

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

RESOLUTION #07/09-008: Preliminary Determination Pursuant to the Audit of the Office of the Actuary's Equal Employment Opportunity Program from January 1, 2005 through December 31, 2006.

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

Whereas, the Equal Employment Practices Commission audited the Office of the Actuary'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 Office of the Actuary's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The agency's EEO Policy does not contain the current list of "protected classes" under the New York City and New York State Human Rights Laws.
2. The OTA did not distribute the Section 55-A program brochures to employees.
3. The EEO officer was not formally appointed the disabilities rights coordinator.
4. The EEO officer is uncertain if the sinks in the agency's bathrooms are low enough to accommodate a person in a wheelchair.
5. The EEO counselor did not complete the DCAS training program for EEO professionals.
6. The EEO officer did not have regularly scheduled meetings with the EEO counselor.
7. The OTA did not conduct EEO training for its employees.

8. Two managers who were involved in conducting job interviews did not receive structured interview training.
9. Sixty-four percent of survey respondents (all of whom were employed for at least one year) indicated they had not received annual performance evaluations.

Be It Finally Resolved,

that the Commission authorized the Chair, Ernest F. Hart, Esq., to forward a letter to the Chief Actuary, Robert C. North, Jr., 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 Office of the Actuary will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on July 12, 2007.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair