



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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June 5, 2007

Honorable Marty Markowitz
President
Borough of Brooklyn
209 Joralemon Street
Brooklyn, New York 11201

Re: Final Determination Pursuant to the Audit of the Brooklyn Borough President's Office (BBPO) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 through June 30, 2006.

Dear President Markowitz:

Thank you for your May 25, 2007 response to our April 26, 2007 Letter of Preliminary Determination pursuant to the audit of the Brooklyn Borough President Office's Equal Employment Opportunity Policy from January 1, 2005 through June 30, 2006.

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

Agree

We agree with your responses to the following EEPC recommendations:

Recommendation #1

The BBPO should officially appoint a Disability Rights Coordinator and notify staff about that individual. (Sect. VB, Citywide EEO Policy)

Recommendation #2

In keeping with the EEOP's Discrimination Complaint Procedure Guidelines, the agency head should sign all confidential reports, which contain the agency's findings and recommendations. (DCAS, DCPIG, 1993, Sect. 12(b))

Recommendation #3

The BBPO should follow Section IV of its EEO Policy (Training Standards and Plans") and develop a plan to train all existing and new employees who have not already received EEO training.

Recommendation #6

The BBPO should develop a plan to provide structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEO Policy)

Recommendation #7

The BBPO should post its job vacancy notices on bulletin boards or keep a binder with postings in a central location. (DCAS, Personnel Services Bulletin No. 200-9, June 30, 1998)

Disagree

We disagree with your responses to the following EEPC recommendations:

Recommendation #4

It is the Commission's position that appropriate documentation of meetings and other communications between the EEO Officer and the agency head or direct report to the agency head regarding EEO decisions should be maintained.

Your Response

Your response cited the following as EEPC's recommendation: "The Equal Employment Opportunity Officer of the Brooklyn Borough President's Office should prepare an agenda for or keep notes of meetings with the Chief of Staff."

EEPC Rationale

Your response, therefore, does not address our recommendation.

Recommendation #5

The EEO Officer should be involved in developing recruitment strategies and selecting recruitment media, including newspapers and other publications. (Sect. V, Citywide EEO Policy)

Your Response

The agency's Director of Human Resources was directed by the Brooklyn Borough President to provide the Equal Employment Officer, starting FY 08, with a memo of updates and changes in the agency's selection of recruitment media.

EEPC Rationale

The EEO Officer should be proactive in developing recruitment strategies and selecting recruitment media. Providing a memo to the EEO Officer regarding “updates and changes in the agency’s selection of recruitment media” precludes involvement of the EEO Officer in the process and consequently fails to address the recommendation.

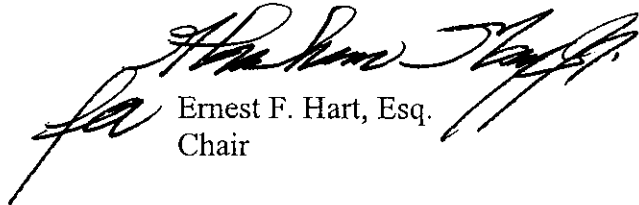
Conclusion

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 Lisa Badner 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,



Ernest F. Hart, Esq.
Chair