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**By Mail and Email**

August 31, 2015

Vicki Been  
Commissioner  
New York City Department of Housing Preservation & Development  
100 Gold Street, Room 5-01  
New York, NY 10038

Re: Audit: Preliminary Determination: Review, Evaluation and Monitoring of the Department of Housing Preservation and Development's Employment Practices and Procedures from January 1, 2012 to December 31, 2014.

Dear Commissioner Been:

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 January 1, 2012 to December 31, 2014.

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 831(d)(2) 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 Department of Housing Preservation and Development, 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. This Commission has adopted *Uniform Standards for EEPC Audits*<sup>1</sup> 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 Equal Employment Opportunity Commission’s Instructions to Federal Agencies for EEO, Management Directive 715; 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. This Commission does not issue findings of discrimination pursuant to the New York City Human Rights Law.

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 analyses.) 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

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



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 their individual questionnaires and return any items requested. The Commission's EEO Program Analysts also conduct additional research and follow-up discussions or interviews with EEO professionals, when appropriate.

### **Description of the Agency**

Established in 1978, the New York City Department of Housing Preservation and Development (HPD) is the largest municipal housing preservation and development agency in the nation. The agency's mission is to make strategic investments that will improve and strengthen neighborhoods while preserving the stability and affordability of the City's existing housing stock. (<http://www1.nyc.gov/site/hpd/about/about-us.page>, August 2015)

A summary of the agency's workforce data is included in Appendix 2. The agency's total workforce is 2,120.

### **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 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 agency head issued an EEO Policy memo via email to all staff in August 2013. The memorandum reiterated the agency's commitment to the "*fair and equal recruitment, development, and retention of a diverse workforce,*" and declared that all managers and supervisors should: "*promote a work environment that values equity, inclusion, and respect for all, in all phases of employment.*" The Policy memo included the name and contact information of the agency's EEO professionals. A link to the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies* was made available to employees on the agency's intranet site.

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 posted on its intranet site the *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies*, which includes a policy against sexual harassment; uniform and responsive procedures for investigating discrimination complaints and reasonable accommodations; an up-to-date list of protected classes under NYC and NYS Human Rights Laws; and current contact information for federal, state and local agencies that enforce laws against discrimination.

## **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 established and implemented an EEO training plan for new employees and existing employees. *EEO Computer Based Training* was held in 2012, 2013, and 2014 (4<sup>th</sup> Quarterly Report for fiscal year (FY) 2013 and FY 2014). In addition, new hires were required to attend live EEO training sessions with the principal EEO Professional. The training session covered the following: *the City’s EEO Policy, Discrimination Complaint Procedure, Reasonable Accommodation Policy and Procedures*, and topics such as *Sexual Harassment Prevention and Cultural Diversity*.

## **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.

- ✓ The agency assessed its recruitment efforts to determine whether such efforts adversely impact any particular group. The principal EEO Professional reviewed CEEDs reports and informed the agency head via memorandum of findings and suggestions. Since underutilization existed for women and minorities, the agency reviewed and updated its listing of recruitment and outreach resources to include organizations serving women and minorities such as *Professional Women in Construction*, *Nontraditional Employment for Women*, *National Association of Women in Construction*, *Help Women's Center*, and *Women Builders Council*, and *The League- Black Ivy League Alumni*. In a memo entitled, *EEO Issues Related to CEEDS, 1<sup>st</sup> Quarter FY2015*, the former principal EEO Professional also indicated that its underrepresentation “*can be remedied via routine applicant procedures and adherence to structured interviewing techniques*,” and as remediation the agency, “*will continue special outreach efforts to increase the applicant pool for females in those titles*.”
- 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 principal EEO Professional, HR Professional, and agency head reviewed the agency's statistical information (CEEDs reports for the 3<sup>rd</sup> Quarter FY2012, 3<sup>rd</sup> and 4<sup>th</sup> Quarter of FY2014, and 1<sup>st</sup> Quarter of FY2015), and employment practices, policies and programs to identify whether there are barriers to equal opportunity within the agency.
  - The agency did not demonstrate that the principal EEO Professional, HR Professional, and General Counsel, reviewed the annual number of EEO complaints. **Corrective Action Required.**

**Corrective Action # 1:** Ensure that the principal EEO Professional, HR Professional and General Counsel, review the annual number of EEO complaints to determine what, if any, corrective actions are required to correct deficiencies.

- 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 reviewed CEEDs reports in an effort to determine whether there is any adverse impact upon any particular racial, ethnic, or gender group by reviewing job titles where underutilization existed. As a result, recruitment efforts toward Black and females were enhanced.
- The agency did not demonstrate that it assessed whether the selection criteria being utilized are job-related. In addition, 2<sup>nd</sup> Quarter, 2015 CEEDS Report *Work Force Compared with Internal and External Pools* (the last quarter of the audit period, see appendix 3) indicates the agency had underutilization of protected classes in three jobs groups, and the 4<sup>th</sup> Quarter, 2015 CEEDS Report *Work Force Compared with Internal and External Pools* (the latest quarter available, see Appendix 3) also indicates the agency has underutilization of protected classes in four job groups.  
**Corrective Action Required.**

**Corrective Action # 2:** 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.

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.
- ✓ Since underutilization exists for women and minorities in four job groups, the agency advertised at organizations such as *Professional Women in Construction, Nontraditional Employment for Women, National Association of Women in Construction, Help Women's Center, and Women Builders Council*, and additional recruitment sources such as *Women in Housing and Finance* and *The League- Black Ivy League Alumni*.

**NOTE:** The 4<sup>th</sup> Quarter, 2015 CEEDS Report *Work Force Compared with Internal and External Pools* indicates underutilization of protected classes, females, in four job groups which may include discretionary titles (see appendix 3). Efforts toward eliminating underutilization should continue.

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 DCAS or the 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.

- ✓ Since underutilization exists for women and minorities in four job groups, the agency made efforts to increase the participation of female and minority applicants in city exams. These efforts included sending these city exam notices for the impacted job titles to organizations that serve females in order to increase their participation in the applicant pool. The agency advertised at organizations serving women such as *Professional Women in Construction*, *Nontraditional Employment for Women*, *National Association of Women in Construction*, *Help Women's Center*, and *Women Builders Council*, and additional recruitment sources such as *Women in Housing and Finance* and *The League- Black Ivy League Alumni*.
- The agency did not demonstrate that it reviewed 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. In addition, the 4<sup>th</sup> Quarter, 2015 CEEDS Report *Work Force Compared with Internal and External Pools* indicates underutilization of protected classes in four job groups which may include civil service titles (see appendix 3). **Corrective Action Required.**

**Corrective Action #3:** 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 DCAS or the 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 the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).
  - The agency did not demonstrate that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process were trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates. **Corrective Action Required.**

**Corrective Action #4:** Ensure that human resources professionals, managers, supervisors, and other personnel involved in the recruitment and hiring process are trained in EEO and interviewing, selection, and hiring skills to enable such individuals to correctly identify the most capable candidates (i.e. structured interview training or guide).

10. Promote employees' awareness of opportunities for promotion and transfer within the agency, and ensure that employees are considered for such opportunities.

✓ The agency's Administration Newsletter distributed to all employees included detailed instructions for accessing internal and external job posting information, and listed available job vacancy notices. In addition, job vacancies were posted on the agency's intranet page.

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

✓ The agency advertised several vacant positions during the audit period including: *Administrative Staff Analyst, Construction Project Manager, and City Research Scientist*. Each job vacancy notice included the EEO tagline: "The City of New York is an Equal Opportunity 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 used the New York City Automated Personnel System (NYCAPS) e-Hire System (e-Hire) to conduct its recruitment and hires, and maintained an applicant log, which included the *position, applicants'/candidates' names, identification number, ethnicity, gender, disability or veteran status, disposition of each applicant, and recruitment source*, from the New York City Automated Personnel System (NYCAPS) e-Hire System (e-Hire).

➤ The agency did not demonstrate it recorded or tracked *interview date, and interviewers' names*, which were also captured by the e-Hire system. **Corrective Action Required.**

**Corrective Action #5:** Maintain a candidate log which, in addition to the above, includes *interview date, and interviewers' names*.



**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.
- ✓ In 2014 the agency the agency appointed a Career Counselor, who is no longer employed by the agency. The agency head reminded employees of the identity of the Career Counselor in its EEO Policy memo in 2013.
  - Subsequently, the agency did not designate a professional with appropriate training, knowledge or familiarity with career opportunities in City government to provide career counseling to employees upon request. **Corrective Action Required.**

**Corrective Action #6:** 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.

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; 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.
- ✓ The principal EEO Professional was responsible for informing employees regarding the Performance Appraisal system at orientation, and for providing training opportunities and information on examinations and job postings to employees. Information on examinations and job postings were posted via the agency's administration news section and distributed to all employees. In addition, the Human Resources Professional maintained documentation of email communications and memoranda with the principal EEO Professional regarding EEO-related matters. The agency notified employees of the identity of the Career Counselor via the EEO policy from the agency head in June 2013.
  - The agency did not demonstrate that the Human Resources Professional informed the principal EEO Professional of the efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities. **Corrective Action Required.**

**Corrective Action #7:** Ensure that the Human Resources Professional informs the principal EEO Professional of the efforts the agency has made to employ, promote or accommodate qualified individuals with disabilities.

**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 was prepared to provide its EEO Policies in alternative formats (e.g. large format through the use of Zoomtext software) upon request. According to the agency, no requests to provide the policies in alternative format were made during the audit period.
16. Document reasonable accommodation requests and their outcomes.
- ✓ The agency reported that the principal EEO Professional was responsible for documenting reasonable accommodation requests and their outcomes using its *Request for Reasonable Accommodation* form.

**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, federal and state EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.
- ✓ During the audit period the agency appointed a principal EEO Professional, who is no longer employed at the agency. The principal EEO Professional attended *Basic Training for EEO Professionals* in June 2004, *APO EEO Master Class* training in October 2004, and *Complaint Investigation Training* in May 2012.

NOTE: Subsequent to the audit period in May 2015, the agency appointed the Assistant Commissioner as principal EEO Professional.

- The agency did not demonstrate that the current principal EEO Professional is trained and knowledgeable regarding city, federal and state EEO laws; the requirements of the agency's EEO policies, standards and procedures; and the prevention,

investigation, and resolution of discrimination complaints. **Corrective Action Required.**

**Corrective Action #8:** Appoint a principal EEO Professional – who is trained and knowledgeable regarding city, federal and state EEO laws; the requirements of the agency’s EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints – to implement EEO policies and standards within the agency.

18. Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

- ✓ In addition to the principal EEO Professional, the agency appointed two EEO counselors. One of the EEO Counselors completed *Training on Effective Complaint Investigations and How to Handle Challenging Situations* in May 2012.
- The agency did not demonstrate that the other EEO professional was trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy. **Corrective Action Required.**

**Corrective Action #9:** Ensure that EEO professionals are trained in EEO laws and procedures and know how to carry out their responsibilities under the EEO Policy.

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.

- ✓ The principal EEO Professional reported directly to the agency head; this reporting relationship was indicated in the agency’s organization chart.

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 maintained documentation of meetings and other communication such as written memorandum between the principal EEO Professional and the agency head regarding EEO matters.

**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.
  - ✓ The agency established and administered an annual managerial evaluation program using the *Managerial Performance Appraisal Guide* and *Managerial Performance Appraisal Form*. The agency also established and administered a non-managerial performance evaluation program using the *Performance Appraisal Manual* and *Employee Performance Appraisal* form. The principal EEO Professional received auto-generated Performance Appraisal System emails of employees who signed off on their performance appraisals.
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 Appraisal Form* included a rating for EEO Compliance responsibilities; the expectations were defined as, "All duties will be carried out in accordance with the City's EEO Policy. Any violation of the City's EEO Policy is brought to the attention of the Agency's EEO Officer immediately." In addition, the agency's *Managerial Performance Appraisal Guide* states that, "To ensure compliance with the City's EEO Policy, every manager will be rated on EEO performance. The City's EEO Policies states, "Managers and supervisors will make every effort to maintain a work environment that fosters sensitivity and respect for the diversity of all individuals."

**VIII. REPORTING STANDARD FOR AGENCY HEAD:**

**Determination: The agency is in partial 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 reports (up to 30 days following each quarter) on efforts to implement the plan.
  - ✓ The agency submitted its Annual Plan and the 1<sup>st</sup> and 2<sup>nd</sup> quarterly reports for fiscal year (FY) 2012; its Annual Plan and 2<sup>nd</sup> - 4<sup>th</sup> quarterly reports for FY 2013; its Annual Plan and all quarterly reports for FY2014; and its Annual Plan and the 1<sup>st</sup> and 4<sup>th</sup> quarterly reports for FY 2015.



- The agency did not submit its 3<sup>rd</sup> and 4<sup>th</sup> quarterly reports for FY 2012; its 1<sup>st</sup> quarterly reports for FY 2013; and its 2<sup>nd</sup> and 3<sup>rd</sup> quarterly reports for FY 2015. **Corrective Action Required.**

**Corrective Action #10:** 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.

**After implementation of the EEPC's corrective actions, if any:**

24. 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.

*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,

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Elona Shehu, EEO Program Analyst

Approved by,

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Charise L. Terry, PHR  
Executive Director

c: Toma N. Acholonu, Principal EEO Professional