



Cesar A. Perez
Chair

July 26, 2012

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

Patricia L. Gatling, Esq.
Commissioner / Chair
New York City Commission on Human Rights
40 Rector Street, 10th Floor
New York, New York 10006

Charise L. Hendricks, PHR
Interim Executive Director

Judith Garcia Quiñonez, Esq.
Agency Counsel

Re: Resolution #12/15-226PC/ Implementation of Corrective Actions
Pursuant to the Audit of Compliance by the New York City Commission on
Human Rights with the City's Equal Employment Opportunity Policy from
January 1, 2006 through December 31, 2008

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8938 tel
212. 615. 8931 fax

Dear Commissioner Gatling:

Pursuant to Section 832 of Chapter 36 of the New York City Charter, the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the New York City Commission on Human Rights (CCHR) for a period not to exceed six months.

The compliance period was January 2011 to June 2011. The CCHR submitted its final Monthly Compliance Report, due July 2011, on August 30, 2011. The CCHR submitted supplemental documentation on July 2, 2012.

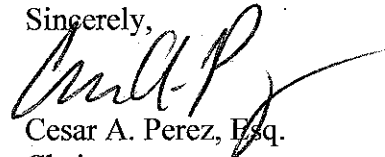
The goal of the compliance monitoring period was to determine if the CCHR implemented all recommended corrective actions pursuant to our audit of compliance by your agency with the City's Equal Employment Opportunity Policy from January 1, 2006 through December 31, 2008. A review of the Citywide Equal Employment Data System (CEEDS) reports indicated underutilization in the Social Worker and Lawyer job groups during December 2009. During the compliance monitoring period, the EEPC requested the CCHR submit current CEEDS reports and explain the steps it has taken to eliminate the underutilization. Subsequently, the CCHR reported that the Social Worker job group consists of Human Rights Specialist titles, which are hired from civil service eligibility lists. As a result, discretion is limited to the one-in-three rule. Your agency also discovered that the CEEDS report misclassified hires in the Lawyer job group.

Sections 815(a)(19) and 831.d.3 of the New York City Charter empower the Commission to review the Annual Agency Specific EEO Plan adopted by the CCHR, and to recommend actions which the agency should consider including in its next annual plan. Although this Commission recognizes the efforts the CCHR has made to provide equal employment opportunity for its applicants and employees, we remain concerned that CCHR's Agency Specific EEO Annual Plan does not include the *commitment* to make assessments of its selection criteria to determine whether there is an adverse impact on any group as required by Section IV of the Citywide EEO Policy.

This Commission recommends that going forward the CCHR's Annual Agency Specific EEO Plan include this commitment. Consequently, this Commission may initiate another audit of the CCHR prior to the conclusion of the four-year maximum timeframe mandated by the New York City Charter.

On behalf of this Commission, I want to thank you and EEO Officer Emile St. Cyr for your response.

Sincerely,



Cesar A. Perez, Esq.
Chair

C: Emile St. Cyr, EEO Officer, CCHR

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

RESOLUTION #12/15-226C: Determination of implementation by the City Commission on Human Rights of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the City Commission on Human Rights's compliance with the Citywide Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008.

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 ensure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy, a set of uniform standards and procedures designed to insure equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, pursuant to its audit of the City Commission on Human Rights (CCHR), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated August 6, 2010, setting forth its findings and recommended corrective actions; and

Whereas, the CCHR submitted its response to the EEPC's preliminary determination letter, on September 20, 2010 ; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on September 30, 2010 identifying those recommendations accepted and rejected by CCHR; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the CCHR for a period not to exceed six months, from January 2011 through June 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the City Commission on Human Rights submitted its Final Compliance Report on August 30, 2011 ; and

Whereas, the City Commission on Human Rights submitted supplementary documentation on July 2, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

Whereas, the members of this Commission have reviewed a Compliance Summary Report prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the City Commission on Human Rights Office has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

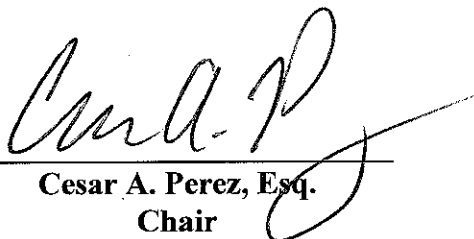
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the City Commission on Human Rights, Patricia L. Gatling, Esq., formally informing her that the CCHR has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on July 26, 2012.

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner


Cesar A. Perez, Esq.
Chair