

EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Department of Small Business Services

Agency Head: Robert W. Walsh, Commissioner

EEO Officer: Special Hagan

Audit Period: July 1, 2002 - June 30, 2004

Date of Preliminary Determination Letter:	<i>July 28, 2005</i>
Date of Response Letter:	<i>September 7, 2005</i>
Date of Final Determinations Letter:	<i>September 22, 2005</i>
Date of Response Letter to the Commission's Final Determinations Letter:	<i>October 28, 2005</i>

Compliance Initiated:	<i>January 2006</i>
Compliance Completed:	<i>June 2006</i>
Covering Months:	<i>December 2005 - May 2006</i>

Date: August 3, 2006

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEOC) Audit of Compliance by the Department of Small Business Services (SBS) with the City's Equal Employment Opportunity Policy (EEOP), EEOC initiated Audit Compliance with the SBS in January 2006. The SBS's final Monthly Compliance Report was submitted on June 14, 2006.

All nine required actions were completed or accepted. The following is a summary of the compliance reports:

1. A **"Complaint of Discrimination" intake form should be given to all complainants and used when an internal complaint is filed.**

The SBS said that it has revised its "Complaint and Discrimination" intake form and will give it to complainants when an internal complaint has been filed. The SBS said that there were no complaints filed during the compliance period. It submitted a copy of the "Complaint and Discrimination" intake form.

The response to the required action was accepted in December 2005.

- 2. Each complaint file should contain a Notice of Discrimination Complaint form to notify the respondent of the allegations being made.**

The SBS said that it has not received any complaints during the compliance period; however, it is committed to implementing the required corrective action in the future. It submitted a sample Notice of Complaint form, which it will use to notify the respondent of the allegations being made.

The response to the required action was accepted in May 2006.

- 3. The EEO Officer should submit a confidential written report to the agency head, which consists of the 3 sections outlined in the DCPIG: (1) Findings of Facts, (2) Discussion and Conclusion and (3) Recommendations.**

The SBS said that it has not received any complaints during the compliance period; however, it is committed to implementing the required corrective action in the future.

The response to the required action was accepted in May 2006.

- 4. The agency head must sign each report to indicate that it has been reviewed and whether the recommendation, if any, is approved and adopted.**

The SBS said that it has not received any complaints during the compliance period; however, it is committed to implementing the required corrective action in the future.

The response to the required action was accepted in May 2006.

- 5. SBS should ensure that job vacancies for which underutilization of women and/or minorities have previously been identified will be advertised in female and minority-oriented publications, and sent to professional and community organizations serving minorities, women, and persons with disabilities. SBS should use the list of minority and female recruitment sources compiled by DCAS ("Making the Most of New York City's Recruitment Resources" 2004.)
<http://extranet.dcas.nycnet/eo/pdf/apomasterclass-recruitment.pdf>.**

The SBS stated that it will utilize the DCAS recruitment list "Making the Most of New York City's Recruitment Resources." Additionally, it has also developed a Diversity Recruitment Listing of approximately 70 religious, cultural and community organizations that serve minorities or have a large minority population. The SBS said that to ensure that it maximizes its recruitment efforts, the Human Resources Unit has and will continue to work with the EEO Officer. It submitted a copy of the recruitment list.

The required action was completed in May 2006.

- 6. SBS should secure the necessary training to conduct adverse impact studies, either from DCAS or another appropriate source.**

The SBS stated that the EEO Officer has received the necessary training from Cornell ILR's EEO Studies Program to conduct adverse impact studies. It submitted copies of the attendance verification letters and course descriptions.

The required action was completed in March 2006.

7. **SBS' Commissioner should distribute a memo to all managers/supervisors informing them that the "Utilizing Human Resources" section of their annual performance evaluation form includes tasks and standards relevant to EEO performance that will be considered in determining their eligibility for promotions or merit increases.**

The SBS stated that on April 5, 2006 it distributed a memorandum to staff regarding its expanded EEO Program and the EEPC's audit findings. Included in the memorandum was information notifying managers/supervisors that their annual performance evaluation form includes tasks and standards relevant to EEO performance. It submitted a copy of the memorandum.

The required action was completed in April 2006.

8. **SBS should re-distribute information about the identities, location and telephone number of the Career Counselor to all agency employees.**

The SBS said that on April 5, 2006 employees were given a flier with their paychecks containing information on the identities, location and telephone number of the Career Counselor. It submitted a copy of the flier.

The required action was completed in April 2006.

9. **SBS' Commissioner should disseminate an agency-wide memorandum to discuss audit findings.**

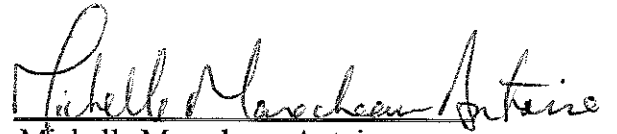
The attached memorandum from Commissioner W. Walsh was distributed on April 5, 2006.

The required action was completed in May 2006.

Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Commissioner Robert W. Walsh informing him that the SBS has implemented the recommended corrective actions to the Commission's satisfaction.

Respectfully Submitted,



Michelle Marecheau-Antoine
Compliance Coordinator



Eric Matusewitch
Deputy Director



Abraham May, Jr.
Executive Director

Attachment