

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #07/08-906: Preliminary Determination Pursuant to the Audit of the Office of Special Narcotics' Equal Employment Opportunity Program from January 1, 2005 through June 30, 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 Office of Special Narcotics' 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 Office of Special Narcotics' 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 OSN's EEO Policy was not distributed to all employees on an annual basis. (Sect. VB, Citywide EEOP)
2. The OSN did not follow-up on its pledge and issue a Discrimination Complaint Procedure. (Section VC, Citywide EEOP)
3. The OSN's "Reasonable Accommodation Procedure," which consist of three lines, does not inform employees of who to contact regarding a reasonable accommodation and how to request one. (Section VB, Citywide EEOP)
4. The OSN did not distribute the EEO Policy Handbook, "*About EEO: What You May Not Know*," to all current and new employees. (Sect. VB, Citywide EEOP)
5. The OSN's EEO policies are not available in alternate formats for use by persons with disabilities. (Sect. VB, Citywide EEOP)

6. The OSN did not officially appoint a disability rights coordinator. (Sect. VB, Citywide EEOP)
7. The OSN did not participate in the Section 55-A Program. (Sect. IIB, Citywide EEOP)
8. The OSN did not have individuals of different genders available to investigate discrimination complaints during the audit period. (Sect. VB, Citywide Policy)
9. The agency's EEO Officer did not maintain a monthly EEO complaint log. (DCAS, DCPIG, 1993, Sect. 12(a))
10. The OSN did not establish a plan to conduct agency-wide EEO training for all existing and new employees who have not already received training. (Sect. IV, BBPO's EEOP)
11. The EEO Officer did not maintain appropriate documentation of meetings and other communications regarding EEO program operational decisions.
12. The OSN does not have an organizational chart available. (Sect. VB, Citywide EEOP)
13. The OSN has not provided structured interview training to personnel involved in the recruitment and hiring process since May 1999. (Sect. IV, Citywide EEOP)
14. The OSN did not prepare performance evaluations for staff during the audit period. ("Personnel Rules and Regulations of NYC," p.59; "Managerial Performance Evaluation, Guidelines for Evaluating Managerial Performance in NYC Agencies," p. 1; and Sect. VB, Citywide EEOP)
15. The agency's EEO officer is also the director of personnel, which presents an inherent conflict of interest.

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Special Assistant District Attorney, Bridget G. Brennan, 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 Office of Special Narcotics will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on July 12, 2007.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair