

# EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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September 17, 2007

Robert C. North, Jr.  
Chief Actuary  
Office of the Actuary  
75 Park Place, 9<sup>th</sup> Floor  
New York, NY 10007

Re: Final Determination Pursuant to the Audit of the Office of the Actuary (OTA) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 to December 31, 2006

Dear Mr. North:

Thank you for your September 10, 2007 response to our July 12, 2007 Letter of Preliminary Determination pursuant to the audit of the Office of the Actuary and its compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 to December 31, 2006. The EEPCC has reviewed your response and our Final Determination is as follows:

## **Agree**

We agree with your responses to the following EEPCC recommendations, pending documentation that can be attached to your reply or provided during the compliance period:

### Recommendation #1

The agency's EEO Policy should be revised to include all of the protected classes under the New York City and New York State Human Rights Laws.

### Recommendation #2

The revised EEO Policy should be distributed to all current and new employees, and posted on the agency bulletin board and LAN.

Recommendation #3

To ensure that employees are made aware of the Program, the Section 55-A Program brochures issued by the DCAS should be distributed to all new and current employees. (Sect. IIB, Citywide EEO Policy)

Recommendation #4

The EEO officer should formally be appointed the disabilities rights coordinator and employees should be notified in writing of that appointment. (Sect. VB, Citywide EEO Policy)

Recommendation #5

The agency should consult with the building owner to ensure that the bathroom sinks are low enough to accommodate a person in a wheelchair. (Sect. IIB, Citywide EEO Policy)

Recommendation #6

The EEO officer should follow-up on her pledge and meet with the new EEO counselor at least at quarterly intervals to ensure that he is carrying out his EEO functions satisfactorily and is kept abreast of internal and external EEO developments. (Sect. VC, Citywide EEO Policy)

Recommendation #7

The OTA should follow-up on its pledge to provide EEO training to all employees. (Sect. IV, EEOP)

Recommendation #8

The OTA should ensure that all employees involved in job interviewing receive structured interview training, either through internal training or training provided by the DCAS or another appropriate organization. (Sect. IV, Citywide EEO Policy)

*[Note] In a September 12, 2007 telephone conversation with EEPC staff, the EEO officer said that the Office of the Actuary intends to provide structured interview training to all employees involved in job interviewing—consistent with the business needs (time constraints) of the agency.*

Recommendation #9

All staff, managerial and non-managerial, should receive an annual performance evaluation. (DCAS, Rule 7.5.4(e) of the *Personnel Rules and Regulations of the City of New York*, and DCAS, *Managerial Performance Evaluation, Guidelines for Evaluating Managerial Performance in NYC Agencies*, p. 1)

**Conclusion**

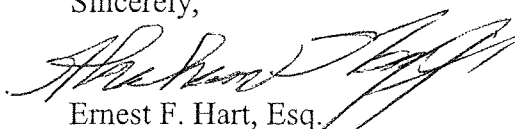
Pursuant to section 832 of the New York City Charter, this Commission will initiate an audit compliance procedure not to exceed six months. However, you may respond to the aforementioned determinations prior to the initiation of audit compliance.

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 Judith Garcia Quinonez or her designee will contact your EEO officer in seven days to ascertain your intentions.

In closing, we thank you and your staff for your cooperation during the audit process. We look forward to a mutually satisfactory compliance process.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest F. Hart", written in a cursive style.

Ernest F. Hart, Esq.  
Chair

c: Susan Flaschenberg, EEO Officer