

CITY OF NEW YORK
PRESIDENT
OF THE
BOROUGH OF STATEN ISLAND

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JAMES P. MOLINARO
PRESIDENT

BOROUGH HALL, STATEN ISLAND, N. Y. 10301

April 25, 2008

Honorable Ernest F. Hart, Esq.
Chair
Employment Practices Commission
of the City of New York
40 Rector Street, 14th Floor
New York, New York 10006

Re: Resolution # 08/03-014
Preliminary Determination of Audit of the
Staten Island Borough President's Office

Dear Chairperson Hart:

I am in receipt of your preliminary determination in the above noted matter and I have reviewed same with the appropriate members of my staff. First, I wish to thank you and your staff for your professionalism and your attention in making the audit process a quick and painless experience for myself and my staff. Your attention to detail, professional manner and prompt action in undertaking and completing the audit in a timely manner is greatly appreciated.

Before addressing your report and the issues discussed therein, I wish to provide you with some information regarding our office. During my service at Borough Hall, first as Deputy Borough President in the last administration and now as Borough President, the staff in the Borough President's Office has been reduced from almost one hundred and twenty employees to the our current staffing level of forty-six full time employees. At the same time our budgets have been repeatedly and drastically reduced. The needs of my constituents however have only grown. Despite all of the cuts in budget and in staff, I am proud to say that my office has continued to provide the same high level of support and diligence to the people of Staten Island. First and foremost, that is the goal of my administration, to provide real service and benefit to Staten Island, and I believe that my office and my staff have done and continue to do their best to serve the people of Staten Island.

In addition to these past budget and staffing cuts, I believe that it will be highly likely that additional budget cuts and staffing constraints will be imposed upon this office in the very near future. This anticipated future limitation, together with the real likelihood

that a few changes in staff will occur between this date and my leaving office at the end of next year, I believe that there will be few, if any, new hires by my office.

Finally, in keeping with Mayor Bloomberg's request to conserve and facilitate an eco-friendly office and city, I have requested that my staff carry out your proposed recommendations using email and electronic documents as much as possible. Even with only 46 full time employees at the Staten Island Borough President's Office, the hard copy distribution of EEO and Section 55-A policies would result in thousands of additional pages being copied and distributed to the individuals. I believe that this would be a waste of paper, toner and resources and not be in keeping with the Mayor's proposed 2030 plan and my own commitment to conservation.

I have reviewed and analyzed the findings of your audit staff and have reviewed the conclusion and recommendations contained in your letter of March 20, 2008, received by this office on March 25, 2008. In response to these findings I wish to advise you that steps have been taken by my office to address the issues and minor weaknesses raised by your staff. The steps we have taken are specified below:

1. Distribution of EEO Policy

In response to the recommendations of the Employment Practices Commission all of the staff of the Staten Island Borough President's Office will be provided with an email message directing them to the location of the SIBPO'S EEO Policy, which shall be conveniently located in a central staff directory on the office's main computer server. A copy of the message describing the location of the office's EEO policy shall also be conspicuously posted on a bulletin board located next to each "hand scan station", where employees must clock in and clock out each day.

2. Distribution of EEO Policy Annually

In response to the recommendations of the Employment Practices Commission, in the future all of the staff of the Staten Island Borough President's Office will be annually provided with an email message directing them to the location of the office's EEO Policy, which shall be conveniently located in a central staff directory on the office's main computer server. Additionally, the previously noted copy of the message describing the location of the office's EEO policy shall continue to be posted at the above noted locations.

3. EEO Policy Statement by the Borough President

As part of the email messages described above, the Staten Island Borough President shall include a statement of his commitment to the EEO Policy and shall

advise the employees of the Staten Island Borough President's Office of the name, location and telephone numbers of the two EEO officers for his office.

4. Participation in the Section 55-A Program

The Office of the Staten Island Borough President shall participate in the Section 55-A program and inform all staff of the office's participation by an email message directing them to the location of the electronic version of the DCAS Section 55-a Program Brochure, which shall be conveniently located in a central staff directory on the office's main computer server. A copy of the message describing the location of the office's Section 55-A Program shall also be conspicuously posted on a bulletin board located next to each "hand scan station", where employees must clock in and clock out each day.

5. Appointment of a Disability Rights Coordinator

The Staten Island Borough President has appointed Jillian Gambino as the disability rights coordinator for his office. A notice of the appointment, together with the location and contact information for the disability rights coordinator, has been made to all staff by email message. A copy of the message describing the appointment of Jillian Gambino as disability rights coordinator, as described herein, shall also be conspicuously posted on a bulletin board located next to each "hand scan station", where employees must clock in and clock out each day.

6. Appointment of a Female EEO Officer

The Staten Island Borough President has appointed Jillian Gambino as the female EEO officer for his office. The present male EEO officer, Nicholas Dmytryszyn, shall continue in his current capacity. A notice of the appointment, together with the location and contact information for both female and male EEO Officers, has been made to all staff by email message. A copy of the message describing the appointment of Jillian Gambino as the female EEO Officer, as described herein, shall also be conspicuously posted on a bulletin board located next to each "hand scan station", where employees must clock in and clock out each day.

A request has been made to the New York City Department for Citywide Administrative Service to secure a place for the newly appointed female EEO officer in the next available training cycle.

7. Follow-up EEO Training

In response to the Employment Practices Commission's recommendation, the staff of the Staten Island Borough President's Office has been in contact with the

staff of the New York City Department of Citywide Administrative Service to determine if such training is available through DCAS or through third party vendors and services. Once this information is obtained, the Office of the Staten Island Borough President shall schedule a follow-up EEO training for all office staff at a mutually convenient date to be scheduled within the next six months.

8. EEO Officer Reporting

As discussed at the closing conference with your staff, the EEO Officers for the Staten Island Borough President's Office perform several vital roles. The male EEO officer is also the Borough Environmental Engineer and in that capacity as the Environmental Engineer reports to the Chief of Staff and to the Office Counsel on matters involving legal questions. When wearing his hat as EEO officer, he reports to the Office Chief of Staff who is a direct report to the Borough President.

The recently appointed female EEO officer also acts as a Secretary and reports to the Deputy Borough President. In her capacity as female EEO officer, she reports directly to the Chief of Staff who is a direct report to the Borough President. This is the existing procedure in the office and will continue to be in future.

9. Documentation of Meeting between EEO Officers and Direct Report to Agency Head

It has been the policy of this office that meetings necessitated by an EEO complaint or other EEO issue between the EEO Officer and the Chief of Staff, be memorialized and documented when an issue or complaint arises. As no such issue or complaint has arisen during the audit period, no such documentation or memorial has been made. In response to the recommendation of the EPC staff, all meetings involving EEO matters between or among the EEO Officers, and/or the EEO Officers and the Chief of Staff shall be recorded and maintained for posterity.

10. Revise Organizational Chart

In response to the ECP staff's recommendation, the organizational chart for the Office of the Staten Island Borough President has been revised to reflect that the EEO Officers are to report to the Chief of Staff to the Borough President on all EEO matters. The EEO officers in their other capacities will, however, continue

to report on all other matters involving their other, (non EEO), duties as reflected in the previous organization table and as reflected in the revised organization chart.

11. Head of Human Resources to include EEO Officer in Recruitment Strategies

Pursuant to the recommendation of the EPC staff, the Staten Island Borough President has directed the head of human resources for the Staten Island Borough President's Office, by email message, that the EEO Officers for the office should be included in the development of all job recruitment strategies and the selection of recruitment media, including newspapers and other publications, where appropriate, in the future.

12. Structured Interview Training

In compliance with the recommendation of the ECP staff, the Staten Island Borough President's Office has been in contact with the New York City Department of Citywide Administrative Service to determine what training or courses are available for senior office personnel and human resources personnel in the job interviewing process. The materials or training to be provided by DCAS shall be disseminated to all senior staff and human resources personnel for mandatory review. All future hires in these positions by this office shall also be required to undertake such training in future.

13. Posting of Job Vacancy Notices

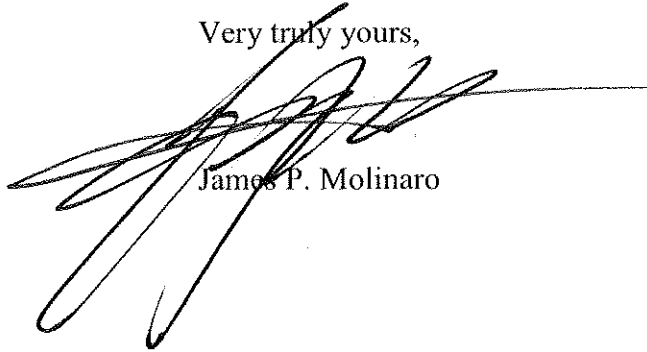
During the closing interview with the Employment Practices Commission staff, the question of job vacancies and postings was raised with the Staten Island Borough President and his staff. At the time, it was disclosed to the ECP staff that a binder was maintained in the Staten Island Borough President's Personnel Office of all job vacancies as they become available. This binder in the Personnel Office is located next to the sign-in/sign-out book for employees going on assignment and is accessible to all employees during normal business hours throughout the day. This does meet the requirements of the DCAS Personnel Service Bulletin and the recommendation by the ECP staff. Notwithstanding the foregoing actual compliance with the recommendation, the Staten Island Borough President's office shall advise all staff by email message of the continued existence and location of the jobs postings binder. In addition, a copy of the email message describing the continued existence and location of the binder shall be posted on the bulletin board located next to each "hand scan station", where employees must clock in and clock out each day.

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Chairperson Ernest F. Hart, Esq.

I believe that this addresses all issues raised in your audit report and provides the necessary information regarding our agency implementation plans and the incorporation of your recommendations. An email message to all staff noting the implementation of these recommendations and the Borough President's continued commitment to the office's Equal Employment Opportunity Program.

Once again thank you for your assistance in helping to pinpoint and rectify the issues raised and for your prompt resolution of this audit.

Very truly yours,

A handwritten signature in black ink, appearing to read 'JPM', is written over a horizontal line. The signature is stylized and somewhat cursive.

James P. Molinaro

JPM:jwz