

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/06-850: Preliminary Determination Pursuant to the Audit of the Department of Design & Construction's (DDC) Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

Whereas, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the Department of Design & Construction's Equal Employment Opportunity Program; and

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

Be It Resolved,

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

1. The agency's job vacancy notices and advertisements did not indicate that the DDC is an Equal Opportunity Employer.
2. Sixty percent of the *EEPC's Employee Survey* respondents stated that they do not know who the agency's Disabilities Rights Coordinator is.
3. None of the 10 complaint files submitted by the agency contained a Complaint Intake Form or a complaint that captures the information required on this form
4. None of the 10 complaint files contained a written notice of discrimination complaint to the respondent.

5. Four of the 10 complaint files did not contain investigation interview notes.
6. Seventy-four percent of the EEPC's Employee Survey respondents indicated that they did not know the name of the person responsible for career counseling.
7. Managers and supervisors did not re-emphasize the agency's commitment to EEO or discuss the agency's EEO policies and procedures with their subordinate during regular staff meetings.

Be It Finally Resolved,

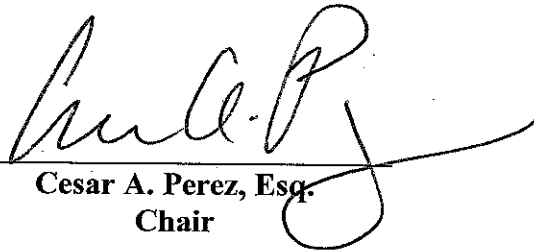
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Department of Design & Construction's Commissioner, David J. Burney, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the Department of Design & Construction will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on July 28, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner



Cesar A. Perez, Esq.
Chair