

NYC
**Equal Employment
Practices Commission**

Cesar A. Perez, Esq.
Chair

Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
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Commissioners

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December 19, 2013

Raymond W. Kelly
Commissioner
New York City Police Department
One Police Plaza
New York, New York 10038

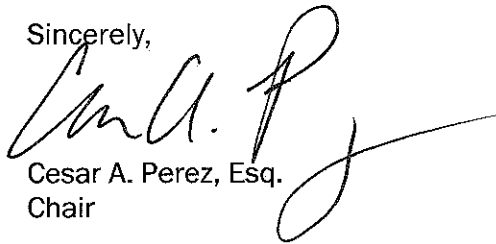
Re: Resolution #13/056C: Determination of Agency Compliance

Dear Commissioner Kelly:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to formally inform you that the Commission has issued the attached Determination of Compliance to the New York City Police Department (NYPD). This Commission has determined that the NYPD has implemented the required corrective actions deemed necessary by this Commission for ensuring a fair and effective affirmative employment program of equal opportunity as required by the equal employment opportunity standards of this Commission and Chapters 35 and 36 of the New York City Charter.

On behalf of this Commission, I want to thank you and Deputy Commissioner of EEO Neldra M. Zeigler, for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,



Cesar A. Perez, Esq.
Chair

c: Neldra M. Zeigler, Deputy Commissioner, EEO
Judith García Quiñonez, Esq., Deputy Director/Agency Counsel

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

RESOLUTION #13/056C: Determination of **Compliance** (Monitoring Period Required) by the New York City Police Department with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure 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 Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

Whereas, pursuant to its audit and analysis of the New York City Police Department's (NYPD) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated October 18, 2012, setting forth the following findings and required corrective actions:

1. Since the EEO Policy holds agencies responsible for ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities, the agency should develop a plan to demonstrate accessibility compliance for the facilities it identified as non-compliant. This plan should identify the number of locations that are accessible for employees/applicants with physical disabilities, identify barriers in non-accessible facilities, identify the distribution of job titles among accessible/non-accessible facilities, detail the efforts the NYPD has taken to remove barriers, and identify the agency (if not NYPD) responsible for rendering the facility accessible to employees/applicants with disabilities.
2. In rare circumstances where the investigation cannot commence immediately, or where the confidential report cannot be issued within 90 days, a note should be made in the complaint file explaining the reason for the delay and projecting a time frame for completion of the report. The complainant and respondent should be notified of the delay in writing.

3. The agency's HR/Personnel division should use and maintain an applicant log – which, at minimum, includes the Position, Applicants' Names, Security or Identification Number, Ethnicity, Gender, Disability or Veteran Status, Interview Date, Interviewers' Names, Result, Reason Selected/Not Selected, and Recruitment Source – for all discretionary appointments.
4. To ensure the integrity and continuity of the EEO Program, the agency should maintain appropriate documentation of meetings and other communications between the agency head (or a direct report to the agency head) and EEO Officer regarding decisions that impact the administration and operation of the agency's EEO program.
5. The agency is required to file with the EEPD copies of its finalized Agency EEO Specific Plans. The agency must also submit quarterly to the EEPD a report on its efforts during the previous quarter to implement the Agency Specific EEO Plan. All reports must be submitted no later than thirty (30) days following the reporting period.

Whereas, the NYPD responded to the EEPD's preliminary determination letter on December 31, 2012 with its intentions to rectify the areas of non-compliance identified in the preliminary determination; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD considered the agency's response and issued a Final Determination on February 11, 2013, in which the aforementioned corrective actions were remaining; and

Whereas, the NYPD submitted its response to the EEPD's final determination letter, on April 1, 2013; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPD monitored the implementation of the corrective actions, from May 2013 through October 2013 with no extension of the monitoring period; and

Whereas, since Section 815.a.(15) of the New York City the Charter requires the agency head to ensure and promote equal employment opportunity, after implementation of the above recommendations, on December 6, 2013, the NYPD submitted the Police Commissioner's memorandum to staff, which outlined the corrective actions implemented in response to the EEPD's audit and reiterated his commitment to the agency's EEO Program; and

Whereas, all of the EEPD's corrective actions are required by, or are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

Be It Resolved,
that the New York City Police Department has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

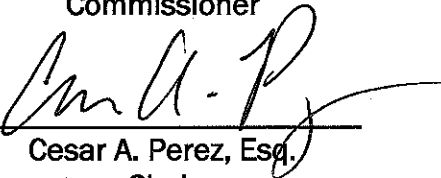
Be It Finally Resolved,
that the Commission authorizes Chair Cesar A. Perez, Esq., to forward this Determination to Commissioner Raymond W. Kelly of the New York City Police Department.

Approved unanimously on December 19, 2013.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair

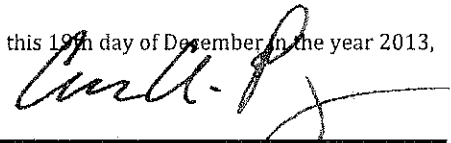
This
Determination of Compliance

is issued to the

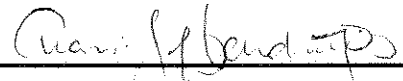
New York City Police Department

for successfully implementing 5 of 5 required corrective actions pursuant to the Equal Employment Practices Commission's
Equal Employment Opportunity Program Audit.

On this 19th day of December in the year 2013,



Cesar Perez, Esq., Chair



Charise L. Hendricks, PHR, Executive Director

In care of Commissioner Raymond W. Kelly
and Principal EEO Professional Neldra M. Zeigler