



**THE POLICE COMMISSIONER**  
**CITY OF NEW YORK**

April 1, 2013

Ms. Charisa Hendricks, PHR.  
Executive Director  
Equal Employment Practices Commission  
253 Broadway, Suite 602  
New York, N.Y. 10007

**Re: Resolution # 12/29-056**  
**Final Letter of Determination**  
**Pursuant To the Audit of the NYC**  
**Police Department's Equal**  
**Employment Opportunity Program**

Dear Executive Director Hendricks:

We wish to thank the Equal Employment Practices Commission for the opportunity to review and comment on their February 11<sup>th</sup>, 2013 Final Letter of Determination Pursuant to the Audit of the Police Department's Equal Employment Opportunity Program.

In our response to your November 7<sup>th</sup>, 2012 Letter of Preliminary Determination we have agreed with most of the recommendations discussed. The following responses to these recommendations are being submitted to provide further clarification:

**Recommendation #1 (Develop a plan of access to selected Police Department facilities by disabled employees and applicants):** As indicated in our response to the EEPC's Letter of Preliminary Determination, the Police Department is committed to complying with current laws regarding access to all of its facilities by individuals with disabilities. An overall plan has been developed for renovating selected facilities which will be available during the compliance period.

**Recommendation #2 (Insert EEO case delay notifications in appropriate files and inform individuals regarding delays):** As indicated in our previous response, we have agreed to insert delay notifications in appropriate case folders and inform both the complainant and the respondent of the delay within the required time period. Letters will automatically be issued to both respondent and complainant for all cases where complaint investigations remain ongoing and have reached the 90 day threshold. Supporting documentation for recently issued delay notifications are available and will be presented during the compliance period.

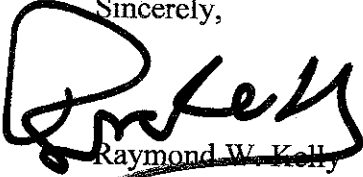
**Recommendation #3 (Maintain an applicant log for discretionary appointments which includes, at a minimum, position name, applicant's name, security or identification number, ethnicity, gender, disability or veteran status, interview date, interviewer's names, result of interview, reason selected/not selected, and recruitment source):** The Employment Section is currently using Candidate Interview Sheets for all interviews they conduct, each of which specifies position title, source of recruitment, interview date, applicant's name, interviewer's name, perceived ethnicity and gender, and results of the interview process. These sheets are completed only for candidates who appear at the interview. Following the EEPC's recommendation we have added "reason for selection/non-selection" to interview sheets that are completed for discretionary appointment candidates. Our Employment Section has created a centralized Applicant Log Book which will record all interviews and selections that have taken place including those that have been conducted at outside commands utilizing information from similar interview sheets. The log book is maintained by an independent staff member who is not involved in the interview process. All interviewers will be instructed to provide information regarding the applicant's race and gender based upon their perceptions. They will be directed not to question the applicant regarding these characteristics. As indicated in our previous response, this log does not include information on veteran status, social security number, and disability status. Our response to this recommendation is based upon advice from our Deputy Commissioner Legal Matters after conferral with the Chief of the Law Department's Labor and Employment Law Division. Supporting documentation for these procedures will be available during the compliance period.

**Recommendation #4 (Maintain formal notes of meetings between the EEO Officer and the Police Commissioner):** As indicated in our previous response, we have agreed to maintain notes of meetings between the EEO Officer and the Police Commissioner. Copies of diary entries maintained by the Deputy Commissioner, EEO regarding the administration and operation of the Police Department's EEO program are available and will be presented during the compliance period.

**Recommendation #5 (Submit to the EEPCC an Annual Agency Specific EEO Plan):** As per request, copies of the Police Department's Specific EEO Plan for the years 2009 and 2010 are available and will be presented during the compliance period.

We hope that the aforementioned responses adequately address the EEPCC's concerns and look forward to working with your agency during the compliance period.

Sincerely,



Raymond W. Kelly  
Police Commissioner