

# EQUAL EMPLOYMENT PRACTICES COMMISSION

## CITY OF NEW YORK

Re: **Resolution # 12/37-101:** Preliminary Determination Pursuant to the Audit of the Office of the Staten Island Borough President Equal Employment Opportunity (EEO) Program for the period from July 1, 2009 to June 30, 2012.

**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**, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), 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**, the Equal Employment Practices Commission audited the SIBPO 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 SIBPO 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 finding:

1. The agency did not distribute an EEO Policy Statement.
2. The agency did not distribute the EEO Handbook, *About EEO: What You May Not Know* and the *Top 10 Things to Know About EEO* to current employees.
3. The agency's organization chart did not reflect the EEO Officer's title or reporting relationship.
4. The agency did not provide basic EEO training to current and future employees.

**Be It Finally Resolved**, that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Borough President Honorable James P. Molinaro formally informing him of the findings with appropriate explanations and recommendations, and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within twenty-one days of receipt of the letter indicating what corrective actions the SIBPO will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on December 13, 2012.

**Malini Cadambi Daniel**  
Commissioner

**Elaine S. Reiss, Esq.**  
Commissioner

**Arva R. Rice**  
Commissioner

  
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**Angela Cabrera**  
Commissioner

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

**RESOLUTION #13/14-014C:** Determination of **Compliance** by the Office of the Staten Island Borough President with the Equal Employment Practices Commission's required corrective actions pursuant to the audit and analysis of its Equal Employment Opportunity Program.

**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 to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

**Whereas**, pursuant to Chapter 36, Section 831(d)(2), this Commission has adopted *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* to assess agencies' EEO programs and policies for compliance with federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; and

**Whereas**, pursuant to its audit and analysis of the Office of the Staten Island Borough President's (SIBP) EEO Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated December 13, 2012, setting forth its findings and required corrective actions; and

**Whereas**, the SIBP submitted its response to the EEPC's preliminary determination letter, on February 25, 2013 with documentation of its actions to rectify the areas of non-compliance; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a final determination on March 15, 2013; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the SIBP for a period not to exceed six months, from June 2013 through November 2013, to determine whether it implemented the aforementioned required corrective actions; and

**Whereas**, at the EEPC's request, pursuant to Section 815.a.(15) of the New York City Charter, on February 21, 2013, the SIBP submitted a copy of the agency head's memorandum to staff regarding the SIBP's EEO Program; and

**Whereas**, the SIBP implemented Corrective Action #1, which states: The agency head should use the distribution of the EEO Policy as an opportunity to issue a general EEO Policy statement or memo reiterating his commitment to EEO declaring the agency's position against discrimination on any protected basis, advising employees of the names and contact information

of EEO Personnel, and providing employees pertinent electronic links to the EEO Policy/Handbook/Addenda; and

**Whereas**, the SIBP implemented Corrective Action #2, which states: The agency should distribute a copy of the EEO Policy Handbook, *About EEO: What You May Not Know* or its own EEO Policy to current/new employees and/or ensure that a copy is available via its website; and

**Whereas**, the SIBP implemented Corrective Action #3, which states: Because the EEO Officer should report directly to the agency head (or to a direct report to the agency head), the agency should update its organizational chart to reflect this reporting relationship; and

**Whereas**, the SIBP implemented Corrective Action #4, which states: The agency should develop an EEO training plan to ensure that all individuals who work within the agency, including managers and supervisors, are trained concerning EEO-related policies, rights, and responsibilities; and

**Whereas**, all of the EEPC's required corrective actions are consistent with, federal, state and local laws, regulations, policies and procedures which are designed to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination in employment within municipal government; Now Therefore,

**Be It Resolved,**

that the Office of the Staten Island Borough President has implemented the required 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, Cesar A. Perez, Esq., to forward this Determination to James P. Molinaro, Staten Island Borough President.


Approved unanimously on June 20, 2013.

**Angela Cabrera**  
Commissioner

**Elaine S. Reiss, Esq.**  
Commissioner

**Arva R. Rice**  
Commissioner

  
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**Cesar A. Perez, Esq.**  
Chair

TO: ALL STAFF  
FROM: BOROUGH PRESIDENT MOLINARO   
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY PROGRAM  
DATE: JANUARY 31, 2013  
CC: JILL GAMBINO, DOM SENA

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In compliance with the New York City Equal Employment Opportunity Program of the City of New York, I wish to advise all staff members of the Staten Island Borough President's Office as follows:

The Official Office Equal Employment Opportunity Policy has been downloaded to the office server and can be found by all staff by clicking on the icon on their computer desktop. The Official Office Policy for Persons with Disabilities can also be found by all staff as an icon on their computer desktop as well.

As you know, the Office of the Staten Island Borough President is committed to Equal Employment Opportunity Program of the City of New York and all of the Borough President's Office. This commitment continues to this day and shall continue throughout the Borough President's term of Office. To facilitate the EEO Policy of the Office, The Borough President has appointed Jill Gambino and Dom Sena as the office EEO Officers. Jill can be found in G-25 and Dom in G-17. Both can be reached by telephone Jill (718)816-2041 and Dom (718)816-2182.

If you have any questions or comments about these policies and their effect upon you, please do not hesitate to contact either EEO Officer Jill or Dom at the locations and telephone numbers listed above.