

# EQUAL EMPLOYMENT PRACTICES COMMISSION

## CITY OF NEW YORK

**RESOLUTION #08/19-101:** Preliminary Determination Pursuant to the Audit of the Public Advocate Office's (PA) Equal Employment Opportunity Program from January 1, 2005 through December 31, 2006.

**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 Public Advocate Office's Equal Employment Opportunity Program; and

**Whereas,** in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

### **Be It Resolved,**

that pursuant to the audit of the Public Advocate Office's compliance with its Equal Employment Opportunity 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 PA's EEO Policy (dated 2006), and complaint form included in the "new hire" package was not updated. The most recent EEO Policy (dated December 5, 2007) complaint form did not include all of the protected classes. (Sect. I, Citywide EEOP)
2. The PA did not distribute the EEO Policy Handbook, *About EEO: What You May Not Know* to all current and new employees. (Sect. IB, Citywide EEOP)
3. Only one of the six job advertisements submitted included the EEO tag line. (Sect. IV, Citywide EEOP)
4. The PA did not officially appoint the EEO officer as the disability rights coordinator. (Sect. VB, Citywide EEOP)
5. The agency's EEO officer did not maintain a monthly EEO complaint log. (DCAS, DCPIG, 1993, sect. 12(a))
6. The PA's organizational chart does not include the title "EEO officer." (Sect. VB, Citywide EEOP)

7. The PA has not provided structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEOP)

**Be It Finally Resolved,**


that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Public Advocate, the Honorable Betsy Gotbaum, 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 Public Advocate's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on June 19, 2008.

**Angela Cabrera**  
Commissioner

**Manuel A. Méndez**  
Vice-Chair

**Veronica Villanueva, Esq.**  
Commissioner



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**Ernest F. Hart, Esq.**  
Chair