

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #05/09-261: Preliminary Determination Pursuant to the Audit of the Department of Youth and Community Development's Equal Employment Opportunity Program from January 1, 2003 through December 31, 2004.

Whereas, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure 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, the Equal Employment Practices Commission audited the Department of Youth and Community Development's Equal Employment Opportunity Program; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency did not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the audit of the Department of Youth and Community Development's compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Five supervisors interviewed by EEPC auditors indicated that their performance evaluation forms did not include a rating for EEO performance.
2. There was no indication in the one internal discrimination complaint file that the DYCD Commissioner reviewed or approved the EEO investigator's final report and recommendations.
3. There is no indication in that same discrimination complaint file that the respondent was notified in writing of the agency's determination.
4. The agency did not conduct adverse impact studies during the audit period.
5. Fifty-seven percent of survey respondents indicate that their performance evaluations did not contain recommendations for improving job performance and 77 percent indicated that their evaluations do not have recommendations for career advancement.

6. The EEO Officer did not keep agendas or notes of her meetings with the Commissioner regarding EEO matters.
7. Supervisors and managers were not directed to discuss the agency's EEO policies with their subordinates.
8. Seventy-seven percent of survey respondents indicated they did not know the name of the persons responsible for providing career counseling.

Be It Finally Resolved,

that the Commission authorizes the Vice Chair/Commissioner to forward a letter to Commissioner Jeanne B. Mullgrav formally informing her of the findings with appropriate explanations and requesting, pursuant to Chapter 36 of the New York City Charter, her response to these findings within thirty days and receipt of the letter indicating what corrective actions the Department of Youth and Community Development will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on June 8, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Manuel A. Méndez
Vice-Chair