

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #08/03-014: Preliminary Determination Pursuant to the Audit of the Staten Island Borough President Office's (SIBPO) Equal Employment Opportunity Program from July 1, 2005 through June 30, 2007.

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 Staten Island Borough President Office'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 Staten Island Borough President Office's compliance with its Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. The SIBPO's EEO Policy is not posted on bulletin boards. (Sect. VC, Citywide EEOP)
2. The SIBPO did not distribute the EEO Policy since 2004.
3. The SIBPO EEO Policy does not contain the updated EEO officer's contact information. (Sect. VB, Citywide EEOP)
4. The SIBPO does not participate in the Section 55-A Program. (Sect. IIB, Citywide EEOP)
5. The SIBPO has not appointed a disability rights coordinator. (Sect. VB, Citywide EEOP)

6. The SIBPO did not have a female EEO professional available during the second half of the audit period. (Sect. VB, Citywide Policy)
7. The agency did not conduct EEO training during and after the audit period. (Sect. VC, Citywide EEOP)
8. The EEO officer reports to the legal counsel, who is a direct report to the agency head; he also reports to the chief of staff, who reports to the deputy borough president, who in turn reports to the agency head. (Sect. VB, Citywide EEOP)
9. The EEO officer did not have regularly scheduled meetings with the counsel or the chief of staff and did not maintain documentation of such meetings.
10. The organization chart does not show a reporting relationship between the EEO officer and the agency head or direct report to the agency head. (Sect. VB, EEOP)
11. The EEO officer is not involved in developing job recruitment strategies and selecting recruitment media. (Sect. VC, Citywide EEO Policy)
12. The SIBPO has not provided structured interview training to personnel involved in the recruitment and hiring process. (Sect. IV, Citywide EEOP)
13. Thirty-six percent of the survey respondents said they did not see the agency's job vacancy postings on agency bulletin boards prior to the application deadlines. Fifty percent said they did not remember. (DCAS, Personnel Services Bulletin No. 200-9, June 30, 1998)

Be It Finally Resolved,

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Staten Island Borough President Honorable James P. Molinaro,, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipts of the letter indicating what corrective actions the Staten Island Borough President Office's will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on March 20, 2008.

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair