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**BY MAIL AND EMAIL**

April 28, 2016

Mina Malik  
Executive Director  
Civilian Complaint Review Board  
100 Church Street, 10th Floor  
New York, NY 10007

Re: Preliminary Determination: Review, Evaluation and Monitoring of the Civilian Complaint Review Board's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

Dear Executive Director Malik:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the Commission's findings and preliminary determinations pursuant to our audit and analysis of your agency's Employment Practices and Procedures for the period covering January 1, 2013 to December 31, 2015.

The New York City Charter, Chapter 36, Section 831(d)(5), empowers this Commission to audit and evaluate city agencies' employment practices, programs, policies and procedures, and their efforts to ensure fair and effective equal employment opportunity for employees and applicants seeking employment with city agencies. Section 832.c provides that this Commission may, pursuant to an audit, make a preliminary determination that any plan, program or procedure utilized by any city agency does not provide equal employment opportunity and recommend all necessary and appropriate procedures, approaches, measures, standards and programs to be utilized by agencies in these efforts.

The Civilian Complaint Review Board, which may herein be referred to as "the agency," falls within the Commission's purview under Chapter 36, Section 831(a) of the New York City Charter, which delineates city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government where the majority of the



board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury...”

The purpose of this audit and analysis is to evaluate the agency’s Employment Practices and Procedures, not to issue findings of discrimination pursuant to the New York City Human Rights Law. This Commission has adopted *Uniform Standards for EEPC Audits*<sup>1</sup> 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 municipal government employees and job applicants. These standards are founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; the New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); the New York State Civil Service Law §55-a; the Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7); the Americans with Disabilities Act; and its Accessibility Guidelines, and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters.

Since this Commission is empowered to review and recommend actions which each agency should consider including in its annual plan of measures and programs to provide equal employment opportunity (Annual EEO Plan), the audited agency should incorporate required corrective actions in its current EEO Program and prospective Annual EEO Plans.

### **Scope and Methodology**

This Commission’s audit methodology includes collection and analysis of the documents, records and data the agency provides in response to the *EEPC Document and Information Request Form*; responses to the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, review of the agency’s *Annual EEO Plans* and *Quarterly EEO Reports* and analysis of workforce and utilization data from the *Citywide Equal Employment Database System* (CEEDS).

This Commission reviews the workforce statistics and utilization analysis information available via CEEDS to understand the concentrations of race and gender groups within an agency’s workforce. (CEEDS may be unavailable for certain non-mayoral agencies. In such cases, the EEPC requests that the agency submit similar statistics and analysis.) EEO Program Analysts examine imbalances between the number of employees in a particular job category and the number that would reasonably be expected when compared to their availability in the relevant labor market. Personnel transactions are reviewed in order to ascertain the agency’s employment practices. Where underutilization is revealed within an agency’s workforce, EEO Program Analysts assess whether the agency has undertaken reasonable measures to address it.

EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career

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<sup>1</sup> Corresponding audit/analysis standards are numbered throughout the document.



Counselors, 55-a Program Coordinators) and others involved in EEO program administration such as the Principal Human Resources Professional are given a two-week deadline to complete and return their individual questionnaires. The Commission's EEO Program Analysts also conduct additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

To encourage response, the EEPC requests that the head or deputy of each agency send emails to employees and to supervisors/managers that provide links to our questionnaires.

### **Description of the Agency**

Established on July 5, 1993, the Civilian Complaint Review Board (CCRB) is an independent agency with the power to receive, investigate, hear, make findings, recommend action upon and prosecute complaints by members of the public against members of the New York City Police Department that allege misconduct involving the use of excessive or unnecessary force, abuse of authority, discourtesy or use of offensive language. All personnel on staff are civilians.

The Board is comprised of thirteen civilians members, five members selected by the Mayor, including the chair; five members designated by the City Council (one representative for each borough) and three members designated by the Police Commissioner. Police Commissioner designees are the only members permitted to have law enforcement backgrounds. Board members serve for three-year terms and until a replacement is appointed.

A summary of the agency's workforce data is included in Appendix 3. The agency's total workforce is 167.

### **PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS**

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

#### **I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:**

**Determination: The agency is in partial-compliance with the standards for this subject area.**

1. Issue a general EEO Policy statement or memo reiterating commitment to EEO, declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information of EEO professionals, and attaching, or providing employees pertinent electronic links to, an EEO Policy/Handbook.
- ✓ The Executive Director's EEO Policy memo was issued via email on February 9, 2015. The EEO Policy memo reiterated the agency's commitment to "*preventing discrimination by ensuring that all employees are made aware of their rights and obligations under the City's Equal Employment Opportunity (EEO) Policy and by maintaining fair employment practices for all and applicant for employment*". The Executive Director also advised employees of the name and contact information of the principal EEO professional and instructed employees to review the

EEO materials located in an “EEO” folder- accessible to all employees - in the agency’s electronic shared drive.

2. Distribute/Post a paper or electronic copy of the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* – or an agency EEO Policy that conforms to city, state and federal laws – for use by managers, supervisors, and legal, human resources and EEO professionals. Include, or attach as addenda: a policy against sexual harassment; uniform and responsive procedures for investigating discrimination complaints and providing reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the agency’s EEO professionals, as well as federal, state and local agencies that enforce laws against discrimination.
- ✓ The agency’s *EEO Policy*; the *EEO Policy Handbook: About EEO What You May Not Know; Reasonable Accommodation Procedure*; and the *NYC 55-a Program Booklet* were made available to employees via the agency’s electronic shared drive. In addition, the agency distributed a copy of the *Employee Orientation Manual* to new employees which included the agency’s *Equal Employment Opportunity (EEO) Policy* and sections on the *General Anti-Discrimination Protections*; and *Sexual Harassment* and *Anti-Retaliation* policies. The current contact information for the federal, state and local agencies that enforce laws against discrimination was included in the agency’s *Reasonable Accommodation Procedures*, which was also distributed.
  - The agency’s EEO Policy did not contain an up-to-date list of protected classes under NYC and NYS Human Rights Laws. In addition, the agency did not provide documentation that it distributed a copy of the *Discrimination Complaint Procedure*. **Corrective Action Required.**

**Corrective Action #1:** Redistribute a copy of the EEO Policy which contains an up-to-date list of protected classes under NYC and NYS Human Rights Laws, and a copy of the *Discrimination Complaint Procedure*.

## **II. EEO TRAINING FOR AGENCY:**

**Determination: The agency is in compliance with the standards for this subject area.**

3. Establish and implement an EEO training plan for new and existing employees to ensure that all individuals who work within the agency, including managers and supervisors, receive training on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.
- ✓ The agency’s training calendar indicated that *EEO and Language Access* and *EEO Policy* training were scheduled in 2013 and 2015, respectively. The agency notified employees via email of EEO Policy training in 2014. EEO training was conducted in house by the principal EEO Professional, for new and existing employees. The training course entitled *Basic EEO training for CCRB* included topics on unlawful discriminatory practices under local, state and federal EEO laws; EEO rights and/or responsibilities; discrimination complaint and

investigation procedures; prevention of sexual harassment; and reasonable accommodation procedures.

**III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):**

**Determination: The agency is in non-compliance with the standards for this subject area.**

4. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

- The agency did not assess its recruitment efforts to determine whether such efforts adversely impact any particular group. In addition, the 2<sup>nd</sup> Quarter 2016, CEEDS Report - *Work Force Compared with Internal and External Pools* (the last quarter of the audit period), indicates that the agency had underutilization of Blacks in the Technicians job group (see appendix 2). **Corrective Action Required.**

**Corrective Action #2:** Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

5. The principal EEO Professional, HR Professional, and General Counsel, review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.

- The agency's principal EEO Professional and HR Professional did not review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there were barriers to equal opportunity within the agency and determine what, if any, corrective actions were required to correct deficiencies. **Corrective Action Required.**

**NOTE:** The agency reported that the position of General Counsel has remained vacant since September 2013. Additionally, the principal EEO Professional was responsible for reviewing EEO complaints with the Agency Head.

**Corrective Action #3:** Ensure that the principal EEO Professional, HR Professional and General Counsel (if any) review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

6. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

- The agency did not assess the manner in which candidates are selected for employment, to determine whether there was any adverse impact upon any particular racial, ethnic, disability, or gender group. In addition, the 2<sup>nd</sup> Quarter 2016, CEEDS Report -*Work Force Compared with Internal and External Pools* (the last quarter of the audit period), indicates that the agency had underutilization of Blacks in the Technicians job group (see appendix 2). **Corrective Action Required.**

**Corrective Action #4:** Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

7. If women, minorities, or other protected groups are underrepresented in titles where there is *discretion in hiring*, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

- The 2<sup>nd</sup> Quarter, 2016, CEEDS Report -*Work Force Compared with Internal and External Pools* (the last quarter of the audit period), indicates that the agency had underutilization of Blacks in the Technicians job group; which is entirely comprised of *Investigators -a discretionary title*. **Corrective Action Required.**

**Corrective Action #5:** If women, minorities, or other protected groups are underrepresented in titles where there is *discretion in hiring*, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

8. If women, minorities, or other protected groups are underrepresented in *civil service* (list) titles, review the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure that these standards are updated, job-related and required by business necessity. (This includes working with DCAS or the Civil Service Commission if applicable). Then advertise in minority- or female-oriented publications, contact organizations serving women, minorities, and other protected groups; participate in career fairs or open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

NOTE: The agency did not have underutilization of protected groups in civil service titles.

9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
- ✓ The agency utilized a structured interview technique when conducting interviews for managerial candidates. The *Management Interview Questions* guide, included standardized behavioral, situational and general interview questions.
- The agency however, did not provide documentation that this technique was used for all interviews or that all human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring were trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates or received a guide. **Corrective Action Required.**

**Corrective Action #6:** Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.
- The agency did not provide documentation that it promoted employees' awareness of opportunities for promotion and transfer within the agency, and ensured that employees were considered for such opportunities, during the audit period. **Corrective Action Required.**

NOTE: Subsequent to the audit period, the Human Resources professional notified employees via email of opportunities for jobs, promotions, and exams in February and March of 2016.

11. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
- During the period in review, the agency advertised several vacant positions via the *New York City Automated Personnel System (NYCAPS e-Hire)* including: *APU Prosecutor, Deputy*



Executive Director of Administration, Director of Operations, Director of Community Outreach and Partner Engagement, and Investigator 1. The job vacancies notices did not indicate that the agency is an equal opportunity employer. **Corrective Action Required.**

**Corrective Action #7:** At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

12. Use and maintain an applicant/candidate log or tracking system which, at minimum, includes the *position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, interview date, interviewers' names, result, reason selected/not selected (or disposition)* of each applicant, and *recruitment source*. Ensure that the process avoids the appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.
- ✓ The agency utilized the *NYCAPS e-Hire System* to document applicant/ candidate demographic information; *e-Hire* captured the position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, disposition of each applicant, and recruitment source. The *interview date* and *interview panel* information were captured in both the agency's supplemental logs: *Candidate Interview Scoring Sheet* and *Rating Sheet* forms.

#### IV. **CAREER COUNSELING:**

**Determination:** The agency is in **partial-compliance** with the standards for this subject area.

13. Designate a professional (may be referred to as the Career Counselor) with appropriate training, knowledge and familiarity with career opportunities in City government to provide career counseling to employees upon request. Remind employees of the identity/type of guidance available from the Career Counselor at least once each year.
- ✓ The agency reported that the Human Resources Professional was designated as the agency's Career Counselor.
  - The agency did not provide documentation that employees were notified of the identity or the type of guidance available from the Career Counselor. **Corrective Action Required.**

**Corrective Action #8:** Distribute the identity of the Career Counselor at least once each year to remind employees of the identity and type of career guidance available.

14. The Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding job responsibilities, performance evaluation standards, examinations, training opportunities and job postings; ensures that all new employees are advised of the EEO policies, their rights and responsibilities under such policies and the discrimination complaint procedures; informs the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involves the principal EEO Professional in EEO-related matters; and promptly consults with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred.



- ✓ The Human Resources Professional ensured employees had access to examinations, training opportunities and job postings. The Human Resources Professional distributed a copy of the *Employee Orientation Manual* to new employees which contained information on NYC's *Civil Service; Hiring and Employment Procedures*; information on employee's rights and responsibilities under the agency's EEO policy; and discrimination complaint procedures. The agency provided documentation that it established a managerial and non-managerial performance evaluation program. The agency administered performance evaluations for non-managerial employees in its predominant title.
- The agency did not provide documentation that the principal EEO Professional was informed of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; and that the Human Resources Professional involved the principal EEO Professional in EEO-related matters; or promptly consulted with the principal EEO Professional if informed of, or suspects that a violation of the EEO Policy has occurred. **Corrective Action Required.**

**Corrective Action #9:** Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards; inform the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involve the principal EEO Professional in EEO-related matters; and promptly consult with the principal EEO Professional if informed of, or suspect that, a violation of the EEO Policy has occurred.

V. **EEO AND REASONABLE ACCOMMODATIONS FOR EMPLOYEES/  
APPLICANTS FOR EMPLOYMENT WITH DISABILITIES:**

**Determination:** The agency is in compliance with the standards for this subject area.

15. Ensure that information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures is made available in appropriate alternative formats (i.e., large print, audio tape and/or Braille) upon request to employees and applicants for employment with disabilities.
- ✓ The agency's *Reasonable Accommodation Policy and Procedure* stated that, "effective communication may require arranging for sign language interpreters, assistive listening equipment, alternative formats for people with visual impairments, or other approaches." The agency reported that for the period in review, no requests for policies in alternative formats were made. However, the agency reported that it is committed to providing its EEO Policies in large print and audio tape, upon request.
16. Document reasonable accommodation requests and their outcomes.
- ✓ The principal EEO Professional who also served as the Disability Rights Coordinator, documented reasonable accommodation requests and their outcomes using the agency's *Reasonable Accommodation Request Form*. The agency's *Reasonable Accommodation Policy and Procedure* included a form which, according to the agency, was used to document reasonable accommodation requests.

- The agency did not demonstrate that it documented reasonable accommodation requests and their outcomes. **Corrective Action Required.**

**Corrective Action #10:** Document reasonable accommodation requests and their outcomes.

**VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:**

**Determination: The agency is in partial-compliance with the standards for this subject area.**

17. Appoint a principal EEO Professional to implement EEO policies and standards within the agency. The principal EEO Professional is trained and knowledgeable regarding city, federal and state EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.
  - ✓ The agency appointed the Director of Mediation as the agency's principal EEO Professional (EEO Officer) in March 2013, who was trained to implement EEO policies and standards within the agency.
18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.
  - ✓ The principal EEO Professional completed the Citywide Diversity and Equal Employment Opportunity (CDEEO) *Basic Training* (June 2013); *Everybody Matters* (October 2013); and the Equal Employment Opportunity Commission (EEOC) *EEOC New York Seminar 2013, Ten (10) human resources certification institute credits*, (June 2013); as well as the CDEEO *Building an Inclusive Culture, Understanding Unconscious Bias* (Train-the-Trainer) (October 2015); *Structured Interviewing and Unconscious Bias* (Train-the-Trainer) (October 2015).
19. The principal EEO Professional reports directly to the agency head (or an approved direct report other than the General Counsel) in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities.
  - ✓ The principal EEO Professional reported directly to the agency head in order to exercise the necessary authority and independent judgment to fulfill EEO responsibilities. This reporting relationship was reflected in the agency's organizational chart.
20. To ensure the integrity and continuity of the EEO Program, maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
  - The agency did not maintain documentation of meetings and other communications between the agency head and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program. **Corrective Action Required.**

**Corrective Action #11:** Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel)

and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

**VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION – SUPERVISORS/MANAGERS:**

**Determination: The agency is in partial-compliance with the standards for this subject area.**

21. Establish and administer an annual managerial/non-managerial performance evaluation program to be used for probationary periods, promotions, assignments, incentives and training.

✓ During the audit period, the agency established a managerial and non-managerial performance evaluation program. The agency administered performance evaluations for non-managerial employees in the job title of Investigator (86 % of the agency's workforce).

➤ The agency did not provide documentation that performance evaluations were administered for managerial employees during the audit period. **Corrective Action Required.**

**Corrective Action #12:** Implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

22. The managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

➤ The agency's managerial performance evaluation form did not contain a rating for EEO. **Corrective Action Required.**

**Corrective Action #13:** Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

**VIII. REPORTING STANDARD FOR AGENCY HEAD:**

**Determination: The agency is in non-compliance with the standards for this subject area.**

23. Submit to the EEOC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports<sup>2</sup> (up to 30 days following each quarter) on efforts to implement the plan.

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<sup>2</sup>Submission of *Quarterly Reports on EEO Activity* is optional for non-Mayoral agencies.



- The agency did not provide to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports on efforts to implement the plan. **Corrective Action Required.**

**Corrective Action #14:** Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports<sup>2</sup> (up to 30 days following each quarter) on efforts to implement the plan.

**After implementation of the EEPC's corrective actions, if any:**

1. The agency head distributes a memorandum informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

**Final Action:** Distribute a memorandum signed by the agency head informing employees of the changes implemented in the EEO program pursuant to the EEPC's audit/analysis and re-emphasizing the agency head's commitment to the EEO program.

## Conclusion

The agency has **14** required corrective action(s) at this time.

Pursuant to Chapter 36 of the New York City Charter, your agency has the *option* to respond to this *preliminary determination*, but must respond to our Final Determination if corrective action is required.

*Optional Response to preliminary determination:* If submitted, your optional response should indicate, with attached documentation, what steps your agency has taken or will take to implement the prescribed corrective actions, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the *preliminary determination*.

*(Optional Conference)* During the Optional Conference, we will discuss the immediate steps your agency should take and address questions regarding your agency's implementation of the prescribed corrective action(s).

*(No Response Option)* If your agency does not respond to this preliminary determination within 14 days, it will become the EEPC's Final Determination.

*Mandatory Response to Final Determination:* Following this preliminary determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective actions based on verified information; identify remaining action which requires further monitoring in order to ensure implementation; and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our



purpose. Pursuant to Chapter 36 of the New York City Charter your agency must respond to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance monitoring period.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "Elona Shehu".

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Elona Shehu, EEO Program Analyst

Approved by,

A handwritten signature in blue ink, appearing to read "Charise L. Terry".

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Charise L. Terry, PHR  
Executive Director

c: Elisa Grace Cohen, Esq., Director of Mediation and EEO Officer, CCRB

## **Appendix - 1**

Civilian Complaint Review Board  
EEO Job Group Descriptions

**DESCRIPTION OF  
EQUAL EMPLOYMENT OPPORTUNITY  
JOB GROUP CATEGORIES**

- 001 Administrators:** Occupations in which employees set broad policies and exercise overall responsibility for the execution of these policies. This category includes: Elected officials, commissioners, executive directors, deputy commissioners, chairpersons, general counsels, controllers, chiefs of department, inspector generals and kindred workers.
- 002 Managers:** Occupations in which employees direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. This category includes: Assistant commissioners, deputy directors, assistant directors, project managers, special assistants, superintendents, deputy counsels and kindred workers.
- 003 Management Specialists:** Occupations which require specialized and theoretical knowledge of management, finance or personnel, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: Accountants, underwriters, financial analysts, personnel analysts, staff analysts, program analysts, buyers, purchasing specialists, inspectors, research analysts, program officers, project coordinators and kindred workers.
- 004 Science Professionals:** Occupations which require specialized and theoretical knowledge of various scientific or mathematical fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: Architects, engineers (chemical, nuclear, civil, electrical, industrial, mechanical, marine), computer specialists, telecommunications specialists, actuaries, statisticians, physicists, chemists, geologists, biologists, foresters and kindred workers.
- 005 Health Professionals:** Occupations which require specialized and theoretical knowledge of the medical or health fields, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: Physicians, dentists, veterinarians, optometrists, podiatrists, registered nurses, pharmacists, dieticians, occupational therapists, physical therapists, speech therapists, physician's assistants and kindred workers.
- 006 Social Scientists:** Occupations which require specialized and theoretical knowledge of the social sciences, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: Librarians, archivists, economists, psychologists, sociologists, urban planners and kindred workers.

- 007 Social Workers:** Occupations which require specialized and theoretical knowledge of social work, youth and family counseling, addiction treatment and casework, which is usually acquired through college or training or through work experience and other training which provides comparable knowledge. This category includes: Caseworkers, probation officers, correctional counselors, juvenile counselors, addiction treatment counselors, eligibility specialists, human rights specialists, community liaison workers, clergy and kindred workers.
- 008 Lawyers:** Occupations which require specialized and theoretical knowledge of the law and the judicial process, which is usually acquired through college training. This category includes: Attorneys, assistant district attorneys, counsels, assistant counsels, deputy counsels, law judges, and kindred workers.
- 009 Public Relations:** Occupations which require special knowledge or skills in public relations, journalism, modern language or the fine arts, which are usually acquired through college training, specialized post-secondary school education, or work experience or training which provides comparable knowledge. This category includes: Technical writers, graphic designers, musicians, actors, directors, announcers, painters, illustrators, photographers, artists, editors, press officers, public relations specialists, public relations advisors, interpreters, customer service specialists and kindred workers.
- 010 Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. This category includes: Health technicians (clinical laboratory, dental hygienists, health records, radiologic and licensed practical nurses), electrical and electronic technicians, engineering technicians (electrical, electronic, industrial, and mechanical), drafting occupations, surveying and mapping technicians, science technicians, airline pilots and navigators, air traffic controllers, broadcast equipment operators, computer programmers, legal assistants, investigators, and kindred workers.
- 011 Sales:** Not applicable.
- 012 Clerical Supervisors:** Occupations in which employees are responsible for overseeing and supervising the duties of clerical staff. This category includes: Chief clerks, supervising clerks, principal administrative associates, supervising cashiers, telegraph superintendents, supervising stenographers and kindred workers.
- 013 Clerical:** Occupations in which employees are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. This category includes: Cashiers, computer operators, word processors, secretaries, stenographers, typists, ticket agents, receptionists, clerks (information, personnel, file, library, records), bookkeepers, office machine operators, telephone operators, messengers, dispatchers, stock clerks, meter readers, office aides, general office clerks, bank tellers and kindred workers.
- 014 Household Services:** Not applicable.



- 015 Police Supervisors:** Occupations in which uniformed employees with peace officers status set broad policies in the area of public safety and security, exercise overall responsibility for execution of policies, direct individual units or special phases of the agency's operations, or supervise on a regional, district or area basis. This category includes: Sergeants, captains, lieutenants, inspectors, captains (correction), wardens and kindred workers.
- 016 Fire Supervisors:** Occupations in which uniformed employees set broad policies in the area of public safety and protection; exercise overall responsibility for execution of policies; direct individual units or special phases of the agency's operations; or supervise on a regional, district or area basis. This category includes: Lieutenants, captains, battalion chiefs, deputy chiefs, supervising fire marshals, supervising fire prevention inspectors and kindred workers.
- 017 Firefighters:** Occupations in which uniformed employees are entrusted with public safety, security and protection from destructive forces. This category includes: Firefighters, marine engineers (uniformed), fire prevention inspectors, fire protection inspectors and kindred workers.
- 018 Police and Detectives:** Occupations in which uniformed employees with peace officer status are entrusted with public safety, security and protection. This category includes: Police officer, detectives, correction officers, bridge and tunnel officers, sheriffs, special officers, enforcement agents (traffic, sanitation) and kindred workers.
- 019 Guards:** Occupations in which employees are entrusted with public safety and security. This category includes: School crossing guards, housing guards, watch persons, lifeguards, park rangers, school guards and kindred workers.
- 020 Food Preparation:** Occupations in which employees are responsible for the preparation and distribution of food, or management of food services, in City facilities (e.g. schools, correctional institutions, and concessions). This category includes: Cooks, school lunch helpers, school lunch managers, food service managers, commissary managers and kindred workers.
- 021 Health Services:** Occupations in which employees are responsible for assisting health professionals in maintaining and promoting the health, hygiene and safety of the general public. This category includes: Dental assistants, dietary aides, public health assistants, nurse's aides, institutional aides, health aides, orderlies, and kindred workers.
- 022 Building Services:** Occupations in which employees perform duties which result in or contribute to the upkeep and care of buildings and facilities. This category includes: Custodians, cleaners, caretakers, maintainers, elevator operators and starters, exterminators, pest control aides and kindred workers.
- 023 Personal Services:** Occupations in which employees perform duties which result in or contribute to the comfort or convenience of the general public. This category includes: Housekeepers, barbers, attendants, railroad porters, homemakers, matrons and kindred workers.

- 024 Farming:** Occupations in which employees perform duties which result in or contribute to the upkeep and care of agricultural/botanical/zoological facilities or grounds of public property. This category includes: Herbarium aides, aquarium technicians, botanical gardening aides, gardeners, groundskeepers, pruners, hostlers, menagerie keepers, horseshoers and kindred workers.
- 025 Craft:** Occupations in which employees perform duties which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work in which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: Mechanics, equipment repairers, telephone line installers, small instrument repairers, brick masons, carpenters, electricians, plumbers, mining occupations, tool and die makers, sheet metal workers, tailors, butchers, bakers, machine operators, locksmiths, precision handworking occupations and kindred workers.
- 026 Operators:** Occupations in which employees perform duties which require specialized machine skills which are required through on-the-job training and experience or through apprenticeship or other formal training programs. This category includes: Printing press operators, high pressure boiler operators, laundry workers and kindred workers.
- 027 Transportation:** Occupations in which employees perform duties which require motor vehicle, bus, train, or other transportation operation skills which are acquired through on-the-job training and experience or through other formal training programs. This category includes: Bus drivers, chauffeurs, motor vehicle operators, trainmasters, ferry terminal supervisors and kindred workers.
- 028 Laborers:** Occupations in which employees perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public, or which contribute to the upkeep and care of buildings and facilities. There are no job qualification requirements for titles in this category. This category includes: Skilled craft helpers and apprentices, construction laborers, stock handlers, garage and service station related occupations, car cleaners, seasonal park helpers, track workers, assistant highway repairers and kindred workers.
- 029 Sanitation Workers:** Occupations in which employees perform duties which result in or contribute to the cleanliness, hygiene and safety of the public domain. Qualification requirements, which include civil service examinations, exist for titles in this category. This category includes: Sanitation workers, debris removers and kindred workers.
- 030 Teachers:** Occupations which require specialized and theoretical knowledge of education and instructional methods, which is usually acquired through college training or through work experience and other training which provides comparable knowledge. This category includes: Teachers, instructors, professors, lecturers, fitness instructors, graduate assistants, fellows, adjunct professors, substitute teachers, trade instructors, education/ vocational counselors, education analysts, education officers, institutional instructors and kindred workers.

**031 Paraprofessionals:** Occupations in which employees perform some of the duties of a professional or technician in a supportive role, which usually requires less formal training and/or experience normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion. This category includes: Administrative assistants, project associates, coordinators, community associates and assistants, community service aides, research associates, welfare service workers, child care workers and kindred workers.

## **Appendix - 2**

Civilian Complaint Review Board  
Workforce Compared with Internal and External Pools  
2<sup>nd</sup> Quarter of Fiscal Year 2016

RUN DATE: 01/05/16  
 RUN TIME: 8:35:10  
 FY2016 Q2

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 C E E D S S Y S T E M  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 33  
 PROGRAM: EBPPP961  
 EXTRACT DATE: 12/31/15

AGENCY: 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO VARIABLE: ETH ETHNICITY

PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS  
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	WHITE		BLACK		HISPANIC		ASIAN /		NATIVE A		ETH UNKN	
		OBSRV	EXPCT I	OBSRV	EXPCT I	OBSRV	EXPCT I	OBSRV	EXPCT I	OBSRV	EXPCT I	OBSRV	EXPCT I
001 ADMINISTRATORS	30	13	15	8	5	7	5	2	3 N	0	0 N	0	1 N
002 MANAGERS	27	14	14	7	5	3	4	2	3 N	0	0 N	1	1
003 MNGMNT SPECS	2	0	1 N	0	1 N	2	0 N	0	0 N	0	0 N	0	0 N
004 SCIENCE PROFNS	2	1	1 N	0	0 N	0	0 N	1	0 N	0	0 N	0	0 N
008 LAWYERS	1	0	1 N	0	0 N	1	0 N	0	0 N	0	0 N	0	0 N
010 <b>TECHNICIANS</b>	86	44	30 O	13	28 U	14	17	9	9	0	0 N	6	2 O
012 CLERICAL SUPS	1	1	0 N	0	1 N	0	0 N	0	0 N	0	0 N	0	0 N
013 CLERICAL	5	0	1 N	5	3 N	0	1 N	0	0 N	0	0 N	0	0 N
031 PARA PROFESSION	13	2	4 U	5	3	3	3	2	1	0	0 N	1	0

RUN DATE: 01/05/16  
 RUN TIME: 8:35:10  
 FY2016 Q2

NEW YORK CITY DEPARTMENT OF PERSONNEL  
 C E E D S S Y S T E M  
 WORK FORCE COMPARED WITH INTERNAL & EXTERNAL POOLS  
 AT THE AGENCY/JOBGROUP LEVEL

PAGE: 34  
 PROGRAM: EBPPP961  
 EXTRACT DATE: 12/31/15

AGENCY: 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO VARIABLE: GEN GENDER

PERSONS WITH MISSING EEO DATA INCLUDED IN CNTS  
 PROBABILITY CUT-OFF FOR IMBALANCE: .050

JOB GROUP	INCMB TOTAL	MALE		FEMALE		GENDER U	
		OBSRV	EXPCT I	OBSRV	EXPCT I	OBSRV	EXPCT I
001 ADMINISTRATORS	30	16	18	14	12	0	0 N
002 MANAGERS	27	10	14 U	17	11 O	0	1 N
003 MNGMNT SPECS	2	0	1 N	2	1 N	0	0 N
004 SCIENCE PROFNS	2	1	1 N	1	1 N	0	0 N
008 LAWYERS	1	0	0 N	1	0 N	0	0 N
010 TECHNICIANS	86	47	53	39	31	0	1 N
012 CLERICAL SUPS	1	1	0 N	0	1 N	0	0 N
013 CLERICAL	5	2	1 N	3	3 N	0	0 N
031 PARA PROFESSION	13	6	5	7	8	0	0 N

## **Appendix - 3**

Civilian Complaint Review Board  
Workforce Composition Summary  
2<sup>nd</sup> Quarter of Fiscal Year 2015

RUN DATE: 01/05/16  
 RUN TIME: 08:37:42.9

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES  
 CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)  
 WORK FORCE COMPOSITION SUMMARY  
 AGENCY 054 CIVILIAN COMPLAINT REVIEW BOARD

PAGE: 52  
 REPORT: EBEP210

QUARTER 2 YEAR 2016

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 001 ADMINISTRATORS

TITLE CODE	TITLE DESCRIPTION	MALE					FEMALE					OTHER	TOTAL EMP		
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS			AM IND ALASK	UN-KNOWN
10194	EXECUTIVE DIRECTOR (CIVILI	0	0	0	0	0	0	0	0	1	0	0	0	0	1
10214	DEPUTY EXECUTIVE DIRECTOR	1	1	0	1	0	0	0	1	0	0	0	0	0	4
82975	INVESTIGATIVE MANAGER (CCR	4	0	2	0	0	0	5	2	2	0	0	0	0	15
94494	MEMBER, CIVILIAN COMPLAINT	2	3	1	1	0	0	1	1	1	0	0	0	0	10
EEO JOB GROUP TOTAL.....:		7	4	3	2	0	0	6	4	4	0	0	0	0	30
		23.34	13.33	10.00	6.67	0.00	0.00	20.00	13.33	13.33	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 002 MANAGERS

TITLE CODE	TITLE DESCRIPTION	MALE					FEMALE					OTHER	TOTAL EMP		
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS			AM IND ALASK	UN-KNOWN
10033	ADMINISTRATIVE PUBLIC INFO	0	0	0	0	0	0	1	0	0	0	0	0	0	1
10050	COMPUTER SYSTEMS MANAGER	1	0	0	0	0	0	0	0	0	0	0	0	0	1
10193	DEPUTY ASSISTANT DIRECTOR	2	0	0	0	0	0	0	2	2	0	0	0	6	
31166	SUPERVISOR OF INVESTIGATOR	1	0	0	0	0	1	1	0	0	0	0	0	3	
95005	EXECUTIVE AGENCY COUNSEL	2	2	0	1	0	0	6	3	1	1	0	0	16	
EEO JOB GROUP TOTAL.....:		6	2	0	1	0	1	8	5	3	1	0	0	0	27
		22.23	7.41	0.00	3.70	0.00	3.70	29.63	18.52	11.11	3.70	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 003 MANAGEMENT SPECIALISTS

TITLE CODE	TITLE DESCRIPTION	MALE					FEMALE					OTHER	TOTAL EMP		
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS			AM IND ALASK	UN-KNOWN
1002C	ADMINISTRATIVE MANAGER NON	0	0	0	0	0	0	0	0	1	0	0	0	0	1
13381	STRATEGIC INITIATIVE SPECI	0	0	0	0	0	0	0	0	1	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		0	0	0	0	0	0	0	0	2	0	0	0	0	2
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 004 SCIENCE PROFESSIONALS

TITLE CODE	TITLE DESCRIPTION	MALE					FEMALE					OTHER	TOTAL EMP		
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS			AM IND ALASK	UN-KNOWN
13622	COMPUTER SPECIALIST (OPERA	1	0	0	0	0	0	0	0	0	0	0	0	0	1
13632	COMPUTER SPECIALIST (SOFTW	0	0	0	0	0	0	0	0	0	1	0	0	0	1



RUN DATE: 01/05/16  
 RUN TIME: 08:37:42.9

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES  
 CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)  
 WORK FORCE COMPOSITION SUMMARY  
 QUARTER 2 YEAR 2016 AGENCY 054 CIVILIAN COMPLAINT REVIEW BOARD

PAGE: 53  
 REPORT: EBEP210

EEO JOB GROUP TOTAL.....: 50.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 50.00 0.00 0.00 0.00 100.00 2

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 008 LAWYERS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP	
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN			
30087	AGENCY ATTORNEY	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 010 TECHNICIANS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN		
31165	INVESTIGATOR (CCRB)	26	5	8	5	0	3	18	8	6	4	0	3	0	86
EEO JOB GROUP TOTAL.....:		30.24	5.81	9.30	5.81	0.00	3.49	20.93	9.30	6.98	4.65	0.00	3.49	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 012 CLERICAL SUPERVISORS

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN		
10124	PRINCIPAL ADMINISTRATIVE A	1	0	0	0	0	0	0	0	0	0	0	0	0	1
EEO JOB GROUP TOTAL.....:		100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD  
 EEO JOB GROUP : 013 CLERICAL

TITLE CODE	TITLE DESCRIPTION	MALE						FEMALE						OTHER	TOTAL EMP
		WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN		
10251	CLERICAL ASSOCIATE	0	2	0	0	0	0	0	1	0	0	0	0	0	3
10252	SECRETARY	0	0	0	0	0	0	0	2	0	0	0	0	0	2
EEO JOB GROUP TOTAL.....:		0.00	40.00	0.00	0.00	0.00	0.00	0.00	60.00	0.00	0.00	0.00	0.00	0.00	100.00

AGENCY CODE : 054 CIVILIAN COMPLAINT REVIEW BOARD

RUN DATE: 01/05/16  
 RUN TIME: 08:37:42.9

NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES  
 CITYWIDE EQUAL EMPLOYMENT DATABASE SYSTEM (CEEDS)  
 WORK FORCE COMPOSITION SUMMARY  
 AGENCY 054 CIVILIAN COMPLAINT REVIEW BOARD

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 REPORT: EBEPR210

QUARTER 2 YEAR 2016

EEO JOB GROUP : 031 PARA PROFESSIONAL OCCUPATIONS		MALE						FEMALE						TOTAL	
TITLE CODE	TITLE DESCRIPTION	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	WHITE	BLACK	HISPN	ASIAN PACIS	AM IND ALASK	UN-KNOWN	OTHER	EMP
56057	COMMUNITY ASSOCIATE	2	1	1	0	0	1	0	3	2	1	0	0	0	11
56058	COMMUNITY COORDINATOR	0	0	0	1	0	0	0	1	0	0	0	0	0	2
EEO JOB GROUP TOTAL.....:		2	1	1	1	0	1	0	4	2	1	0	0	0	13
		15.40	7.69	7.69	7.69	0.00	7.69	0.00	30.77	15.38	7.69	0.00	0.00	0.00	100.00
-----															
AGENCY TOTAL.....:		43	14	12	9	0	5	32	24	18	7	0	3	0	167
		25.75	8.38	7.19	5.39	0.00	2.99	19.16	14.37	10.78	4.19	0.00	1.80	0.00	100.00



BILL DE BLASIO  
MAYOR

**CIVILIAN COMPLAINT REVIEW BOARD**  
100 CHURCH STREET 10th FLOOR  
NEW YORK, NEW YORK 10007 ♦ TELEPHONE (212) 912-7235  
[www.nyc.gov/ccrb](http://www.nyc.gov/ccrb)

DEBORAH N. ARCHER, ESQ.  
ACTING CHAIR

MINA Q. MALIK, ESQ.  
EXECUTIVE DIRECTOR

**Response to April 28, 2016**

**Preliminary Determination Issued by EEPD**

**Item I ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES:**

Determination: The agency is in **partial-compliance** with the standards for this subject area.

**Corrective Action Required**

**Corrective Action #1:** Redistribute a copy of the EEO Policy which contains an up-to-date list of protected classes under NYC and NYS Human Rights Laws, and a copy of the *Discrimination Complaint Procedure*.

**Response to Corrective Action #1:** On May 20, 2016, the Agency Head distributed the most recent Policy Memo and included the **EEO Policy**, which includes the up-to-date list of protected classes under NYC and NYS Human Rights Laws as well as the **Discrimination Complaint Procedures**.

**Item III. EMPLOYMENT PRACTICES (Recruitment, Hiring & Promotion):**

Determination: The agency is in **non-compliance** with the standards for this subject area.

**Corrective Action Required**

**Corrective Action #2:** Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

**Response to Corrective Action #2:** The CCRB has reviewed the CEEDS report and will implement enhanced recruitment strategies to ensure vacancy notices and job postings are distributed throughout community organizations serving women, minorities

and other protected groups throughout the City. We will review the CEEDS report on a quarterly basis to ensure continued compliance.

### **Corrective Action Required**

**Corrective Action #3:** Ensure that the principal EEO Professional, HR Professional and General Counsel (if any) review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

**Response to Corrective Action #3:** As of April 22, 2016, the CCRB has a new EEO Officer assigned and will focus efforts to ensure the EEO Officer, HR Professional and future General Counsel review the agency's statistical information, annual EEO complaints and the agency's employment practices policies and procedures on an annual basis to identify any barriers and to determine, if any are required, corrective actions in order to correct deficiencies.

### **Corrective Action Required**

**Corrective Action #4:** Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job-related, and adopt methods which diminish adverse impact.

**Response to Corrective Action #4:** The CCRB has reviewed the 2<sup>nd</sup> Quarter, CEEDS report. The CCRB uses NYCAPS to review applicant resumes and cover letters. Candidates whose educational background and professional experience most closely match the job criteria are selected for interview. The CCRB requests writing samples and school transcripts from the selected candidates during the interview process. Additionally, specific title-based interview questions are prepared as part of the selection criteria to ensure all candidates are considered fairly. The CCRB will continue our efforts to adopt additional methods which will diminish any adverse impact.

### Corrective Action Required

**Corrective Action #5:** If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

**Response to Corrective Action #5:** The CCRB has reviewed the 2<sup>nd</sup> Quarter, CEEDS report. The CCRB will continue to coordinate outreach and recruitment strategies to maximize its ability to recruit from a diverse, broad spectrum of potential applicants from a variety of geographic regions and academic sources.

### Corrective Action Required

**Corrective Action #6:** Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

**Response to Corrective Action #6:** The CCRB is aggressively working with DCAS to ensure all Managers/Supervisors and personnel involved in recruiting and hiring are properly trained to ensure EEO laws/policies are followed. The CCRB will continue to use uniform, job-related techniques to identify, interview and select the most capable candidates. Upcoming training is scheduled for 6/28/16.

### Corrective Action Required

**Corrective Action #7:** At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

**Response to Corrective Action #7:** The CCRB has updated all job postings to include: **"The City of New York is an Equal Opportunity Employer."**

#### **Item IV. CAREER COUNSELING:**

Determination: The agency is in **partial-compliance** with the standards for this subject area.

### Corrective Action Required

**Corrective Action #8:** Distribute the identity of the Career Counselor at least once each year to remind employees of the identity, and type of career guidance available.

**Response to Corrective Action #8:** The CCRB will identify the Career Counselor one time each year for all employees, and remind them of the type of career guidance available.

#### **Corrective Action Required**

**Corrective Action #9:** Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards; inform the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involve the principal EEO Professional in EEO-related matters; and promptly consult with the principal EEO Professional if informed of, or suspect that, a violation of the EEO Policy has occurred.

**Response to Corrective Action #9:** All CCRB employees have access to their Tasks & Standards and have been trained to perform in the appropriate capacity. The CCRB currently has 1 employee enrolled in the 55-a program. The CCRB firmly promotes the 55-a Plan and makes every effort to employ, promote and accommodate qualified individuals with disabilities. There are no violations of the EEO Policy to report.

#### **Corrective Action Required**

**Corrective Action #10:** Document reasonable accommodation requests and their outcomes.

**Response to Corrective Action #10:** The CCRB has initiated the tracking of all Reasonable Accommodation requests and outcomes as required using Excel.

#### **Item VI. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION - EEO PROFESSIONALS:**

Determination: The agency is in **partial-compliance** with the standards for this subject area.

#### **Corrective Action Required**

**Corrective Action #11:** Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

**Response to Corrective Action #11:** The CCRB is committed to hold recurring and documented meetings between the Agency Head, EEO Officer and HR Professional regarding decisions that impact the administration and operation of the EEO Program.

**Item VII. RESPONSIBILITY FOR EEO PLAN IMPLEMENTATION –  
SUPERVISORS/MANAGERS:**

Determination: The agency is in **partial-compliance** with the standards for this subject area.

**Corrective Action Required**

**Corrective Action #12:** Implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

**Response to Corrective Action #12:** With a new HR Director in place, the CCRB is in the process of finalizing all Managerial Tasks & Standards in order to implement the annual managerial Performance Evaluation to be used for probationary periods, promotions, assignments, incentives and trainings.

**Corrective Action Required**

**Corrective Action #13:** Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

**Response to Corrective Action #13:** The CCRB has updated the Managerial Performance Evaluation form to include a rating for EEO-related matters including responsibilities and processes for ensuring ability to make employment decisions based on merit and equal consideration, and to treat others in an equitable and impartial manner.

**Item VIII. REPORTING STANDARD FOR AGENCY HEAD:**

Determination: The agency is in **non-compliance** with the standards for this subject area.

**Corrective Action Required**

**Corrective Action #14:** Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports<sup>2</sup> (up to 30 days following each quarter) on efforts to implement the plan.

**Response to Corrective Action #14:** The CCRB has completed the 2017 Annual Plan of measures and programs to provide equal employment opportunity and will continue to provide these reports on an annual basis. The CCRB is a Non-Mayoral agency and is not required to submit Quarterly Reports on EEO Activity.



**Angela Cabrera**  
**Malini Cadambi Daniel**  
**Elaine S. Reiss, Esq.**  
**Arva R. Rice**  
Commissioners

**Charise L. Terry, PHR**  
Executive Director

**Judith Garcia Quiñonez, Esq.**  
Executive Agency Counsel/  
Deputy Director

**Marie E. Giraud, Esq.**  
Agency Attorney/  
Director of Compliance Monitoring

**253 Broadway**  
**Suite 602**  
**New York, NY 10007**

212. 615. 8939 tel.  
212. 615. 8931 fax

**BY MAIL AND EMAIL**

July 6, 2016

Mina Malik  
Executive Director  
Civilian Complaint Review Board  
100 Church Street, 10th Floor  
New York, NY 10007

RE: Audit Resolution #2016/054: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Civilian Complaint Review Board's Employment Practices and Procedures from January 2013 to December 2015.

Dear Executive Director Malik:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your May 20, 2016 response to our April 28, 2016 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

As indicated in our Preliminary Determination, this Commission has adopted uniform standards<sup>1</sup> to assess agencies' employment practices and programs for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for municipal government employees and job applicants. The attached Determination contains the Commission's findings and required corrective actions pertaining to the referenced review, evaluation and monitoring of your agency's employment practices and procedures.

**Chapter 36, Section 832.c of the New York City Charter requires that: 1) the EEPC assign a 6-month compliance period to monitor your agency's efforts to eliminate remaining required corrective actions; and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.**

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<sup>1</sup> Founded upon and consistent with federal, state and local laws, regulations, procedures and policies including, but not limited to, the Citywide Equal Employment Opportunity Policy - Standards and Procedures to be Utilized by City Agencies; New York City Human Rights Law (NYC Administrative Code, §§8-107.1(a) and 8-107.13(d)); New York State Civil Service Law §55-a; Uniform Guidelines on Employee Selection Procedures (29 CFR §§1607.3 - 1607.7) and the equal employment opportunity requirements of the New York City Charter.





The assigned compliance-monitoring period is: JULY 2016 TO DECEMBER 2016.

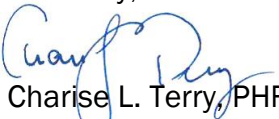
**If corrective actions remain:** Your agency's response should indicate what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Documentation which supports the implementation of each corrective action shall be uploaded to TeamCentral, the EEPC's Automated Compliance-Monitoring System. Your agency will be monitored monthly until all corrective actions have been implemented. Instruction on how to access and navigate TeamCentral is attached. Upon your agency's completion of the final corrective action, this Commission requires that your agency upload a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. Upon receipt of the final memorandum, the EEPC will issue a *Determination of Compliance*.

**If no corrective actions remain:** Your agency is exempt from the aforementioned monitoring period. However, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit and re-emphasizes commitment to the EEO program. This will be considered your agency's final action. Upon receipt of the memo, a *Determination of Compliance* will be issued.

If there are further questions regarding this Final Determination or the compliance-monitoring process, please have the Principal EEO Professional call Marie Giraud, Esq., Agency Attorney/Director of Compliance Monitoring at 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

  
Charise L. Terry, PHR  
Executive Director

c: Elisa Grace Cohen, Esq., Director of Mediation and EEO Officer

**FINAL DETERMINATION**

Agency response indicating corrective action taken with documentation is due within 30 days.

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology which includes collection and analysis of the documents, records and data the agency provided in response to the *EEPC Document and Information Request Form*; the *EEPC Interview Questionnaires* for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the agency's *Annual EEO Plans and Quarterly EEO Reports*; and workforce and utilization data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the agency's optional response (if applicable) to the EEPC's preliminary Determination, our Final Determination is as follows:

**Agree**

Regarding your responses<sup>2</sup> to the following EEPC required corrective actions, we *Agree* based on documentation that is attached to your response.

**Corrective Action #14**

Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

Agency Response: *"The CCRB has completed the 2017 Annual Plan of measures and programs to provide equal employment opportunity and will continue to provide these reports on an annual basis. The CCRB is a Non-Mayoral agency and is not required to submit Quarterly Reports on EEO Activity."* (Response, Pg. 5.)

EEPC Response: The EEPC accepts the agency's submission of its Annual Plan. Prospective Plans must be submitted on an annual basis.

**Monitoring Required**

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance monitoring period.

**Corrective Action #1**

Redistribute a copy of the EEO Policy which contains an up-to-date list of protected classes under NYC and NYS Human Rights Laws, and a copy of the *Discrimination Complaint Procedure*.

Agency Response: *"On May 20, 2016, the Agency Head distributed the most recent Policy Memo and included the EEO Policy, which includes the up-to-date list of protected classes under NYC*

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<sup>2</sup> Excerpts are italicized.

and NYS Human Rights Laws as well as the Discrimination Complaint Procedures.” (Response, Pg. 5.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #1. Documentation which verifies that employees received a copy of the Discrimination Complaint Procedure will be required during the compliance-monitoring period.

### **Corrective Action #2**

Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.

Agency Response: *“The CCRB has reviewed the CEEDS report and will implement enhanced recruitment strategies to ensure vacancy notices and job postings are distributed throughout community organizations serving women, minorities and other protected groups throughout the City. We will review the CEEDS report on a quarterly basis to ensure continued compliance.”* (Response, Pgs. 1 and 2.)

EEPC Response: The EEPC recognizes the agency's efforts to implement corrective action #2. An agency assessment of its recruitment efforts will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

### **Corrective Action #3**

Ensure that the principal EEO Professional, HR Professional and General Counsel (if any) review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.

Agency Response: *“As of April 22, 2016, the CCRB has a new EEO Officer assigned and will focus efforts to ensure the EEO Officer, HR Professional and future General Counsel review the agency's statistical information, annual EEO complaints and the agency's employment practices policies and procedures on an annual basis to identify any barriers and to determine, if any are required, corrective actions in order to correct deficiencies.”* (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #3. A review of the annual number of EEO complaints, and the agency's employment practices, policies and programs will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #4**

Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

Agency Response: *“The CCRB has reviewed the 2nd Quarter, CEEDS report. The CCRB uses NYCAPS to review applicant resumes and cover letters. Candidates whose educational background and professional experience most closely match the job criteria are selected for interview. The CCRB requests writing samples and school transcripts from the selected candidates during the interview process. Additionally, specific title-based interview questions are prepared as part of the selection criteria to ensure all candidates are considered fairly. The CCRB will continue our efforts to adopt additional methods which will diminish any adverse impact.”* (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency's efforts to implement corrective action #4. An agency assessment of the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #5**

If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.

Agency Response: *“The CCRB has reviewed the 2nd Quarter, CEEDS report. The CCRB will continue to coordinate outreach and recruitment strategies to maximize its ability to recruit from a diverse, broad spectrum of potential applicants from a variety of geographic regions and academic sources.”* (Response, Pg. 3.)

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #5. The agency's efforts to address the underrepresentation of protected groups in titles where there is discretion in hiring will be reviewed during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

**Corrective Action #6**

Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).

Agency Response: “The CCRB is aggressively working with DCAS to ensure all Managers/Supervisors and personnel involved in recruiting and hiring are properly trained to ensure EEO laws/policies are followed. The CCRB will continue to use uniform, job-related techniques to identify, interview and select the most capable candidates. Upcoming training is scheduled for 6/28/16.” (Response, Pg. 3.)

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #6. Implementation of this corrective action will be monitored.

**Corrective Action #7**

At minimum, indicate the agency is an equal opportunity employer in recruitment literature.

Agency Response: “The CCRB has updated all job postings to include: ‘The City of New York is an Equal Opportunity Employer.’” (Response, Pg. 3.)

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #7. Implementation of this corrective action will be monitored.

**Corrective Action #8**

Distribute the identity of the Career Counselor at least once each year to remind employees of the identity and type of career guidance available.

Agency Response: “The CCRB will identify the Career Counselor one time each year for all employees, and remind them of the type of career guidance available.” (Response, Pg. 4.)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #8. Documentation which verifies that employees received notification of the identity of the career counselor, and of type of career guidance available will be required during the compliance-monitoring period.

**Corrective Action #9**

Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards; inform the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involve the principal EEO Professional in EEO-related matters; and promptly consult with the principal EEO Professional if informed of, or suspect that, a violation of the EEO Policy has occurred.

Agency Response: “All CCRB employees have access to their Tasks & Standards and have been trained to perform in the appropriate capacity. The CCRB currently has 1 employee enrolled in the 55-a program. The CCRB firmly promotes the 55-a Plan and makes every effort to employ, promote and accommodate qualified individuals with disabilities. There are no violations of the EEO Policy to report.” (Response, Pg. 4)

EEPC Response: The EEPC recognizes the agency's efforts to implement corrective action #9. Documentation which verifies implementation of the corrective action will be reviewed during the compliance monitoring period. The EEPC will provide further guidance at the initiation of the compliance monitoring period.

**Corrective Action #10**

Document reasonable accommodation requests and their outcomes.

Agency Response: *"The CCRB has initiated the tracking of all Reasonable Accommodation requests and outcomes as required using Excel."* (Response, Pg. 4)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #10. Implementation of this corrective action will be monitored.

**Corrective Action #11**

Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.

Agency Response: *"The CCRB is committed to hold recurring and documented meetings between the Agency Head, EEO Officer and HR Professional regarding decisions that impact the administration and operation of the EEO Program."* (Response, Pg. 4)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #11. Implementation of this corrective action will be monitored.

**Corrective Action #12**

Implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.

Agency Response: *"With a new HR Director in place, the CCRB is in the process of finalizing all Managerial Tasks & Standards in order to implement the annual managerial Performance Evaluation to be used for probationary periods, promotions, assignments, incentives and trainings."* (Response, Pg. 5)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #12. Documentation which verifies implementation will be reviewed during the compliance monitoring period. The EEPC will provide further guidance at the initiation of the compliance monitoring period.

**Corrective Action #13**

Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).

Agency Response: *“The CCRB has updated the Managerial Performance Evaluation form to include a rating for EEO-related matters including responsibilities and processes for ensuring ability to make employment decisions based on merit and equal consideration, and to treat others in an equitable and impartial manner.”* (Response, Pg. 5)

EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action #13. Documentation which verifies implementation will be reviewed during the compliance monitoring period. The EEPC will provide further guidance at the initiation of the compliance monitoring period.

Thank you and your staff for your continued cooperation.

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

**RESOLUTION #2016/054:** Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Civilian Complaint Review Board's Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

**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 of the Civilian Complaint Review Board's (CCRB) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated April 28, 2016, setting forth findings and the following required corrective actions:

1. Redistribute a copy of the EEO Policy which contains an up-to-date list of protected classes under NYC and NYS Human Rights Laws, and a copy of the *Discrimination Complaint Procedure*.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel (if any) review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
4. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the



selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
7. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
8. Distribute the identity of the Career Counselor at least once each year to remind employees of the identity and type of career guidance available.
9. Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards; inform the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involve the principal EEO Professional in EEO-related matters; and promptly consult with the principal EEO Professional if informed of, or suspect that, a violation of the EEO Policy has occurred.
10. Document reasonable accommodation requests and their outcomes.
11. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
12. Implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
13. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
14. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

**Whereas**, the agency submitted its response to the EEPC's Preliminary Determination letter, on May 20, 2016 with documentation of its actions to rectify required corrective action no. 14; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 6, 2016 which agreed and accepted documentation for implementation of the aforementioned corrective action, and indicated that corrective actions nos. 1 through 13 require compliance monitoring; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC is required to monitor the agency for a period not to exceed six months, from July 2016 through December 2016, to determine whether it implemented remaining required corrective actions; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the agency is required to respond in 30 days and make monthly reports thereafter to the Commission on the progress of implementation of such corrective actions; and

**Whereas**, all of the EEPC'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 Commission approves issuance of this Final Determination to Mina Q. Malik, Esq., Executive Director of the Civilian Complaint Review Board.

Approved unanimously on September 9, 2016.

  
\_\_\_\_\_  
Angela Cabrera  
Commissioner

  
\_\_\_\_\_  
Malini Cadambi Daniel  
Commissioner

  
\_\_\_\_\_  
Arva Rice  
Commissioner

Absent  
\_\_\_\_\_  
Elaine S. Reiss, Esq.  
Commissioner



BILL DE BLASIO  
MAYOR

**CIVILIAN COMPLAINT REVIEW BOARD**  
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MAYA D. WILEY, ESQ.  
CHAIR

MINA Q. MALIK, ESQ.  
EXECUTIVE DIRECTOR

August 5, 2016

Charise L. Terry, PHR  
Executive Director  
NYC Equal Employment Practice Commission  
253 Broadway – Suite 602  
New York, NY 10007

RE: CCRB Response to Audit Resolution #2016/054: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Civilian Complaint Review Board's Employment Practices and Procedures from January 2013 to 2015.


Dear Executive Director Terry:

We are in receipt of your memo of July 6, 2016 which outlines the Equal Employment Practice Commission's ("EEOC") findings and required corrective actions pertaining to the review, evaluation and monitoring referenced above. We appreciate your comments and suggestions for improving our operations in regards to the EEO laws and policies. Please find attached our response to your Final Determination Memo and documents which support our implementation of the corrective actions to date.

As noted in our response, in just the first month of the compliance-monitoring period, July 2016 to December 2016, the Agency has already implemented some of the corrective measures you have outlined and we are continuing the good practices, pertaining to EEO laws and policies, which we have engaged in the past. We will continue to provide you with updates on corrective actions as we implement them.

We look forward to your guidance and continued support during the compliance-monitoring period. Please feel free to contact me or my staff for any matters related to this review. Many thanks to you and your staff for your time, assistance, and consideration in this matter.

Sincerely,

  
Mina Q. Malik  
Executive Director *for Mina Malik*



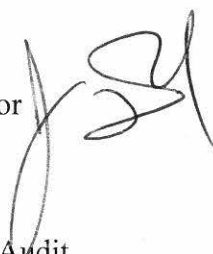
BILL DE BLASIO  
MAYOR

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MAYA D. WILEY, ESQ.  
CHAIR

MEMORANDUM

TO: All Staff

FROM: Jonathan Darche, Interim Executive Director 

DATE: January 6, 2017

SUBJECT: Equal Employment Practices Commission Audit

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In 2016, the Equal Employment Practices Commission (EEPC) conducted an audit of the Civilian Complaint Review Board's (CCRB) employment practices, programs, policies, and procedures from January 1, 2013 to December 31, 2015. After a review and evaluation of the documents, records and data provided by the CCRB, the EEPC identified areas that required implementation of corrective actions. The corrective actions related primarily to the CCRB's information dissemination and record keeping, its hiring and recruitment practices, and managerial evaluations. I will address each area separately.

Information Sharing and Record-Keeping

- The CCRB will send to all employees an annual Equal Employment Opportunity (EEO) Policy Statement, which will affirm the agency's commitment to the principles of diversity, inclusion, and equal employment opportunity. The Statement will also provide guidance to managers and supervisors regarding their EEO performance obligations and inform employees where and how to access up-to-date information regarding the agency's EEO Policy, job responsibilities and performance evaluation standards.
- The CCRB has established a procedure whereby the EEO Officer, the Director of Human Resources, and the General Counsel will meet regularly to review the agency's statistical information, number of EEO complaints, and employment practices to assess the agency's compliance with its EEO policies and procedures. Additionally the EEO Officer will meet regularly with the Executive Director to discuss any current and potential EEO matters.

- New record-keeping procedures were established to document these meetings.

#### Recruitment, Hiring and Training Practices

- The CCRB will continue to assess its recruitment and hiring practices to determine whether there is any adverse impact or other barrier to equal opportunity upon any particular racial, ethnic, disability, or gender group. If adverse impact or barrier is discovered, the agency will take all appropriate corrective actions to address the problem (including the implementation of enhanced recruiting efforts and reassessment of the agency's selection procedures).
- All agency job postings will state that the CCRB is an equal opportunity employer.
- The CCRB has taken measures to insure that every employee involved with the interview process be trained in the use of structured interviewing before he or she can participate in an interview.
- Director of Training, Monte Givhan has agreed to become the agency's Career Counselor. Monte can be reached at [mgivhan@ccrb.nyc.gov](mailto:mgivhan@ccrb.nyc.gov).

#### Managerial Evaluations

- All Managers will be evaluated at least once during 2017. Managers will be informed one month prior to their evaluation dates.
- Managerial Tasks and Standards have been revised to reflect Manager's ongoing EEO obligations. EEO obligations will be factored into evaluations.

As Interim Executive Director, I want to re-affirm the CCRB's unwavering commitment to fair employment practices for all our employees and applicants for employment. It is the policy of the CCRB and the City of New York that all employees are entitled to work in an environment free of discrimination and sexual harassment. I encourage all employees to access all available EEO resources located in the "EmployeeInfo" application on your desktops or in the public drive and to address any equal employment opportunity questions or concerns with the CCRB's EEO Officer and Disability Rights Coordinator, Lisa Grace Cohen. She can be reached at [lgcohen@ccrb.nyc.gov](mailto:lgcohen@ccrb.nyc.gov). or 212-912-7201.

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

**RESOLUTION #2016AP/054C-22:** Determination of **Compliance** (Monitoring Period Required) by the Civilian Complaint Review Board with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Employment Practices and Procedures from January 1, 2013 to December 31, 2015.

**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 Civilian Complaint Review Board's (CCRB) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated April 28, 2016, setting forth findings and the following required corrective actions:

1. Redistribute a copy of the EEO Policy which contains an up-to-date list of protected classes under NYC and NYS Human Rights Laws, and a copy of the Discrimination Complaint Procedure.
2. Assess recruitment efforts to determine whether such efforts adversely impact any particular group. To the extent that adverse impact is discovered, at a minimum, identify relevant professional and community organizations serving women, minorities, and other protected groups throughout the City, review and update listings of recruitment outreach sources, and contact these organizations when provisional positions become available or where the agency may otherwise use discretion in hiring.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel (if any) review the agency's statistical information (i.e. workforce, hires, promotions, and separations by race/ethnicity and gender), the annual number of EEO complaints, and the agency's employment practices, policies and programs on an annual basis to identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required in order to correct deficiencies (e.g. underutilization or adverse impact). If necessary, consult with the Law Department, Division of Citywide Diversity and EEO, or another resource for guidance.
4. Assess the manner in which candidates are selected for employment, to determine whether there is any adverse impact upon any particular racial, ethnic, disability, or gender group. To the extent that adverse impact is discovered, determine whether the selection criteria being utilized are job-related. Discontinue using criteria that are not job related, and adopt methods which diminish adverse impact.

5. If women, minorities, or other protected groups are underrepresented in titles where there is discretion in hiring, advertise in minority- or female-oriented publications; contact organizations serving women, minorities, and other protected groups; participate in career fairs/open houses; or use internships to attract interested persons and to develop and hire interested and qualified candidates.
6. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained to consider EEO laws/policies and use uniform, job-related techniques to identify, interview and select the most capable candidates (e.g. structured interview training or guide).
7. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
8. Distribute the identity of the Career Counselor at least once each year to remind employees of the identity and type of career guidance available.
9. Ensure that all employees have access to information regarding job responsibilities, performance evaluation standards; inform the principal EEO Professional of the number of 55-a program participants and efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities; involve the principal EEO Professional in EEO-related matters; and promptly consult with the principal EEO Professional if informed of, or suspect that, a violation of the EEO Policy has occurred.
10. Document reasonable accommodation requests and their outcomes.
11. Maintain appropriate documentation of meetings and other communications between the agency head (or a direct report other than the General Counsel) and the principal EEO Professional regarding decisions that impact the administration and operation of the EEO program.
12. Implement an annual managerial performance evaluation program (with timetable) to be used for probationary periods, promotions, assignments, incentives and training.
13. Ensure that the managerial performance evaluation form contains a rating for EEO (which covers responsibilities and processes for assuring their ability to make employment decisions based on merit and equal consideration, or treat others in an equitable and impartial manner).
14. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports (up to 30 days following each quarter) on efforts to implement the plan.

**Whereas**, the CCRB submitted its response to the EEPC's Preliminary Determination letter, on May 23, 2016, with documentation of its actions to rectify required corrective action no. 14; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC considered the agency's response and issued a Final Determination on July 6, 2016, which agreed and accepted documentation for implementation of the aforementioned corrective action no. 14, with corrective actions nos. 1 through 13 remaining; and

**Whereas,** the CCRB submitted its response to the EEPC's final determination letter, on August 5, 2016, and

**Whereas,** in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC monitored the agency's implementation of the remaining corrective actions from January 1, 2013 to December 31, 2015 with no extension of the monitoring period; and


**Whereas,** at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the CCRB submitted a copy of the agency head's memorandum to staff dated January 6, 2017, which outlined the corrective actions implemented in response to the EEPC's audit and reiterated his commitment to the agency's EEO Program; and

**Whereas,** all of the EEPC'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 Civilian Complaint Review Board 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 Resolved,** that the Commission will forward this Determination of Compliance to Jonathan Darche, Esq., Executive Director of the Civilian Complaint Review Board.

Approved unanimously on January 19, 2017.

  
\_\_\_\_\_  
Angela Cabrera  
Commissioner

  
\_\_\_\_\_  
Arva Rice  
Commissioner

  
\_\_\_\_\_  
Malini Cadambi Daniel  
Commissioner

  
\_\_\_\_\_  
Elaine S. Reiss, Esq.  
Commissioner





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

Charise L. Terry, PHR  
Executive Director

Judith Garcia Quiñonez, Esq.  
Executive Agency Counsel/  
Deputy Director

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Suite 602  
New York, NY 10007

212. 615. 8939 tel.  
212. 615. 8931 fax

January 19, 2017

Jonathan Darche, Esq.  
Executive Director  
Civilian Complaint Review Board  
100 Church Street, 10th Floor  
New York, NY 10007

Re: Resolution #2016AP/054C-22: Determination of Civilian Complaint Review Board Compliance

Dear Executive Director Darche:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to inform you that the Commission has issued the attached Determination of Compliance to the Civilian Complaint Review Board. This Commission has determined that the Civilian Complaint Review Board 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 EEO Officer Elisa Grace Cohen, Esq., for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,

  
Angela Cabrera  
Commissioner

c: Elisa Grace Cohen, Esq., Principal EEO Professional

**EEPC**

EQUAL EMPLOYMENT PRACTICES COMMISSION

This  
**Determination of Compliance**

is issued to the

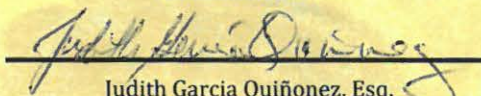
**NYC CIVILIAN COMPLAINT REVIEW BOARD**

*for successfully implementing 14 of 14 required corrective actions pursuant to the Equal Employment Practices Commission's Employment Practice and Procedures January 1, 2013 to this date.*

On this 19<sup>th</sup> day of January in the year 2017,



Angela Cabrera  
Commissioner



Judith Garcia Quifonez, Esq.  
Executive Agency Counsel/Deputy Director

In care of Executive Director Jonathan Darche, Esq., and Principal EEO Professional Elisa Grace Cohen, Esq.