 1968. Hostos offers 27 associate degree programs and 2 certificate programs that facilitate easy transfer to CUNY four-year colleges or baccalaureate studies at other institutions. Hostos Community College is accredited by the Middle States Association of Colleges and Schools and the Board of Regents of the University of the State of New York. (Reference: <http://www.hostos.cuny.edu/About-Hostos> )

At the end of the audit period, (12/31/15), the agency total workforce consisted of 593 employees: 187 were pedagogical employees; and 406 were non-pedagogical employees –which fall under the EEPC's jurisdiction. (See Appendix 1).

### **PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS**

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

#### **I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:**

**Determination:** The agency is in partial-compliance with the standards for this subject area.

1. Issue a general EEO Policy statement or memo reiterating commitment to EEO, declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and attaching, or providing employees pertinent electronic links to, an EEO Policy/Handbook.
- ✓ The President of the college issued an EEO Policy memo to employees on September 10, 2013 and September 18, 2014, which reaffirmed the college's commitment to the "*principles of affirmative action, equal opportunity, and diversity*"; declared the college's position against discrimination on any protected basis, and advised employees of the names and contact information of the interim principal EEO professional; who also served as the Title IX and ADA Coordinator. A web link to the agency's EEO Policy, *The City University of New York (CUNY) Policy on Equal Opportunity and Non-Discrimination*, was distributed to employees by the principal EEO Professional via email on August 31, 2015.

2. Distribute/Post a paper or electronic copy of the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* – or an agency EEO Policy that conforms to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. Include, or attach as addenda: a policy against sexual harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the agency’s EEO professionals, as well as federal, state and local agencies that enforce laws against discrimination.
- ✓ On August 31, 2015, the principal EEO Professional distributed to employees via email electronic links to the City University of New York (CUNY) *Policy on Equal Opportunity and Non-Discrimination* and the *CUNY Disability Accommodation Procedure*. The *EEO Policy* included a policy against sexual harassment and an electronic link to the *CUNY’s Policy on Sexual Misconduct*; a copy of the *Complaint Procedures Under the CUNY’s Policy on EEO and Discrimination*; and an up-to-date list of protected classes under the NYC and NYS Human Rights Laws. Additionally, the agency’s EEO policy was also included in the new employee package.
  - The EEO Policy did not include current contact information for the federal (Equal Employment Opportunity Commission (EEOC)), state (New York State Division of Human Rights (SDHR)), and local (NYC Commission on Human Rights (CCHR)) agencies that enforce laws against discrimination. **Corrective Action Required.**

**Corrective Action #1:** Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency’s EEO Policy.

## II. **EEO TRAINING FOR AGENCY:**

**Determination:** The agency is in **compliance** with the standards for this subject area.

3. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
- ✓ The agency has established an EEO training plan for new and existing employees. The Human Resources department notified new employees via email of the required training programs. During the audit period, the agency implemented its EEO training plan by conducting ten (10) EEO training sessions for 140 employees, as indicated by attendance sheet. Additionally, the agency reported that in 2015, 187 employees (31% of the workforce) completed on-line sexual/gender harassment training.

**III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):**

**Determination: The agency is in partial-compliance with the standards for this subject area.**

4. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
- ✓ The agency maintained a list of recruitment sources to be used when advertising job vacancies. The list includes the *National Puerto Rican Coalition, Inc.*, *Asian American Research Institute (AARI)*, *CALANDRA- Italian –American Org*, *Research on the African Diaspora in the Americas and the Caribbean (IRADAC)*, *Asian Pacific American Labor Alliance*, *naaap.org*, *womeninhighered*, *academicdiversitysearch.com*, and *womenforhire*.
  - The agency reported underutilization of protected classes in 7 job groups (*Administration I, Administration II, Administration III, Administration IV, Computer Specialist, CUNY Office Assistant, CUNY Administrative Assistant*) during the period in review. The agency did not demonstrate that it assessed its recruitment efforts to determine whether such efforts adversely impact any particular protected class in the aforementioned job groups or that it used female and minority oriented recruitment resources when positions in the underutilized job groups became available. **Corrective Action Required.**

**Corrective Action #2:** Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

5. The principal EEO Professional, HR Professional, and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
- ✓ The agency reported that the principal EEO professional was responsible for reviewing, collecting and analyzing statistical information (recruitment, hire/promotion, and separation data) using the *Impact Ratio Analysis* (see appendix 2), an evaluation of personnel transactions in each EEO category, to assess any disparities or adverse impact in the personnel actions. The *Impact Ratio Analysis* contained a *Hires Analysis* (comparing the number of hires to applicants); the *Promotion Analysis* (examines the promotion, upgrades/re-classification and transfers by comparing the number of employees promoted to incumbents); and the *Personnel Activity Table* for a similar assessment. The agency reported that the

principal EEO professional met with the principal Human Resources professional as needed without scheduled meetings or agendas.

- The agency did not demonstrate that the principal EEO Professional, HR Professional and General Counsel, reviewed the annual number of EEO complaints. In addition, although the principal EEO Professional and HR Professional met as needed, the agency did not document these meetings. **Corrective Action Required.**

**Corrective Action #3:** Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.

6. Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

- Although the agency reported that the principal EEO professional was responsible for reviewing, collecting and analyzing statistical information to assess any disparities or adverse impact, the agency did not demonstrate that it assessed the manner in which candidates were selected for employment, to determine whether there was any adverse impact upon any particular racial, ethnic, disability, or gender group. **Corrective Action Required.**

**Corrective Action #4:** Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

7. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

- The agency reported underutilization of protected classes existed in 7 job groups (*Administration I, Administration II, Administration III, Administration IV, Computer Specialist, CUNY Office Assistant, CUNY Administrative Assistant*) during the period in review, which may include *discretionary titles*. In addition, the agency did not demonstrate that it used female and minority-oriented recruitment resources when positions in the underutilized job groups became available. **Corrective Action Required.**

**Corrective Action #5:** If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates. (See III. 4)

8. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
  - The agency reported underutilization of protected classes in 7 job groups (*Administration I, Administration II, Administration III, Administration IV, Computer Specialist, CUNY Office Assistant, CUNY Administrative Assistant*) during the period in review, which may include *civil service* (list) titles. **Corrective Action Required**

**NOTE:** The agency reported that the Civil Service testing, selection processes, and the Section 55-a program were handled by the CUNY Central, Civil Service Unit.

**Corrective Action #6:** If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
  - ✓ During the period in review, the agency established and utilized a structured interviewing guide entitled, “*Guide to Questions for Pre-employment Inquiry, Interview Guide: Appropriate and Inappropriate Questions.*” Additionally, the agency reported that it utilized a search committee (responsible for recruitment and hiring of employment candidates) for each job vacancy. The principal EEO Professional was responsible for conducting meetings with search committees to instruct members to refrain from asking irrelevant or discriminatory questions.

10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.

- ✓ The agency reported that the CUNY Central Office sends Civil Service Notice of Examinations announcements to the agency and the Human Resources department which notified employees via email regarding upcoming civil service exams.

11. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

- ✓ During the period in review, the agency advertised several job vacancies in the CUNY Central system including: *Academic Resource Center Specialist – Student Center Coach, Academic Resource Center Specialist – Retention and Data Specialist, Academic Resource Center Coordinator- Student Success Coaching Unit, College Assistant – Center for Teaching and Learning & Education Technology, and Financial Aid Director. Each job vacancy notice included the tagline “CUNY encourages people with disabilities, minorities, veterans and women to apply. At CUNY, Italian Americans are also included among our protected groups. Applicants and employees will not be discriminated against on the basis of any protected category, including sexual orientation or gender identity. EEO/AA/Vet/Disability Employer.”*

12. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition) of each applicant, and recruitment source*. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.

- ✓ The agency reported that applications are received through CUNY's *Central Application Tracking System CUNYfirst*. CUNYfirst was used to generate summary log which captured the *position (job title and number), applicants' name, identification number, applicant type, disposition, resume, last updated, and take action tab*.

- The agency's applicant/candidate log did not include *applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/not selected, and recruitment sources*. **Corrective Action Required.**

**Corrective Action #7:** Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes *applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources*.

#### IV. **CAREER COUNSELING:**

**Determination:** The agency is in **partial-compliance** with the standards for this subject area.

13. Designate a professional (may be referred to as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities to provide career counseling to



employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.

- ✓ The agency reported that the Human Resources department was responsible for providing employees with information regarding career opportunities. The Human Resources department notified employees via email of upcoming civil service exams and training requirements. In addition, the agency reported that CUNY posts available positions outside of the Classified Civil Service through its central job postings system. (See IV. 14)
14. The Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; ensures that all new employees are advised of the EEO policies, their rights and responsibilities under such policies and the discrimination complaint procedures; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
- ✓ The Human Resources Professional ensured that a copy of the EEO policies were included in each *New Hire Package*; ensured that employees had access to performance evaluation standards; and informed employees of training requirements and of upcoming civil service exams.

NOTE: The agency reported that the Civil Service testing, selection processes, and the Section 55-a program were handled by the CUNY Central, Civil Service Unit.

- The agency did not provide documentation that all employees had access to information regarding job responsibilities. In addition, the agency did not maintain documentations of meeting between the Human Resources Professional and the principal EEO Professional regarding EEO-related matters; or documentation and the Human Resources Professional promptly consulted with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy had occurred. **Corrective Action Required.**

**Corrective Action #8:** Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.

**V. EEO AND REASONABLE ACCOMMODATIONS FOR EMPLOYEES/  
APPLICANTS FOR EMPLOYMENT WITH DISABILITIES:**

**Determination:** The agency is in compliance with the standards for this subject area.

15. Ensure that information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate

alternative formats (i.e., large print, audio tape and/or Braille) upon request to employees and applicants for employment with disabilities.

- ✓ The agency reported that during the period in review, EEO policies in alternative formats were available to employees and applicants for employment with disabilities upon request. The alternative formats included large print, audio tape, and Braille.

16. Document reasonable accommodation requests and their outcomes.

- ✓ The agency reported that the Human Resources Department was responsible for documenting reasonable accommodation requests and their outcomes. The agency provided a log maintained in an excel spreadsheet which included the following information: last name, first name, description of accommodation required or requested, date processed, semester, granted (yes/no), and attachments. The agency's reasonable accommodation procedure stated that, "*Hostos Community College provides 'reasonable accommodation' for qualified employees and students pursuant to applicable laws and regulations.*"

#### **VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:**

**Determination: The agency is in partial-compliance with the standards for this subject area.**

17. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. The principal EEO Professional is trained and knowledgeable regarding city, federal and state EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.

- ✓ The interim Chief Diversity Officer (the agency's principal EEO Professional) also served as the agency's Title IX and ADA Coordinator. The Chief Diversity Officer completed the following training as part of the continuing legal education credit requirements: *Higher Education Law 2014: Current Issues and Recent Development* (December 2014); *Higher Education Law 2014: Current Issues and Recent Developments- Title IX and Claims of Sexual Harassment and Assault* (May 2015); and *Employment Discrimination Law & Litigation 2015* (June 2015). Employees were notified of the Chief Diversity Officer's appointment via written college-wide announcement on November 12, 2014.

18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

- ✓ During the audit period, the agency reported that the Chief Diversity Officer comprised its EEO unit. (see training above, section VI. 17)

19. The principal EEO Professional reports directly to the agency head (or an approved direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.

- ✓ The Chief Diversity Officer reported directly to the college President in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities. This reporting relationship was reflected in the agency's organizational chart.
- 20. To ensure the integrity and continuity of the EEO Program, maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
- ✓ The principal EEO Professional maintained calendar meetings with the agency head.
  - The agency however, did not demonstrate that meetings and other communications between the agency head and the principal EEO Professional were maintained regarding decisions that impacted the administration and operation of the EEO program. **Corrective Action Required.**

**Corrective Action #9:** Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

**VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS:**

**Determination:** The agency is in compliance with the standards for this subject area.

- 21. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.
- ✓ The agency established and administered an annual managerial/non-managerial performance evaluation program. The Human Resources department reminded managers and supervisors of the timeline to complete performance evaluations via email annually; advised that the forms can be accessed online via the *Performance Management System* (PMS). The agency provided documentation of performance evaluations administered in 2013, 2014, and 2015, for Higher Education Assistants; CUNY Office Assistants; and Campus Peace Officers.
- 22. The managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
- ✓ The agency's managerial performance evaluation form included a standard for EEO which stated, "*Inclusiveness- Diversity: Shows respect for people and their differences; promotes fairness and equity; engages the talents, experiences, and capabilities of others; fosters a sense of belonging; works to understand the perspective of others; create opportunities for access and success.*"

**VIII. REPORTING STANDARD FOR AGENCY HEAD:**

**Determination:** The agency is in non-compliance with the standards for this subject area.

1. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports<sup>2</sup> (up to 30 days following each quarter) on efforts to implement the plan.
  - The agency did not submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, or quarterly reports on efforts to implement the plan.

**Corrective Action #10:** Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports<sup>2</sup> (up to 30 days following each quarter) on efforts to implement the plan.

**After implementation of the EEPC's corrective actions, if any:**

1. The agency head distributes a memorandum informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

**Final Action:** Distribute a memorandum signed by the agency head informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

**Conclusion**

The agency has 10 required corrective action(s) at this time.

Pursuant to Chapter 36 of the New York City Charter, your agency has the *option* to respond to this *preliminary determination*, but must respond to our Final Determination if corrective action is required.

*Optional Response to preliminary determination:* If submitted, your optional response should indicate, with attached documentation, what steps your agency has taken or will take to implement the prescribed corrective actions, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the *preliminary determination*.

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<sup>2</sup>Submission of *Quarterly Reports on EEO Activity* is optional for non-Mayoral agencies.



(Optional Conference) During the Optional Conference, we will discuss the immediate steps your agency should take and address questions regarding your agency's implementation of the prescribed corrective action(s).

(No Response Option) If your agency does not respond to this preliminary determination within 14 days, it will become the EEPC's Final Determination.

*Mandatory Response to Final Determination:* Following this preliminary determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective actions based on verified information; identify remaining action which requires further monitoring in order to ensure implementation; and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance monitoring period.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "Elona Shehu", written over a horizontal line.

Elona Shehu, EEO Program Analyst

Approved by,

A handwritten signature in blue ink, appearing to read "Charise L. Terry", written over a horizontal line.

Charise L. Terry, PHR  
Executive Director

c: Michelle Dickins, Esq., Principal EEO Professional

# **Appendix - 1**

Statistical Profile of Agency Workforce

Community College - Eugenio Maria De Hostos

**Attachment 13: Statistical Profile of Agency Workforce**  
**Beginning and End of Audit Period**

Agency: Community College - Eugenio Maria De Hostos

<b># Employees</b>	<b>Beginning of Audit Period <u>1/1/2013</u></b>	<b>End of Audit Period <u>12/31/2015</u></b>
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<b>Male</b>	<b>264</b>	<b>285</b>
<b>Female</b>	<b>270</b>	<b>308</b>

<b>White</b>	<b>145</b>	<b>146</b>
<b>Black</b>	<b>118</b>	<b>129</b>
<b>Hispanic</b>	<b>239</b>	<b>274</b>
<b>Asian</b>	<b>31</b>	<b>37</b>
<b>Native American</b>	<b>01</b>	<b>02</b>
<b>Unknown</b>	<b>0</b>	<b>0</b>

<b>Total # of Employees</b>	<b>534</b>	<b>593</b>
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## Appendix - 2

Impact Analysis Worksheet

Community College - Eugenio Maria De Hostos



# IMPACT ANALYSIS WORKSHEETS

COLLEGE NAME:

Eugenio Maria de Hostos Community College

## FEMALES AND MINORITIES

### HIRES ANALYSIS

Eugenio Maria de Hostos Community College

**PART A**

February 29, 2016

APPENDIX F

#	JOB AREAS/ CATEGORY	MINORITY HIRES						FEMALE HIRES						PERCENTAGE OF HIRES			
		NON MIN		MIN		TOTAL		MALE		FEMALE		TOTAL		% of non-min hires	% of min hires	% of male hires	% of female hires
		APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES				
	<b>TOTAL</b>	<b>1497</b>	<b>32</b>	<b>3956</b>	<b>113</b>	<b>5453</b>	<b>145</b>	<b>2630</b>	<b>78</b>	<b>2823</b>	<b>67</b>	<b>5453</b>	<b>145</b>	<b>2.1%</b>	<b>2.9%</b>	<b>3.0%</b>	<b>2.4%</b>
1	Exec./Adm./Mgrl.	204	5	505	9	709	14	347	7	362	7	709	14	2.5%	1.8%	2.0%	1.9%
2	Faculty	630	17	524	25	1154	42	561	24	593	18	1154	42	2.7%	4.8%	4.3%	3.0%
3	Professional/Non-Fac.	546	6	2064	28	2610	34	903	11	1707	23	2610	34	1.1%	1.4%	1.2%	1.3%
4	Secretarial/Clerical	1	1	31	10	32	11	6	0	26	11	32	11	100.0%	32.3%	0.0%	42.3%
5	Techn./Paraprofessional	21	0	114	2	135	2	125	2	10	0	135	2	0.0%	1.8%	1.6%	0.0%
6	Skilled Trades	22	3	30	2	52	5	48	5	4	0	52	5	13.6%	6.7%	10.4%	0.0%
7	Service/Maintenance	73	0	688	37	761	37	640	29	121	8	761	37	0.0%	5.4%	4.5%	6.6%
	<b>TOTAL</b>	<b>1497</b>	<b>32</b>	<b>3956</b>	<b>113</b>	<b>5453</b>	<b>145</b>	<b>2630</b>	<b>78</b>	<b>2823</b>	<b>67</b>	<b>5453</b>	<b>145</b>	<b>2%</b>	<b>3%</b>	<b>3%</b>	<b>2%</b>

### IRA WORKSHEET FOR NON-MIN VS MIN % OF HIRES

February 29, 2016

#	JOB AREAS/ CATEGORY	RATE FOR		IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON **IRA LESS THAN 0.8 AND STD DEV >=2	FISHER TEST										
		UNFAV. GROUP				FAV. GROUP		EXPECT	ACTL		DIF	STD DEV	FISHER'S VALUE	NON-MIN APPLICANTS	NON-MIN HIRED	MIN APPLICANTS	MIN HIRED	FISHER TEST RESULT NOTE			
		A	B			C	D												F	G	H
1	Exec./Adm./Mgrl.	MINORITY	1.8%	NON-MIN	2.5%	0.73	2.0%	9	9	0	0.58										
2	Faculty	NON-MIN	2.7%	MINORITY	4.8%																
3	Professional/Non-Fac.	NON-MIN	1.1%	MINORITY	1.4%																
4	Secretarial/Clerical	MINORITY	32.3%	NON-MIN	100.0%	0.32	34.4%	10	10	0	1.40			0.3438	1	1	31	10		NO SIGNIF. DIFF.	
5	Techn./Paraprofessional	NON-MIN	0.0%	MINORITY	1.8%																
6	Skilled Trades	MINORITY	6.7%	NON-MIN	13.6%	0.49	9.6%	2	2	0	0.84			0.3523	22	3	30	2		NO SIGNIF. DIFF.	
7	Service/Maintenance	NON-MIN	0.0%	MINORITY	5.4%																
	<b>TOTAL</b>							<b>21</b>	<b>21</b>	<b>0</b>											

### IRA WORKSHEET FOR MALE VS FEMALE % OF HIRES

February 29, 2016

#	JOB AREAS/ CATEGORY	RATE FOR		IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON **IRA LESS THAN 0.8 AND STD DEV >=2	FISHER'S TEST										
		UNFAV. GROUP				FAV. GROUP		EXPECT	ACTL		DIF	STD DEV	FISHER'S VALUE	male app	male hires	female app	female hires	FISHER TEST RESULT NOTE			
		A	B			C	D												F	G	H
1	Exec./Adm./Mgrl.	FEMALE	1.9%	MALE	2.0%	0.96															
2	Faculty	FEMALE	3.0%	MALE	4.3%	0.71	3.6%	21	18	3	1.13			N/A							
3	Professional/Non-Fac.	MALE	1.2%	FEMALE	1.3%																
4	Secretarial/Clerical	MALE	0.0%	FEMALE	42.3%																
5	Techn./Paraprofessional	FEMALE	0.0%	MALE	1.6%	0.00	1.5%	0	0	0	0.40			N/A							
6	Skilled Trades	FEMALE	0.0%	MALE	10.4%	0.00	9.6%	0	0	0	0.68			0.659	48	5	4	0		NO SIGNIF. DIFF.	
7	Service/Maintenance	MALE	4.5%	FEMALE	6.6%																
	<b>TOTAL:</b>							<b>21</b>	<b>18</b>	<b>3</b>											

**PROMOTION ANALYSIS**

Eugenio Maria de Hostos Community College

**PART B**

February 29, 2016

APPENDIX F-1

#	JOB AREAS/ CATEGORY	MINORITY						FEMALE						PERCENTAGE OF PROMOTION			
		PROMOTION						PROMOTION						% of non-min PROMOTED	% of min promoted	% OF MEN promoted	% OF FEMALE promoted
		NON MIN		MIN		TOTAL		MALE		FEMALE		TOTAL					
		INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED				
	<b>TOTAL</b>	<b>146</b>	<b>9</b>	<b>447</b>	<b>14</b>	<b>593</b>	<b>23</b>	<b>285</b>	<b>8</b>	<b>308</b>	<b>15</b>	<b>593</b>	<b>23</b>	<b>6%</b>	<b>3%</b>	<b>3%</b>	<b>5%</b>
1	Exec./Adm./Mngri.	20	2	70	7	90	9	38	4	52	5	90	9	10%	10%	11%	10%
2	Faculty	90	6	97	3	187	9	89	3	98	6	187	9	7%	3%	3%	6%
3	Professional/Non-Fac.	12	1	86	3	98	4	32	1	66	3	98	4	8%	3%	3%	5%
4	Secretarial/Clerical	2	0	63	1	65	1	7	0	58	1	65	1	0%	2%	0%	2%
5	Techn./Paraprofessional	4	0	42	0	46	0	30	0	16	0	46	0	0%	0%	0%	0%
6	Skilled Trades	17	0	11	0	28	0	28	0	0	0	28	0	0%	0%	0%	0%
7	Service/Maintenance	1	0	78	0	79	0	61	0	18	0	79	0	0%	0%	0%	0%
	<b>TOTAL</b>	<b>146</b>	<b>9</b>	<b>447</b>	<b>14</b>	<b>593</b>	<b>23</b>	<b>285</b>	<b>8</b>	<b>308</b>	<b>15</b>	<b>593</b>	<b>23</b>	<b>6%</b>	<b>3%</b>	<b>3%</b>	<b>5%</b>

**IRA WORKSHEET FOR NON-MIN VS MIN % OF PROMOTION**

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER TEST						
						EXPECT	ACTL	DIF	STD DEV	**IRA LESS THAN 0.8 AND STD DEV>=2	FISHER'S VALUE	NON-MIN INCUM	NON-MIN PRMT	MIN INCUM	MIN PRMT	FISHER TEST RESULT NOTE		
						F	G	H	I	J	K	L	M	O	P	Q	Q	
1	Exec./Adm./Mngri.	N/A	N/A															
2	Faculty	MINORITY 3.09%	NON-MIN 6.67%	0.46	4.81%	4	3	1	1.14	*		N/A						
3	Professional/Non-Fac.	MINORITY 3.49%	NON-MIN 8.33%	0.42	4.08%	3	3	0	0.79			N/A						
4	Secretarial/Clerical	NON-MIN 0.00%	MINORITY 1.59%															
5	Techn./Paraprofessional	N/A	N/A															
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	N/A	N/A															
	<b>TOTAL</b>					<b>7</b>	<b>6</b>	<b>1</b>										

**IRA WORKSHEET FOR MALE VS FEMALE % OF PROMOTION**

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER TEST						
						EXPECT	ACTL	DIF	STD DEV	**IRA LESS THAN 0.8 AND STD DEV>=2	FISHER'S VALUE	male incum	male prmt	female incum	female prmt	FISHER TEST RESULT NOTE		
						F	G	H	I	J	K	L	M	N	O	P	Q	
1	Exec./Adm./Mngri.	FEMALE 9.6%	MALE 10.5%	0.913														
2	Faculty	MALE 3.4%	FEMALE 6.1%															
3	Professional/Non-Fac.	MALE 3.1%	FEMALE 4.5%															
4	Secretarial/Clerical	MALE 0.0%	FEMALE 1.7%															
5	Techn./Paraprofessional	N/A	N/A															
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	N/A	N/A															
	<b>TOTAL</b>					<b>0</b>	<b>0</b>	<b>0</b>										

May 23, 2016

**Via Regular Mail and Email**

Ms. Charise L. Terry, PHR  
Executive Director  
Equal Employment Practices Commission  
253 Broadway, Suite 602  
New York, NY 10007

Re: Response to the Preliminary Determination of Audit: Review, Evaluation and Monitoring of the ***Employment Practices and Procedures*** of the Eugenio Maria De Hostos Community College

Dear Ms. Terry:

Hostos Community College (Hostos) would like to respond as follows to the Preliminary Determination after Audit and Analysis contained in the Equal Employment Practices Commission's (EEPC) letter dated May 10, 2016:

- 1. Response to Corrective Action #2:** We respectfully disagree with the EEPC's finding that "The agency did not demonstrate that it assessed its recruitment efforts to determine whether such efforts adversely impact any particular protected class in the aforementioned job groups or that it used female and minority-oriented recruitment resources when positions become available or where the agency may otherwise use discretion in hiring."
  - As an initial matter, the standard itself states "Assess recruitment methods ***to determine whether such efforts adversely impact any particular group.***" Please reconsider documents Hostos provided in response to DIRF Q, and principal EEO Professional questionnaire responses 23 through 30 to show that Hostos did, in fact, assess its recruitment methods to determine whether there was any adverse impact; based on Fisher Test calculations, there was none. The standard then goes on to provide that "***To the extent that adverse impact is discovered*** ... identify relevant professional and community organizations serving women, minorities, and other protected groups...." Based on the plain language of the standard, the "obligation to identify relevant professional and community organizations" is conditioned on the existence of adverse impact. Since there is none, no adverse finding or corrective action should have resulted.

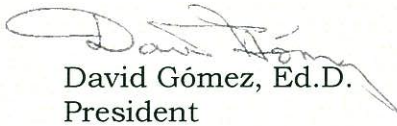
- Nevertheless, to further demonstrate that Hostos assessed its recruitment methods, we attach a sampling of Recruitment Plans (RPs) for the job groups in which underutilization exists. The RPs show that Hostos assessed, and made efforts to address, the specific underutilization in those job groups through targeting advertising resources on the RP. Please note, the underutilization of 1 Black in Administration I, and 1 Asian in Administration II was the sole result of movement to higher positions within CUNY; this is demonstrated by the lack of underutilization in those job groups in the Affirmative Action Plan year (2014) prior to the audit period.
2. **Response to Corrective Action #4:** Please see Response to Corrective Action #2 above. Additionally, we attach a copy of Hostos' template Applicant Flow Log (AFL), and Candidates to Be Interviewed List (Interview List) on which search committees record applicants' names, disposition codes, and proposed interviewees. The principal EEO Professional assesses the manner in which the search committees select candidates for employment by reviewing the completed AFL and Interview List for each job search prior to interviews. The principal EEO Professional also approves the candidate for employment via CUNYfirst.
  3. **Response to Corrective Action #5:** Please see Response to Corrective Action #2 above.
  4. **Response to Corrective Action #6:** Hostos follows civil service rules and hiring procedures; consequently, it does not and cannot control the applicant pool. Rather, applicants are required to take civil service exams which results in an eligible-to-hire list. This list consists of all candidates who passed the exam, ranked in score order, and is available to each New York City agency (including CUNY) with open positions in the corresponding title. When CUNY has a hiring need, candidates are contacted for interviews in list number order. Examination postings are circulated throughout CUNY and other agencies, and posted on the Department of Citywide Administrative Services (DCAS) website and at different union halls.
  5. **Response to Corrective Action #7:** As Ms. Shevach explained, the applicant log was only a partial submission in response to the EEPC's request (until she could obtain clarification from the EEPC). The attached redacted or template documents show that Hostos collects/maintains applicants' gender, ethnicity, disability and veteran's status (when identified by the applicant); interview dates; interviewers names (please see RPs which contain the names of search committee members, all of whom participate in the interviews); and recruitment resources (collected on page 5 of CUNY's employment application).
  6. **Response to Corrective Action #8:** We respectfully submit that the EEPC's finding that Hostos did not **document** meetings or consultations between the Human Resources Professional and the principal EEO Professional is not supported by the standard's plain language as stated in paragraph 14 of the Preliminary Determination; that standard does not specify that any such "documentation" is required. Therefore, we request that the EEPC reconsider

the principal EEO Professional questionnaire response 13.c. - which indicates that such meetings and consultations do occur – as compliant with the standard’s requirement as well as the corrective action indicated in the Preliminary Determination.

- Nevertheless, in addition to the performance evaluation standards (to which the EEPC acknowledged employees have access) we attach a sample job description/posting to demonstrate that employees have access to information regarding job responsibilities as early as the application stage. We also attach sample training notices sent to employees to demonstrate that employees have access to information regarding training opportunities.

Thank you for considering our response to the EEPC’s Preliminary Determination. Please let me know if you have any questions regarding this submission.

Sincerely,



David Gómez, Ed.D.  
President



Angela Cabrera  
Malini Cadambi Daniel  
Elaine S. Reiss, Esq.  
Arva R. Rice  
Commissioners

Charise L. Terry, PHR  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Deputy Director

Marie E. Giraud, Esq.  
Agency Attorney/  
Director of Compliance Monitoring

253 Broadway  
Suite 602  
New York, NY 10007

212. 615. 8939 tel.  
212. 615. 8931 fax

**BY MAIL AND EMAIL**

July 8, 2016

Dr. David Gómez  
President  
Hostos Community College  
475 Grand Concourse, A-341  
Bronx, NY 10452

RE: Audit Resolution #2016/468: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Hostos Community College's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

Dear President Gómez:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your May 23, 2016 response to our May 10, 2016 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

As indicated in our Preliminary Determination, this Commission has adopted uniform standards<sup>1</sup> to assess agencies' employment practices and programs for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The attached Determination contains the Commission's findings and required corrective actions pertaining to the referenced review, evaluation and monitoring of your agency's employment practices and procedures.

**Chapter 36, Section 832.c of the New York City Charter requires that: 1) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions; and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.**

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<sup>1</sup> Founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; New York City Human Rights Law (NYC Administrative Code, §§8-107.1(a) and 8-107.13(d)); New York State Civil Service Law §55-a; Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7) and the equal employment opportunity requirements of the New York City Charter.



The assigned compliance-monitoring period is: JULY 2016 TO DECEMBER 2016

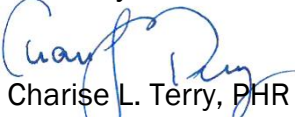
**If corrective actions remain:** Your agency's response should indicate what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Documentation which supports the implementation of each corrective action shall be uploaded to TeamCentral, the EEPC's Automated Compliance-Monitoring System. Your agency will be monitored monthly until all corrective actions have been implemented. Instruction on how to access and navigate TeamCentral is attached. Upon your agency's completion of the final corrective action, this Commission requires that your agency upload a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. Upon receipt of the final memorandum, the EEPC will issue a *Determination of Compliance*.

**If no corrective actions remain:** Your agency is exempt from the aforementioned monitoring period. However, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. This will be considered your agency's final action. Upon receipt of the memo, a *Determination of Compliance* will be issued.

If there are further questions regarding this Final Determination or the compliance-monitoring process, please have the Principal EEO Professional call Marie Giraud, Esq., Agency Attorney/Director of Compliance Monitoring at 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

  
Charise L. Terry, PHR  
Executive Director

c: Michele Dickinson, Esq., Interim Chief Diversity Officer

**FINAL DETERMINATION**

Agency response indicating corrective action taken with documentation is due within 30 days.

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology which includes collection and analysis of the documents, records and data the agency provided in response to the *EEPC Document and Information Request Form*; the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the agency's *Annual EEO Plans and Quarterly EEO Reports*; and workforce and utilization data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the agency's optional response (if applicable) to the EEPC's preliminary Determination, our Final Determination is as follows:

**Agree**

Regarding your responses<sup>2</sup> to the following EEPC required corrective actions, we **Agree** based on documentation that is attached to your response.

**Corrective Action #2**

Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

Agency Response: “[...] *To further demonstrate that Hostos assessed its recruitment methods, we attach a sampling of Recruitment Plans (RPs) for the job groups in which underutilization exists. The RPs show that Hostos assessed, and made efforts to address, the specific underutilization in those job groups through targeting advertising resources on the RP. Please note, the underutilization of 1 Black in Administration I, and 1 Asian in Administration II was the sole result of movement to higher positions within CUNY; this is demonstrated by the lack of underutilization in those job groups in the Affirmative Action Plan year (2014) prior to the audit period.*” (Response, Pgs. 1 and 2).

EEPC Response: The EEPC accepts the agency's efforts and attached documentation that corrective action **#2** has been implemented.

**Corrective Action #7**

Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes *applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources.*

---

<sup>2</sup> Excerpts are italicized.



Agency Response: “[...] The attached redacted or template documents show that Hostos collects/maintains applicants' gender, ethnicity, disability and veteran's status (when identified by the applicant); interview dates; interviewers names (please see RPs which contain the names of search committee members, all of whom participate in the interviews); and recruitment resources (collected on page 5 of CUNY's employment application).” (Response, Pg.2).

EEPC Response: The EEPC accepts the agency's efforts and attached documentation that corrective action #7 has been implemented.

### **Monitoring Required**

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance monitoring period.

#### **Corrective Action #1**

Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency's EEO Policy.

Agency Response: (No response was submitted.)

EEPC Response: Documentation confirming that current contact information for federal, state and local agencies that enforce laws against discrimination are included in the agency's EEO Policy will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

#### **Corrective Action #3**

Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.

Agency Response: (No response was submitted.)

EEPC Response: A review of the annual number of EEO complaints, and the agency's employment practices, policies and programs will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

#### **Corrective Action #4**

Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

Agency Response: *“Please see Response to Corrective Action #2 above. Additionally, we attach a copy of Hostos' template Applicant Flow Log (AFL), and Candidates to Be Interviewed List (Interview List) on which search committees record applicants' names, disposition codes, and proposed interviewees. The principal EEO Professional assesses the manner in which the search committees select candidates for employment by reviewing the completed AFL and Interview List for each job search prior to interviews. The principal EEO Professional also approves the candidate for employment via CUNY first.”* (Response, Pg. 2).

EEPC Response: The EEPC recognizes the agency's efforts to implement corrective action **#4**. Documentation which confirms that the agency conducted an assessment for the underrepresented groups ( *Administration I, Administration II, Administration III, Administration IV, Computer Specialist, CUNY Office Assistant, CUNY Administrative Assistant*) will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

#### **Corrective Action #5**

If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

Agency Response: *“Please see Response to Corrective Action #2 above.”* (Response, Pg. 2).

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action **#5**. The agency's efforts to address the underrepresentation of protected groups in titles where there is discretion in hiring will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

#### **Corrective Action #6**

If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable). Then advertise in minority- or female oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

Agency Response: *“Hostos follows civil service rules and hiring procedures; consequently, it does not and cannot control the applicant pool. Rather, applicants are required to take civil service exams which results in an eligible-to-hire list. This list consists of all candidates who passed the exam, ranked in score order, and is available to each New York City agency (including CUNY) with open positions in the corresponding title. When CUNY has a hiring need, candidates are contacted for interviews in list number order. Examination postings are circulated throughout*

*CUNY and other agencies, and posted on the Department of Citywide Administrative Services (DCAS) website and at different union halls.” (Response, Pg. 2).*

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #6. The agency's efforts to address the underrepresentation of protected groups in in *civil service* (list) titles will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #8**

Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.

Agency Response: “[...] [I]n addition to the performance evaluation standards (to which the EEPC acknowledged employees have access) we attach a sample job description/posting to demonstrate that employees have access to information regarding job responsibilities as early as the application stage. We also attach sample training notices sent to employees to demonstrate that employees have access to information regarding training opportunities.” (Response, Pgs. 2 and 3).

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #8. Documentation that employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities, will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #9**

Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

Agency Response: (No response was submitted.)

EEPC Response: Documentation which confirms implementation will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #10**

Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.



Agency Response: (No response was submitted.)

EEPC Response: Documentation which confirms implementation will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION #2016/468:** Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Hostos Community College's Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized 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, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

**Whereas**, pursuant to its audit of the Hostos Community College's (Hostos) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated May 10, 2016, setting forth findings and the following required corrective actions:

1. Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency's EEO Policy.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
4. Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable.) Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources.
8. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
9. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
10. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

**Whereas**, the agency submitted its response to the EEPC's Preliminary Determination letter, on May 23, 2016 with documentation of its actions to rectify required corrective actions nos. 2 and 7; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 8, 2016 which agreed and accepted documentation for implementation of the aforementioned corrective actions, and indicated that corrective action(s) nos. 1, 3, 4, 5, 6, 8, 9 and 10 require compliance monitoring; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from July 2016 through December 2016, to determine whether it implemented remaining required corrective actions; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

**Whereas**, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

**Be It Resolved**, that the Commission approves issuance of this Final Determination to Dr. David Gómez, President of the Hostos Community College.

Approved unanimously on September 9, 2016.

  
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**Angela Cabrera**  
Commissioner

  
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**Arva Rice**  
Commissioner

  
\_\_\_\_\_  
**Malini Cadambi Daniel**  
Commissioner

Absent  
\_\_\_\_\_  
**Elaine S. Reiss, Esq.**  
Commissioner



OFFICE OF THE PRESIDENT



August 2, 2016

**Via Regular Mail and Email**

Ms. Charise L. Terry, PHR  
Executive Director  
Equal Employment Practices Commission  
253 Broadway, Suite 602  
New York, NY 10007

Re: Response to Audit Resolution #2016/468: Final Determination  
Pursuant to the Review, Evaluation and Monitoring of Hostos  
Community College's Employment Practices and Procedures –  
Monitoring Period: July 2016 to December 2016

Dear Ms. Terry:

Diversity, inclusion, and an environment free from discrimination and harassment have been – and continue to be – central to Hostos Community College's (Hostos) mission. A part of that mission is Hostos' commitment to comply with federal, state, and city laws and regulations regarding non-discrimination and affirmative action, as well as its policy of equal employment – which is to recruit, employ, retain, promote, and provide benefits to employees without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status, caregiver status, credit history status, or any other legally prohibited basis in accordance with federal, state and city laws. Hostos' policy also prohibits retaliation for reporting or opposing discrimination or cooperating with an investigation of a discrimination complaint, and the policy provides for reasonable accommodations, when appropriate, to employees with disabilities, employees observing religious practices, employees who have pregnancy or childbirth-related medical conditions, or employees who are victims of domestic violence/stalking/sex offenses.

As an initial matter, it is our opinion that Hostos has been fulfilling its legal obligations and policy commitments – as we have demonstrated through our various responses to the Equal Employment Practices Commission (EEOC) requests in connection with this audit. We, therefore, respectfully disagree with the EEOC's Corrective Action determinations as stated in the EEOC's Preliminary and Final Determinations.



Concerning the EEPC's Final Determination (dated July 8, 2016), Hostos responded to Corrective Action items 1, 4, 5, 8, and 10, via emails (dated July 12, July 18, and July 26, 2016) directed to Marie Giraud, Esq., EEPC Agency Attorney/Director of Compliance, and Elona Shehu, EEPC EEO Program Analyst/EEO Officer. The information and documents provided in those responses were based on clarifications and direction we received from Ms. Giraud; our submissions with respect to Corrective Action items 4, 5, 8, and 10, are additional evidence of Hostos' existing practices – which already comply with the standards the EEPC articulated for these items. We are in the process of collecting the information and documentation Ms. Giraud requested for the three remaining Corrective Action items stated in the Final Determination (items 3, 6, and 9). Our responses to those Corrective Action items will be provided under separate cover prior to the end of the compliance-monitoring period and will also contain evidence that Hostos' existing practices comply with the articulated standards.

Thank you for considering our response to the EEPC's Final Determination. Please let me know if you have any questions.

Sincerely,



David Gómez, Ed.D.  
President

**MEMORANDUM**

DATE: February 15, 2017

TO: Hostos Community College Faculty and Staff

FROM: David Gómez, Ed.D., President

RE: Equal Employment Opportunity (EEO) at Hostos Community College

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The City University of New York (CUNY) has a long-standing commitment to diversity and equal opportunity in all aspects of employment practices. At Hostos Community College, I fully support the policies and practices that we have implemented to foster non-discrimination, affirmative action, and diversity and inclusion in the workplace. It is my personal belief that CUNY is enriched by the strengths of the people and perspectives represented here. Accordingly, I am committed to overseeing Hostos Community College's compliance with the CUNY Policy on Equal Opportunity and Non-Discrimination, and Policy on Sexual Misconduct (including gender-based discrimination/harassment). As a federal contractor, CUNY also engages in affirmative action consistent with federal requirements.

I am pleased with our accomplishments and your efforts to embrace the diversity reflected on our campus. I am also pleased to report that Hostos is in full compliance with recommendations made by the Equal Employment Practices Commission (EEOC) - a City agency that monitors and audits the EEO programs of New York City government agencies and makes recommendations to improve their programs; these recommendations flow from the EEOC's recent review and evaluation of Hostos' employment practices and procedures covering the period January 1, 2013, to December 21, 2015. Hostos was able to immediately produce information and documentation that demonstrated its compliance with seven of the ten final recommendations of the EEOC. Based on the other recommendations:

- Hostos added contact information for equal employment practices agencies on its website and communicated the change to its employees via memorandum;
- Hostos' Chief Diversity Officer, HR Director, and Executive Counsel have begun to meet to review the annual number of EEO complaints and Hostos' employment policies/practices/programs to determine whether there are barriers to EEO and, if so, how to correct them (the meetings may be documented with an agenda and checklist of discussion points); and
- Meeting agendas will be created to further document meetings between Hostos' Chief Diversity Officer and the College President.

The EEOC notified Hostos of its full compliance status on February 10, 2017.

I encourage all employees to access the EEO resources available at Hostos and to address any concerns or questions you may have to the Office of Compliance and Diversity at 718-518-4284. You may also contact Hostos' HR Director at 718-518-6655.

I ask for your continued support to ensure equal opportunity, affirmative action, and diversity and inclusion in all employment practices at Hostos.

Thank you.

**EQUAL EMPLOYMENT PRACTICES COMMISSION  
CITY OF NEW YORK**

**RESOLUTION #2016AP/468C-27:** Determination of **Compliance** (Monitoring Period Required) by the Eugenio Maria de Hostos Community College with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2013 through December 31, 2015.

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized 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, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPCC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

**Whereas**, pursuant to its audit and analysis of the Eugenio Maria de Hostos Community College's (Hostos) Employment Practices and Procedures, the Equal Employment Practices Commission (EEOC) issued a Preliminary Determination letter, dated May 10, 2016, setting forth findings and the following required corrective actions:

1. Include current contact information for federal, state and local agencies that enforce laws against discrimination in the agency's EEO Policy.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
4. Assess the manner in which candidates are selected for employment to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.
5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses;

or use internships to attract interested persons and to develop and hire interested and qualified candidates.

6. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with CUNY Central, Civil Service Unit if applicable.) Then advertise in minority- or female oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes applicants'/candidates' ethnicity, gender, disability or veteran status, interview date, interviewers' names, reason selected/ not selected, and recruitment sources.
8. Ensure that the Human Resources Professional ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, training opportunities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.
9. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
10. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

**Whereas**, Hostos submitted its response to the EEPC's Preliminary Determination letter, on May 23, 2016, with documentation of its actions to rectify required corrective actions nos. 2 and 7; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 8, 2016, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions nos., 1, 3-6, and 8-10 remaining; and

**Whereas**, Hostos submitted its response to the EEPC's final determination letter, on August 2, 2016; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions from July 2016 through December 2016 with no extension of the monitoring period; and

**Whereas**, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, Hostos submitted a copy of the agency head's memorandum to staff dated February 14, 2017, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated

his commitment to the agency's EEO Program; and

**Whereas**, all of the EEPC's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

**Be It Resolved**, that the Eugenio Maria de Hostos Community College has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

**Be It Resolved**, that the Commission will forward the Determination of Compliance to Dr. David Gómez, President of the Eugenio Maria de Hostos Community College.

Approved unanimously on February 16, 2017.

  
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Angela Cabrera  
Commissioner

  
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Arva Rice  
Commissioner

  
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Malini Cadambi Daniel  
Commissioner

ABSTAINED  
\_\_\_\_\_  
Elaine S. Reiss, Esq.  
Commissioner



Angela Cabrera  
Malini Cadambi Daniel  
Elaine S. Reiss, Esq.  
Arva R. Rice  
Commissioners

Charise L. Terry, PHR  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Deputy Director

253 Broadway  
Suite 602  
New York, NY 10007

212. 615. 8939 tel.  
212. 615. 8931 fax

**BY MAIL AND EMAIL**

February 16, 2017

Dr. David Gómez  
President  
Eugenio Maria de Hostos Community College  
475 Grand Concourse, A-341  
Bronx, NY 10452

Re: Resolution #2016AP/468C-27: Determination of Agency Compliance

Dear President Gómez:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to inform you that the Commission has issued the attached Determination of Compliance to the Eugenio Maria de Hostos Community College (Hostos). This Commission has determined that the Hostos Community College has implemented the required corrective actions deemed necessary by this Commission for ensuring a fair and effective affirmative employment program of equal opportunity as required by the equal employment opportunity standards of this Commission and Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and EEO Officer Michele Dickinson, Esq., for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,

A handwritten signature in dark ink, appearing to read "Malini Cadambi Daniel". The signature is written in a cursive style.

Malini Cadambi Daniel  
Commissioner

c: Eugene B. Sohn, Esq., Interim Principal EEO Professional

This  
**Determination of Compliance**

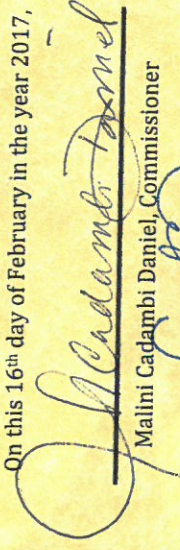
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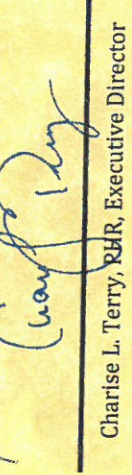
**Eugenio Maria de Hostos Community College**

for successfully implementing 10 of 10 required corrective actions pursuant to the Equal Employment Practices Commission's  
Employment Practice and Procedures Audit From January 1, 2013 to this date.

In care of President Dr. David Gómez, and Interim  
Principal EEO Professional Eugene B. Sohn, Esq.

On this 16<sup>th</sup> day of February in the year 2017,

  
Mallni Cadambi Daniel, Commissioner

  
Charise L. Terry, RHR, Executive Director