



## EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York

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August 11, 2008

Joan M. Thompson  
Executive Director  
Civilian Complaint Review Board  
40 Rector Street, 2<sup>nd</sup> Floor  
New York, NY 10006

Re: Resolution #08/14-054/Final Determination Pursuant to the Audit of the Civilian Complaint Review Board (CCRB) and its Compliance with the City's Equal Employment Opportunity Policy from January 1, 2005 through December 31, 2006.

Dear Executive Director Thompson:

Thank you for your July 25, 2008 response to our June 19, 2008 Letter of Preliminary Determination pursuant to the audit of the Civilian Complaint Review Board's Equal Employment Opportunity Policy from January 1, 2005 through December 31, 2006.

After reviewing your response, our Final Determination is as follows:

### **Agree**

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

#### Recommendation #1

Only individuals who have received the DCAS EEO training for professionals should investigate discrimination complaints. (Sect. III, EEOP)

We assume by your first response that Tahira Delaine, Marcos Soler and Denise Alvarez will be the only individuals authorized to investigate discrimination complaints.

### Recommendation #2

To ensure that there are at least two EEO professionals of different genders available to receive and investigate discrimination complaints, the CCRB should appoint an EEO counselor (or co-EEO officer) of a different gender from the EEO officer. (Sect. VB, EEOP)

### Recommendation #3

The new EEO counselor (or co-EEO officer) should attend the next available DCAS training session for EEO professionals or enroll in training conducted by another appropriate agency or school, such as the EEO Studies Program of Cornell University's School of Industrial and Labor Relations. The EEO counselor (or co-EEO officer) should obtain the certificate or otherwise complete the program at the institution selected by the CCRB. (Sect. VB, EEOP)

### Recommendation #4

Due to conflicts of interest, the director of personnel should not serve as an EEO professional.

### Recommendation #5

All internal discrimination complaint files should contain a Discrimination Complaint Intake Form. (DCPIG, Sect. 12(b))

### Recommendation #6

The CCRB agency head should sign off on all confidential written reports concerning EEO complaints to indicate that they have been reviewed and whether the recommendations, if any, have been approved and adopted. (Sect. VB, EEOP and DCPIG, Sect.12(b))

### Recommendation #7

All confidential written reports should be divided into three sections (Section 1: Findings of Facts, Section 2: Discussion and Conclusion, and Section 3: Recommendation) and be labeled "confidential" in large bold print. (DCPIG, Sect. 12b)

### Recommendation #8

It is the Commission's position that appropriate documentation of meetings and other communications between the EEO officer and the agency head regarding EEO program operational decisions should be maintained.

### Recommendation #9

The agency head should ensure that the new EEO officer has adequate administrative staff so that the EEO officer can devote sufficient time to his/her EEO duties.

## **Conclusion**

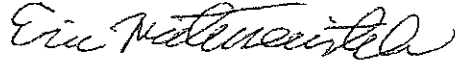
Pursuant to section 832 of the New York City Charter, this Commission will initiate an audit compliance procedure not to exceed six months. However, you may respond to the aforementioned determinations prior to the initiation of audit compliance.


If you choose to issue a written response, please do so within thirty days. If you choose not to issue a written response, we will initiate audit compliance shortly thereafter. EEPC

Counsel Judith Garcia Quiñonez or her designee will contact your EEO Officer in seven days to ascertain your intentions.

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

Sincerely,



 Ernest F. Hart, Esq.  
Chair

c: Tahira Delaine, EEO Officer  
Judith Garcia Quiñonez