



EQUAL EMPLOYMENT PRACTICES COMMISSION

City of New York
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Counsel

March 12, 2009

Nicholas Scoppetta
Fire Commissioner
New York Fire Department
9 MetroTech Center
Brooklyn, NY 11201

Re: Resolution #09/07-057C Implementation of Corrective Actions Pursuant to the Audit of Compliance by the New York City Fire Department (FDNY) Equal Employment Opportunity Program (EEOP) from July 1, 2003 to June 30, 2005

Dear Commissioner Scoppetta:

Pursuant to Section 832 of Chapter 36 of the New York City Charter, staff of the Equal Employment Practices Commission (EEPC) was required to monitor audit compliance by the New York City Fire Department (FDNY) for a period not to exceed six months. The compliance period was November 2007 through April 2008. The FDNY submitted its last Monthly Compliance Report on May 16, 2008. The FDNY submitted further documentation in August and September 2008, and March 2009.

The goal of monitoring was to determine if the FDNY implemented all recommended corrective actions pursuant to our audit of compliance by your agency with the City's Equal Employment Opportunity Policy.

After completing its review of the Compliance Reports submitted by your agency, EEPC staff submitted a Summary Compliance Report for Commission review. After reviewing the Report, this Commission has determined that the FDNY has implemented the recommended corrective actions as required by Chapters 35 and 36 of the New York City Charter, to the Commission's satisfaction. The New York City Fire Department is now in compliance with the requirements of the City's Equal Employment Opportunity Policy.

On behalf of this Commission, I want to thank you and Assistant Commissioner Lyndelle Phillips for the cooperation extended to the EEPC Compliance Unit during the compliance-monitoring period.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest F. Hart". The signature is stylized and somewhat cursive.

Ernest F. Hart
Chair

C: A/C Lyndelle Phillips, EEO Officer

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #09/07-057C: Determination of implementation by the New York City Fire Department of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the New York City Fire Department's Charter-mandated Equal Employment Opportunity Program from July 1, 2003 to June 30, 2005.

Whereas, pursuant to Chapter 36, Section 831(d) (2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective 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, 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, pursuant to its audit of the New York City Fire Department (FDNY), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated December 14, 2006, setting forth its findings and recommended corrective actions; and

Whereas, the FDNY submitted its responses to EEPC's preliminary determination letter, February 8, 2007; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on February 22, 2007, identifying those recommendations accepted and rejected by FDNY; and

Whereas, in response to the EEPC's final determination letter, the FDNY submitted its response on May 31, 2007; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the FDNY for a period not to exceed six months, from November 1, 2007 through April 30, 2008, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the FDNY submitted its last monthly report on May 16, 2008, with three recommended corrective actions remaining; and

Whereas, the EEPC informally granted the FDNY a six-month extension of the compliance period from May to October 2008; and

Whereas, the FDNY submitted further documentation in August and September 2008; and

Whereas, the FDNY submitted a letter requesting an extension of compliance on October 14, 2008;
and

Whereas, the FDNY submitted its last Compliance Report, on March 10, 2009; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy. Now Therefore,

Be It Resolved,

that the New York City Fire Department has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

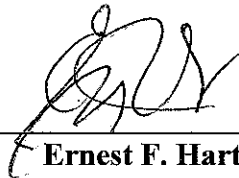
Be It Finally Resolved,

that the Commission authorizes the Chair Ernest F. Hart, Esq., to forward a letter to the New York City Fire Department Commissioner, Nicholas Scopetta, formally informing him that the FDNY has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on March 12, 2009.

**Angela Cabrera
Commissioner**

**Cesar A. Perez, Esq.
Commissioner**



**Ernest F. Hart
Chair**