



EQUAL EMPLOYMENT PRACTICES COMMISSION

SUMMARY COMPLIANCE REPORT

Agency: Department of Design and Construction
Agency Head: David J. Burney
EEO Officers: Dalela Harris, Director of EEO
Audit Period: January 1, 2007- December 31, 2009

Agency Census as of December 31, 2009: 1,098

Date of Preliminary Determination Letter: July 28, 2011
Date of Response Letter: August 29, 2011
Date EEPC Letter of Final Determination: October 12, 2011

Compliance Initiated: January 9, 2012
Compliance Completed: June 2012
Covering Months: January, 2012- June, 2012

Date: June 28, 2012

Pursuant to the findings and recommendations of the Equal Employment Practices Commission's (EEPC) Audit of Compliance by the Department of Design & Construction (DDC) with the Citywide Equal Employment Opportunity Policy, EEPC initiated Audit Compliance with the DDC in January, 2012. The DDC's final Monthly Compliance Report was submitted on May 25, 2012.

All eight required actions were completed or accepted. The following is a summary of the compliance reports:

- 1. All agency recruitment literature should indicate that the agency and the City of New York is an equal opportunity employer. (Sec. IV, EEOP)**

The Department of Design & Construction instituted the practice of including the EEO tag line to indicate the DDC is an equal opportunity employer in recruitment literature and provided the EEPC with copies of its most current Job Vacancy Notices.

The required action was implemented in January 2012.

- 2. To ensure that all employees are aware of the person responsible for handling reasonable accommodation requests and ensuring compliance with federal, state, and local laws, as well as City and agency policies pertaining to persons with disabilities, the agency should redistribute to all employees in writing, the name, location, and telephone number of this person. (Sect. VB and VC, EEOP)**

The Department of Design & Construction issued a memo to all staff informing them of the identity, location and contact information for the Disability Rights Coordinator.

The required action was implemented in December 2011.

- 3. All internal discrimination complaint files should include an *Agency Complaint of Discrimination Based on Anonymous/ Oral Complaint Form* completed by the complainant of the EEO representative, or a complaint that captures the information required on this form (DCPIG Sect. 10/12 and Appendix D)**

In January, 2010, the DDC commenced the practice of using the Complaint of Discrimination Form. The agency provided the EEPC with a copy of a compliant file with the completed form.

The implementation of the required action was accepted in January 2012.

- 4. The EEO Officer/ Counselor should serve the respondent with a notice of complaint (or another document that includes the respondent's right to respond to the allegations and right to be accompanied by a representative of his/her choice) along with a copy of the complaint. The EEO Officer should keep receipts regarding the service of notice on the respondent in the complaint file. (DCPIG, Sec. 12 (b))**

In January 2010, the DDC commenced the practice of serving the respondent with a notice of complaint. A redacted copy of a notice of complaint served on a respondent was provided.

The implementation of the required action was accepted in January 2012.

- 5. Because the DCPIG requires the investigator to report words spoken and facts provided as close to verbatim as possible, complaint files must contain thorough word processed notes, for each interview. (Sect. 12b, DCPIG and EEPC Position)**

In January 2010, the DDC commenced the practice of maintaining complaint files with written and typed notes of each investigative interview. The agency provided a copy of a complaint file with typed interview notes.

The implementation of the required action was accepted in January 2012.

- 6. To ensure that employees know the identity of the agency's Career Counselor, the personnel officer should re-distribute to all employees the identity of, and the type of guidance which is available from, the Career Counselor. This should be done at least once per year. (12/14/ 2006 addendum to *EEOP Standards and Procedures to Be Utilized By City Agencies (2005)* and Sect. VF, EEOP)**

The DDC issued a memo to all staff informing them of the identity, location and contact information for the Career Counselor, and provided a copy.

The required action was implemented in December 2011.

7. **The agency head should direct managers and supervisors to emphasize at least twice a year their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO office. These meetings must be documented. (DCAS, Model Agency EEO Commitment Memo and EEPC Position)**

The DDC Commissioner directed managers and supervisors to document two meetings per year in which they discuss their commitment to the agency's EEO Policy and the right of each employee to file a discrimination complaint with the Office of EEO. The agency provided sign in sheets from meetings and a chart on which the EEO Office tracks implementation of this directive.

The required action was implemented in April 2012. *

8. **Since the Charter and the EEOP require the agency head to ensure and promote equal employment opportunity, after implementation of the above recommendations, the agency head should distribute a memorandum to all staff informing them of the changes that have been implemented in the agency's EEO program pursuant to the EEPC's audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.**

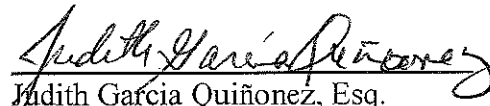
On December 13, 2011, the DDC Commissioner issued a memorandum to all employees informing them of the EEPC audit, and the agency's implementation of the audit recommendations. He also reaffirmed his commitment the DDC's commitment to equal opportunity and diversity. A copy is attached.


The required action was completed in December 2011.

Recommendation

Based on the above information, we recommend that the Equal Employment Practices Commission issue a Letter of Completion of Compliance to Commissioner David J. Burney, informing him that the Department of Design and Construction has implemented the recommended corrective actions to the Commission's satisfaction.

Respectfully Submitted,


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Agency Counsel
Director of Compliance


Charise L. Hendricks
Interim Executive Director