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October 18, 2012

Raymond W. Kelly  
Commissioner  
New York City Police Department  
One Police Plaza  
New York, New York 10038

Re: **Resolution #12/29-056** Preliminary Determination Pursuant to the Audit of the New York City Police Department's (NYPD) Equal Employment Opportunity Program from July 1, 2008 through June 30, 2011.

Dear Commissioner Kelly:

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 women and minority municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment by city agencies.

Pursuant to Chapter 36, Section 831(d)(5) of the New York City Charter, the Equal Employment Practices Commission (EEOC) is empowered 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.

Section 831(d)(2) authorizes this Commission to recommend all necessary and appropriate measures, standards and programs to be utilized by city agencies to ensure a fair and effective affirmative employment program of equal employment opportunity for minority group members and women employed by, or seeking employment with, city agencies.

The Charter defines 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..."

This letter contains the preliminary determinations of the EEPD pursuant to its audit of compliance by the New York City Police Department (NYPD), which may herein be referred to as "the agency," during the thirty-six month period commencing July 1, 2008 and ending June 30, 2011. Requests for corrective actions and/or recommendations are included where the EEPD has determined that the agency has failed to comply in whole or in part with the City's EEO Policy.

All recommendations for corrective actions are consistent with both the audit's findings and the parameters set forth in the EEO Policy, which, in accordance with section 815 of the City Charter, holds agency heads responsible for the effective implementation of equal employment opportunity. Therefore, the agency should incorporate these recommendations in its agency-specific EEO Plan.

The purpose of this audit is to evaluate the agency's compliance with the EEO, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

### **Scope and Methodology**

Audit methodology included a collection and analysis of the documents, records and data the agency provided in response to the *EEPC's Document and Information Request Form*. The EEPD sent interview questionnaires to the agency's EEO Officer/ Disability Rights Coordinator, Director of Human Resources, Section 55-A Coordinator, Career Counselor, three EEO Managers, four Supervising EEO Investigators, 7 EEO Investigators, two EEO Trainers, and Executive Agency Counsel (individual responsible for responding to external EEO complaints).

Due to the volume of surveys required, the EEPD experienced lengthy delays in printing the *EEPC Employee Survey*. The NYPD then assisted the EEPD in distributing printed versions of the survey to its workforce of 55,000 employees; 395 individuals (1%) responded. Because the EEPD considers a minimum response rate of 20% significant, the results of the employee survey will not be used in this report.

Since the City's EEO Policy holds supervisors and managers accountable for "effectively implementing EEO-related policies" and ensuring non-discrimination within their departments or units, the EEPD requested the NYPD's assistance in distributing a URL to the *EEPC's Supervisor/Manager Survey*. The NYPD distributed the URL via teletype ("FINEST") message to all commands with a request that supervisors/managers complete the survey on-line. The message was sent twice to 10,379 supervisors/managers; 279 people (2.7%) responded. Again, because the EEPD considers a minimum response rate of 20% significant, the results of the supervisor/manager survey will not be used in this report.

As a result, audit findings are based on the analysis of factual information and responses to the completed interview questionnaires.

## **Description of the Agency**

The New York City Police Department is a Mayoral agency led by a civilian Commissioner appointed by the Mayor. The mission of the New York City Police Department is to enhance the quality of life in New York City by working in partnership with the community and in accordance with constitutional rights to enforce the laws, preserve the peace, reduce fear, and provide for a safe environment. It employs approximately 34,000 uniformed law enforcement officers with extensive and varied training in community affairs, crime prevention, investigations, narcotics enforcement, forensic science, law, and youth relations. The NYPD also employs approximately 15,000 civilians who perform various administrative, analytical, legal, specialized and supportive functions within the agency.

## **Personnel Activity During the Audit Period**

According to workforce data provided by the agency, during the audit period 174,602 people applied for jobs with the agency: 45,461 African-Americans, 11,115 Asians, 69,517 Caucasians, 43,566 Hispanics, 511 Native-Americans, and 4,432 "Unknown." Of those who applied, 51,129 were female and 1,172 "Unknown." During the audit period, 8,065 people were hired: 2,405 African-Americans, 668 Asians, 2,855 Caucasians, 2,106 Hispanics, 22 Native Americans and 9 "Unknown." Of the individuals hired, 3,168 were female. Five thousand, three hundred and ninety-six individuals were promoted during the audit period: 1,275 African-Americans, 422 Asians, 2,587 Caucasians, 1,104 Hispanics, 4 Native Americans, and 4 "Unknown." Of the employees promoted, 1,352 were female. (Appendix 1)

The agency reported that 1,031 full-time employees were involuntarily separated during the audit period: 563 African-Americans, 123 Asians, 97 Caucasians, 244 Hispanics, and 4 "Unknown." Six hundred and forty-eight of those individuals were female and 1 "Unknown."

Between July 1, 2008 and June 30, 2011, the total number of the agency's employees decreased from 53,636 to 51,290. There was an increase in the number of Asians (2,544 to 2,729). There were decreases in the number of African-Americans (16,173 to 15,490), Caucasians (22,194 to 20,621), Hispanics (12,627 to 12,359), Native Americans (95 to 91) and females (19,045 to 18,166). (Appendices 2 and 3)

## **Discrimination Complaint Activity During the Audit Period**

During the period in review, 1,207 internal discrimination complaints were filed: 427 were based on gender, 258 were based on race, 118 were based on national origin, 104 were based on retaliation, 79 were based on sexual harassment, 63 were based on sexual orientation, 54 were based on religion, 43 were based on disability, 32 were based on age, 8 were based on military status, 7 were based on other, 6 were based on color, 3 were based on marital status, 2 were based on arrest, 2 were based on victim/witness domestic violence, and 1 was based on alienage/citizenship. The EEO Officer completed and issued reports for 1,186 of these complaints, which received 48 probable cause determinations and 1,138 no probable cause determinations.

In addition, the agency reports 185 external discrimination complaints. (Appendix 4)

At the time of this audit, 21 internal discrimination complaints were pending.

### **Legal Issues**

The agency reported that there were 54 EEO judgments/settlements during the audit period and the two years prior: 19 were based on human rights, 15 were based on Title VII – Employment, 3 were based on discrimination, 2 were based on ADA, 1 was based on civil rights, 1 was based on sexual harassment, 1 was based on harassment (not sexual), 1 was based on sex discrimination and 11 were based on multiple categories. The city paid out \$6,344,387.95 in employment discrimination judgments and settlements.

At the end of the audit period, there were 113 pending EEO lawsuits filed with the Equal Employment Opportunity Commission, Supreme Court of (Kings, New York and Queens) and the United States District Court (Eastern District of New York and Southern District of New York): 34 were based on human rights, 25 were based on discrimination, 23 were based on ADA, 3 were based on sexual harassment, 3 were based on Title VII – Employment, 1 was based on age, 1 was based on civil rights, 1 was based on sexual orientation, and 22 were based on multiple categories.

### **PRELIMINARY DETERMINATION**

Following are our preliminary determinations with required corrective actions and recommendations pursuant to the audit.

#### **Issuance, Distribution, and Posting of EEO Policies**

The agency is in compliance with the following requirements:

1. The agency head has issued a general EEO Policy Statement reiterating his commitment to EEO to all employees.
2. The EEO Policy Statement was distributed with paychecks and via department teletype in 2010. Legal, human resources, and EEO representatives, as well as managers and supervisors could access the citywide EEO Policy and Addenda via the NYPD's Intranet. Hard copies of the EEO Policy Handbook (*About EEO: What You May Not Know*, with addendum) were distributed to all employees with paychecks. The EEO Policies are included in the "new-hire" packet. The EEO Policy Handbook was also accessible to employees via the Intranet.
3. The agency has posted its EEO Policies electronically on the agency's Intranet which can be accessed by clicking "Equal Employment Opportunity" link, and throughout the facilities on bulletin boards.

4. When advertising, the NYPD uses the EEO tagline. Of the 9 advertisements submitted in response to the audit, three internal job vacancy notices (for Facilities Manager and Stenographer) included the tag line *"We are an Equal Opportunity Employer"* and five newspaper advertisements (Facilities Manager (2X), Quality Assurance Manager (2X), and Website Administrator) included the EEO tag line *"the NYC Police Department is an Equal Opportunity Employer."*

Note: One vacancy notice for Lieutenant, Lieutenants/Sergeants/Police Officers, and Telephone Technician did not include an EEO tagline.

### **EEO for Persons with Disabilities and Reasonable Accommodations**

#### The agency is in compliance with the following requirements:

1. The agency appointed its EEO Officer as the agency's Disability Rights Coordinator (DRC), whose responsibility is to handle reasonable accommodation requests and ensure compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities. In accordance with the reasonable accommodation procedure of the City's EEO Policy, the agency has provided accommodations for employees with disabilities upon request. The DRC maintained files on all requests for accommodation. The agency provided samples of reasonable accommodation cases. According to these samples, requests for accommodations included, but were not limited to, religious accommodations and modification of duties.
2. The agency has made the City's EEO policies available in alternate formats for use by applicants and employees with disabilities. The agency has produced the EEO policies in large print, and is committed to providing other formats upon request.
3. The agency participates in the Section 55-A Program which allows City agencies to employ qualified persons who have been certified as disabled in competitive positions on a non-competitive basis and has appointed its Deputy Director of the Employment Section as the Program Coordinator. The agency notified staff of this appointment via distribution of the Section 55-A Program Brochure. Responsibilities included: managing and supervising the enrollment of new and current employees in the 55-A Program; ensuring paperwork is completed and approved by the Department of Citywide Administrative Services/ Citywide Diversity and Equal Employment Opportunity (DCAS/CDEEO); ensuring that rosters of employees in the program are maintained and updated. Currently, 31 employees participate in the Program.

#### The agency is in partial compliance with the following requirement:

In response to this audit, the agency provided a complete list of 238 facilities, grouped by the geographical patrol borough in which it is located. It also completed the EEOC's *Checklists to Determine Accessibility for Employees/Applicants with Disabilities*. The majority of the facilities were accessible to and usable by employees/applicants for employment with disabilities (e.g., facilities contain street accessible entrances, ramp access, wheelchair accessible

elevators, bell and Braille in elevators, wide restroom stalls, grab bars in restroom, and low sink or bathroom fixtures). There were 27 *Checklists* which indicated non-accessibility for various reasons. Nine of those provided at least one work order to remedy lack of access. Some are located in subway stations and are reachable only by stairs; other facilities did not have wheelchair accessible elevators, street accessible entrances or ramp access, Braille in elevators, wide restroom stalls, grab bars or low sinks or bathroom fixtures. Corrective action is required.

Recommendation: Since the EEO Policy holds agencies responsible for ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities, the agency should develop a plan to demonstrate accessibility compliance for the facilities it identified as non-compliant. This plan should identify the number of locations that are accessible for employees/applicants with physical disabilities, identify barriers in non-accessible facilities, identify the distribution of job titles among accessible/non-accessible facilities, detail the efforts the NYPD has taken to remove barriers, and identify the agency (if not NYPD) responsible for rendering the facility accessible to employees/applicants with disabilities. The agency's plan will be reviewed during the compliance period.

### **Discrimination Complaint and Investigation Procedures**

The agency is in compliance with the following requirements:

1. The EEO Officer received and investigated discrimination complaints in conformance with Section III of the EEOP and the *Discrimination Complaint Procedures and Implementation Guidelines* issued by the DCAS and the *Patrol Guide: Employment Discrimination*.
2. The EEO Officer maintained monthly logs of discrimination complaints filed against the agency. Copies of completed logs were submitted.
3. The Executive Agency Counsel of the Civil Section/Legal Bureau is responsible for the investigation of, and response to, external EEO complaints. The Executive Agency Counsel informed the EEO Officer when external EEO complaints or litigation were brought against the agency.
4. The agency has appointed at least one person of each gender (four male EEO Investigators and seven female EEO Investigators) for complaint intake and investigation. The agency head reviewed EEO complaints on a regular basis. Cases were reviewed before submission to the DCAS for quarterly reporting.
5. The agency has identified its EEO Officer and 304 EEO Liaisons by posting their names, locations and numbers in the *EEO Policy Book*.

### **EEO Internal Discrimination Complaint Files**

The agency submitted the last 10 internal discrimination complaint files for the period in review. Nine of the 10 cases did not result in a full investigation; they were administratively closed.

The agency is not in compliance with the following requirement:

Internal complaint file #328s10 was not completed within the 90-day period. In addition, the complaint file did not contain a Delay Notification Letter or an explanation for the delay. Corrective action is required.

Recommendation: In rare circumstances where the investigation cannot commence immediately, or where the confidential report cannot be issued within 90 days, a note should be made in the complaint file explaining the reason for the delay and projecting a time frame for completion of the report. The complainant and respondent should be notified of the delay in writing. (DCPIG, 4/2/96 *Amendments to the EEO Discrimination Complaint & Investigation Procedures*)

### **EEO Training**

The agency is in compliance with the following requirement:

1. The agency EEO Staff (EEO Officer/ Disability Rights Coordinator, Managing EEO Investigators, Supervising EEO Investigators, EEO Investigators) completed *Basic Training for EEO Representatives* conducted by the Department of Citywide Administrative Services/ Citywide Diversity and Equal Employment Opportunity (DCAS/CDEEO) and/or completed *EEO Complaint Handling* and/or *EEO Public Sector Track* at the Cornell University School of Industrial and Labor Relations (Cornell ILR).
2. The agency has developed an EEO training plan for all new and existing employees. The training curriculum, which includes topics on EEO laws, EEO procedures, Department policy relative to EEO issues, and a component on preventing sexual harassment, was approved by DCAS/CDEEO. The NYPD's Office of EEO has designated two EEO trainers (Civilian Training Coordinator and Supervising EEO Investigator) to conduct EEO training for uniformed and civilian supervisors, new hires and EEO Liaisons. Both individuals completed the *DCAS Basic Training for EEO Professionals*. In addition, the Civilian Training Coordinator completed the *Public Policy* course and the Supervising EEO Investigator completed the *EEO Complaint Handling* course from the Cornell ILR.

### **Selection and Recruitment**

The agency is in compliance with the following requirement:

1. The agency advertised job vacancy notices in periodicals with large minority readership (i.e., the *Amsterdam News*, *El Diario*, *Haitian Times*, *Sing Tao*, *Filipino Reporter*, and *Caribe News*). A list of additional recruitment sources utilized during the audit period (web sites, email initiatives, newspapers, outdoor ads, television and radio) was provided.
2. The agency provided formal structured interview training for employees who conduct job interviews.

2. The agency provided formal structured interview training for employees who conduct job interviews.
3. The agency provided an *Applicant/Candidate Log* which included the position advertised, source of recruitment, candidates interviewed and candidate selected.

The agency is in partial compliance with the following requirements:

1. Although the agency provided an *Applicant/Candidate Log* which included the position advertised, source of recruitment, candidates interviewed and candidate selected, it did not include the gender, ethnicity of the applicant, and the reason for selection/rejection or disposition. Corrective action is required.

Recommendation: The agency's HR/Personnel division should use and maintain an applicant log -- which, at minimum, includes the Position, Applicants' Names, Security or Identification Number, Ethnicity, Gender, Disability or Veteran Status, Interview Date, Interviewers' Names, Result, Reason Selected/Not Selected, and Recruitment Source -- for all discretionary appointments.

### **Promotional Opportunities**

The agency is in compliance with the following requirement:

1. The agency utilizes the citywide *Managerial Performance Evaluation Form*, which includes a rating for EEO. *Section B IV: Utilizing Human Resources*, covers responsibilities and processes for assuring that people are appropriately employed, effectively and efficiently utilized, and dealt with in a fair and equitable manner.
2. The agency has designated an individual familiar with civil service and provisional jobs to serve as Career Counselor. Employees are informed of her identity through the Career Program Unit website on the Department Intranet. The Career Program also has a brochure which has been distributed to all commands Department-wide.

### **Supervisory Responsibility in EEO Plan Implementation**

The agency is in compliance with the following requirement:

As delineated in the EEO Policy Statement and *Patrol Guide Procedures 205-48*, the agency head directed supervisors and managers to emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO office at least once a year during normal staff meetings. Implementation of this directive is documented using the performance evaluation form where the rater is instructed to "Discuss the Department's EEO Policy with the employee and to record comments in the section devoted to the Overall Rater's Comments, indicating that the employee's rights and responsibility regarding EEO issues were discussed".

## **EEO Officer Reporting Arrangement**

The agency is in compliance with the following requirement:

The EEO Officer reports directly to the agency head on EEO matters and meets with him three times a week at executive staff briefings. The organization chart submitted to the EEPC shows a reporting relationship between the EEO Officer and the agency head.

The agency is in partial compliance with the following requirement:

Although the EEO Officer met with the agency head on a weekly basis to discuss EEO matters, no formal notes of those meetings were kept. Corrective action is required.

Recommendation: To ensure the integrity and continuity of the EEO Program, the agency should maintain appropriate documentation of meetings and other communications between the agency head (or a direct report to the agency head) and EEO Officer regarding decisions that impact the administration and operation of the agency's EEO program. (EEPC/Sect. 831, City Charter)

## **EEO Officer Responsibilities**

The agency is in compliance with the following requirement:

The agency's EEO Officer spends 100% of her time on EEO matters. Her duties include directing EEO staff in investigations, creating and improving EEO training, collecting EEO data, and supervising and managing staff.

## **Reporting Standards**

The agency is not in compliance with the following requirement:

The agency did not submit an Annual Agency Specific EEO Plan to the EEPC for FY 2009 and FY 2010.

Recommendation: The agency is required to file with the EEPC copies of its finalized Agency Specific EEO Plans. The agency must also submit quarterly to the EEPC a report on its efforts during the previous quarter to implement the Agency Specific EEO Plan. All reports must be submitted no later than thirty (30) days following the reporting period. (Sect. 815(i), New York City Charter)

## **SUMMARY OF RECOMMENDED CORRECTIVE ACTIONS**

1. Since the EEO Policy holds agencies responsible for ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities, the agency should develop a plan to demonstrate accessibility compliance for the facilities it identified as non-compliant. This plan should identify the number of locations

that are accessible for employees/applicants with physical disabilities, identify barriers in non-accessible facilities, identify the distribution of job titles among accessible/non-accessible facilities, detail the efforts the NYPD has taken to remove barriers, and identify the agency (if not NYPD) responsible for rendering the facility accessible to employees/applicants with disabilities. The agency's plan will be reviewed during the compliance period.

2. In rare circumstances where the investigation cannot commence immediately, or where the confidential report cannot be issued within 90 days, a note should be made in the complaint file explaining the reason for the delay and projecting a time frame for completion of the report. The complainant and respondent should be notified of the delay in writing. (DCPIG, 4/2/96 *Amendments to the EEO Discrimination Complaint & Investigation Procedures*)
3. The agency's HR/Personnel division should use and maintain an applicant log -- which, at minimum, includes the Position, Applicants' Names, Security or Identification Number, Ethnicity, Gender, Disability or Veteran Status, Interview Date, Interviewers' Names, Result, Reason Selected/Not Selected, and Recruitment Source -- for all discretionary appointments.
4. To ensure the integrity and continuity of the EEO Program, the agency should maintain appropriate documentation of meetings and other communications between the agency head (or a direct report to the agency head) and EEO Officer regarding decisions that impact the administration and operation of the agency's EEO program. (EEPC/Sect. 831, City Charter)
5. The agency is required to file with the EEPC copies of its finalized Agency EEO Specific Plans. The agency must also submit quarterly to the EEPC a report on its efforts during the previous quarter to implement the Agency Specific EEO Plan. All reports must be submitted no later than thirty (30) days following the reporting period. (Sect. 815(i), New York City Charter)

In addition to the above recommendations, after the compliance process, the Commission requires that the agency head distribute a memorandum to all staff informing them of the changes that have been implemented in the agency's EEO program pursuant to the audit. This memorandum should re-emphasize the agency head's commitment to the agency's Equal Employment Opportunity Program.


## **Conclusion**

Pursuant to Chapter 36 of the New York City Charter and the previously cited preliminary determinations relating to EEPC's audit of agency's compliance with its Equal Employment Opportunity Policy and EEO standards expressed in the Citywide EEO Policy, we respectfully request your response to the aforementioned preliminary determinations.

Your response should indicate what corrective actions your office will take to bring the agency in compliance with the aforementioned recommendations. Please forward your response within thirty days of receipt of this letter.

Pursuant to Section 832 of the New York City Charter, as amended in 1999, if you do not implement all of these recommendations for corrective actions during a compliance monitoring period not to exceed six months, this Commission may publish a report and recommend to the Mayor the appropriate corrective actions that you should implement in your agency's EEO Plan.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's auditors during the course of this audit. If you have any questions regarding these preliminary determinations, please let us know.

Sincerely,  
  
Elaine R. Reiss, Esq.  
Commissioner

C: Neldra M. Zeigler, Deputy Commissioner, EEO

## APPENDIX – 1

The following table indicates personnel activity during the audit period, July 1, 2008 to June 30, 2011

### New York City Police Department

#### Applicants by Gender and Ethnicity

Total Applicants: 174,604

Male	Female	Unknown	Total	Caucasian	African American	Hispanic	Asian	Native American	Unknown	Total
122,303	51,129	1,172	174,604	69,517	45,461	43,566	11,115	511	4,432	174,602

#### Hires by Gender and Ethnicity

Total Hires: 8,065

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Native American	Unknown	Total
4,897	3,168	8,065	2,855	2,405	2,106	668	22	9	8,065

#### Promotions by Gender and Ethnicity

Total Promotions: 5,396

Male	Female	Total	Caucasian	African American	Hispanic	Asian	Native American	Unknown	Total
3,984	1,352	5,396	2,587	1,275	1,104	422	4	4	5,396

#### Separations by Gender and Ethnicity

Total Separations: 1,031

Male	Female	Unknown	Total	Caucasian	African American	Hispanic	Asian	Other	Total
382	648	1	1,031	97	563	244	123	4	1,031

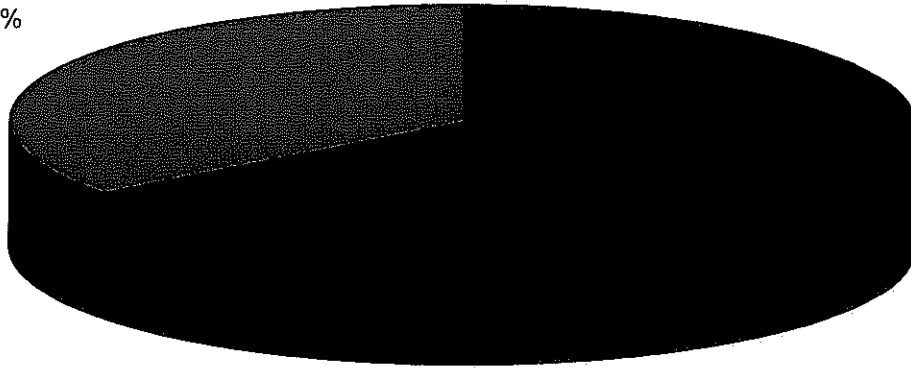
Source: Audit data supplied by NYPD

## Appendix - 2

### New York City Police Department Workforce by Gender

19,045  
Female  
36%

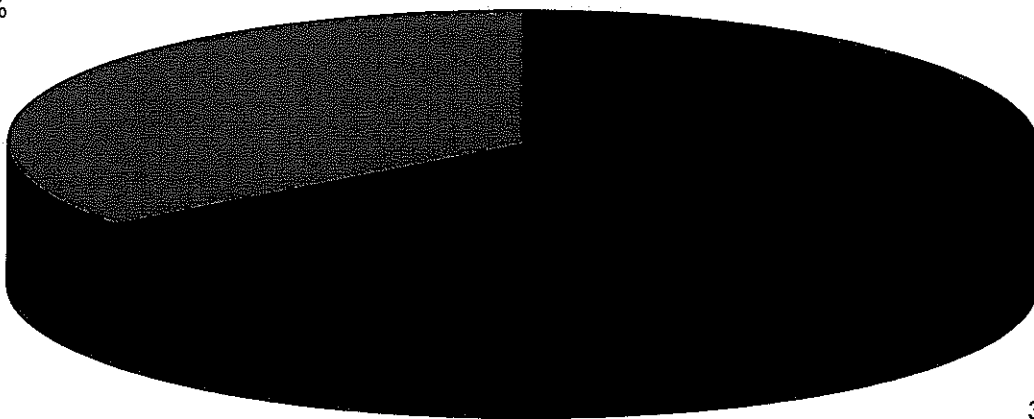
34,591  
Male  
64%



July 2008  
Total Workforce = 53,636

18,166  
Female  
35%

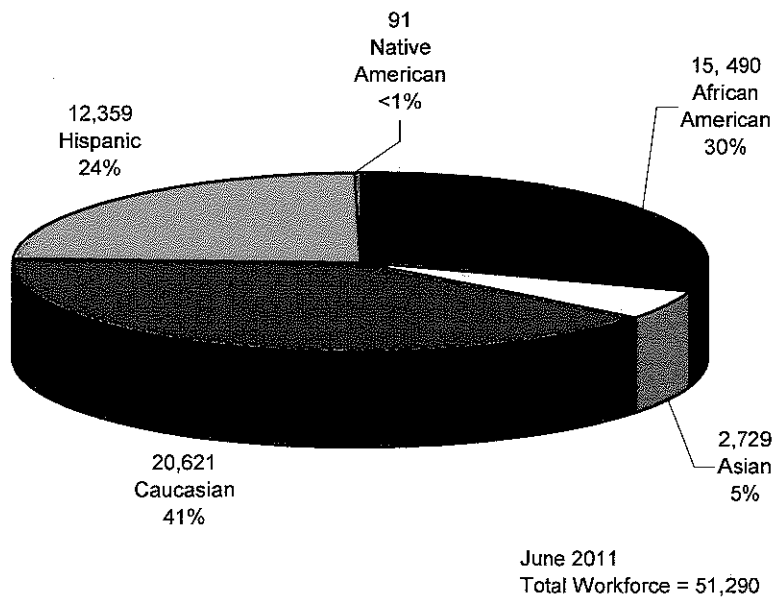
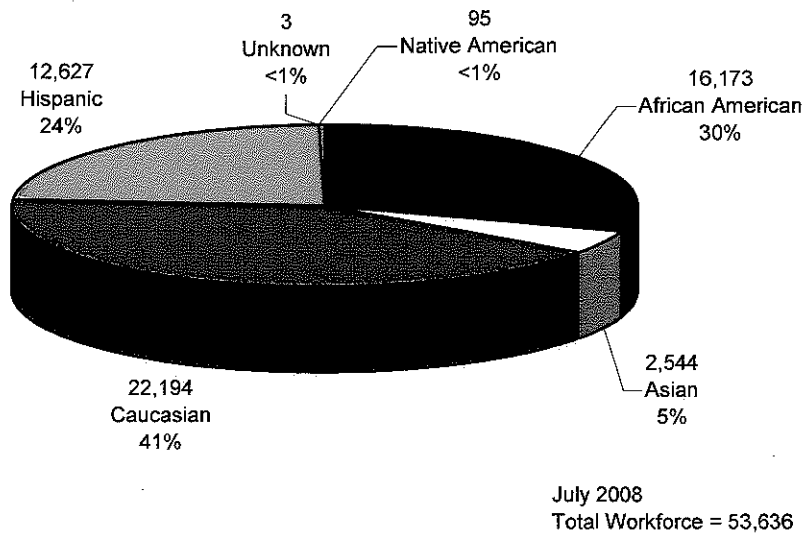
33,124  
Male  
65%



June 2011  
Total Workforce = 51,290

## Appendix - 3

### New York City Police Department Workforce by Ethnicity



## **Appendix - 4**

	Received from Agency	Nature of Complaint	Status at Agency
1	07/02/08	Religion, Nat'l Origin, retaliation	EEOC, open
2	07/03/08	Disability	EEOC, closed, Right to sue
3	07/03/08	Religion	EEOC, closed, Right to sue
4	07/08/08	Gender	SDHR, No PC
5	07/09/08	Race, retaliation	EEOC, closed, Right to sue
6	07/16/08	National Origin, retaliation	EEOC, open
7	07/24/08	Retaliation	SDHR, No PC
8	07/30/08	Race, National Origin	EEOC, closed, Right to sue
9	08/08/08	Retaliation	EEOC, closed, Right to sue
0	08/13/08	Gender retaliation	EEOC, closed, Right to sue
1	08/13/08	Gender, religion, ret.	EEOC, closed, Right to sue
2	08/20/08	Race, retaliation	EEOC, closed, Right to sue
3	08/20/08	Race, retaliation	EEOC, open
4	08/27/08	Race, retaliation	EEOC, closed, Right to sue
5	08/29/08	Race, disability, retaliation	SDHR, No PC
6	09/10/08	disability	EEOC, closed, Right to sue
7	09/26/08	National Origin	EEOC, closed, Right to sue
8	10/14/08	Disability, gender	EEOC, closed, Right to sue
9	10/15/08	Race, National Origin	EEOC, closed, Right to sue
0	10/16/08	Gender	SDHR, No PC
1	10/29/08	Retaliation	SDHR, Dismissed
2	10/29/08	Disability, retaliation	EEOC, open
3	10/29/08	Disability	EEOC, closed, Right to sue
4	11/10/08	National Origin, retaliation	EEOC, closed, Right to sue
5	11/26/08	Race, sex, ret.	EEOC, closed, Right to sue
6	12/12/08	Arrest Record	EEOC, closed, Right to sue
7	12/30/08	Race, National Origin, retaliation	SDHR, Dismissed
8	01/07/09	Sex, race, ret	EEOC, closed, Right to sue
9	01/07/09	Disability	EEOC, closed, Right to sue
0	01/08/09	Arrest Record	CCHR, No PC
			SDHR, No PC

31	01/09/09	Gender, retaliation	EEOC, closed, Right to sue
32	01/14/09	Race, disability, retaliation	SDHR, No PC
33	02/20/09	Gender, retaliation	EEOC, open
34	02/20/09	Gender	EEOC, closed, Right to sue
35	03/09/09	Race	EEOC, closed, Right to sue
36	03/09/09	Age, race, retaliation	EEOC, closed, Right to sue
37	03/25/09	Religion	SDHR, No PC
38	03/26/09	Race, gender	CCHR, withdrawn
39	04/13/09	Race	EEOC, open
40	04/17/09	Race, National Origin, Retaliation	SDHR, No PC
41	04/20/09	Disability	EEOC, closed, Right to sue
42	04/21/09	Disability, ret	CCHR, No PC
43	04/22/09	Race, national origin	EEOC, closed, Right to sue
44	04/30/09	Gender, religion, retaliation, national origin	EEOC, closed, Right to sue
45	05/11/09	Gender	EEOC, closed, Right to sue
46	06/02/09	Race, gender, retaliation	EEOC, closed, Right to sue
47	06/12/09	Race, gender, retaliation	EEOC, closed, Right to sue
48	06/19/09	Retaliation	EEOC, closed, Right to sue
49	06/26/09	Gender	SDHR, No PC
50	07/14/09	Race, National Origin, retaliation	EEOC, closed, Right to sue
51	07/22/09	Disability, Retaliation	SDHR, Dismissed
52	07/23/09	Retaliation, Gender	EEOC, open
53	07/30/09	Race, National Origin	EEOC, closed, Right to sue
54	07/30/09	National Origin, Race, Retaliation	EEOC, open
55	08/03/09	Retaliation	EEOC, closed, Right to sue
56	08/03/09	Race, retaliation	EEOC, open
57	09/01/09	Disability, Gender, Retaliation	EEOC, closed, Right to sue
58	09/03/09	Gender, race	SDHR, withdrawn
59	09/08/09	Disability, Retaliation	EEOC, dismissed as duplicative
60	09/21/09	Arrest Record	EEOC, closed, Right to sue
61	09/25/09	Disability	SDHR, Dismissed
			CCHR, withdrawn

52	09/28/09	Gender, retaliation	EEOC, closed, Right to sue
53	10/13/09	Retaliation	SDHR, No PC
54	10/21/09	Race, retaliation	EEOC, closed, Right to sue
55	10/21/09	Race, gender, national origin	EEOC, closed, Right to sue
56	10/28/09	Disability, retaliation	SDHR, Dismissed
57	10/29/09	Retaliation	SDHR, Dismissed
58	11/04/09	Race, National Origin, retaliation	EEOC, closed, Right to sue
59	11/05/09	Gender, retaliation	EEOC, closed, Right to sue
60	11/06/09	Race, color, national origin	EEOC, closed, Right to sue
61	11/23/09	Gender, retaliation	EEOC, closed, Right to sue
62	12/09/09	Race, National Origin, retaliation	EEOC, closed, Right to sue
63	12/11/09	Race	SDHR, No PC
64	12/14/09	Arrest Record	SDHR, Dismissed
65	12/18/09	National Origin, Race, Retaliation	EEOC, closed, Right to sue
66	12/22/09	Sexual orientation	SDHR, No PC
67	01/20/10	Gender, retaliation	EEOC, closed, Right to sue
68	01/26/10	Retaliation	SDHR, open
69	01/27/10	Race, retaliation	EEOC, closed, Right to sue
70	01/28/10	Age, race, retaliation	SDHR, No PC
71	02/03/10	Race, gender, retaliation	EEOC, open
72	02/04/10	Race, gender, retaliation	EEOC, closed, Right to sue
73	02/16/10	Sexual orientation	SDHR, Dismissed
74	02/18/10	Disability	CCHR, No PC
75	02/24/10	Race, disability, retaliation	EEOC, closed, Right to sue
76	03/04/10	Disability	EEOC, Probable Cause
77	03/10/10	Religion, Nat'l Origin, retaliation	EEOC, closed, Right to sue
78	04/12/10	Race, retaliation	EEOC, closed, Right to sue
79	04/26/10	Race, retaliation, color	EEOC, closed, Right to sue
80	04/26/10	Race, retaliation, color	EEOC, closed, Right to sue
81	04/28/10	Retaliation, military status	EEOC, closed, Right to sue
82	05/04/10	Race, gender, national origin	EEOC, closed, Right to sue

93	05/06/10	Race, retaliation, color	EEOC, closed, Right to sue
94	05/06/10	Race, disability, retaliation, color	EEOC, closed, Right to sue
95	05/13/10	Race, gender	EEOC, closed, Right to sue
96	05/13/10	Race, gender, retaliation	EEOC, open
97	05/13/10	National Origin, Race, Retaliation	EEOC, open
98	05/17/10	Race, national origin, disability	EEOC, closed, Right to sue
99	05/17/10	Retaliation	EEOC, closed, Right to sue
00	05/24/10	Race, National Origin, retaliation	EEOC, closed, Right to sue
01	05/25/10	Race, gender, national origin, retaliation	EEOC, closed, Right to sue
02	06/01/10	Religion, retaliation, race, color	EEOC, closed, Right to sue
03	06/02/10	Retaliation	EEOC, open
04	06/02/10	Disability	EEOC, closed, Right to sue
05	06/08/10	National Origin	SDHR, Dismissed
06	06/17/10	Disability	EEOC, open
07	06/18/10	Race, gender, retaliation	EEOC, closed, Right to sue
08	06/21/10	Disability	EEOC, closed, Right to sue
09	06/21/10	Race, retaliation, color	SDHR, No PC
10	06/22/10	National Origin, retaliation	EEOC, closed, Right to sue
11	06/22/10	Disability, Retaliation	EEOC, closed, Right to sue
12	06/23/10	Disability	EEOC, closed, Right to sue
13	07/09/10	Race, age	EEOC, open
14	07/14/10	Disability, retaliation	SDHR, Dismissed
15	07/14/10	Disability	EEOC, open
16	07/26/10	Gender, national origin	SDHR, open
17	07/26/10	Gender, retaliation	EEOC, closed, Right to sue
18	08/02/10	Color, gender, religion, disability	EEOC, open
19	08/05/10	Gender, national origin, retaliation	EEOC, closed, Right to sue
20	08/06/10	Gender	EEOC, closed, Right to sue
21	08/10/10	Race, national origin, color	EEOC, closed, Right to sue
22	08/10/10	Race, National Origin, retaliation	EEOC, closed, Right to sue
23	09/08/10	Race, color, gender	EEOC, closed, Right to sue
			EEOC, open

124	09/27/10	Retaliation	EEOC, closed, Right to sue
125	09/27/10	Religion	EEOC, closed, Right to sue
126	10/08/10	Disability	EEOC, settled
127	10/15/10	Disability	SDHR, Dismissed
128	10/20/10	Retaliation, disability	EEOC, closed, Right to sue
129	10/21/10	National Origin, retaliation	EEOC, closed, Right to sue
130	10/25/10	Disability, public accomodation	EEOC, closed, Right to sue
131	11/04/10	Disability	EEOC, open
132	11/04/10	Race, gender	EEOC, closed, Right to sue
133	11/04/10	Disability	EEOC, open
134	11/08/10	Race, Color, Retaliation, Gender	SDHR, Dismissed
135	11/12/10	Disability, sexual orientation	EEOC, closed, Right to sue
136	11/15/10	National Origin, retaliation	SDHR, Dismissed
137	11/15/10	Disability, retaliation	EEOC, closed, Right to sue
138	11/17/10	Disability	EEOC, closed, Right to sue
139	11/19/10	Race, retaliation	EEOC, closed, Right to sue
140	11/19/10	Race	EEOC, closed, Right to sue
141	11/23/10	Disability	EEOC, open
142	11/29/10	Race, age, national origin	EEOC, open
143	12/02/10	Disability	EEOC, closed, Right to sue
144	12/02/10	National Origin, Race, Retaliation	EEOC, open
145	12/06/10	Disability	EEOC, closed, Right to sue
146	12/08/10	Disability	SDHR, Probable Cause
147	12/08/10	National Origin, retaliation	EEOC, open
148	12/14/10	Retaliation	EEOC, closed, Right to sue
149	12/17/10	Religion, Nat'l Origin	EEOC, closed, Right to sue
150	12/20/10	Color, gender, retaliation, race	EEOC, closed, Right to sue
151	12/22/10	Gender	EEOC, closed, Right to sue
152	01/04/11	Color, national origin	EEOC, open
153	01/05/11	Disability, Retaliation	EEOC, open
154	01/10/11	Religion, national origin	SDHR, Dismissed
			EEOC, closed, Right to sue

55	01/26/11	Gender	EEOC, closed, Right to sue
56	02/01/11	Race	EEOC, closed, Right to sue
57	02/02/11	Retaliation	EEOC, closed, Right to sue
58	02/03/11	Race, National Origin, retaliation	EEOC, closed, Right to sue
59	02/09/11	National origin	EEOC, open
60	02/09/11	National origin	EEOC, open
61	02/17/11	Retaliation	EEOC, open
62	02/18/11	Disability	EEOC, open
63	02/24/11	Gender, retaliation	EEOC, closed, Right to sue
64	02/24/11	Disability	EEOC, closed, Right to sue
65	03/02/11	Race, gender, retaliation	EEOC, closed, Right to sue
66	03/03/11	Race, National Origin, retaliation	EEOC, closed, Right to sue
67	03/09/11	Race, gender, retaliation	SDHR, open
68	03/09/11	Gender	EEOC, closed, Right to sue
69	03/15/11	Gender	EEOC, open
70	03/22/11	Race	EEOC, open
71	03/29/11	Disability, retaliation	EEOC, closed, Right to sue
72	04/07/11	Retaliation	EEOC, closed, Right to sue
73	04/12/11	Race, disability	SDHR, No PC
74	04/12/11	Disability	EEOC, closed, Right to sue
75	04/14/11	Race, gender	EEOC, closed, Right to sue
76	04/18/11	Gender	EEOC, closed, Right to sue
77	04/18/11	Gender	EEOC, closed, Right to sue
78	04/21/11	Disability, military status	EEOC, open
79	04/25/11	National Origin	SDHR, No PC
80	05/13/11	Age	CCHR, No PC
81	05/20/11	Gender	EEOC, open
82	05/26/11	Conviction Record, Retaliation	EEOC, open
83	05/31/11	Disability	SDHR, Dismissed
84	06/16/11	Race, color	EEOC, open
85	06/21/11	Religion	EEOC, open
			EEOC, closed, Right to sue