



Aldrin Rafael Bonilla, Ed.D., MPA
Chair/Commissioner

Elaine S. Reiss, Esq.
Vice-Chair/Commissioner

Minosca Alcantara, Ed.D.
Ngozi Okaro, Esq.
Nicole Yearwood, MPA
Commissioners

Jeanne M. Victor
Executive Director

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676. 2724 fax

BY EMAIL

April 4, 2024

Patricia Reilly
Executive Director
Teachers' Retirement System of the City of New York
55 Water Street, 16th Floor
New York, NY 10041

Re: Resolution #2023AP/272-041-(2024)C6
DETERMINATION: Compliance

Dear Executive Director Reilly:

On behalf of the members of the Equal Employment Practices Commission (EEPC), I write to inform you that pursuant to New York City Charter Chapter 36, Section 832(c), the EEPC's Board of Commissioners has approved the attached *Determination of Compliance*.

As you are aware, the EEPC is required to audit, evaluate, and monitor your agency at least once every four (4) years to ensure the Teachers' Retirement System of the City of New York's compliance with federal, state, and local laws and regulations, best practices, and policies and procedures that increase equal employment opportunity for minority and women employees and applicants. The Teachers' Retirement System of the City of New York's successful completion of the EEPC's *Employment Practices Audit (Focus on Underutilization)* demonstrates its commitment to implementing employment policies and practices that encourage and maintain a workplace free from unlawful discrimination and promote equality of opportunity.

Thank you and Principal EEO Professional Rosa Polanco for the cooperation extended to the EEPC during the course of our audit of your agency's employment and EEO-related practices. We look forward to working with you and the Teachers' Retirement System of the City of New York to ensure equal employment opportunity in the City of New York.

Sincerely,

A handwritten signature in black ink, appearing to read "Aldrin Bonilla", with a stylized flourish at the end.

Aldrin Rafael Bonilla
Chair/Commissioner

Enc.

c: Rosa Polanco, Principal EEO Professional, TRS

Monitoring of Employment Practices with a Focus on Underutilization
RESOLUTION NO.

2023AP/272-041-(2024)C6

Teachers' Retirement System of the City of New York

Executive Director Patricia Reilly

DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s):	Total: 14		
Period Audit Covered:	July 1, 2020 to December 31, 2022		
Preliminary Determination Issued:	August 22, 2023	Response Received	September 2, 2023
Final Determination Issued:	October 27, 2023	Response Received	November 25, 2023
Compliance-Monitoring:	Required	November 1, 2023 to February 29, 2024 without extension	

Whereas, pursuant to Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter), the Equal Employment Practices Commission (EEPC) is authorized to audit, review, evaluate, and monitor the employment procedures, practices and programs of city agencies and other municipal entities (hereinafter "entities") and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women who are employed or seek employment, and to recommend practices, procedures, approaches, measures, standards, and programs to be utilized by such entities in these efforts; and

Whereas, pursuant to Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5), the EEPC has adopted uniform standards for auditing agencies and municipal entities, and minimum standards for auditing community boards, to review, evaluate, and monitor entities' practices, procedures, approaches, measures, standards, and programs for compliance with federal, state, and local laws and regulations, and policies and procedures to increase equal opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the EEPC may make a determination pursuant to Charter Section 831(d) whether any plan, program, procedure, approach, measure, or standard adopted or utilized by any municipal entity does not provide equal employment opportunity, and the EEPC's determinations of compliance or non-compliance and prescribed corrective action are required by, or consistent with federal, state, and local laws and regulations, and policies and procedures to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, the EEPC conducted an audit, review, and evaluation of the Teachers' Retirement System of the City of New York's Employment Practices with a Focus on Underutilization; and

Whereas, pursuant to the audit, review, and evaluation of the Teachers' Retirement System of the City of New York's Employment Practices with a Focus on Underutilization, the EEPC issued a Preliminary Determination, dated August 22, 2023, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Issue and distribute an annual EEO commitment/policy statement from the Agency Head, which includes the entity's commitment to EEO and the names and contact information of the entity's EEO professionals.
2. Distribute and/or post a paper or electronic copy of the City of New York Equal Employment Opportunity Policy – or an entity specific EEO policy, which conforms to city, state, and federal EEO laws and includes: current contact information for the entity's EEO Professionals and federal, state, and local agencies that enforce laws against discrimination; uniform procedures for investigating discrimination complaints and providing reasonable accommodations; and a current list of protected classes under City and State Human Rights Laws. If posted (electronic or hard copy), ensure employees are annually informed of the location of the document(s). Ensure all links to the policy, procedures, and related forms are operable and that all documents are current.
3. Submit to the EEOC an annual entity-specific equal employment opportunity (EEO) plan, which includes a training plan, and quarterly reports on efforts to implement the plan, within 30 days following each quarter.
4. Implement an EEO training plan for new and existing employees, which includes all legally required training, to ensure that all individuals who work within the entity, including managers and supervisors, receive all mandatory training as set forth in the plan, on unlawful discriminatory practices under local, state, and federal EEO laws; EEO rights and responsibilities; discrimination complaint investigation procedures, biennial LGBTQ training, and biennial age discrimination training.
5. Ensure the principal EEO Professional is trained regarding city, state, and federal EEO laws; the requirements of the entity's EEO policies, standards and procedures; and the prevention, investigation, and resolution of discrimination complaints.
6. Appoint EEO professionals who are trained in EEO laws and procedures, and their responsibilities under the EEO Policy.
7. Ensure that human resources professionals, managers, supervisors, and other personnel involved in recruiting and hiring are trained on the use of uniform, job-related techniques (such as training on structured interviewing) and trained to consider EEO laws/policies (such as training on unconscious bias, diversity and inclusion, etc.) to identify, interview and select the most capable candidates.
8. Annually inform employees of the ADA and Disability Rights Coordinator's contact information.
9. Distribute and/or post a paper or electronic copy of a reasonable accommodation process, which requires: engaging in a cooperative dialogue, issuing a written notice of any decision granting or denying an accommodation, providing the right to file an appeal of the decision, and issuing timely written determinations on appeals. If posted (electronic or hard copy), ensure employees are annually informed of the location of the document(s).
10. Ensure that the principal EEO Professional, principal Human Resources professional (or designee), and Agency Head review the entity's statistical information (e.g. workforce, hires, promotions, and separations by race/ethnicity and gender), as part of the entity's employment practices and policies on an annual basis to identify whether there are barriers to equal

employment opportunities and determine what, if any, actions are required to correct deficiencies (e.g. underutilization or adverse impact). Document the data reviewed, barriers identified (if any), and the entity's strategy to address each barrier.

11. Use and maintain an applicant/candidate log or tracking system that tracks the application-to-hiring lifecycle, from initial application through the interview process, and to the hiring decision. At a minimum, the applicant/candidate log or tracking system must include the position, applicants'/candidates' names or identification numbers, race/ethnicity, gender, disability status, veteran status, interview date, interviewers' names, result (or disposition), reason selected/not selected for each applicant (disposition reason), and recruitment source.
12. Ensure that an EEO or human resources professional is trained to be knowledgeable and familiar with career opportunities in City government and provide career counseling to employees upon request. Document this professional's duties to advise employees of the opportunities for promotion and career advancement. Remind employees of the identity/type of guidance available from the Career Counselor at least annually.
13. Ensure that the principal Human Resources professional (or designee) provides all employees with information regarding: job responsibilities, performance evaluation standards, civil service examinations, training opportunities, job postings, and Career Counseling (including the identity of the Career Counselor); and informs and involves the principal EEO Professional in efforts to employ, promote, or accommodate qualified individuals with disabilities.
14. Designate EEO or human resources professional(s) to annually assess the manner in which candidates are selected for employment in civil service (competitive) titles to determine whether there is any adverse impact upon a particular racial, ethnic, disability, or gender group by: 1.) identifying job groups experiencing underutilization and the competitive class job titles in those groups; 2.) reviewing the competencies, skills and abilities required (as presented in job vacancy notices and notices of examination) for available positions to ensure they are updated, job-related, and required by business necessity, including working with DCAS if applicable; and 3.) targeting efforts to inform and encourage entity employees to apply for upcoming civil service and promotional civil service examinations. Document each step the entity has taken to assess selection criteria and address adverse impact where identified.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity submitted a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on December 26, 2023, which indicated that the following areas required corrective action: no(s). 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from November 1, 2023 to February 29, 2024, to determine whether the entity eliminated areas of non-compliance, if any; and

Whereas, in accordance with Charter Chapter 36, Section 832(c) the entity was required to respond in 30 days, and make monthly reports thereafter for a period not to exceed six months, on the progress of its efforts to correct outstanding areas of non-compliance; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), on November 25, 2023, the entity issued a response to the EEPC's Final Determination; and

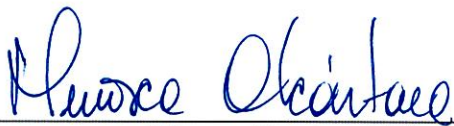
Whereas, in accordance with Charter Chapter 36, Section 832(c), the Teachers' Retirement System of the City of New York was monitored until March 22, 2024; and

Whereas, pursuant to Charter Chapter 35, Sections 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women, the Executive Director recognized the EEPC's audit and reiterated commitment to the Teachers' Retirement System of the City of New York's equal employment practices. **Now Therefore**,

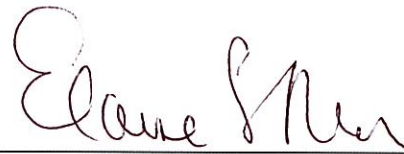
Be It Resolved, that the Teachers' Retirement System of the City of New York has satisfied the equal employment standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Executive Director Patricia Reilly of the Teachers' Retirement System of the City of New York.

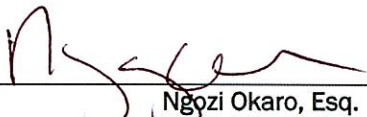
Approved unanimously on April 4, 2024.



Minosca Alcantara, Ed.D.
Commissioner/Mayoral Appointee



Elaine S. Reiss, Esq.
Vice-Chair/Commissioner/Mayoral Appointee



Ngozi Okaro, Esq.
Commissioner/City Council Appointee



Nicole Yearwood, MPA
Commissioner/City Council Appointee



Aldrin Rafael Bonilla, Ed.D., MPA
Chair/Commissioner/Joint Appointee

EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION

This

Determination of Compliance

is hereby issued to

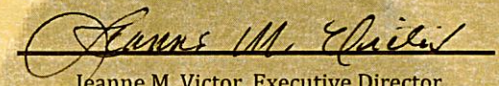
Teachers' Retirement System of the City of New York

For successful implementation of ~~14~~ of ~~14~~ required corrective action(s),
thereby achieving compliance with the Equal Employment Practices Commission's
Evaluation of Employment Practices with a Focus on Underutilization
from July 1, 2020 to this date.

On this 4th day of April in the year 2024,



Aldrin Rafael Bonilla, Chair/Commissioner



Jeanne M. Victor, Executive Director

In care of Executive Director Patricia Reilly
and Principal EEO Professional Rosa Polanco