

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #05/07-096: Preliminary Determination Pursuant to the Audit of the New York City Human Resources Administration's Equal Employment Opportunity Program from July 1, 2001 through December 31, 2003.

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 New York City Human Resources Administration's (HRA) 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 New York City Human Resources Administration'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. HRA's EEO Policies did not contain an up-to-date list of "protected classes" under the New York City and New York State Human Rights Law.
2. HRA's EEO Discrimination Complaint Procedures contained out-of-date addresses and telephone numbers for the U.S. Equal Employment Opportunity Commission.
3. Some employees indicated that they were not informed in writing of the name, location and telephone number of the EEO Officer.
4. HRA did not conduct a survey to ensure that all facilities are accessible for persons with disabilities.
5. Some internal complaint files did not contain letters to the parties informing them of the resolution of the complaint.
6. None of the internal investigative reports were labeled "confidential."
7. The EEO Officer was not included in the agency's recruitment process.

8. HRA did not conduct adverse impact studies.
9. HRA did not inform its employees in writing of the appointment of the Career Counselor.
10. Some supervisors indicated that they were not informed that they would be rated on EEO Performance.
11. The EEO Officer did not maintain appropriate documentation of meetings with the direct report to the agency head.
12. Some supervisors did not hold meetings with their staffs regarding the agency's EEO Policies.
13. Some supervisors indicated that they were not aware that the agency's EEO Policies were available on the agency intranet.
14. HRA did not replace the EEO Trainer.
15. The EEO Coordinator was not performing EEO-related matters.
16. HRA did not develop a plan to train new and existing EEO Liaisons/Personnel Officers who have not received necessary EEO training.
17. The EEO Officer did not meet on a regular basis with the Personnel Officers.
18. HRA did not develop written tasks and/or responsibilities expected of the Personnel Officers/EEO Liaisons.

Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman or his designee to forward a letter to the Human Resources Administration's Commissioner, Verna Eggleston, 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 Human Resources Administration will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on April 27, 2005

Chereé A. Buggs, Esq.
Commissioner

Veronica Villanueva, Esq.
Commissioner


Angela Cabrera
Commissioner