

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #08/14-054: Preliminary Determination Pursuant to the Audit of the Civilian Complaint Review Board (CCRB) 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, 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 municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the Civilian Complaint Review Board'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 Civilian Complaint Review Board's compliance with the City's Equal Employment Opportunity Policy (EEOP), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The CCRB agency head appointed attorneys on an ad hoc basis to investigate discrimination complaints. These attorneys have not received the DCAS training for EEO professionals.
2. The CCRB does not have an EEO professional of a different gender from the EEO officer, authorized to investigate discrimination complaints.
3. The CCRB's director of personnel also serves as an EEO counselor.
4. All five internal discrimination complaint files that the CCRB provided to the EEPC do not contain a Discrimination Complaint Intake Form.
5. The CCRB agency head did not sign each confidential written report to indicate that it had been reviewed and whether the recommendation, if any, was approved and adopted. (Sect. VB, EEOP and DCPIG, Sect. 12b).
6. None of the written discrimination complaint reports are labeled "confidential," or divided into three sections.

7. The CCRB EEO officer does not keep notes or documentation of meetings with the agency head regarding EEO program operational decisions.
8. The EEO officer does not have adequate mediation staff to allow him to devote more time to EEO.

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest Hart, Esq., to forward a letter to the Civilian Complaint Review Board's Executive Director, Joan Thompson, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipt of the letter indicating what corrective actions the Civilian Complaint Review Board will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on June 19, 2008.

Angela Cabrera
Commissioner

Manuel A. Méndez
Vice-Chair

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair