

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

**RESOLUTION # 03/02-Sect. 832R** Determination to issue a Report to the Mayor pursuant to the failure by the New York City Administration for Children's Services (ACS) to implement certain recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of ACS's compliance with the City's Equal Employment Opportunity Program (EEOP).

**Whereas**, pursuant to Chapter 36, Section 831(d)(2) and (5) 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**, pursuant to its audit of the Administration for Children's Services, the Equal Employment Practices Commission issued a preliminary determination letter, dated April 26, 2001 setting forth its findings and recommended corrective actions; and

**Whereas**, ACS's compliance period was delayed because ACS did not respond to three attempts by EEPC in the year 2001 to initiate compliance; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the New York City Charter, the EEPC monitored ACS for six months, from March 2002 through August 2002, to determine whether it implemented the aforementioned recommended corrective actions; 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**, in accordance with Chapter 36, Section 832 (c) of the New York City Charter, the EEPC issued its final determination Letter on December 11, 2002 identifying those recommendations accepted and rejected by ACS; and

**Whereas**, in response to EEPC's Final Determination Letter, ACS submitted a response under the signature of Deputy Commissioner John Benanti on March 4, 2003; and

**Whereas**, EEPC forwarded a letter to Commissioner William C. Bell on May 22, 2003 indicating that the Commission rejected ACS' response because it was not in accordance with Section 815(a)(19) of the New York City Charter, and requested that ACS forward a response to the Commission under his signature; and

**Whereas**, on April 30, 2003 ACS submitted a response to the December 11, 2002 final determination letter, signed by Commissioner William C. Bell, indicating that all but four of the

Commission's recommended corrective actions have been satisfactorily implemented; and

**Whereas**, on May 22, 2003 EEPC forwarded a letter to Commissioner William C. Bell indicating that ACS has failed to provide documentation to show that it has implemented the four outstanding corrective actions and further indicating that the Commission will consider adopting a resolution to issue a report to the mayor. Now therefore,

**Be It Resolved,**

that the Administration for Children's Services has only implemented ten of the fourteen recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

**Be It Further Resolved,**

that pursuant to Section 832 (c) of the New York City Charter, the Commission authorizes the Vice-Chairman to notify ACS in writing that it has not implemented all of the recommended corrective actions and within seven days thereafter, to publish a report and recommend to the Mayor those appropriate corrective actions that the Commission deems necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the New York City Charter.

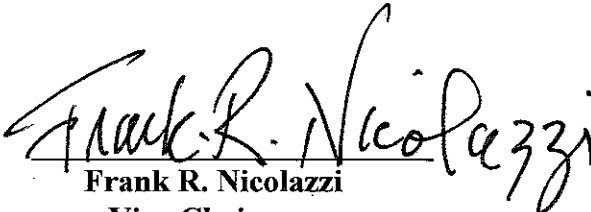
**Be It Finally Resolved,**

that a copy of the report, accompanied by a letter, be forwarded to the Commissioner of the ACS informing him of his charter-mandated requirements pursuant to sections 815 (a) (15) and (19) and Section 832 (c) of the New York City Charter.

Approved unanimously on June 30, 2003.

**Angela Cabrera**  
**Commissioner**

**C. Catherine Rimokh, Esq.**  
**Commissioner**

  
**Frank R. Nicolazzi**  
**Vice-Chairman**