




Public Administrator

County of New York

ETHEL J. GRIFFIN, *Commissioner*
Public Administratrix

THOMAS R. PURCELL, *Deputy Commissioner*
Deputy Public Administrator

Memo

To: Public Administrator Employees
From: Ethel J. Griffin 
Date: June 17, 2008
Subject: Equal Employment Practices Commission Audit Compliance

The Equal Employment Practice Commission (EEPC) recently completed a Desk Audit of this Office's compliance with the City's Equal Employment Opportunity Program. The auditors looked at our current practices to ascertain how the agency is addressing Equal Employment Opportunity (EEO) issues. I am pleased to report that we have successfully complied with the four procedural recommendations.

1. We have posted the Citywide EEO Policy Statement in the Office.
2. The EEO Officer has received the recommended training through DCAS in May 2007.
3. The General Counsel from the Borough President's Office conducted a training course for the employees.
4. The final recommendation is that I write this Memorandum discussing the audit findings.

I want to reaffirm the Office of the New York County Public Administrator's strong commitment to maintaining fair employment practices for all employees and job applicants. We are committed to ensuring that we prevent discrimination and ensure that all employees are aware of their rights and obligations under this policy. We should all dedicate ourselves to creating a work environment that tolerates and appreciates differences between employees and work together to maintain an atmosphere of appreciation for the diversity that is reflected in our staff.

All employees are encouraged to use the resources available and to address any concerns with EEO Officer, Pat Fang.

- 1) The City's EEO Policy has been revised to reflect changes within the mayoral administration; amendments to the City charter and other applicable statutes; to strengthen existing accountability standards and add accountability standards for personnel officers and general counsels; and changes in procedures.
- 2) Some offensive acts or remarks may violate the City's EEO policy, even if they are not so severe that they violate federal, state or local discrimination laws.
- 3) A violation of the EEO Policy may occur in connection with recruitment, testing, hiring, work assignments, salary and benefits, working conditions, performance evaluations, promotions, training opportunities, career development and advancement, transfers, discipline, discharge or any other application or selection process relating to employment.
- 4) Agency Heads, EEO Officers, General Counsels, Personnel Officers and Managers and Supervisors are specifically accountable under the City's EEO Policy.
- 5) A violation of the City's EEO Policy may occur not only in the City's workplaces, but also at any extension of the workplace, such as field locations, off-site business-related social functions, or City vehicles.
- 6) Agencies may be required to provide reasonable accommodations for disabilities, religious beliefs, practices and observance, victims of domestic violence, sex offenses and stalking that do not create undue hardship.
- 7) Discrimination based on gender, includes "gender identity" (actual or perceived sex, including self-image, appearance, behavior or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth).
- 8) Harassment or retaliation against a person who opposes or complains about prohibited conduct or participates in any way in the complaint, investigation or reasonable accommodation processes is prohibited.
- 9) Mediation is a voluntary, informal and confidential process that provides an opportunity for mutually agreeable resolution of EEO-related complaints. The Office of Administrative Trials and Hearing ("OATH") Center for Mediation Services can be utilized by agencies to mediate all types of workplace disputes.
- 10) The EEO Policy and Handbook, "*About EEO: What You May Not Know*," may be downloaded at <http://www.nyc.gov/html/dcas/html/resources/topten.shtml>