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Richard T. Wolf
Executive Director

March 29, 2006

Honorable Ernest F. Hart, Esq.
Chair
Equal Employment Practices Commission
40 Rector Street, 14th Floor
New York, NY 10006

Dear Chair Hart:

I am writing to respond to your March 9, 2006 letter setting forth the Equal Employment Practices Commission's (EEPC) preliminary determinations regarding the Board of Correction's (BOC) compliance with the EEPC's "Minimum Equal Opportunity Standards for Non-Mayoral Agencies with less than 15 employees". I appreciate this opportunity to respond formally to your findings.

Before commenting on each finding, I offer some general observations. First, we at the Board of Correction always have been mindful of value and importance of maintaining a diverse staff. Indeed, BOC's 13-person staff consists of eight African-Americans, two Hispanics and three Caucasians. Nine of our thirteen employees are women. Second, to date we at BOC never have seen the Minimum Standards cited in your letter. We only learned of their existence on March 7, 2006 when we received a February 10, 2006 draft of your findings letter. Third, your letter correctly notes that the Board "has not received technical assistance from the Department of Citywide Administrative Services for the preparation of its Equal Employment Opportunity Program. *Consequently, BOC was not aware of its obligations under the Citywide Equal Employment Opportunity Policy.*" [Emphasis added.] In fact, as we discussed with EEPC Member Angela Cabrera, Executive Director Abraham May, Jr. and two EEPC staff members at our audit exit meeting on March 8, 2006, shortly after being notified by EEPC that the Board would be audited, our EEO officer initiated contact with DCAS and learned that DCAS itself was unaware of its obligations to provide technical assistance to BOC.

In response to EEPC's preliminary determinations, the Board has undertaken the following corrective action with respect to each standard cited:

Issuance, Distribution and Posting of EEO Policy: We contacted DCAS to request assistance. As a result, BOC was added to the list of non-Mayoral agencies to receive DCAS EEO assistance. Our EEO Officer requested and obtained from DCAS the Citywide EEO Policy and Discrimination Complaint Procedure, which we have adopted, issued to every member of our staff, and posted in our Manhattan and Rikers Island offices.

Training of EEO Officer: DCAS has agreed to train the Board's EEO officer at the next available training session, scheduled for May 2006.

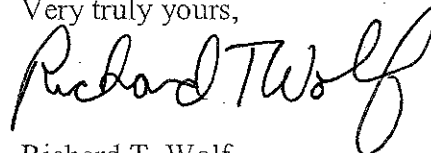
Employee EEO Training: The Board will arrange for training of its staff once the EEO officer is trained.

Underutilization Analysis: We requested that DCAS conduct an under-utilization analysis for our agency. DCAS declined to conduct the analysis because our agency is "too small" and that "[t]here would be no statistical significance to such calculations". Nonetheless, we are confident that BOC's staff demographic statistics convincingly rebut any suggestion that minorities are underrepresented on BOC's staff. We reiterate what we said at the audit exit meeting: the numbers speak for themselves. No underutilization analysis is necessary.

EEO Tag Line on Job Recruitment Literature: With the exception of one posting on craigslist.com, where our EEO tag was inadvertently excluded from the advertisement, our agency routinely includes the EEO tag line on all job recruitment materials and will continue to do so.

At the audit exit meeting, all EEPC representatives were extremely helpful and supportive of the Board's past EEO efforts. Impediments (cited above) to past BOC technical compliance with EEPC's Standards notwithstanding, findings of technical violations cannot and should not be read to suggest that BOC has been anything but aggressive in its actions to comply with the spirit of the City's EEO Policy. Furthermore, I can assure you that once we receive whatever technical assistance we require from DCAS, we will fully comply with the letter of the City's EEO Policy as well.

Very truly yours,



Richard T. Wolf

c: Honorable Hildy J. Simmons, Chair, BOC
Cathy Potler, Deputy Executive Director and EEO Officer