

EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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March 22, 2012

Ethel J. Griffin, Public Administratrix
New York County Public Administrator
Surrogate's Court
31 Chambers Street, Suite 311
New York, NY 10007

Re: Final Determination Pursuant to the Audit of the New York County Public Administrator (NYCPA) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2008 through December 31, 2010.

Dear Ms. Griffin:

Thank you for your March 7, 2012 response to our September 9, 2011 Letter of Preliminary Determination pursuant to the audit of the New York County Public Administrator's (NYCPA) Equal Employment Opportunity Policy from January 1, 2008 through December 31, 2010.

After reviewing your response, our Final Determination is as follows:

Agree

We agree with your responses to the following EEPD recommendations, pending documentation that can be attached to your reply or provided during the compliance period:

Recommendation #1

Because the EEO Officer should report directly to the agency head (or to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship. (EEPC/Sect. 831, City Charter)

Needs Clarification

For the following reasons, hereafter identified as EEPC rationale, we need clarification for your response to the following EEPC recommendation:

Recommendation #2

The agency should designate, or secure per agreement between the agency and another City agency, an employee of each gender for complaint intake/investigation. (EEPC/Sect. 831, City Charter)

Your Response

The agency designated a male EEO Officer and included him on the organization chart.

EEPC Rationale

It is the EEPC's position that each EEO Officer must be knowledgeable regarding city, federal and state EEO laws, the requirements of the EEO policies, standards and procedures, and how to prevent, investigate, and resolve discrimination complaints. Your response does not indicate if the male EEO Officer completed EEO training. If he received training, please submit a copy of the training certificate or a description of the training curriculum.

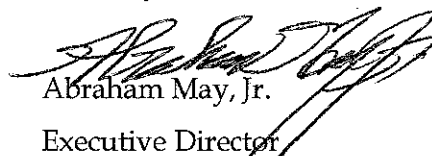
Conclusion

Pursuant to section 832 of the New York City Charter, this Commission will initiate an audit compliance procedure not to exceed six months. However, you may respond to the aforementioned determinations prior to the initiation of audit compliance.

If you choose to issue a written response, please do so within thirty days. If you choose not to issue a written response, we will initiate audit compliance shortly thereafter. EEPC Counsel Judith Garcia Quiñonez, Esq. or her designee will contact your EEO Officer in seven days to ascertain your intentions.

In closing, we want to thank you and your staff for your cooperation during the audit process. We look forward to a mutually satisfactory compliance process.

Sincerely,


Abraham May, Jr.
Executive Director

C: Judith Garcia Quiñonez, Esq.