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BY MAIL AND E-MAIL

Dr. Gail O. Mellow
President
Fiorello H. LaGuardia Community College
31-10 Thomson Ave
Long Island City, NY 11101

Re: Preliminary Determination: Audit, Evaluation and Monitoring of
Fiorello H. LaGuardia Community College's Employment Practices and
Procedures from July 1, 2012 to December 31, 2015.

Dear President Mellow:

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 July 1, 2012 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 Fiorello H. LaGuardia Community College, 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*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 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 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

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



additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

Description of the Agency

LaGuardia Community College of the City University of New York is named for Fiorello H. LaGuardia, New York City's New Deal mayor, who inspired a city of immigrants. LaGuardia Community College's mission is to educate and graduate one of the most diverse student populations in the country to become critical thinkers and socially responsible citizens who help to shape a rapidly evolving society. LaGuardia offers more than 50 associate degree programs in many fields, from nursing to business to the arts to computer science, and four certificate programs.

The agency's September 1, 2015 – August 31, 2016 *Affirmative Action Plan for Women and Minorities* indicated 1,007 employees; 607 employees were employed in non-pedagogical titles—which are under the EEPC's jurisdiction. (See 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 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 college President's annual EEO Policy statement was issued to faculty and staff in September 2012, 2013, and 2014 and December 2015. The policy statement expressed "*I write to strongly reaffirm LaGuardia [Community College's] commitment, and my own commitment, to the principles of affirmative action, equal opportunity, and diversity.*" The President's EEO Policy statement reiterated "*[i]t is the policy of The City University of New York and LaGuardia Community College to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, marital status, legally registered domestic partnership status, disability, predisposing genetic characteristics, alienage, citizenship, military or veteran status, or status as a victim of domestic violence. Sexual harassment, a form of sex discrimination, is also prohibited.*" The EEO Policy statement included the names of the agency's EEO professionals and included the address and phone number of the agency's Diversity Office.
 - The agency's EEO Policy statement did not include all protected classes (specifically, it did not include "*prior record of arrest or conviction,*" "*status as a victim of sex*

offenses,” “status as a victim of stalking,” “unemployment status,” or “consumer credit history.”) Corrective Action Required.

Corrective Action #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.

NOTE: The list of protected classes should be all-inclusive and consistent with the agency's EEO Policy, *The City University of New York Policy on Equal Opportunity and Non-Discrimination.*

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 reported that during the period in review, its EEO Policy, *The City University of New York Policy on Equal Opportunity and Non-Discrimination* was distributed to all employees via email with the EEO Policy statement and was posted to the Office of Compliance and Diversity's webpage where it was accessible by all employees. The agency also reported that new employees were directed to an electronic copy of the EEO Policy during onboarding and required to sign an acknowledgment of receipt. The EEO Policy included sections entitled “*Complaint Procedures Under the City University of New York's Policy on Equal Opportunity and Non-Discrimination*” and “*Some Relevant Laws Concerning Non-discrimination and Equal Opportunity.*” The policy referred individuals to *CUNY's Sexual Misconduct Policy* for information on complaints of sexual harassment and sexual violence; and *CUNY's Procedures on Reasonable Accommodation* for information on reasonable accommodations for disabilities, which were both posted to the Office of Compliance and Diversity's webpage where they were accessible by all employees. During the period in review, the agency's EEO Policy stated “[i]t is the policy of the University—applicable to all colleges and units— to recruit, employ, retain, promote, and provide benefits to employees (including paid and unpaid interns) and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex (including pregnancy, childbirth and related conditions), sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, status as a victim of domestic violence/stalking/sex offenses, unemployment status, or any other legally prohibited basis in accordance with federal, state and city laws.” Under the section “*Some Relevant Laws Concerning Non-discrimination and Equal Opportunity,*” the EEO Policy included the statement: “*New York State Human Rights Law prohibits discrimination based on ... prior arrest or conviction record.*” Contact information for the agency's EEO professionals

were included in the college's EEO Policy statement. In January 2015, the President issued a memo to the "Campus Community" (employees, students, and applicants) to provide the agency's reasonable accommodations request procedure, *Procedures for Implementing Reasonable Accommodation at the City University of New York*.

- *The City University of New York Policy on Equal Opportunity and Non-Discrimination*, did not include or attach as an addenda: an up-to-date list of protected classes under NYC and NYS Human Rights Laws (specifically, it did not include "consumer credit history"); or current contact information for the federal, state and local agencies that enforce laws against discrimination. Corrective Action Required.

Corrective Action #2: Distribute/Post a paper or electronic copy of 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: an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the federal, state and local agencies that enforce laws against discrimination.

NOTE ON POLICY UPDATES: Subsequent to the audit period, the following protected categories were added to the New York City's Human Rights Law: "caregiver status" (effective May 4, 2016); and "pregnancy" (enforcement guidance released on May 16, 2016). All EEO policies/flyers and related documents must reflect these updates.

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 implemented annual orientation sessions for all new employees in the fall of each year. During the period in review, orientation was provided to 160 non-pedagogical employees (approximately 26% of the agency's non-pedagogical workforce). (See Appendix 1.) Orientation agenda items included *Domestic Violence and the Workplace*, *Compliance and Diversity/Sexual Harassment Prevention*, and *Workplace Violence Prevention*. The agency reported that during orientation, employees were informed of discrimination complaint procedures and their rights and responsibilities under the EEO, domestic and workplace violence, and sexual harassment policies. In its annual *Affirmative Action Plan for Women and Minorities* (AAP), for September 1, 2015 to August 31, 2016 ("2016 AAP"), the agency reported it provided a sexual harassment prevention course for managers and supervisors, and "LGBTQ Sensitivity training session for all Academic Departments, Public Safety, [and] Custodial Assistants" during the previous AAP plan year (September 1, 2014 to August 31, 2015).

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.
- ✓ During the period in review, as part of its annual AAP, the agency prepared Impact Ratio Analyses to determine if its recruitment efforts adversely impacted women or minorities by comparing applicant selection rates of minorities to non-minorities and males to females for each *Job Areas/Category* (EEO-6 Category). In its AAP, the agency also identified *Affirmative Action Units* (AAU) which had underutilization, a potential indicator of adverse impact, and the job titles within each AAU. Additionally, the agency reported the principal EEO professional and principal Human Resources (HR) professional identified and discussed recruitment sources to consider when it looked to increase outreach efforts to address underutilization. The agency also reported that for each job vacancy, a Search Committee was selected by the hiring manager and briefed by the principal EEO professional regarding underutilization in the AAU. The Search Committee was then charged with developing a recruitment plan which included: identifying relevant recruitment sources to contact; interviewing candidates; selecting interview finalists; recommending hires to the hiring manager; and participating in post-search briefings. Recruitment plans from the period in review, for *IT Associate Level I*, *Campus Public Safety Sergeant*, and *Mail & Message Services Worker*, included the job vacancy notice and recruitment sources which were approved by the principal EEO professional. In its 2016 AAP, the agency eliminated the previously indicated underutilization of Asian or Native Hawaiian or Other Pacific Islanders in the *Accountant – Accountant Assistant* AAU, and reduced the underutilization of women from four (4) to three (3) in the *Campus Peace/Security Officer Level I* AAU. (See Appendices 2, 3, & 4.)
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 reported that the principal EEO professional, principal HR professional, and General Counsel met annually to review the agency's *Affirmative Action Plan for Women and Minorities* (AAP) and communicated regularly on EEO and HR matters. During the period in review, the principal EEO professional prepared the agency's annual AAP, which included annual statistical information (i.e. utilization analyses, workforce analysis, and Impact Ratio Analyses of hires, promotions, and separations); a review of the agency's employment practices, policies and programs, including: the use of an "*internal audit and reporting system ...[to evaluate] results oriented programs and affirmative action efforts;*" and the

establishment of placement goals and expansion of recruitment sources to address workforce underutilization.

- The agency did not demonstrate that the principal EEO professional, principal HR professional and General Counsel reviewed the annual number of EEO complaints. Corrective Action Required.

Corrective Action #3: Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints 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).

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 reported that Search Committees reviewed job descriptions to ensure selection criteria were job related. In its annual *Affirmative Action Plan for Women and Minorities (AAP)*, the agency assessed selection rates via its Impact Ratio Analyses of applicants compared to hires by *Job Areas/Category*. The Impact Ratio Analyses compared the selection rates of minorities to non-minorities and males to females; and the 2016 AAP identified one (1) statistically significant area of adverse impact hiring in the *Job Areas/Category (EEO-6 Category) of Executive/Administrative/Managerial*. Subsequent to the period in review, in May 2016, CUNY Central Civil Service Commission “review[ed the] job description and qualifications” for the Media Services Technician title (in the *Broadcasting / Media Titles AAU* which had underutilization of Hispanics and Asian or Native Hawaiian or Other Pacific Islanders) and distributed the revised job title specification to the agency’s HR Department.
 - The agency did not demonstrate that during the period in review, it assessed the selection criteria for all AAUs which had underutilization, or discontinued the use of unrelated selection criteria as identified by the Search Committee. As of July 1, 2014 and July 1, 2015, the agency reported underutilization of Blacks in three (3) AAUs (*CUNY Administrative Assistant, Campus Public Safety Sergeant, and Mail/ Message Services Worker*); Hispanics in one (1) AAU (*Campus Peace/Security Officer Level I*), Asian or Native Hawaiian or Other Pacific Islander in two (2) AAUs (*Computer Specialists and Campus Public Safety Sergeant*); and females in one (1) AAU (*Campus Peace/Security Officer Level I*). Additionally, as of July 1, 2015, the agency reported underutilization of Asian or Native Hawaiian or Other Pacific Islander in the *Mail/ Message Services Worker AAU*, and underutilization of females in the *CUNY Office/Secretarial Assistant AAU*. (See Appendices 2 & 3.) Corrective Action Required.

Corrective Action #4: 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.
- ✓ On July 1, 2012, the agency reported an underutilization shortfall of one (1) Asian or Native Hawaiian or Other Pacific Islander in the *Administration III* AAU, and a shortfall of two (2) Black or African Americans in the *Administration IV* AAU. Since July 1, 2013, the agency reported that its discretionary Non-Faculty managerial and professional positions in *Administration II* and *Administration III* AAUs (*Higher Education Officer, Higher Education Associate, Higher Education Assistant, and Assistant to Higher Education Officer* job titles) did not experience underutilization. Since July 1, 2014, the *Administration IV* AAU (*Chief College Lab Technician, Senior College Lab Technician, and College Lab Technician* job titles) did not experience underutilization.
- On July 1, 2013 and July 1, 2014, the agency reported a shortfall of one (1) Hispanic in the *Administration I* AAU (*President, Sr. Vice President/ Vice President, Dean, Administrator, Associate Dean/ Associate Administrator, and Assistant Dean* titles). On July 1, 2015, the agency reported a shortfall of one (1) female, one (1) Hispanic, and one (1) Asian or Native Hawaiian or Other Pacific Islander in the *Administration I* AAU. The agency did not demonstrate that it targeted advertisements towards or contacted groups that served the underutilized groups in AAUs that contained discretionary titles. (See Appendices 2 & 3.) 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 CUNY Central 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.
- ✓ The agency reported that except for the titles in the *Administration I, Administration II, Administration III, and Administration IV* AAUs, all non-pedagogical titles are all competitive civil service titles and subject to civil service hiring procedures. During the period in review, the agency addressed the previously identified underutilization of Asian or Native Hawaiian or Other Pacific Islanders in the *Computer Specialist* Affirmative Action Unit (AAU) by contacting *AsianLife.com* during recruitment for an *IT Assistant Level 1 (provisional) – Systems Engineer*

position. (See Section III.6.) The agency also reported that CUNY Central Civil Service Commission reviewed competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) and distributed changes to civil-service title specifications via written communication. Subsequent to the period in review, in May 2016, CUNY Central Civil Service Commission “review[ed the] job description and qualifications” for the Media Services Technician title (in the *Broadcasting / Media Titles* AAU which had underutilization of Hispanics and Asian or Native Hawaiian or Other Pacific Islanders) and distributed the revised job title specification to the agency’s HR Department.

- The agency did not demonstrate that it examined the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions in all of the aforementioned AAUs which have underutilization to ensure that these standards were updated, job-related and required by business necessity. Additionally, the agency did not demonstrate that it contacted other relevant recruitment sources to address the aforementioned areas of underutilization. (See Section III.6 and Appendices 2 & 3.) Corrective Action Required.

Corrective Action #6: 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 CUNY Central 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.

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 reported that during the period in review, for each job vacancy, a Search Committee of three (3) to eleven (11) employees was selected by the hiring manager to develop a recruitment plan and was briefed by the principal EEO professional on underutilization in the AAU of the job vacancy. The Search Committee identified relevant recruitment sources, interviewed candidates, selected interview finalists, made hiring recommendations to the hiring manager, and participated in post-search briefings. Each Search Committee was provided the *CUNY Search Committee Guide*, which contained a chapter on structured interviewing that included sample interview questions and sections titled *Interview Planning, Developing Interview Questions, Questions in the Interview Process – “What you can ask and can’t ask,” Interview Agenda, Keys to a Successful interview, Additional Issues for Administrative Searches, Other Verification (including References), and Social Media.*
10. Promote employees’ awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.

- ✓ In September 2015, the Human Resources Department notified employees in the College Assistant position and their supervisors of an examination for promotion to the CUNY Office Assistant title. The Human Resources Department also notified a provisional employee in the CUNY Campus Public Safety Sergeant title that the civil service examination for that title was scheduled, and that the employee must take and pass the exam to remain in the position. Additionally, the 2016 AAP reported that the agency’s recruitment procedure was to post Notices of Exams and administrative vacancies for 30 days; the principal EEO professional was responsible for encouraging employees to participate in agency-sponsored professional development programs; and promotions and advancements in the classified civil service titles were achieved through automatic level advancement, promotional examinations, or through an evaluation of job duties for various levels of a title.

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

- ✓ The agency advertised several vacancies online during the period in review including: *Administrative Specialist – Road to Success; Student Career Senior Advisor – Adult and Continuing Education; Academic Advising Specialist – Center for Teaching and Learning; Administrative Coordinator – Wagner Archives; and IT Assistant Level 1 (provisional) – Systems Engineer*; all of which stated “*Equal Employment Opportunity*” and included an EEO tagline of “*EO/AA Employer*” or “*EEO/AA/Vet/Disability 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.

- ✓ The agency’s electronic applicant/candidate tracking system, *CUNYFirst*, captured: “*Position, Applicant Name, Applicant Number, Ethnic Group, Gender, Status Reason [(disposition)], Job Opening, Business Unit, Company, Job Code, Openings to Fill, Applicant Refer[r]al, and Latest Applicant Status.*”

- The agency did not demonstrate that it captured *disability status, veteran status, interview date, interviewers’ names, result, or recruitment source* of its applicants via an applicant/candidate log or an alternative tracking system. Corrective Action Required.

Corrective Action #7: Use and maintain an applicant/candidate log or tracking system which, in addition to the aforementioned information, also captures *disability or veteran status, interview date, interviewers’ names, result, 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.

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 during the period in review, the Associate Director for Recruitment and Staff Relations was in a position to provide career counseling to non-pedagogical employees. The Associate Director for Recruitment and Staff Relations has been a member of the Society for Human Resources Management since November 2002 and has completed Cornell University's EEO Studies program, Cornell ILR School's "Contemporary Leadership Part II: Adapting to Leading Change" course, and DCAS trainings "Working with Generations X, Y, and Z" and "Leading Strategically with Emotional Intelligence."
- The agency did not formally designate a Career Counselor or demonstrate that during the period in review, employees were notified of the identity/type of guidance available from the Associate Director for Recruitment and Staff Relations. Corrective Action Required.

Corrective Action #8: 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, 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.
- ✓ In March 2014 and 2015, the Human Resources Department notified employees of professional development and training opportunities being offered. The agency reported that during the period in review, the Executive Director of Human Resources (the agency's principal Human Resources professional) worked with the 504/ADA Compliance Coordinator to employ and accommodate qualified individuals with disabilities; and that the Human Resources Department distributed job descriptions, the EEO Policy and the EEO Policy statement to new employees during onboarding. The agency also reported that administrative job vacancies and changes to civil-service title specifications sent from CUNY Central Civil Service Commission were posted to the agency's website for 30 days; title specification changes were emailed to employees in the respective titles. Additionally, the agency reported it had one 55-a program

participant and the principal Human Resources professional and principal EEO professional communicated daily to discuss EEO related matters. (See Section III.10 in regards to access to information regarding examinations.)

- The agency did not demonstrate that during the period in review, employees had access to performance evaluation standards. Corrective Action Required.

Corrective Action #9: Ensure that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding performance evaluation standards.

**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 during the period in review, its EEO policies were immediately available in large print and it was committed to provide its EEO policies in audio tape upon request.

16. Document reasonable accommodation requests and their outcomes.

- ✓ During the period in review, the agency documented six (6) requests for reasonable accommodation via its reasonable accommodation requests log. In January 2015, the President issued a memo to the “*Campus Community*” providing the agency’s reasonable accommodations request procedure, *Procedures for Implementing Reasonable Accommodation at the City University of New York*. The reasonable accommodations request procedure notified applicants, employees, visitors and students of the reasonable accommodation request process and identified that “*the 504/ADA Compliance Coordinator is responsible for collecting the information on all accommodation requests.*” The agency also reported that all applicants were notified via letter to contact the Human Resources Department to make a request for reasonable accommodation.

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, state, and federal EEO laws; the requirements of the agency’s EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.

- ✓ During the period in review, employees were notified of the Chief Diversity Officer's designation as the principal EEO professional. (See Section I.1.) The principal EEO professional completed Cornell University ILR School's *Equal Employment Opportunity Studies* program in April 2013 and was reported to have completed various trainings including "EEO Reporting and Reporting Writing for Affirmative Action Officers; Compensation Analysis 101 for Federal Contractors: Proactive Analyses in 2011/2012; Arbita Recruitment Training for CUNYfirst; Sexual Harassment Prevention Training sessions: Policy, Managing Complaint Intake, and Informal Resolution: Conciliation; Review of MPRM: New VEVRAA Regulations; and Getting your Recruitment and Selection Processes Up To Code."

In December 2015, the agency notified all employees of the designation of a new Chief Diversity Officer via its EEO Policy statement. In 2015, the principal EEO professional completed CUNY's *Compensation Analysis Training*, NACUA's *Writing Investigative Reports* and continuing legal education courses; including *Employment Law Institute 2014*, *Understanding Employment Law 2015*, and *Employment Discrimination Law & Litigation 2015*.

18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.
- ✓ Prior to August 2015 and in addition to the principal EEO professional, the agency appointed The Wellness Center Director of Outreach and Education to the EEO professional title: 504/ADA Compliance Coordinator. In January 2015, the President issued a memo to the "Campus Community" to provide the contact information for the 504/ADA Compliance Coordinator.
 - The agency did not demonstrate that between July 2012 and August 2015, the 504/ADA Compliance Coordinator was trained in EEO laws and procedures and knew how to carry out their responsibilities under the EEO Policy. Corrective Action Required.

NOTE: In August 2015, the agency designated a new principal EEO professional with a combined role of Chief Diversity Officer, Title IX Coordinator and 504/ADA Compliance Coordinator. The agency demonstrated that the Chief Diversity Officer was trained in EEO laws and procedures and knew how to carry out the responsibilities under the EEO Policy. (See Section VI.17.)

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.
- ✓ During the period in review, as reflected in the agency's organization chart, the previous and current principal EEO professional directly reported to the President.
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 reported that the principal EEO professional and the President met annually to review the AAP. During the period in review, meeting invitations denoted several meetings between the principal EEO professional and college President to discuss EEO matters. Discussion topics included agency workforce underutilization, “*Diversity Action Plan*,” “*General Compliance issues*,” “[*discrimination*] cases,” and “*Compensation Review*.” On October 21, 2013 and January 20, 2015, the principal EEO professional submitted to the President a memo of workforce underutilization of women and minorities, as indicated in the AAP. The underutilization memo included the *EEO Category (Affirmative Action Unit)* which has underutilization, job titles in the underutilized *EEO Category*, and the gender or ethnicity group(s) underutilized.
 - The agency did not provide documentation of decisions as a result of meetings between the agency head and principal EEO professional that impacted the administration and operation of the EEO program. Corrective Action Required.

Corrective Action #10: 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 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 period in review, the agency annually administered a performance evaluation program for non-pedagogical managerial and non-managerial employees and tracked evaluation completion via a performance evaluation log. In June 2012, the Associate Director of Human Resources issued an interoffice memorandum to Directors/Supervisors entitled “*Annual Civil Service Performance Evaluation*” and attached a blank evaluation form. The memorandum identified the evaluation period, the completion deadline, and directed supervisors to review the employee's total performance including job description, meet with an employee to discuss their performance, complete and sign the evaluation form and provide a signed evaluation to the employee to review and sign and optionally include a rebuttal. The original evaluation form, changes to the job description, and rebuttal, as applicable, must be submitted to the Human Resources Department by the deadline.
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 “*Performance Accountability Assessment and Conference Form*” contained a rating in EEO, via the evaluation section titled

“Inclusiveness [and] Diversity” which set forth the following standards: “Shows respect for differences in backgrounds, lifestyles, viewpoints, and needs, with regard to ethnicity, gender, creed, and sexual orientation; Promotes a trusting and welcoming environment for all; Works to understand the perspectives brought by all; Pursues knowledge of diversity and inclusiveness.”

VIII. REPORTING STANDARD FOR AGENCY HEAD:

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

23. Submit to the EEPC an Annual Plan of measures and programs to provide equal employment opportunity, and quarterly reports² (up to 30 days following each quarter) on efforts to implement the plan.

- During the period in review, the agency did not 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. Corrective Action Required.

NOTE: Subsequent to the period in review, the agency provided an annual *Affirmative Action Plan for Women and Minorities* for the periods September 1, 2012 to August 31, 2013; September 1, 2013 to August 31, 2014; September 1, 2014 to August 31, 2015; and September 1, 2015 to August 31, 2016. Prospective annual plans should be submitted to the EEPC on an annual basis.

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 10 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.

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



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,

A handwritten signature in blue ink that reads "William Peterson". The signature is written in a cursive style and is positioned above a horizontal line.

William Peterson, EEO Program Analyst

Approved by,

A handwritten signature in blue ink that reads "Charise L. Terry". The signature is written in a cursive style and is positioned above a horizontal line.

Charise L. Terry, PHR
Executive Director

c: Christopher Todd Carozza, Principal EEO Professional

Appendix - 1

Fiorello H. LaGuardia Community College
Statistical Profile of Agency Workforce
July 1, 2012 – July 1, 2015^{*}

^{*}As reported by the agency.

Attachment: Statistical Profile of Agency Workforce

Non-Pedagogical Employees Only*

Beginning and End of Audit Period

Agency: Fiorello H. LaGuardia Community College

# Employees	Beginning of Audit Period <u>7/1/2012</u>¹	End of Audit Period <u>7/1/2015</u>²
------------------------	------------------------------------------------------------------	------------------------------------------------------------

Male	203	239
Female	317	368

White	144	165
Black	146	173
Hispanic	176	191
Asian	53	73
Native American	1	5
Unknown	0	0

Total # of Employees	520	607
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*As reported by the agency.

¹ Headcounts based on Fall 2012 Utilization Analysis Worksheets from 2012 - 2013 Affirmative Action Plan.

² Headcounts based on Fall 2015 Utilization Analysis Worksheets from 2015 - 2016 Affirmative Action Plan.

Appendix - 2

Fiorello H. LaGuardia Community College
Utilization Analysis Worksheets
Fall 2015
September 2014 – August 2015

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College: **LAGCC/CUNY**

Semester/Year: **FALL, 2015**

AFFIRMATIVE ACTION UNIT:
ADMINISTRATION I

Constituent Departments:

EEO CATEGORY:
Executive/Senior Level Official and Managers

Job Titles: EXECUTIVE COMPENSATION PLAN TITLES

President
Sr. Vice President/ Vice President
Dean
Administrator
Associate Dean / Associate Administrator
Assistant Dean

JOB GROUP:
ADMINISTRATION I

FACTORS:	Weighting						
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	0.40	23.3	11.4	3.0	4.5	3.1	
2. % of Minorities/Females promotable, transferable, or trainable	0.60	26.2	17.2	5.2	6.4	5.5	
GROUP TOTAL NO.: 21							
No. Male: 12 No. Female: 9							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>9</u> % <u>42.9</u>	# <u>5</u> % <u>23.8</u>	# <u>1</u> % <u>4.8</u>	# <u>3</u> % <u>14.3</u>	# <u>1</u> % <u>4.8</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>49.5</u>	% <u>28.6</u>	% <u>8.2</u>	% <u>10.9</u>	% <u>8.6</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>6.6</u> # <u>1.4</u> UU <u>1</u>	% <u>4.8</u> # <u>1.0</u> UU <u>1</u>	% <u>3.4</u> # <u>0.7</u> UU <u>1</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>3.8</u> # <u>0.8</u> UU <u>1</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College: **LAGCC/CUNY**

Semester/Year: **FALL, 2015**

AFFIRMATIVE ACTION UNIT:
ADMINISTRATION II

Constituent Departments:

EEO CATEGORY:

First/Mid Level Officials and Managers

Job Titles:

Higher Education Officer (HEO)
Higher Education Associate (HEA)

*NOTE: Research Associate is to be placed in Administration II or III depending on salary level.

JOB GROUP:

ADMINISTRATION II

FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
		1. % availability of Minorities/Females with requisite skills in immediate labor areas.	0.40	22.9	11.6	3.3	3.9
2. % of Minorities/Females promotable, transferable, or trainable	0.60	35.2	29.2	6.6	14.5	8.0	
GROUP TOTAL NO.: <u>117</u>							
No. Male: <u>41</u> No. Female: <u>76</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>76</u> % <u>65.0</u>	# <u>69</u> % <u>59.0</u>	# <u>13</u> % <u>11.1</u>	# <u>32</u> % <u>27.4</u>	# <u>24</u> % <u>20.5</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>58.1</u>	% <u>40.8</u>	% <u>9.9</u>	% <u>18.4</u>	% <u>11.7</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College: **LAGCC/CUNY**

Semester/Year: **FALL, 2015**

AFFIRMATIVE ACTION UNIT: ADMINISTRATION III		Constituent Departments:					
EEO CATEGORY: Professional Non-Faculty		Job Titles: Higher Education assistant (HEa) Assistant to Higher Education Officer (aHEO) *NOTE: Research Associate is to be placed in Administration II or III depending on salary level.					
JOB GROUP: ADMINISTRATION III							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	0.70	40.1	20.2	5.8	6.9	6.4	
2. % of Minorities/Females promotable, transferable, or trainable	0.30	22.1	18.5	3.9	8.8	5.6	
GROUP TOTAL NO.: <u>150</u>							
No. Male: <u>37</u> No. Female: <u>113</u>		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>113</u> % <u>75.3</u>	# <u>105</u> % <u>70.0</u>	# <u>22</u> % <u>14.7</u>	# <u>37</u> % <u>24.7</u>	# <u>46</u> % <u>30.7</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>62.2</u>	% <u>38.7</u>	% <u>9.7</u>	% <u>15.7</u>	% <u>12.0</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	% <u>NONE</u> # <u>0.0</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

NOTE: Please weight depending on the number of employees in fields.

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: ADMINISTRATION IV	Constituent Departments HEALTH COMPUTER ENGINEERING SCIENCE TECH.-BROADCASTING/COMM. BUS. MNGMNT./ SERV. OCC.
EEO CATEGORY: Technical/Paraprofessional	Job Titles: COLLEGE LAB TECHNICIANS (CLTs) Chief College Lab Tech. Senior College Lab Tech. College Lab Tech.
JOB GROUP: ADMINISTRATION IV	

FACTORS:	Weighting	Female	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	See Factors worksheet	39.5	29.6	9.1	8.9	9.9	
2. % of Minorities/Females promotable, transferable, or trainable.							

GROUP TOTAL NO.: <u>36</u>							
No. Male: <u>17</u> No. Female: <u>19</u>							
		Female	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:	#	<u>19</u>	<u>26</u>	<u>9</u>	<u>3</u>	<u>14</u>	<u>0</u>
	%	<u>52.8</u>	<u>72.2</u>	<u>25.0</u>	<u>8.3</u>	<u>38.9</u>	<u>0.0</u>
OVERALL AVAILABILITY:	%	<u>39.5</u>	<u>29.6</u>	<u>9.1</u>	<u>8.9</u>	<u>9.9</u>	<u>0.7</u>
UNDERUTILIZATION:	%	<u>NONE</u>	<u>NONE</u>	<u>NONE</u>	<u>0.6</u>	<u>NONE</u>	
	#	<u>0.0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.22</u>	<u>0.00</u>	
	UU	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: ACCOUNTANTS - ACCOUNTANT ASSISTANT		Constituent Departments:					
EEO CATEGORY: Technical/Paraprofessional		Job Titles: Finance Accountant Assistant					
JOB GROUP: Finance Accountant Assistant							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	50.8	26.7	11.8	7.8	5.9	
2. % of Minorities/Females promotable, transferable, or trainable.							
GROUP TOTAL NO.: <u>6</u>							
No. Male: <u>0</u> No. Female: <u>6</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>6</u>	# <u>5</u>	# <u>1</u>	# <u>1</u>	# <u>3</u>	# <u>ENTER</u>
		% <u>100.0</u>	% <u>83.3</u>	% <u>16.7</u>	% <u>16.7</u>	% <u>50.0</u>	% <u>0.0</u>
OVERALL AVAILABILITY:		% <u>50.8</u>	% <u>26.7</u>	% <u>11.8</u>	% <u>7.8</u>	% <u>5.9</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u>	% <u>NONE</u>	% <u>NONE</u>	% <u>NONE</u>	% <u>NONE</u>	
		# <u>0.00</u>	# <u>0.00</u>	# <u>0.00</u>	# <u>0.00</u>	# <u>0.00</u>	
		UU <u>0</u>	UU <u>0</u>	UU <u>0</u>	UU <u>0</u>	UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: BROADCASTING / MEDIA TITLES		Constituent Departments:					
EEO CATEGORY: Technical/Paraprofessional		Job Titles: Broadcast Associate Media Services Technician					
JOB GROUP: BROADCASTING / MEDIA TITLES							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	12.9	23.8	2.7	11.3	8.1	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u>5</u> No. Male: <u>4</u> No. Female: <u>1</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>1</u> % <u>20.0</u>	# <u>5</u> % <u>100.0</u>	# <u>0</u> % <u>0.0</u>	# <u>5</u> % <u>100.0</u>	# <u>0</u> % <u>0.0</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>12.9</u>	% <u>23.8</u>	% <u>2.7</u>	% <u>11.3</u>	% <u>8.1</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>2.7</u> # <u>0.14</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>8.1</u> # <u>0.41</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College: LAGCC/CUNY
Semester/Year: FALL, 2015

AFFIRMATIVE ACTION UNIT: CUNY ADMINISTRATIVE ASSISTANT	Constituent Departments:						
EEO CATEGORY: Secretarial and Clerical	Job Titles: CUNY Administrative Assistants						
JOB GROUP: CUNY ADMINISTRATIVE ASSISTANT							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.							
2. % of Minorities/Females promotable, transferable, or trainable.	1.00	91.1	72.2	6.7	39.0	26.0	
GROUP TOTAL NO.: <u>22</u>							
No. Male: <u>0</u> No. Female: <u>22</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>22</u> % <u>100.0</u>	# <u>15</u> % <u>68.2</u>	# <u>3</u> % <u>13.6</u>	# <u>3</u> % <u>13.6</u>	# <u>9</u> % <u>40.9</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>91.1</u>	% <u>72.2</u>	% <u>6.7</u>	% <u>39.0</u>	% <u>26.0</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>4.0</u> # <u>0.88</u> UU <u>1</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>25.4</u> # <u>5.58</u> UU <u>6</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: COMPUTER SPECIALISTS		Constituent Departments:					
EEO CATEGORY: Technical/Paraprofessional		Job Titles: IT Senior Associate IT Associate IT Assistant IT Support Assistant					
JOB GROUP: COMPUTER SPECIALISTS							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	26.4	33.6	19.7	7.1	5.4	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u>63</u>							
No. Male: <u>41</u> No. Female: <u>22</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>22</u> % <u>34.9</u>	# <u>50</u> % <u>79.4</u>	# <u>6</u> % <u>9.5</u>	# <u>12</u> % <u>19.0</u>	# <u>30</u> % <u>47.6</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>26.4</u>	% <u>33.6</u>	% <u>19.7</u>	% <u>7.1</u>	% <u>5.4</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>10.2</u> # <u>6.41</u> UU <u>6</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: CUNY OFFICE/SECRETARIAL ASSISTANT:		Constituent Departments:					
EEO CATEGORY: Secretarial and Clerical		Job Titles: CUNY Office/Secretarial Assistant (all levels)					
JOB GROUP: CUNY OFFICE/SECRETARIAL ASSISTANT							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	89.9	26.5	3.7	11.6	9.8	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u>71</u> No. Male: <u>11</u> No. Female: <u>60</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>60</u> % <u>84.5</u>	# <u>59</u> % <u>83.1</u>	# <u>9</u> % <u>12.7</u>	# <u>25</u> % <u>35.2</u>	# <u>25</u> % <u>35.2</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>89.9</u>	% <u>26.5</u>	% <u>3.7</u>	% <u>11.6</u>	% <u>9.8</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>5.4</u> # <u>3.83</u> UU <u>4</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College: LAGCC/CUNY
Semester/Year: FALL, 2015

AFFIRMATIVE ACTION UNIT: CAMPUS PEACE/SECURITY OFFICER LEVEL 1		Constituent Departments:					
EEO CATEGORY: Service/Maintenance		Job Titles: Campus Peace/Security Officer Level 1 Campus Security Assistant					
JOB GROUP: CAMPUS PEACE/SECURITY OFFICER LEVEL 1							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	28.4	66.7	7.1	28.1	29.3	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u>58</u> No. Male: <u>44</u> No. Female: <u>14</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>14</u> % <u>24.1</u>	# <u>54</u> % <u>93.1</u>	# <u>7</u> % <u>12.1</u>	# <u>37</u> % <u>63.8</u>	# <u>7</u> % <u>12.1</u>	# <u>ENTER</u> % <u>0.0</u>
OVERALL AVAILABILITY:		% <u>28.4</u>	% <u>66.7</u>	% <u>7.1</u>	% <u>28.1</u>	% <u>29.3</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>4.3</u> # <u>2.47</u> UU <u>3</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>NONE</u> # <u>0.00</u> UU <u>0</u>	% <u>17.2</u> # <u>9.99</u> UU <u>10</u>	

**Total Minority includes Black or African American, Hispanic or Latino, Asian or Nat. Haw. or Other Pac. Isl., and Am. Ind./Al. Natives and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

College: LAGCC/CUNY
Semester/Year: Fall, 2015

AFFIRMATIVE ACTION UNIT: CAMPUS PUBLIC SAFETY SERGEANT		Constituent Departments:					
EEO CATEGORY: Service/Maintenance		Job Titles: Campus Public Safety Sergeant Campus Peace/Security Officer Level 3 Campus Security Specialist					
JOB GROUP: CAMPUS PUBLIC SAFETY SERGEANT							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.							
2. % of Minorities/Females promotable, transferable, or trainable	1.00	23.7	87.6	7.4	55.8	24.1	
GROUP TOTAL NO.: <u>10</u>							
No. Male: <u>8</u> No. Female: <u>2</u>		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>2</u>	# <u>8</u>	# <u>0</u>	# <u>5</u>	# <u>3</u>	# <u>ENTER</u>
		% <u>20.0</u>	% <u>80.0</u>	% <u>0.0</u>	% <u>50.0</u>	% <u>30.0</u>	% <u>0.0</u>
OVERALL AVAILABILITY:		% <u>23.7</u>	% <u>87.6</u>	% <u>7.4</u>	% <u>55.8</u>	% <u>24.1</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>3.7</u>	% <u>7.6</u>	% <u>7.4</u>	% <u>5.8</u>	% <u>NONE</u>	
		# <u>0.37</u>	# <u>0.76</u>	# <u>0.74</u>	# <u>0.58</u>	# <u>0.00</u>	
		UU <u>0</u>	UU <u>1</u>	UU <u>1</u>	UU <u>1</u>	UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET

Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: CUSTODIAL ASSISTANT	Constituent Departments: 						
EEO CATEGORY: Service/Maintenance	Job Titles: Custodial Assistant						
JOB GROUP: CUSTODIAL ASSISTANT							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	27.3	48.9	2.8	15.6	28.8	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u> 31 </u> No. Male: <u> 15 </u> No. Female: <u> 16 </u>							
		Females	** Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u> 16 </u>	# <u> 31 </u>	# <u> 1 </u>	# <u> 8 </u>	# <u> 22 </u>	# <u> ENTER </u>
		% <u> 51.6 </u>	% <u> 100.0 </u>	% <u> 3.2 </u>	% <u> 25.8 </u>	% <u> 71.0 </u>	% <u> 0.0 </u>
OVERALL AVAILABILITY:		% <u> 27.3 </u>	% <u> 48.9 </u>	% <u> 2.8 </u>	% <u> 15.6 </u>	% <u> 28.8 </u>	% <u> 7.0 </u>
UNDERUTILIZATION:		% <u> NONE </u>	% <u> NONE </u>	% <u> NONE </u>	% <u> NONE </u>	% <u> NONE </u>	
		# <u> 0.00 </u>	# <u> 0.00 </u>	# <u> 0.00 </u>	# <u> 0.00 </u>	# <u> 0.00 </u>	
		uu <u> 0 </u>	uu <u> 0 </u>	uu <u> 0 </u>	uu <u> 0 </u>	uu <u> 0 </u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

UTILIZATION ANALYSIS WORKSHEET
Two Factor Availability

College:	LAGCC/CUNY
Semester/Year:	FALL, 2015

AFFIRMATIVE ACTION UNIT: MAIL / MESSAGE SERVICES WORKER		Constituent Departments:					
EEO CATEGORY: Secretarial/Clerical		Job Titles: Mail/Message Services Wor					
JOB GROUP: MAIL / MESSAGE SERVICES WORKER							
FACTORS:	Weighting	Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	
1. % availability of Minorities/Females with requisite skills in immediate labor areas.	1.00	41.5	42.7	4.9	19.2	16.9	
2. % of Minorities/Females promotable, transferable, or trainable							
GROUP TOTAL NO.: <u>11</u>							
No. Male: <u>4</u> No. Female: <u>7</u>							
		Females	**Total Minority	Asian or Nat. Haw. or Other Pac. Isl.	Black or African American	Hispanic or Latino	Individuals with Disabilities
CURRENT UTILIZATION:		# <u>7</u>	# <u>8</u>	# <u>0</u>	# <u>0</u>	# <u>7</u>	# <u>ENTER</u>
		% <u>63.6</u>	% <u>72.7</u>	% <u>0.0</u>	% <u>0.0</u>	% <u>63.6</u>	% <u>0.0</u>
OVERALL AVAILABILITY:		% <u>41.5</u>	% <u>42.7</u>	% <u>4.9</u>	% <u>19.2</u>	% <u>16.9</u>	% <u>7.0</u>
UNDERUTILIZATION:		% <u>NONE</u>	% <u>NONE</u>	% <u>4.9</u>	% <u>19.2</u>	% <u>NONE</u>	
		# <u>0.00</u>	# <u>0.00</u>	# <u>0.54</u>	# <u>2.11</u>	# <u>0.00</u>	
		UU <u>0</u>	UU <u>0</u>	UU <u>1</u>	UU <u>2</u>	UU <u>0</u>	

**Total Minority includes Asian or Nat. Haw. or Other Pac. Isl., Am. Ind./Al. Natives, Black or African American, Hispanic or Latino, and Two or More Races.

Appendix - 3

Fiorello H. LaGuardia Community College
Progress Report – Historical Underutilization – Fall 2011-2015

PROGRESS REPORT - HISTORICAL UNDERUTILIZATION - FALL 2011-2015

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	CUNY ADMINISTRATIVE ASSISTANTS											
JOB GROUP:	SECRETARIAL/CLERICAL	2011	31	31		21	4	7	6		0	1
Constituent Dept:		2012	31	31		21	4	7	6		0	1
		2013	28	28		20	4	6	6		0	1
		2014	24	24		17	3	6	6		0	0
		2015	22	22	0	15	3	6	9		3	0

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	MAIL/MESSAGE SERVICES WORKER											
JOB GROUP:	SECRETARIAL/CLERICAL	2011	10	6		8	2		6		0	1
Constituent Dept:	MAIL/MESSAGE SERVICES WORKER	2012	9	6		7	1	1	6		0	1
		2013	9	5		6	0	2	6		0	1
		2014	9	6		6	0	2	6		0	0
		2015	11	7	0	8	0	2	7	0	0	1

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	CUNY OFFICE/SECRETARIAL ASSISTANT											
JOB GROUP:	SECRETARIAL/CLERICAL	2011	71	63	3	58	22		29		7	
Constituent Dept:	CUNY OFFICE/SECRETARIAL ASSISTANTS	2012	75	66	4	62	24		30		8	
	CLERICAL ASSOCIATE	2013	70	64	1	60	21	1	30		9	
		2014	70	63		58	22		27		9	
		2015	71	60	4	59	25	0	25	0	9	0

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	CAMPUS POLICE/SECURITY OFFICER LEVEL 1											
JOB GROUP:	SERVICE/MAINTENANCE	2011	22	3	2	19	11		5		3	
Constituent Dept:	CAMPUS PEACE/SECURITY OFFICER LEVEL 1	2012	22	3	2	18	11		5		2	
	CAMPUS SECURITY ASSISTANT	2013	21	3	2	18	11		5		2	
		2014	22	3	4	19	13		4	3	2	
		2015	58	14	3	54	37	0	7	10	7	

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	CAMPUS PUBLIC SAFETY SERGEANT											
JOB GROUP:	SERVICE/MAINTENANCE	2011	9	1	1	7	5		2		0	1
Constituent Dept:	CAMPUS PUBLIC SAFETY SERGEANT	2012	9	2		7	5		2		0	1
	CAMPUS PEACE/SECURITY OFFICER LEVEL 3	2013	9	1	1	7	5		2		0	1
	CAMPUS SECURITY SPECIALIST	2014	10	2		8	5	1	3		0	1
		2015	10	2	0	8	5	1	3	0	0	1

		TOTAL #	WOMEN		TOTAL MINORITY (Incl. Black, Hisp, As./Pac Isl, AI, Ind./AI, Nat. and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC. ISL.	
			#	#	uu	#	uu	#	uu	#	uu	#
AAU:	CUSTODIAL ASSISTANT											
JOB GROUP:	SERVICE/MAINTENANCE	2011	23	11		22	5		17		0	1
Constituent Dept:	CUSTODIAL ASSISTANT	2012	20	12		20	4		16		0	1
		2013	27	15		27	5	1	21		1	
		2014	33	18		33	8		24		1	
		2015	31	16	0	31	8	0	22	0	1	0

= Total number of individuals within unit AAU = Affirmative Action Unit
 UU = Underutilization Constituent Departments = List all Departments in AAU.
 JOB GROUP = Professorial; Non-Professorial-Instructor; Non-Professorial-Lecturer; Administration Groups; and Classified Groups

PROGRESS REPORT - HISTORICAL UNDERUTILIZATION - FALL 2011-2015

AAU: COMPUTER SPECIALIST		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
TECHNICAL/PARAPROFESSIONAL		2011	61	26	50		15		28		6	6
IT SENIOR ASSOCIATE		2012	62	23	48		14		27		6	6
IT ASSOCIATE		2013	66	23	50		14		29		5	8
IT ASSISTANT		2014	71	24	52		14		30		8	6
IT SUPPORT ASSISTANT		2015	63	22	50	0	12	0	30	0	6	6

AAU: ACCOUNTANTS- ACCOUNTANT ASSISTANT		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
TECHNICAL/PARAPROFESSIONAL		2011	8	8	7		1		4		2	
FINANCE ACCOUNTANT ASSISTANT		2012	8	8	7		1		4		2	
ASSISTANT PURCHASING AGENT		2013	8	8	7		1		4		2	
		2014	6	6	5		1		4		0	1
		2015	6	6	5	0	1	0	3	0	1	0

AAU: BROADCASTING/MEDIA TITLES		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
TECHNICAL/PARAPROFESSIONAL		2011	5	1	5		5		0	1	1	
BROADCAST ASSOCIATE		2012	4	0	4	1	4		0		1	
MEDIA SERVICES TECHNICIAN		2013	5	1	5		5		0	1	1	
		2014	5	1	5		5		0		1	
		2015	5	1	5	0	5	0	0	0	0	0

AAU: BIOLOGY/BIOLOGICAL SCIENCES		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011										
BIOLOGY		2012										
BIOMEDICAL SERVICES		2013										
		2014	25	20	12		5		1		6	
		2015	25	18	12		2	3	5	0	7	0

AAU: BUSINESS & TECHNOLOGY		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	21	10	9		5		2		2	
ACCOUNTING		2012	23	12	9		5		2		2	
BUSINESS ADMINISTRATION		2013	22	12	9		5		2		2	
BUSINESS MANAGEMENT		2014	23	12	9		5		2		2	
PARALEGAL STUDIES/LEGAL ASSISTANT		2015	23	12	8	0	4	1	2	0	2	0
TRAVEL, TOURISM, AND HOSPITALITY MANAGEMENT												

AAU: EDUCATION		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, All Ind/Al Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011										
ENGLISH AS A SECOND LANGUAGE		2012										
COUNSELING-ACADEMIC/PSYCHOLOGICAL		2013										
ADULT CONTINUING EDUCATION		2014	25	20	12		5		1		6	
COOPERATIVE EDUCATION		2015	25	18	12		2	3	5	0	7	0
EDUCATION												
PROGRAM FOR THE DEAF AND HEARING IMPAIRED												

= Total number of individuals within unit AAU = Affirmative Action Unit
 UU = Underutilization Constituent Departments = List all Departments in AAU.
 JOB GROUP = Professorial; Non-Professorial-Instructor; Non-Professorial-Lecturer; Administration Groups; and Classified Groups

PROGRESS REPORT - HISTORICAL UNDERUTILIZATION - FALL 2011-2015

AAU: ENGINEERING		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	5	0	4		3		0		1	
CIVIL ENGINEERING		2012	5	0	4		3		0		1	
ELECTRICAL ENGINEERING		2013	5	0	4		3		0		1	
MECHANICAL ENGINEERING		2014	8	1	6	1	4		0	1	2	
		2015	7	0	5	0	4	0	0	0	1	0

AAU: ENGLISH & LITERATURE		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	44	26	14	2	4		4		6	
ENGLISH		2012	45	25	14	4	4		6		4	
		2013	56	31	16	2	4		4		8	
		2014	56	31	18	2	5		4		9	
		2015	63	40	20	0	5	0	5	0	10	0

AAU: FINE, APPLIED ARTS & MEDIA		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	14	6	4	2	2		2		0	1
ARTS AND MUSIC		2012	16	7	7	2	3		3		1	
COMMUNICATIONS		2013	24	10	8	4	3		4		1	1
PERFORMING ARTS		2014	22	12	6	1	3		3		0	2
TELEVISION/RADIO		2015	34	18	8	0	4	0	3	0	1	2
THEATRE												

AAU: HEALTH		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	38	32	11	2	10		0	2	1	1
HEALTH SCIENCES/HUMAN SERVICES		2012	34	28	9	2	8		0	1	1	1
NURSING		2013	35	29	9	2	8		0	2	1	2
		2014	32	26	8	1	5		1	1	2	1
		2015	40	33	16	0	8	0	2	0	6	0

AAU: HUMANITIES		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		ASIAN/ PAC.ISL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL		2011	7	3	4		2		1		1	
PHILOSOPHY		2012	8	4	4		2		1		1	
		2013	8	4	4		2		1		1	
		2014	9	4	3		1		1		1	
		2015	9	6	3	0	1	0	1	0	1	0

AAU: LIBRARY		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI Ind/AI Nat, and Two or More Races)		BLACK		HISPANIC		N/ PAC.I SL.	
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	#	uu
PROFESSORIAL/NON-PROFESSORIAL LECTURER		2011	15	9	5	2	3		1		1	
		2012	14	8	4	2	2		1		1	
		2013	14	9	5	2	2		1		2	
		2014	16	11	6	1	2		1		3	
		2015	15	11	5	0	2	0	1	0	2	0

= Total number of individuals within unit AAU = Affirmative Action Unit
 UU = Underutilization Constituent Departments = List all Departments in AAU.
 JOB GROUP = Professorial; Non-Professorial-Instructor; Non-Professorial-Lecturer; Administration Groups; and Classified Groups

PROGRESS REPORT - HISTORICAL UNDERUTILIZATION - FALL 2011-2015

AAU: MATH AND COMPUTER SCIENCE		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	PROFESSORIAL	32	10	1	12		4	1	1	7	
2012	MATHEMATICS	31	10		11		3	1		7	
2013	COMPUTER SCIENCE	35	12		13		4	2	1	7	
2014		33	9		12		2	3		7	
2015		43	13	0	19	0	4	3	0	12	0

AAU: PHYSICAL SCIENCES		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	PROFESSORIAL	6	1	1	6		3	2		1	
2012	NATURAL SCIENCE	8	1	2	7		4	2		1	
2013	CHEMISTRY	13	4		9		4	4		1	
2014	PHYSICAL SCIENCES	13	6		10		4	3		3	
2015		17	7	0	12	0	5	2	0	5	0

AAU: PSYCHOLOGY		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	PROFESSORIAL	9	7		5		3	1		1	
2012	PSYCHOLOGY	9	7		5		3	1		1	
2013		10	7		6		2	2		2	
2014		9	7		5		2	1		2	
2015		11	8	0	6	0	2	2	0	2	0

AAU: SOCIAL SCIENCES		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	PROFESSORIAL	17	9		4		2	2		0	2
2012	ANTHROPOLOGY	17	9		5		3	2		0	2
2013	ECONOMICS	25	15		9		4	4		1	1
2014	HISTORY	28	16		11		4	6		1	1
2015	POLITICAL SCIENCE	26	15	0	10	0	4	5	0	1	1
	SOCIOLOGY										

AAU: BUSINESS & TECHNOLOGY		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	NON-PROFESSORIAL LECTURER	5	2	1	3		3	0		0	
2012	ACCOUNTING	9	6		7		4	3		0	1
2013	BUSINESS ADMINISTRATION	9	6		7		4	3		0	1
2014	BUSINESS MANAGEMENT	9	6		7		4	3		0	1
2015	PARALEGAL STUDIES/LEGAL ASSISTANT	10	6	0	8	0	4	4	0	0	1
	TRAVEL, TOURISM, AND HOSPITALITY										

AAU: EDUCATION		TOTAL #	WOMEN		TOTAL MINORITY (incl. Black, Hisp, As/Pac Isl, AI, Ind/AI, Nat, and Two or More Races)		BLACK	HISPANIC	ASIAN/ PAC.ISL		
JOB GROUP:	Constituent Dept.		#	uu	#	uu	#	uu	#	uu	
2011	NON-PROFESSORIAL LECTURER										
2012	ENGLISH AS A SECOND LANGUAGE										
2013	COUNSELING- ACADEMIC AND PSYCHOLOGICAL										
2014	ADULT CONTINUING EDUCATION	15	11		5		1	1		3	
2015	COOPERATIVE EDUCATION	17	12	0	8	0	3	2	0	3	0
	PROGRAM FOR THE DEAF AND HEARING IMPAIRED										
	EDUCATION										

= Total number of individuals within unit AAU = Affirmative Action Unit
 UU = Underutilization Constituent Departments = List all Departments in AAU.
 JOB GROUP = Professorial; Non-Professorial-Instructor; Non-Professorial-Lecturer; Administration Groups; and Classified Groups

Appendix - 4

Fiorello H. LaGuardia Community College
Impact Analysis Worksheets
Fall 2015
September 2014 – August 2015

IMPACT ANALYSIS WORKSHEETS

COLLEGE NAME:

LAGCC/CUNY

FEMALES AND MINORITIES

HIRES ANALYSIS

LAGCC/CUNY

PART A

February 8, 2016

#	JOB AREAS/ CATEGORY	MINORITY HIRES						FEMALE HIRES						PERCENTAGE OF HIRES			
		NON MIN		MIN		TOTAL		MALE		FEMALE		TOTAL		% of non-min hires	% of min hires	% of male hires	% of female hires
		APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES	APPL	HIRES				
	TOTAL	1890	35	5423	70	7313	105	3450	47	3863	58	7313	105	1.9%	1.3%	1.4%	1.5%
1	Exec./Adm./Mngrl.	485	19	1103	15	1588	34	589	18	999	16	1588	34	3.9%	1.4%	3.1%	1.6%
2	Faculty	344	10	319	9	663	19	331	5	332	14	663	19	2.9%	2.8%	1.5%	4.2%
3	Professional/Non-Fac.	839	5	2919	38	3758	43	1396	18	2362	25	3758	43	0.6%	1.3%	1.3%	1.1%
4	Secretarial/Clerical	37	0	232	2	269	2	188	1	81	1	269	2	0.0%	0.9%	0.5%	1.2%
5	Techn./Paraprofessional	185	1	850	6	1035	7	946	5	89	2	1035	7	0.5%	0.7%	0.5%	2.2%
6	Skilled Trades	0	0	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%
7	Service/Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0.0%	0.0%	0.0%	0.0%
8																	
9																	
10																	
	TOTAL	1890	35	5423	70	7313	105	3450	47	3863	58	7313	105	2%	1%	1%	2%

IRA WORKSHEET FOR NON-MIN VS MIN % OF HIRES

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR		IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER TEST							
		UNFAV. GROUP				FAV. GROUP		EXPECT	ACTL	DIF	STD DEV	FISHER'S VALUE	NON-MIN APPLICANTS	NON-MIN HIRED	MIN APPLICANTS	MIN HIRED	FISHER TEST RESULT		
		B	C			D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1	Exec./Adm./Mngrl.	MINORITY	1.4%	NON-MIN	3.9%	0.35	2.1%	23	15	8	3.24	*	**	N/A					
2	Faculty	MINORITY	2.8%	NON-MIN	2.9%	0.97													
3	Professional/Non-Fac.	NON-MIN	0.8%	MINORITY	1.3%														
4	Secretarial/Clerical	NON-MIN	0.0%	MINORITY	0.8%														
5	Techn./Paraprofessional	NON-MIN	0.5%	MINORITY	0.7%														
6	Skilled Trades	N/A		N/A															
7	Service/Maintenance	N/A		N/A															
8																			
9																			
10																			
	TOTAL							23	15	8									

IRA WORKSHEET FOR MALE VS FEMALE % OF HIRES

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR		IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER'S TEST							
		UNFAV. GROUP				FAV. GROUP		EXPECT	ACTL	DIF	STD DEV	FISHER'S VALUE	male app	male hires	female app	female hires	FISHER TEST RESULT		
		B	C			D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1	Exec./Adm./Mngrl.	FEMALE	1.6%	MALE	3.1%	0.52	2.1%	21	16	5	1.93	*		N/A					
2	Faculty	MALE	1.5%	FEMALE	4.2%														
3	Professional/Non-Fac.	FEMALE	1.1%	MALE	1.3%	0.82													
4	Secretarial/Clerical	MALE	0.5%	FEMALE	1.2%														
5	Techn./Paraprofessional	MALE	0.5%	FEMALE	2.2%														
6	Skilled Trades	N/A		N/A															
7	Service/Maintenance	N/A		N/A															
8																			
9																			
10																			
	TOTAL:							21	16	5									

PROMOTION ANALYSIS

LAGCC/CUNY

PART B

February 8, 2016

#	JOB AREAS/ CATEGORY	MINORITY PROMOTION						FEMALE PROMOTION						PERCENTAGE OF PROMOTION			
		NON MIN		MIN		TOTAL		MALE		FEMALE		TOTAL		% of non-min PROMOTED	% of min promoted	% OF MEN promoted	% OF FEMALE promoted
		INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED	INCUMBENT	PROMOTED				
	TOTAL	391	30	626	59	1017	89	472	27	545	62	1017	89	8%	9%	6%	11%
1	Exec./Adm./Mngrl.	87	4	77	9	144	13	58	7	86	6	144	13	6%	12%	12%	7%
2	Faculty	222	14	169	15	391	29	224	9	167	20	391	29	6%	9%	4%	12%
3	Professional/Non-Fac.	59	2	160	15	219	17	80	2	139	15	219	17	3%	8%	3%	11%
4	Secretarial/Clerical	22	6	82	13	104	19	15	2	89	17	104	19	27%	18%	13%	19%
5	Techn./Paraprofessional	13	4	42	7	55	11	25	7	30	4	55	11	31%	17%	28%	13%
6	Skilled Trades	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%	0%	0%
7	Service/Maintenance	8	0	96	0	104	0	70	0	34	0	104	0	0%	0%	0%	0%
8																	
9																	
10																	
	TOTAL	391	30	626	59	1017	89	472	27	545	62	1017	89	8%	9%	6%	11%

IRA WORKSHEET FOR NON-MIN VS MIN % OF PROMOTION

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				* IRA LESS THAN 0.8 AND DIF >= 1 PERSON		FISHER TEST					FISHER TEST RESULT NOTE	
						EXPECT	ACTL	DIF	STD DEV	** IRA LESS THAN 0.8 AND STD DEV >= 2	FISHER'S VALUE	NON-MIN INCUM	NON-MIN PRMT	MIN INCUM	MIN PRMT			
						F	G	H	I	J	K	L	M	O	P	Q		
1	Exec./Adm./Mngrl.	NON-MIN 5.97%	MINORITY 11.68%															
2	Faculty	NON-MIN 6.31%	MINORITY 8.88%															
3	Professional/Non-Fac.	NON-MIN 3.39%	MINORITY 9.38%															
4	Secretarial/Clerical	MINORITY 15.85%	NON-MIN 27.27%	0.58	18.27%	14	13	1	1.23	*								
5	Techn./Paraprofessional	MINORITY 16.67%	NON-MIN 30.77%	0.54	20.00%	8	7	1	1.11	*			13	4	42	7		NO SIGNIF. DIFF.
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	N/A	N/A															
8																		
9																		
10																		
	TOTAL					22	20	2										

IRA WORKSHEET FOR MALE VS FEMALE % OF PROMOTION

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				* IRA LESS THAN 0.8 AND DIF >= 1 PERSON		FISHER TEST					FISHER TEST RESULT NOTE	
						EXPECT	ACTL	DIF	STD DEV	** IRA LESS THAN 0.8 AND STD DEV >= 2	FISHER'S VALUE	male Incum	male prmt	female Incum	female prmt			
						F	G	H	I	J	K	L	M	N	O	P		
1	Exec./Adm./Mngrl.	FEMALE 7.0%	MALE 12.1%	0.578	9.0%	7	6	1	1.05	*								
2	Faculty	MALE 4.0%	FEMALE 12.0%															
3	Professional/Non-Fac.	MALE 2.5%	FEMALE 10.8%															
4	Secretarial/Clerical	MALE 13.3%	FEMALE 18.1%															
5	Techn./Paraprofessional	FEMALE 13.3%	MALE 28.0%	0.476	20.0%	6	4	2	1.35	*			25	7	30	4		NO SIGNIF. DIFF.
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	N/A	N/A															
8																		
9																		
10																		
	TOTAL					13	10	3										

TERMINATION ANALYSIS

LAGCC/CUNY

PART C

February 8, 2016

#	JOB AREAS/ CATEGORY	MINORITY TERMINATION						FEMALE TERMINATION						PERCENTAGE OF TERMINATION			
		NON MIN		MIN		TOTAL		MALE		FEMALE		TOTAL		% of non-min TERMINATED	% of min TERMINATED	% OF MEN TERMINATED	% OF FEMALE TERMINATED
		INCUMBENT	TERMINATED	INCUMBENT	TERMINATED	INCUMBENT	TERMINATED	INCUMBENT	TERMINATED	INCUMBENT	TERMINATED	INCUMBENT	TERMINATED				
	TOTAL	391	31	626	61	1017	92	472	34	545	58	1017	92	8%	10%	7%	11%
1	Exec./Adm./Mngrl.	67	8	77	10	144	18	58	6	86	12	144	18	12%	13%	10%	14%
2	Faculty	222	15	169	13	391	28	224	8	167	20	391	28	7%	8%	4%	12%
3	Professional/Non-Fac.	59	5	160	12	219	17	80	6	139	11	219	17	8%	8%	8%	8%
4	Secretarial/Clerical	22	1	82	9	104	10	15	3	89	7	104	10	5%	11%	20%	8%
5	Techn./Paraprofessional	13	1	42	9	55	10	25	6	30	4	55	10	8%	21%	24%	13%
6	Skilled Trades	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%	0%	0%
7	Service/Maintenance	8	1	98	8	104	9	70	5	34	4	104	9	13%	8%	7%	12%
8																	
9																	
10																	
	TOTAL	391	31	626	61	1017	92	472	34	545	58	1017	92	8%	10%	7%	11%

IRA WORKSHEET FOR NON-MIN VS MIN % OF TERMINATION

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER TEST						
						EXPECT	ACTL	DIF	STD DEV	**IRA LESS THAN 0.8 AND STD DEV >=2	FISHER'S VALUE	min Incumb	min terminated	non-min Incumb	non-min terminated	FISHER TEST RESULT NOTE		
																	J	K
1	Exec./Adm./Mngrl.	MINORITY 13.0%	NON-MIN 11.8%	0.919														
2	Faculty	MINORITY 7.7%	NON-MIN 6.8%	0.878														
3	Professional/Non-Fac.	NON-MIN 8.5%	MINORITY 7.5%															
4	Secretarial/Clerical	MINORITY 11.0%	NON-MIN 4.5%	0.414	9.6%	7	9	2	0.91	*								
5	Techn./Paraprofessional	MINORITY 21.4%	NON-MIN 7.7%	0.359	18.2%	7	9	2	1.12	*	0.2488	42	9	13	1		NO SIGNIF. DIFF.	
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	NON-MIN 12.5%	MINORITY 8.3%															
8																		
9																		
10																		
	TOTAL					14	18	4										#REF!

IRA WORKSHEET FOR MALE VS FEMALE % OF TERMINATION

February 8, 2016

#	JOB AREAS/ CATEGORY	RATE FOR UNFAV. GROUP	RATE FOR FAV. GROUP	IRA	OVER ALL RATE	ONLY IF IRA UNDER 0.8				*IRA LESS THAN 0.8 AND DIF >=1 PERSON		FISHER TEST						
						EXPECT	ACTL	DIF	STD DEV	**IRA LESS THAN 0.8 AND STD DEV >=2	FISHER'S VALUE	female Incumb	female terminated	male Incumb	male terminated	FISHER TEST RESULT NOTE		
																	J	K
1	Exec./Adm./Mngrl.	FEMALE 14.0%	MALE 10.3%	0.741	12.5%	10	12	2	0.642	*								
2	Faculty	FEMALE 12.0%	MALE 3.5%	0.298	7.2%	11	20	9	3.188	*								
3	Professional/Non-Fac.	FEMALE 7.9%	MALE 7.5%	0.948														
4	Secretarial/Clerical	MALE 20.0%	FEMALE 7.9%															
5	Techn./Paraprofessional	MALE 24.0%	FEMALE 13.3%															
6	Skilled Trades	N/A	N/A															
7	Service/Maintenance	FEMALE 11.8%	MALE 7.1%	0.607	8.7%	2	4	2	0.786	*								
8																		
9																		
10																		
	TOTAL					23	36	13										



DARE TO DO MORE

August 29, 2016

VIA EMAIL AND MAIL CERTIFIED
William Peterson, EEO Program Analyst
New York City Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

**Re: New York City Equal Employment Practices Commission Audit
Fiorello LaGuardia Community College
Optional Response to Preliminary Determination**

Dear Mr. Peterson:

Fiorello H. LaGuardia Community College (the College) is writing in response to the New York City Equal Employment Practices Commission (the Commission) Preliminary Determination: Audit Evaluation and Monitoring of Fiorello H. LaGuardia Community College's Employment Practices and Procedures from July 2, 2012 to December 31, 2015 (Preliminary Determination) received by College's President and Principal EEO Professional on August 15, 2016. The College appreciates the efforts of the Commission to ensure that the College continues building on its commitment to diversity, equal employment, and affirmative action. Please find the College's response to the Commission's Preliminary Determination below:

1. **Response to Corrective Action #1**- Please find attached to the response as Exhibit A the President's Reaffirmation of Diversity/Equal Opportunity/Affirmative for the Affirmative Action Plan year 2016-2017. President Mellow signed and disseminated this document to ensure that the College's full time administrative staff, faculty, and civil service employees are aware of the College's commitment to diversity, equal employment, and affirmative action. Please note that Reaffirmation confirms that employees will not be discriminated against on the basis of that employees' status as a caregiver, status as a victim of stalking/sexual offenses, prior record of arrest or conviction, unemployment status, and consumer credit history. Please note that the Reaffirmation includes the webpage address and hyperlink to the City University of New York's (CUNY) Equal Employment and Non-Discrimination Policy. The College will continue to modify its Reaffirmation to include any addition to the protected characteristics recognized by city, state, and/or federal law. Please also find attached to this response as Exhibit B the President's Reaffirmation email sent by President Mellow to the College community, including full time administrative staff, faculty, and civil service employees.
2. **Response to Corrective Action #2**- Please refer to Exhibit A. Please note Exhibit A now includes the names and contact information for the federal, state, and local agencies that

enforce laws against discrimination. The College will continue to ensure that this contact information is presented to the College community on an annual basis.

3. **Response to Corrective Action #3-** Please note that the College's Chief Diversity Officer, Executive Director of Human Resources, and Executive Counsel will meet bi-annually to review the number of EEO complaints, to identify potential barriers to equal opportunity within the agency, and determine what, if any, corrective actions are required in order to correct deficiencies such as underutilization or adverse impact. Please note that the first meeting will occur in November of 2016, after the publishing of the Colleges 2016/2017 Affirmative Action Plan.
4. **Response to Corrective Action #4-** Please be advised that the College addresses adverse impact concerns for each job search conducted by the College. The College ensures that each member of the job vacancy's assigned search committee is charged by the Chief Diversity Officer on adverse impact, equal employment/affirmative action goals and best practices, as well as the committee's responsibility to make sure that the selection criteria they utilize is related to the job duties and qualifications of that particular job vacancy. The College will continue to ensure that the Chief Diversity Officer charges all search committee members on their responsibilities for each job search conducted by the College.
5. **Response to Corrective Action #5-** Please find attached to this response as Exhibit C Chief Diversity Officer approved recruitment plans for job vacancies within the audit period (7/1/12-12/31/15) in the Administration I Affirmative Action Unit (AAU) (President, Sr. Vice President, Vice Presidents, Administrators, Associate Administrators, Associate Deans, and Assistant Deans). Please note that these approved recruitment plans confirm that the College advertised in minority and/or female oriented publications to address underrepresentation and/or underutilization during the audit period. Please also note that, as evidenced by Exhibit C, the College also contacted organizations that serve the interests of women, minorities, and other protected groups during the audit period. On August 26, 2016, the College attended a job fair hosted at the Queens Center Mall, and that at this fair the College advertised all current job openings for full time administrative staff and civil service titles. The College will continue to ensure outreach to advertisers and organizations that represent the interests of women, minorities, and other protected groups. The College will also attend job fairs and create internship programs as a means of attracting candidates that are women, minorities, and other protected groups.
6. **Response to Corrective Action #6-** Please be advised that the College previously provided the Commission with EEO Professional approved, job search specific recruitment plans which confirmed direct advertisement to minority and female-oriented publications as well as direct contact with organizations serving women, minorities, and other protected groups. Exhibit C is another example of the College's continued commitment to outreach to potential candidates that are women, minorities, and other protected groups. Please also be advised that the College works in collaboration with the City University of New York (CUNY) to ensure that for each civil service job vacancy a review of the core competencies, skills and abilities required (as presented in job vacancy

notices and notices of examination) for available positions are updated, job-related and required by business necessity.

7. **Response to Corrective Action #7-** Please find attached to this response as Exhibit D documentation which confirms that for each job search the College uses and maintains an applicant/candidate log or tracking system which captures the date of each individual interview, the interviewers' names, and the results of each interview. Please find attached to this response as Exhibit E documentation that confirms that all candidates who apply to a job vacancy at the College are provided with an opportunity to self-identify as a veteran or an individual with a disability and that this information is tracked throughout the job search process. Please find attached to this response as Exhibit F documentation that identifies each selected candidate's recruitment source. The responsibility for recording and maintaining this information is assigned to the search committee's staff person, not the hiring manager.

8. **Response to Corrective Action #8-** Please be advised that the College has two employees in the Human Resources department who are already providing career counseling to employees upon request. The College will continue to ensure that employees have access to career counseling at their request.

9. **Response to Corrective Action #9-** Please be advised that the College will distribute the identity of the Human Resource employees who already provide career counseling to the College's employees. The College will also ensure that all employees have access to information regarding performance evaluation standards.

10. **Response to Corrective Action #10-** The College will maintain appropriate documentation of meetings and other communications between 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.

Please contact my office with any additional questions or concerns regarding the documentation provided or with any additional requests for documentation.

Very truly yours,



Christopher Todd Carozza, Esq.
Chief Diversity Officer
504/ADA Coordinator
City University of New York- LaGuardia Community College
Enclosures



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

September 2, 2016

Dr. Gail O. Mellow
President
Fiorello H. LaGuardia Community College
31-10 Thomson Ave
Long Island City, NY 11101

RE: Audit Resolution # **2016/469**: Final Determination Pursuant to the Audit: Review, Evaluation and Monitoring of Fiorello H. LaGuardia Community College's Employment Practices and Procedures from July 1, 2012 to December 31, 2015.

Dear President Mellow:

On behalf of the members of the Equal Employment Practices Commission (Commission or EEPC), thank you for the LaGuardia Community College Chief Diversity Officer's August 29, 2016 response to our August 15, 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 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 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.

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: September 2016 to February 2017.

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 final corrective action, 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. 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 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 E. 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: Christopher Todd Carozza, Esq., Principal EEO Professional

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 responses² to the following EEPC required corrective actions, we *Agree* based on documentation that is attached to your response.

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] Chief Diversity Officer approved [twelve (12)] recruitment plans for job vacancies within the audit period (7/1/12-12/31/15) in the Administration I Affirmative Action Unit (AAU)... [T]hese approved recruitment plans [for Assistant Dean, Associate Dean, Executive Director, and Vice President vacancies] confirm that the College advertised in minority and/or female oriented publications to address underrepresentation and/or underutilization during the audit period... [T]he College also contacted organizations that serve the interests of women, minorities, and other protected groups during the audit period." (Response, Pg. 2.)

EEPC Response: The EEPC accepts that the agency's recruitment plans for discretionary job titles in the Administrative I job group, demonstrated efforts to implement corrective action #5. The recruitment plans demonstrate that the agency made efforts develop and hire interested and qualified women, minorities, and candidates from other protected groups into discretionary titles with underrepresentation during the period in review.

Corrective Action #7: Use and maintain an applicant/candidate log or tracking system which, in addition to the aforementioned information, also captures *disability or veteran status, interview date, interviewers' names, result, and recruitment source*. Ensure that the process avoids the

² Excerpts are italicized.

appearance of bias by delegating the responsibility for recording and maintaining this information to an individual other than the hiring manager.

Agency Response: *“Please find attached to this response ... documentation which confirms that for each job search the College uses and maintains an applicant/candidate log or tracking system which captures the date of each individual interview, the interviewers' names, and the results of each interview[;]... documentation that confirms that all candidates who apply to a job vacancy at the College are provided with an opportunity to self-identify as a veteran or an individual with a disability and that this information is tracked throughout the job search process[;]... [and] documentation that identifies each selected candidate's recruitment source. The responsibility for recording and maintaining this information is assigned to the search committee's staff person, not the hiring manager.”* (Response Pg. 3.)

EEPC Response: The EEPC accepts the agency's response to corrective action #7. The agency provided documentation that applicants were provided the opportunity to voluntarily disclose their *disability status* and their *protected veteran status* in its applicant/candidate tracking system, CUNYFirst. The agency provided documentation that it tracked *Search Committee: (interviewers' names), Date of Interview, Interview Outcome (result), and Applicant Referral (recruitment source)*. The agency previously demonstrated that CUNYFirst captured: *Position, Applicant Name, Applicant Number, Ethnic Group, Gender, Status Reason [(disposition)], Job Opening, Business Unit, Company, Job Code, Openings to Fill, and Latest Applicant Status*.

Monitoring Required

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

Corrective Action #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.

Agency Response: The President of the College *“signed and disseminated ...[a Reaffirmation of Diversity/Equal Opportunity/ Affirmative for the Affirmative Action Plan year 2016-2017 on August 23, 2016,] to ensure that the College's full time administrative staff, faculty, and civil service employees are aware of the College's commitment to diversity, equal employment, and affirmative action... [T]he President's Reaffirmation email [was] sent... to the College community, including full time administrative staff, faculty, and civil service employees.”* (Response, Pg. 1.) The President's EEO Policy statement stated *“[i]t is the policy of The City University of New York and LaGuardia Community College to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, marital status, legally registered domestic partnership status, disability, predisposing genetic characteristics, alienage, citizenship, military or veteran status, prior record of arrest or conviction, unemployment status, consumer credit history, caregiver status, status as a victim of*

sexual offenses, status as a victim of stalking, or status as a victim of domestic violence.”
(Response, Pg. 5.)

EEPC Response: The EEPC recognizes the agency’s efforts to implement corrective action **#1**. Documentation which confirms the President’s EEO Policy statement was revised to include an up-to-date list of protected classes under NYC and NYS Human Rights Laws (including “pregnancy”) and was redistributed to all employees will be required during the compliance-monitoring period.

Corrective Action #2: Distribute/Post a paper or electronic copy of 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: an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the federal, state and local agencies that enforce laws against discrimination.

Agency Response: The EEO Policy statement “...now includes the names and contact information for the federal, state, and local agencies that enforce laws against discrimination. The College will continue to ensure that this contact information is presented to the College community on an annual basis.” (Response, Pgs. 1 and 2.) The agency’s EEO Policy Statement reported “[p]lease be advised that in addition to LaGuardia Community College’s Office of Compliance and Diversity you can find information on equal employment and affirmative action from the following sources: New York City Commission on Human Rights (718-722-3130), the New York State Division on Human Rights (518-474-2705), and the United States Equal Employment Opportunity Commission (866-408-8075).” (Response, Pg. 9.)

EEPC Response: The EEPC recognizes the agency’s efforts to implement corrective action **#2**. Documentation which confirms the agency’s EEO Policy was revised to include an attachment of an up-to-date list of protected classes (including pregnancy) under NYC and NYS Human Rights Laws and the current contact information for the federal, state and local agencies that enforce laws against discrimination, and was redistributed to all employees will be required during the compliance-monitoring period.

Corrective Action #3: Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints 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).

Agency Response: “[T]he College’s Chief Diversity Officer, Executive Director of Human Resources, and Executive Counsel will meet biannually to review the number of EEO complaints, to identify potential barriers to equal opportunity within the agency, and determine what, if any, corrective actions are required in order to correct deficiencies such as underutilization or adverse impact. Please note that the first meeting will occur in November of 2016, after the publishing of the Colleges 2016/2017 Affirmative Action Plan.” (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 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 will be required during the compliance-monitoring period.

Corrective Action #4: 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: “[T]he College addresses adverse impact concerns for each job search conducted by the College. The College ensures that each member of the job vacancy’s assigned search committee is charged by the Chief Diversity Officer on adverse impact, equal employment/affirmative action goals and best practices, as well as the committee’s responsibility to make sure that the selection criteria they utilize is related to the job duties and qualifications of that particular job vacancy. The College will continue to ensure that the Chief Diversity Officer charges all search committee members on their responsibilities for each job search conducted by the College.” (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency’s efforts to implement corrective action #4. An agency assessment of its selection criteria for job groups with underrepresentation 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: 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 CUNY Central 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.

Agency Response: “[...]the College works in collaboration with the City University of New York (CUNY) to ensure that for each civil service job vacancy a review of the core competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions are updated, job-related and required by business necessity.” (Response, Pgs. 2 and 3.) The agency also reported “[o]n August 26, 2016, the College attended a job fair hosted at the Queens Center Mall, and that at this fair the College advertised all current job openings for full time administrative staff and civil service titles. The College will continue to ensure outreach to advertisers and organizations that represent the interests of women, minorities, and other protected groups. The College will also attend job fairs and create internship programs as a means of attracting candidates that are women, minorities, and other protected groups.” (Response, Pg. 2.)

EEPC Response: The EEPC recognizes the agency’s efforts to address corrective action #6. Documentation which confirms the agency’s efforts to address underrepresentation of protected

groups in *civil service* (list) titles will be required during the compliance-monitoring period. The EEPC will provide further guidance at the initiation of the compliance-monitoring period.

Corrective Action #8: 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: “[T]he College has two employees in the Human Resources department who are already providing career counseling to employees upon request. The College will continue to ensure that employees have access to career counseling at their request.” (Response Pg. 3.)

EEPC Response: The EEPC recognizes the agency's efforts to address corrective action #8. Documentation that demonstrates employees were notified of the identities and type of guidance available from the Career Counselors will be required during the compliance-monitoring period.

Corrective Action #9: Ensure that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding performance evaluation standards.

Agency Response: “[T]he College will distribute the identity of the Human Resource employees who already provide career counseling to the College's employees. The College will also ensure that all employees have access to information regarding performance evaluation standards.” (Response, Pg. 3.)

EEPC Response: The EEPC recognizes the agency's commitment to address corrective action #9. Documentation that employees were notified of the identity of the Career Counselor by the Human Resources Department, and documentation that employees were notified of performance evaluation standards will be required during the compliance-monitoring period.

Corrective Action #10: 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 College will maintain appropriate documentation of meetings and other communications between 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 Pg. 3.)



EEPC Response: The EEPC recognizes the agency's commitment to implement corrective action **#10**. Appropriate documentation of meetings between the principal EEO professional and the agency head (or a direct report other than the General Counsel), with regard to decisions impacting the administration and operation of the EEO program, if any, will be required during the compliance-monitoring period.

Thank you and your staff for your continued cooperation.

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

RESOLUTION # 2016/469: Final Determination pursuant to the Audit: Review, Evaluation and Monitoring of Fiorello H. LaGuardia Community College's Employment Practices and Procedures from July 1, 2012 through 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 Fiorello H. LaGuardia Community College's (LAGCC) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 15, 2016, setting forth findings and the following required corrective actions:

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.
2. Distribute/Post a paper or electronic copy of 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: an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the federal, state and local agencies that enforce laws against discrimination.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints 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).
4. 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. 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 CUNY Central 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.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the aforementioned information, also captures disability or veteran status, interview date, interviewers' names, result, 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.
8. 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.
9. Ensure that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding performance evaluation standards.
10. 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.

Whereas, the agency submitted its response to the EEPC's Preliminary Determination letter, on August 29, 2016 with documentation of its actions to rectify required corrective action nos. 5, and 7; 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 2, 2016 which agreed and indicated that corrective action(s) nos. 1, 2, 3, 4, 6, 8, 9, and 10 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 September 2016 through February 2017, 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 President Dr. Gail O. Mellow, of Fiorello H. LaGuardia Community College.

Approved unanimously on September 9, 2016.



Angela Cabrera
Commissioner



Arva Rice
Commissioner



Malini Cadambi Daniel
Commissioner

Absent

Elaine S. Reiss, Esq.
Commissioner



DARE TO DO MORE

October 3, 2016

VIA EMAIL AND MAIL CERTIFIED

Marie E. Giraud, Esq., Director of Compliance Monitoring
New York City Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

**Re: New York City Equal Employment Practices Commission Audit
Fiorello LaGuardia Community College
Monthly Compliance Monitoring Report- September 2016**

Dear Ms. Giraud:

Fiorello H. LaGuardia Community College (the College) is writing in response to the New York City Equal Employment Practices Commission (the Commission) Monthly Compliance Monitoring Report- September 2016 (Compliance Report) received by College's Chief Diversity Officer on September 27, 2016. The College appreciates the efforts of the Commission to ensure that the College continues building on its commitment to diversity, equal employment, and affirmative action. Please find the College's response to the Compliance Monitoring Report below:

1. **Corrective Action #1**- The College acknowledges Corrective Action #1 and during the compliance period the College will issue an Equal Employment Opportunity (EEO) Policy Statement reiterating the College's commitment to EEO practices and principals. The College will ensure that the EEO Policy Statement declares our position against discrimination on any protected basis. The EEO Policy Statement will also advise the College's employees of the names and contact information of EEO Professionals and will provide employees with a link to the City University of New York (CUNY) Equal Employment and Non-Discrimination Policy (the EEO Policy).
2. **Corrective Action #2**- The College acknowledges Corrective Action #2; however, the College is unable to change CUNY EEO Policy. The CUNY Central Office is the entity that is capable of adding protected classes and current contact information for federal, state, and local agencies that enforce laws against discrimination. The College will work with the NYC EEPC to address this corrective action.
3. **Corrective Action #3**- The College acknowledges Corrective Action #3 and during the compliance period the College will ensure that the Chief Diversity Officer, Executive Director of Human Resources, and the Executive Counsel to the President will meet to review the annual number of EEO complaints to identify whether there are barriers to

equal opportunity and determine what corrective actions may be necessary in order to correct deficiencies.

4. **Corrective Action #4**- The College acknowledges Corrective Action #4; however, the College works in conjunction with CUNY Central to determine selection criteria utilized. The College will work with the NYC EEPD to address this corrective action.
5. **Corrective Action #6**- The College acknowledges Corrective Action #6; however, the College works in conjunction with CUNY Central in reviewing competencies, skills, and abilities required for civil service titles. The College has also provided the NYC EEPD with a list of minority- and female-oriented publications and organizations that were contacted to attempt to address underutilization in civil service titles. The College will continue to submit this documentation to the NYC EEPD during the compliance period. The College will work with the NYC EEPD to address this corrective action.
6. **Corrective Action #8**- The College acknowledges Corrective Action #8; however, the title of Career Counselor does not exist at the College. Claudette Gray and Linda Harris are Associate Directors of Human Resources with responsibility for classified staff relations and faculty and staff relations, respectively. As part of their employee relation functions, they provide guidance to employees on various aspects of career advancement. The College will remind employees of the identity/type of guidance available from these two experienced HR Professionals yearly.
7. **Corrective Action #9**-The College acknowledges Corrective Action #9 and will ensure the HR Department provides employees with access to information regarding the College's performance evaluation standards.
8. **Corrective Action #10**- The College acknowledges Corrective Action #10 and will ensure that Dr. Gail Mellow, President, and the Chief Diversity Officer of the College will maintain appropriate documentation of meetings regarding decisions that impact the administration and operation of the EEO Program.

Please contact my office with any additional questions or concerns regarding the documentation provided or with any additional requests for documentation.

Very truly yours,



Christopher Todd Carozza, Esq.
Chief Diversity Officer
504/ADA Coordinator
City University of New York- LaGuardia Community College



DARE TO DO MORE

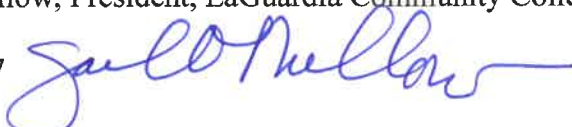
Office of the President

PHONE: 718-482-5050

FAX: 718-609-2009

To: LaGuardia Community College Campus Community

From: Dr. Gail O. Mellow, President, LaGuardia Community College

Date: March 13, 2017 

Re: LaGuardia Community College's Commitment to Equal Employment Opportunity - Equal Employment Practices Commission Audit Action

LaGuardia Community College (LaGCC) has a tradition of commitment to the principles of equal employment opportunity (EEO), affirmative action (AA), diversity, and inclusion in all aspects of higher education employment practices. On August 15, 2016, the New York City Equal Employment Practices Commission (NYC EEPC) completed an Audit of LaGuardia Community College's Employment Practices and Procedures for the period July 1, 2012 through December 31, 2015.

Following this audit, LaGCC was required to implement the corrective actions identified in the EEPC's audit. LaGuardia Community College, with the guidance of the NYC EEPC, worked diligently to answer all inquiries posed by the NYC EEPC, as well as enhance our EEO/AA practices. I am pleased to report that the following changes have been implemented:

- LaGCC reaffirmed our commitment to recruit, employ, retain, promote, and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender identity, pregnancy, marital status, legally registered domestic partnership status, disability, predisposing genetic characteristics, alienage, citizenship, military or veteran status, prior record of arrest or conviction, unemployment status, consumer credit history, caregiver status, status as a victim of sexual offenses, status as a victim of stalking, or status as a victim of domestic violence. LaGCC also informed the Campus Community of information about external agencies that handle complaints of unlawful discrimination and harassment. This reaffirmation is posted on LaGCC's Labor and Compliance website: http://www.laguardia.edu/uploadedFiles/Main_Site/Content/Departments/Legal_Affairs/Compliance_and_Diversity/Docs/diversity-reaffirmation.pdf. This information was also distributed to the College Community.
- LaGCC worked directly with the City University of New York to update the CUNY EEO Policy to include various protected groups as well as information about external agencies that handle complaints of unlawful discrimination and harassment. This Policy can be

found on the LaGCC Labor and Compliance website:
<http://www.laguardia.edu/Compliance-and-Diversity/>

- LaGCC's Chief Diversity Officer will continue to regularly meet and consult with my office, with the Executive Counsel to my office, and with the Executive Director of Human Resources on all relevant EEO matters and will document these discussions.
- LaGCC will continue to promote the utilization of diversity recruitment resources to attract candidates from all backgrounds, including underutilized and underrepresented groups. The Chief Diversity Officer will consult regularly with Human Resources and CUNY Central office to develop a strong and reliable network of diversity recruitment resources for all LaGCC College job searches.
- LaGCC will review the preferred competencies, skills, and job requirements listed in job postings to ensure that they are job related.
- LaGCC will ensure employees have access to the standards by which they will be evaluated during performance evaluations.
- LaGCC has designated Claudette Gray as a resource to provide career counseling to employees by appointment. This information was also distributed to the College Community on March 7, 2017.

If any individual has a complaint of unlawful discrimination or harassment, please contact Chief Diversity Officer Christopher Todd Carozza, Esq., at ccarozza@lagcc.cuny.edu or 718-619-2851. Mr. Carozza's office is located at 31-10 Thomson Avenue, Room E512C, Long Island City, New York, 11101.

I want to thank the entire LaGCC College Community for your continued support of and commitment to EEO, diversity, and inclusion in all facets of the College.

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

RESOLUTION #2016AP/469C-35 Determination of **Compliance** (Monitoring Period Required) by the Fiorello H. LaGuardia Community College with the Equal Employment Practices Commission's required corrective actions pursuant to the Review, Evaluation and Monitoring of the Fiorello H. LaGuardia Community College's Employment Practices and Procedures from July 1, 2012 through 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 Fiorello H. LaGuardia Community College's (LGACC) Employment Practices and Procedures, the Equal Employment Practices Commission (EEPC) issued a Preliminary Determination letter, dated August 15, 2016, setting forth findings and the following required corrective actions:

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.
2. Distribute/Post a paper or electronic copy of 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: an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for the federal, state and local agencies that enforce laws against discrimination.
3. Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints 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).
4. 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. 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 CUNY Central 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.
7. Use and maintain an applicant/candidate log or tracking system which, in addition to the aforementioned information, also captures *disability or veteran status, interview date, interviewers' names, result, 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.
8. 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.
9. Ensure that the Human Resources Professional distributes the identity of the agency Career Counselor and ensures that all employees have access to information regarding performance evaluation standards.
10. 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.

Whereas, the LGACC submitted its response to the EEPC's Preliminary Determination letter, on August 29, 2016, with documentation of its actions to rectify required corrective actions No. 5 and 7; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a Final Determination on September 2, 2016, which agreed and accepted documentation for implementation of the aforementioned corrective actions, with corrective actions No., 1 - 4, 6, and 8 - 10, remaining; and

Whereas, the LGACC submitted its response to the EEPC's final determination letter, on October 3, 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 September 2016 through February 2017 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 LGACC submitted a copy of the agency head's memorandum to staff dated March 13, 2017,

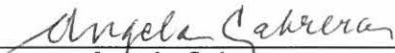
which outlined the corrective actions implemented in response to the EEPC's audit and reiterated her commitment to the agency's EEO Program; and

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 Fiorello H. LaGuardia Community College has implemented the required corrective actions deemed necessary to ensure compliance with the equal employment opportunity standards of this Commission and requirements of Chapters 35 and 36 of the City Charter.

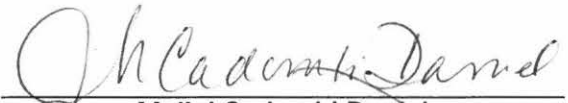
Be It Finally Resolved, that the Commission will forward the Determination of Compliance to the President Dr. Gail O. Mellow of the Fiorello H. LaGuardia Community College.

Approved unanimously on March 30, 2017.

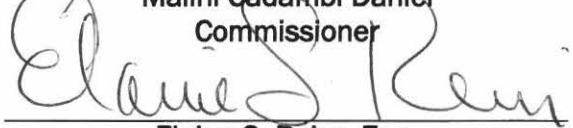


Angela Cabrera
Commissioner

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

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Executive Director

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Suite 602
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212. 615. 8939 tel.
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March 30, 2017

Dr. Gail O. Mellow
President
Fiorello H. LaGuardia Community College
31-10 Thomson Ave
Long Island City, NY 11101

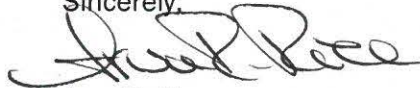
Re: Resolution #2016AP/469C-35: Determination of Agency
Compliance

Dear President Mellow:

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 Fiorello H. LaGuardia Community College. This Commission has determined that the Fiorello H. LaGuardia Community College 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 Christopher Todd Carozza, Esq. for the cooperation extended to the EEPC during the compliance-monitoring period.

Sincerely,



Arva R. Rice
Commissioner

c: Christopher Todd Carozza, Esq., Principal EEO Professional
Judith Garcia Quiñonez, Esq., Executive Agency Counsel

This

Determination of Compliance

is issued to

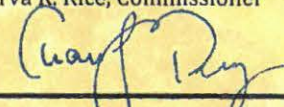
Fiorello H. LaGuardia Community College

*for successfully implementing 10 of 10 required corrective actions pursuant to the Equal Employment Practices Commission's
Employment Practice and Procedures Audit From January 1, 2012 to this date.*

On this 30th day of March in the year 2017,



Arva R. Rice, Commissioner



Charise L. Terry, RHR, Executive Director

*In care of President, Dr. Gail O. Mellow
and Principal EEO Professional, Christopher Todd Carozza, Esq.*