

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #07/23-BSA:** Preliminary Determination Pursuant to the Audit of the Board of Standards and Appeals's (BSA) Equal Employment Opportunity Program from January 1, 2005 to 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**, the Equal Employment Practices Commission audited the Board of Standards and Appeals'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 Board of Standards and Appeals'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 agency head last distributed and posted the BSA's own EEO policy statement in 2004—prior to the issuance of the current Citywide EEO Policy. (Sect. VB, EEOP)
2. The EEO officer was never officially appointed the disabilities rights coordinator. (Sect. VB, EEOP)
3. All the BSA employees have not received EEO training. (Sect. IV, EEOP)
4. The agency did not advertise its one job vacancy in periodicals with large minority and female readership, or send a vacancy notice to professional and community organizations serving minorities, women and persons with disabilities. (Sect. IV, EEOP)
5. The agency has not officially appointed a career counselor. (Sect. VF, EEOP)
6. The EEO officer does not prepare an agenda for, or keep notes of, his meetings with the chairperson.

7. The EEO officer is not involved in developing recruitment strategies or selecting recruitment media for all vacancies. (Sect. VC, EEOP)
8. Neither of the two agency managers have conducted meeting with their staffs to reaffirm their (managers') commitment to EEO. (DCAS, "Model Agency EEO Commitment Memo")
9. The agency does not conduct annual performance evaluations. (DCAS, Rule 7.5.4(e) of the *Personnel Rules and Regulations of the City of New York* and DCAS, *Managerial Performance Evaluation, Guidelines for Evaluating Managerial Performance in NYC Agencies*, p. 1)

**Be It Finally Resolved,**

that the Commission authorizes the Chair, Ernest F. Hart, Esq., to forward a letter to the Board of Standards and Appeals's Chairperson, Meenakshi Srinivasan, 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 Board of Standards and Appeals will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on October 25, 2007.

**Chereé A. Buggs, Esq.**  
Commissioner

**Angela Cabrera**  
Commissioner

**Manuel A. Méndez**  
Vice-Chair

  
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**Ernest F. Hart, Esq.**  
Chair