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BY MAIL AND E-MAIL

August 31, 2015

Maria Torres-Springer
President
New York City Economic Development Corporation
110 William Street
New York, NY 10038

Re: Audit: Preliminary Determination: Review, Evaluation and Monitoring of the NYC Economic Development Corporation's Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

Dear President Maria Torres-Springer:

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, 2012 to December 31, 2014.

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 831(d)(2) 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 New York City Economic Development Corporation is a public benefit corporation. In recognition of the importance of promoting equal employment opportunity practices, the EDC consents to the EEPC's audit and evaluation of its EEO Program.



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The purpose of this audit and analysis is to evaluate the agency's employment practices and procedures. This Commission has adopted *Uniform Standards for EEPC Audits*¹ 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 Equal Employment Opportunity Commission's Instructions to Federal Agencies for EEO, Management Directive 715; 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. This Commission does not issue findings of discrimination pursuant to the New York City Human Rights Law.

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 analyses.) 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.

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



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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 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 their individual questionnaires and return any items requested. The Commission’s EEO Program Analysts also conduct additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

Description of the Agency

New York City Economic Development Corporation's mission is to encourage economic growth throughout the five boroughs of New York City by strengthening the City's competitive position and facilitating investments that build capacity, create jobs, generate economic opportunity and improve quality of life. New York City Economic Development Corporation (NYCEDC) is the City's primary vehicle for promoting economic growth, stimulating investment and broadening the revenue and employment base through development of real estate, administration of financing tools, oversight of transportation and infrastructure projects, management of the City's rail freight lines, food markets, and planning, development and management of waterfront properties.

(<http://a856-gbol.nyc.gov/GBOLWebsite/101.html>, July 2015.)

The agency has a headcount of 421. A statistical profile is provided in Appendix 1.

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 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 agency head issued an annual Equal Employment Opportunity Policy statement to all employees via email (April 18, 2012, May 8, 2013, and October 24, 2014). The statement reiterated the agency’s commitment to “*equal opportunity for all employees and applicants for employment by ensuring an environment free of illegal discrimination, including harassment, based on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender.*” It provided the names and contact information of the agency’s EEO Professionals, and pertinent electronic links to the agency’s *Equal Employment Opportunity Program and Anti-Harassment Policy*,



Complaint Form, and *Open Door Policy*. The EEO Policy statement was also printed and posted in a glass case which hangs on a wall near the human resources department hallway.

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.
- ✓ A copy of the agency’s *Equal Employment Opportunity Program and Anti-Harassment Policy, Complaint Form, and Open Door Policy* was distributed via email along with the EEO policy statement. It included 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; as well as federal, state and local agencies that enforce laws against discrimination. The EEO Policy was posted on the intranet page and new employees were informed of the location of the policy during new hire orientation.

II. EEO TRAINING FOR AGENCY:

Determination: The agency is in partial 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 established an EEO training plan which mandated the completion of online *Preventing Harassment* training for supervisory and non-supervisory employees, as required in Section VI of the agency’s EEO Policy. The policy also required staff and managers to complete the Citywide *Diversity and Equal Employment Opportunity Computer Based Training* (CBT) administered by the Department of Citywide Administrative Services (DCAS).
 - The agency did not demonstrate that it implemented an EEO training plan during the audit period.



NOTE: Subsequent to the audit period, the agency submitted verification that 3203 employees completed *Diversity Inclusion* training in 2015, as indicated by the attendance log.

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

Determination: The agency is in partial 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's recruitment resources included sources serving women, minorities, and other protected groups throughout the City. The agency reported that job vacancies were posted during the audit period on Jobvite.com, City Limits, Idealist, Dice, Monster, Career Builder, and also on diversity sites such as National Black MBA Association, LatPro, DiversityJobs.com, Black Ivy League Alumni, Hispanic American Construction Industry Association, and Women in Technology.
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 Senior Vice President of Human Resources also serves as the principal EEO Professional. The agency conducted data analysis (workforce, hires, promotions, and separations by race/ethnicity and gender) which resulted in the reports outlined in no. 6 of this determination. The Senior Vice President of Human Resources was responsible for periodically reviewing the organization's employment practices, policies, and programs.
 - The aforementioned analysis did not include the agency's conclusion whether there are barriers to equal employment opportunity within the agency or what, if any, corrective actions are required to correct deficiencies. **Corrective Action Required.**



Corrective Action # 1: Identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.

NOTE: During the audit period, the agency reported that no EEO Complaints were filed.

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 conducted data analysis during and subsequent to the audit period, which resulted in 3 reports by gender and ethnicity: *Diversity and Inclusion* (March 2014), *Workforce Metrics* (October 2014), and *Diversity Trends* (July 2015). The *Diversity and Inclusion* report paralleled the agency's workforce composition with New York State and local government data; compared title groups within the agency to Tri-State data; and provided an analysis of internal labor (career level, hires, actives, and voluntary exits). The *Workforce Metrics* report included January 2014 vs. October 2014 reviews of the agency's gender/ethnicity statistics in total, by title levels (Administrative, Professionals, Managers, Executives), and by promotion. The *Diversity Trends* report included a review of the agency's October vs. July gender/ethnicity statistics in 2014 and 2015 by title levels and by new hires.
 - The agency did not conclude whether any particular group experienced adverse impact in its selection processes or was underrepresented. **Corrective Action Required.**

Corrective Action #2: 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.

Refer to no. 6, which outlines the agency's data analysis efforts.

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



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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 is a governmental non-profit corporation, and does not employ civil service employees; therefore, no further analysis was conducted in this area.

9. Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
 - ✓ The agency conducted training entitled *Identify the Right Hire: Interview Skills* in March 2014 for 12 employees, as indicated by the attendance log.
10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.
 - ✓ The agency's *Performance Management Manual* was designed to, "provide all employees with support and direction regarding the Performance Evaluation processes, career development practices and training opportunities in order to develop a high performance culture." The agency reported that it used an internal application process for transfers; and that it followed a merit based promotion process.
11. At minimum, indicate the agency is an equal opportunity employer in recruitment literature.
 - ✓ The agency advertised several job vacancies during the period in review including: *Junior Engineering Auditor, Senior Project Manager-Market Manager, Assistant Vice President-Strategic Planning, Administrative Coordinator, and Project Manager*. Each job vacancy notice included the EEO tagline: "The New York City Economic Development Corporation is an Equal Opportunity Employer."
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.



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- ✓ The agency used and maintained an online applicant/candidate tracking system which included applicants'/candidates' *Requisition ID, Status (position filled), Title (job title), Department, EEO Category (Professional, Administrative), Closed On, Disposition, Gender, and Race/ Ethnicity.*

NOTE: Subsequent to the audit period, in August 2015 the agency updated its online applicant/candidate tracking system to include *recruitment source and interview date.*

- The agency's applicant/ candidate log did not include the *applicants'/candidates' disability or veteran status, and interviewers' names.* In addition, information was recorded and maintained by the hiring manager. **Corrective Action Required.**

Corrective Action # 3: Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes the *applicants'/candidates' disability or veteran status, and interviewers' names.* 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.

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 assigned each employee a Human Resources Business Partner as the Human Resources point of contact.

- The agency did not demonstrate whether it designated a professional with training, knowledge and familiarity with career opportunities to provide career counseling to employees upon request. **Corrective Action Required.**

Corrective Action # 4: 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.

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, training opportunities and job



postings; and informs the principal EEO Professional of the efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.

- ✓ The Human Resources Professional was responsible for providing employees information regarding job responsibilities and training opportunities, and informing employees about the performance evaluation standards.

NOTE: Subsequent to the audit period, the agency reported that the agency's Legal and Records Management Departments partnered with the AHRC New York City (a family governed organization committed to finding ways for people with intellectual and other developmental disabilities to build full lives), to help train and develop and potentially employ qualified individuals with disabilities.

**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 reported that it will provide the agency's policies in alternative formats upon review of the request. The agency reported that no requests for information regarding employee rights and obligations, and the complaint, investigation and reasonable accommodation procedures were made during the audit period.

16. Document reasonable accommodation requests and their outcomes.

NOTE: The agency reported that no requests for reasonable accommodations were made during the audit period; therefore no further analysis was conducted in this area.

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 Senior Vice President of Human Resources as principal EEO Professional in October 2014. The principal EEO Professional completed *Citywide Diversity and Equal Employment Opportunity Basic Training* in June 2014.

18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

✓ In addition to the principal EEO Professional, the agency appointed two EEO Officers. One of the agency's EEO Officers completed *Diversity and Equal Employment Opportunity Basic Training* in November 2011, and both completed *Everybody Matters* training in February 2014.

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 Chief Financial Officer, a direct report to the agency head, as indicated 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 (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. **Corrective Action Required.**

Corrective Action #5: 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.

✓ The agency established and administered an online annual managerial/non-managerial performance evaluation program entitled *Performance Management* system. Managers



were required to complete the online *Performance Review- Management* form, and non-managerial employees were required to complete the online *Performance Self-Evaluation* form. The agency sent a company-wide email to the organization informing employees of the evaluation process (with timetable).

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 *Performance Review- Management* form did not contain a rating for EEO. **Corrective Action Required.**

Corrective Action # 6: 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:**

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

23. 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 6 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 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,



Elona Shehu, EEO Program Analyst

Approved by,



Charise L. Terry, PHR
Executive Director

c: Carrie Weaver, principal EEO Professional

Appendix 1

New York City Economic Development Corporation

Statistical Profile

Statistical Profile of Agency Workforce

Number of Employees End of Audit Period	
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Male	<u>220</u>
Female	<u>201</u>

White	<u>232</u>
Black	<u>54</u>
Hispanic	<u>55</u>
Asian	<u>73</u>
Native American	<u>0</u>
Unknown Two or More Races	<u>7</u>

Total # of Employees	<u>421</u>
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To: Charise L. Terry, PHR; Executive Director; EEPC

From: Carrie A. Weaver, PHR; SVP, Human Resources & EEO Officer; NYCEDC

RE: Response to Preliminary Audit Determination from January 1, 2012 to December 31, 2014

Date: September 11, 2015

CC: Elona Shehu, Program Analyst, EEPC

The New York City Economic Development Corporation (NYCEDC) is a governmental non-profit organization that is New York City's primary engine for economic development. We are charged with leveraging City assets to drive growth, create jobs, and improve quality of life. We are an organization dedicated to New York City and its people. Because of this, NYCEDC voluntarily consents with the EEPC's audit and evaluation of our Equal Employment Opportunity (EEO) program although it should be noted that because NYCEDC is not a New York City Agency, we do not have access to the Citywide Equal Employment Database System (CEEDS) to do extensive comparative analysis on workforce utilization metrics. Our response to the Preliminary Audit Determination report dated August 31, 2015 follows.

II. EEO Training for Agency

Item 3 finding: The agency did not demonstrate that it implemented an EEO training plan during the audit period. **Response:** Although electronic records of training rosters could not be produced for the audit period, an NYCEDC Human Resources representative met with all new managers during the audit period in what we call the "Manager Binder Review" at which point individual consultation and guidance on EEO Laws and practices was provided to all new managers. As noted in the audit finding report, in early 2015, all NYCEDC employees have since undergone in-person Diversity and EEO training. NYCEDC will work to implement an annual EEO training schedule using the DCAS CBT program going forward.

III. Employment Practices (Recruitment, Hiring & Promotion)

Item 5 finding: The agency conducted data analysis on workforce hires promotions and separation by race/ethnicity and gender and the aforementioned analysis did not include a conclusion. **Corrective action #1:** Identify whether there are barriers to equal employment opportunity within the agency and determine what if any, corrective actions are required to correct deficiencies. **Response:** In review of our workforce analysis, NYCEDC concludes that there is no discriminatory hiring, promotional or termination practices. Therefore, no corrective actions are needed. That said, NYCEDC has strived and will continue to strive to hire and promote the best qualified and most diverse talent available.

Item 6 finding: The agency did not conclude whether any particular group experienced adverse impact in its selection process or was underrepresented. **Corrective action #2:** 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:** NYCEDC concludes there was no adverse impact in hiring and only uses job-related selection criteria.

Item 12 finding: The agency's applicant/candidate log did not include the applicant's disability or veteran status and the interviewers' name. In addition the information was recorded and maintained by the hiring manager. **Corrective Action #3:** Use and maintain an applicant log or tracking system which in addition to the above includes the applicants' candidate disability or veteran status and interviewers name. 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. **Response:** It is clear from this finding that audit response information was misinterpreted. Only the NYCEDC Human Resources staff has access to candidate details in our Applicant Tracking System (Jobvite). Hiring managers are only given an online evaluation form post interview that requests them to rank the candidate's strengths and weaknesses against the position requirements. The hiring managers do NOT see any candidate demographic information in our applicant tracking system. In addition, our system does capture the interviewer name. Interviewer names will be provided only to the extent needed to complete this audit. Lastly, NYCEDC acknowledges that we were not asking veteran or disability status questions at the application stage. Going forward, NYCEDC will begin asking Veteran status questions pre-employment. NYCEDC was guided by legal counsel to ask disability questions only post hire which we will also begin doing.

IV Career Counseling

Item 13 finding: Designation of Career Counselor. The agency did not demonstrate whether it designated a professional with training, knowledge and familiarity with career opportunities to provide career counseling to employees upon request. **Corrective Action #4:** Designate a professional 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 per year. **Response:** NYCEDC employs three (3) Career Counselors which we call Human Resources Business Partners. All are trained in a combination of the fields of Human Resources, Career Counseling, Career Development, I/O Psychology and alike. They are all degreed and have more than 25 combined years of experience guiding employees in career development discussions. These individuals can readily contact any of our partnering agencies at a

moment's notice to inquire about potential job opportunities within NY City Government if requested by our employees. Additionally, NYCEDC posts the names of the designated Career Counselors (Human Resources Business Partners) to the associated department of employees on our intranet. Additionally, we have monthly HR "Office Hours" that are communicated regularly via our Intranet (more frequently than once per year) where employees are encouraged to come and openly discuss career opportunities with their designated HR Business Partner. NYCEDC concludes we are in compliance with this item.

VI. Responsibility for EEO Plan Implementation-EEO Professionals

Item 20 finding: 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 #5:** 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:** NYCEDC is committed to reviewing our EEO Program operations with our agency head, however during the audit period; there were two different HR department heads both of whom had departed prior to this most recent EEPC audit review. Although it is believed these meetings occurred, the current HR department head (as of April 2015) was not able to retrieve former documentation to prove these meetings occurred. Going forward, NYCEDC will judiciously log all meetings, communications and agenda items as they relate to our EEO program discussions with the agency head.

Item 22 finding: The managerial performance evaluation form does not contain a rating for EEO. **Corrective Action #6:** Ensure 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:** NYCEDC acknowledges we had not formerly included this item in our managerial reviews and will begin doing so for our next performance management cycle.

VIII. Reporting Standard for Agency Head

Item 23 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. **Response:** NYCEDC will draft a memo for organization wide distribution with the above requirements.



Angela Cabrera
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Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
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BY MAIL AND EMAIL

September 15, 2015

Maria Torres-Springer
President
New York City Economic Development Corporation
110 William Street
New York, NY 10038

RE: Resolution #: **2015/998**: Final Determination Pursuant to the Audit and Analysis of the Economic Development Corporation's Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

Dear President Torres-Springer:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for your September 11, 2015 response to our August 31, 2015 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 standards¹ 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 audit and analysis 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.

¹ 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: October 2015 to March 2016.

If corrective actions remain: Your agency's response should indicate (with attached documentation) what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Thereafter, your agency will be monitored monthly until all corrective actions have been implemented. Compliance-monitoring instructions will be provided. Upon your agency's completion of the last corrective action, this Commission requires a final memorandum signed by the agency head which informs employees of the changes implemented pursuant to our audit/analysis and re-emphasizes commitment to the EEO program. Once received, a *Determination of Compliance* will be issued.

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/analysis 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,

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

Charise L. Terry, PHR
Executive Director

c: Carrie Weaver, Principal EEO Professional

FINAL DETERMINATION

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), our Final Determination is as follows:

Monitoring Required

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

Corrective Action #1

Identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.

Agency Response: "In review of our workforce analysis, NYCEDC concludes that there is no discriminatory hiring, promotional or termination practices....NYCEDC has strived and will continue to strive to hire and promote the best qualified and most diverse talent available." (Response, pg. 1)

EEPC Response: The EEPC recognizes the agency's efforts to implement this standard. Documentation submitted to the EEPC entitled Workforce Metrics did not include a descriptive assessment interpreting the agency's workforce data analysis and/or the agency's conclusions regarding barriers to equal employment opportunity. A descriptive assessment will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #2

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: "NYCEDC concludes there was no adverse impact in hiring and only uses job-related selection criteria." (Response, pg. 2)

EEPC Response: The EEPC recognizes the agency's efforts to implement this standard. Documentation submitted to the EEPC entitled Workforce Metrics did not include a descriptive

assessment interpreting the results of the adverse impact study. Documentation supporting the conclusion that there is no adverse impact 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

Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes the applicants'/candidates' disability or veteran status, and interviewers' names. 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.

Agency Response: "...[The] audit response information was misinterpreted. Only the NYCEDC Human Resources staff has access to candidate details in our Applicant Tracking System (Jobvite). Hiring managers are only given an online evaluation form post interview that requests them to rank the candidate's strengths and weaknesses against the position requirements. The hiring managers do not see any candidate demographic information in our applicant tracking system. In addition, our system does capture the interviewer name....Lastly, NYCEDC acknowledges that we were not asking veteran or disability status questions at the application stage. Going forward, NYCEDC will begin asking Veteran status questions, pre-employment,...[and] disability questions...post hire." (Response, pg. 2)

EEPC Response: The EEPC accepts the agency's response to corrective action #3 pending documentation of implementation. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #4

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.

Agency Response: "NYCEDC employs three (3) Career Counselors which we call Human Resources Business Partners. All are trained in a combination of the fields of Human Resources, Career Counseling, Career Development, I/O Psychology and alike....These individuals can readily contact any of our partnering agencies at a moment's notice to inquire about potential job opportunities within NY City Government if requested by our employees. Additionally, NYCEDC posts the names of the designated Career Counselors (Human Resources Business Partners) to the associated department of employees on our intranet. Additionally, we have monthly HR "Office Hours" that are communicated regularly via our Intranet...where employees are encouraged to come and openly discuss career opportunities with their designated HR Business Partner..." (Response, pg. 2-3)

EEPC Response: The EEPC will accept the agency's response to corrective action #4 pending receipt of documentation which confirms the responsibilities and training described. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #5

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: *“NYCEDC is committed to reviewing our EEO Program operations with our agency head, however during the audit period; there were two different HR department heads both of whom had departed prior to this most recent EEPC audit review. Although it is believed these meetings occurred, the current HR department head (as of April 2015) was not able to retrieve former documentation to prove these meetings occurred. Going forward, NYCEDC will judiciously log all meetings, communications and agenda items as they relate to our EEO program discussions with the agency head.”* (Response, pg. 3)

EEPC Response: The EEPC recognizes the agency’s commitment to implement corrective action #5. The focus of this corrective action is on maintaining documentation of decisions. Documentation of communication(s) will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #6

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: *“NYCEDC acknowledges we had not formerly included this item in our managerial reviews and will begin doing so for our next performance management cycle.”*

EEPC Response: Documentation of implementation will be required 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 # 2015/998: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of the Economic Development Corporation's Employment Practices and Procedures from January 1, 2012 through December 31, 2014.

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 Economic Development Corporation's Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 31, 2015, setting forth findings and the following required corrective actions:

1. Identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
2. 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.
3. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes the applicants'/candidates' disability or veteran status, and interviewers' names. 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.
4. 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.
5. 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.

6. 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).

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on September 11, 2015; 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 September 15, 2015, and indicated that corrective actions Nos. 1, 2, 3, 4, 5, and 6 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 October 2015 through March 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 adopts this Final Determination regarding the Economic Development Corporation.

Approved unanimously on September 21, 2015.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



New York City Economic Development Corporation

Maria Torres-Springer
President & CEO

Tel: 212.312.3500
Fax: 212.312.3913
mtorres-springer@edc.nyc

M E M O R A N D U M

TO: Charise L. Terry, PHR; Executive Director; EEPC

FROM: Maria Torres-Springer, President and CEO, NYCEDC *MTJ*

RE: Response to Final Audit Determination (2015/998)

DATE: October 15, 2015

CC: Carrie A. Weaver, PHR; SVP, Human Resources & EEO Officer; NYCEDC
Elona Shehu, Program Analyst, EEPC

The New York City Economic Development Corporation (NYCEDC) has reviewed the Final Audit determination letter from the EEPC dated September 15, 2015 in which six (6) corrective actions were outlined. In the last month, NYCEDC has made strides in rectifying all corrective actions and has completed three (3) of the initial corrective actions (3, 4 and 6). A summary follows:

Corrective action #1: Identify whether there are barriers to equal employment opportunity within the agency and determine what if any, corrective actions are required to correct deficiencies.

NYCEDC Response: NYCEDC has reached out to DCAS for access to CEEDS. Additionally we have begun sourcing potential vendors that can assist in running comprehensive statistical analysis on our workforce metrics.

Corrective action #2: 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.

NYCEDC Response: See response to corrective action #1.

Corrective Action #3: Use and maintain an applicant log or tracking system which in addition to the above includes the applicants' candidate disability or veteran status and interviewers name. 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.

NYCEDC Response: NYCEDC has already implemented this corrective action. Veteran Status is currently being asked on our application and a post-offer questionnaire has also been implemented to address the question of candidate disability status. Please note from our earlier response that hiring managers we not the responsible party for recording and maintaining the applicant logs. See attachments.

Charise L. Terry, PHR; Executive Director; EEPD
October 15, 2015
Page 2

Corrective Action #4: Designate a professional 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 per year.

NYCEDC Response: NYCEDC has addressed this corrective action by amending the job description for our HR Business Partners which qualifies that when extending career guidance to employees, it should also emphasize growth opportunities in the New York City Government ecosystem. Each of our HR Business Partners has been made aware of this added position responsibility. (See attached).

Corrective action #5: 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.

NYCEDC Response: NYCEDC has committed to the review of EEO related matters and will begin documenting all meetings accordingly.

Corrective Action #6: Ensure 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: NYCEDC has already amended our managerial reviews to reflect this corrective action (see attached).

From: [REDACTED]
Subject: [Spectrum](#)
Date: EEPC Audit Initiatives
Monday, February 29, 2016 10:50:09 AM

NYCEDC is required to do an audit every three years by the Equal Employment Practices Commission (EEPC) and I am happy to share that we have successfully completed the most recent audit.

The Equal Employment Practices Commission (EEPC) monitors and evaluates the City of New York's employment programs, practices, policies and procedures to ensure that individual agencies and the City as an employer maintain a firm and effective affirmative employment program of equal opportunity and advises and assists City agencies in their efforts to establish affirmative employment program plans.

With guidance from EEPC we have implemented four (4) initiatives to continue to foster a diverse and inclusive workforce:

- NYCEDC will annually compile a statistical workforce data plan which will serve as a comprehensive analysis on our workforce demographics.
- Human Resources will be reviewing workforce demographics with Senior Management semiannually to identify areas of underutilization and develop related good faith recruiting efforts.
- New for 2016, department heads will be evaluated on an additional core competency "Commitment to EEO and Inclusion and Diversity."
- Our HR Business Partners are trained and operate as Career Counselors.

Our talented multidisciplinary workforce gives us a unique competitive edge and sets us apart. NYCEDC is an Equal Employment Opportunity (EEO) employer and in accordance with all anti-discrimination laws and our EEO policy, we provide equal employment opportunities for all employees and applicants by ensuring an environment free of discrimination and harassment regardless of protected categories. You can view our full EEO policy [here](#).

For any assistance or information on the EEPC Audit, EEO or any of the above initiatives please reach out to you HR Business Partner. You can also contact our **EEO Officers**: Carrie Weaver ext. 3608 or Khary Hair ext. 4224 in the Human Resources Department located on the 4th floor.

I want to thank you for your commitment to EEO, diversity and inclusion and encourage you to continue fostering an inclusive work environment.

Regards,

Maria

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

RESOLUTION #2016/ 998C- 001: Determination of **Compliance** (Monitoring Period Required) by the Economic Development Corporation 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, 2012 through December 31, 2014.

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 ensure 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 EEPD 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 Economic Development Corporation (EDC) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 31, 2015, setting forth findings and the following required corrective actions:

1. Identify whether there are barriers to equal opportunity within the agency and determine what, if any, corrective actions are required to correct deficiencies.
2. 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.
3. Use and maintain an applicant/candidate log or tracking system which, in addition to the above, includes the applicants'/candidates' disability or veteran status, and interviewers' names. 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.
4. 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.
5. 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.

6. 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).

Whereas, the EDC submitted its response to the EEPC's Preliminary Determination letter, on September 11, 2015; 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 September 15, 2015, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions Nos. 1, 2, 3, 4, 5, and 6, remaining;

Whereas, the EDC submitted its response to the EEPC's final determination letter, on October 15, 2015; 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 October 2015 through March 2016 with no extension of the monitoring period;

Whereas, at the EEPC's request pursuant to Section 815.a.(15) of the New York City Charter, the EDC submitted a copy of the agency head's memorandum to staff dated February 29, 2016, 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 Economic Development Corporation 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 NYC Charter.

Be It Resolved, that the Commission will forward this Final Resolution to the Economic Development Corporation President, Maria Torres-Springer.

Approved unanimously on March 24, 2016.



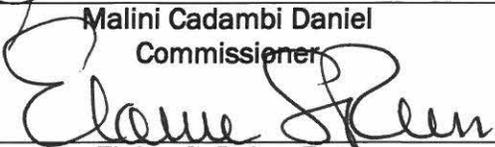
Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner

NYC
**Equal Employment
Practices Commission**

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 Giraud, Esq.
Agency Attorney/
Director of Compliance
Monitoring

253 Broadway
Suite 602
New York, NY 10007

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

March 24, 2016

Maria Torres-Springer
President
New York City Economic Development Corporation
110 William Street
New York, NY 10038

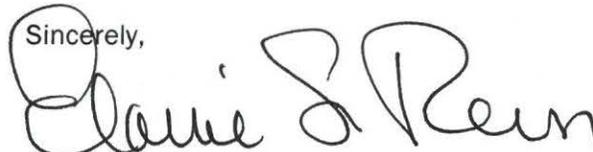
Re: Resolution #2016/998C-001: Determination of Agency
Compliance

Dear President Torres-Springer:

On behalf of the members of the Equal Employment Practices Commission (EEPC or Commission), I want to formally notify you that the Commission has issued the attached Determination of Compliance to the New York City Economic Development Corporation (EDC). This Commission has determined that the EDC has implemented the required corrective actions 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 Principal EEO Professional Carrie Weaver for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,



Elaine S. Reiss, Esq
Commissioner

c: Carrie Weaver, Principal EEO Professional, EDC
Marie E. Giraud, Esq., Agency Attorney/ Director of Compliance
Monitoring

EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION

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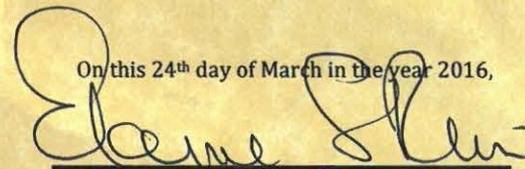
Determination of Compliance

is issued to the

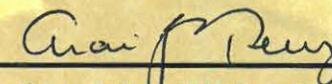
Economic Development Corporation

for successfully implementing 6 of 6 required corrective actions pursuant to the Equal Employment Practices Commission's Employment Practices and Procedures Audit for the period from January 1, 2012 to this date.

On this 24th day of March in the year 2016,



Elaine S. Reiss, Esq., Commissioner



Charise L. Terry, PHR, Executive Director

In care of President Maria Torres-Springer
and Principal EEO Professional Carrie Weaver