

EQUAL EMPLOYMENT PRACTICES COMMISSION

CITY OF NEW YORK

RESOLUTION #05/16-858: Preliminary Determination Pursuant to the Audit of the Department of Information Technology and Telecommunications's (DoITT) Equal Employment Opportunity Program from July 1, 2002 through June 30, 2004.

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 Department of Information Technology and Telecommunications'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 Department of Information Technology and Telecommunications'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. DoITT did not complete one complaint investigation within 90 days of its filing. (DCPIG; April 96 Amendment)
2. In the above cited complaint, a notification delay letter, stating the reason for the delay, was not sent to the parties of the investigation. (DCPIG; April 96 Amendment)
3. DoITT did not fully address underutilization in certain protected groups by expanding its recruitment efforts. (Sect. IV, EEOP)
4. DoITT did not conduct an adverse impact study. (Section IV, EEOP).
5. DoITT's EEO Officer did not report to the agency head, or if approved by DCAS, to a direct report to the agency head. (Sect. VB, Citywide EEO Policy)
6. DoITT's EEO Officer did not maintain appropriate documentation of meetings and other communications regarding EEO program operational decisions.

7. DoITT did not develop a plan to evaluate all employees annually.
8. DoITT employees were not aware of the identity, location and telephone number of the Career Counselor. (Sect. IV, EEOP). (Sect. IV, EEOP)

Be It Finally Resolved,

that the Commission authorizes the Vice-Chair, Manuel A. Méndez, to forward a letter to the Department of Information Technology and Telecommunications Commissioner, Gino P. Menchini, 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 Department of Information Technology and Telecommunications will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 14, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner


Manuel A. Méndez
Vice-Chair