

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #03/04-132: Preliminary Determination Pursuant to the Audit of the Independent Budget Office's (IBO) Equal Employment Opportunity Program from January 1, 2000 through June 30, 2002.

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 IBO'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 IBO'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. The agency's EEO policy is not available in formats accessible to applicants and employees with disabilities, e.g., audiocassette and Braille.
2. The agency's EEO policies are not clearly posted on agency bulletin boards.
3. The agency does not have a plan that includes a timeframe to train existing and new employees who have not already received training.
4. Appropriate documentation of meetings between the EEO Officer(s) and the director of the agency is not maintained.
5. The Chief of Staff does not notify the Co-EEO Officers of which recruitment strategies are implemented. The Co-EEO Officers do not review recruitment strategies to determine which strategies are, and which are not, effective.
6. The agency's current recruitment strategies are not successful in recruiting women and minorities.

7. The agency needs to expand its list of women and minority-oriented professional associations in order to attract more candidates from those groups.
8. The agency does not participate in the citywide job posting process.
9. The agency's Co-EEO Officers do not devote 50% each of their time to EEO matters.

Be It Finally Resolved,

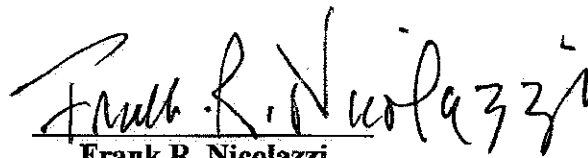
that the Commission authorizes the Vice-Chairman to forward a letter to IBO Director, Ronnie Lowenstein, formally informing her of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, her response to these findings within thirty days of receipts of the letter indicating what corrective actions IBO will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on April 3, 2003.

Angela Cabrera
Commissioner

Manuel A. Mendez
Commissioner

C. Catherine Rimokh, Esq.
Commissioner



Frank R. Nicolazzi
Vice Chairman

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

RESOLUTION #04/01-132C: Determination of implementation by the Independent Budget Office of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Independent Budget Office's Charter-mandated Equal Employment Opportunity Program from January 1, 2000 to June 30, 2002.

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 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 its audit of the Independent Budget Office (IBO), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated April 3, 2003 setting forth its findings and recommended corrective actions; and

Whereas, in response to EEPC's preliminary determination letter, IBO submitted its response on April 29, 2003; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination letter on May 19, 2003 identifying those recommendations accepted and rejected by IBO; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor IBO for a period not to exceed six months, from June 2003 through November 2003, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Independent Budget Office submitted its Final Compliance Report on January 2, 2004; 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 Independent Budget Office has implemented all ten of the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapter 35 and 36 of the City Charter.

Be It Finally Resolved,

that the Commission authorizes the Vice-Chairman to forward a letter to the Director of the Independent Budget Office, Ms. Ronnie Lowenstein, formally informing her that her agency has implemented all ten of the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on February 12, 2004

Angela Cabrera
Commissioner

C. Catherine Rimokh, Esq.,
Commissioner


Manuel A. Méndez
Vice-Chairman

NYC Independent Budget Office**Memorandum**

To: Staff
From: Ronnie Lowenstein *RL*
Date: November 17, 2003
Re: EEPC Audit Findings

As you know, this past spring the Equal Employment Practices Commission (EEPC) conducted an audit of IBO's compliance with IBO and citywide EEO requirements and EEPC policies. The EEPC found that IBO was generally in compliance with the law, and it had several recommendations for additional steps that IBO should take. Their recommendations, and IBO's response, is summarized below. Please see me or IBO's EEO officers, Michael Jacobs and Indera Segobind, if you have any questions.

1. *IBO should ensure that its EEO policies are available in formats accessible to applicants and employees with disabilities (Braille). IBO's EEO policy, which is incorporated in the IBO Staff Manual, is now available in Braille.*
2. *IBO should ensure that its EEO policies are clearly posted on agency bulletin boards. The EEO policy, which has been available to all staff on the network, is now also posted on the bulletin board next to the Xerox printer.*
3. *IBO should develop a plan, with a timeframe, to train all existing and new employees who have not received training. As of the middle of April, nearly all existing IBO employees had been trained in EEO matters. On October 15, more recent hires, as well as those few who missed the April training, attended a training workshop. IBO intends to train all new employees within three months of their start date and hold refresher training for all staff members at least every two years.*
4. *Appropriate documentation of meetings between the EEO officers and the IBO director should be maintained. Detailed minutes of meetings are now kept. Formal meetings are to be held on at least a quarterly basis. In addition to several meetings at the time IBO wrote its initial response to the EEPC audit findings, in the last half year there have been six formal meetings on EEO matters.*

The majority of the discussions at these meetings have concerned recruitment and, to a lesser extent, revision of IBO's EEO policy. General Counsel Michael Rogovin and Chief-of-Staff Kevin Koshar have attended these meetings in addition to Michael J., Indera and me.

5. *The Chief-of-Staff should notify the EEO officers of recruitment strategies being used and the EEO officers should review the strategy and revise it accordingly. Recruitment strategies are now*

Page 2

routinely discussed and reviewed at formal EEO meetings. In addition, Kevin has been continually updating Michael J. and Indera on steps taken in the recruitment process and progress being made in specific hirings.

6. *IBO should supplement its current recruitment strategies by participating in additional minority-oriented career and recruitment events.* IBO continues to seek out and utilize job fairs, Web sites, publications, and organizations that are minority-oriented or where a substantial share of potential recruits is likely to be minority. Our tracking of job applications indicates that job advertisements on or in minority-specific Web sites and publications have directly generated some applications; it is likely that these ads have also led other candidates to the IBO Web sites for more information, which in turn generated more applications.
7. *IBO should expand its list of women and minority professional associations by getting lists from other agencies.* The agencies EEPC suggested we contact initially did not have any lists, but they did share with Kevin general information about their affirmative employment efforts. We are currently waiting on information from an EEO officer at another city agency, contacted by Kevin at the recent suggestion of EEPC. IBO continues to seek out additional minority professional associations and other venues to help us recruit a diverse staff. Suggestions from staff are always welcome.
8. *IBO should expand its recruitment by participating in the citywide job posting process.* IBO now notifies personnel officers at other city agencies when there are job openings advertised on the IBO Web site, and a direct link from the NYC.GOV job opportunities Web site to the job opportunities page on IBO's Web site has been established.
9. *IBO's EEO officers should each devote 50% of their time to EEO matters.* While IBO disagreed with the specific time allocation recommended by the EEPC, we agreed to increase the time spent by Michael J. and Indera on EEO matters in general and, more specifically, increase their involvement in efforts to aggressively recruit and hire minority staff members. EEO efforts on the part of IBO's Chief-of-Staff and other senior staff members will also be increased. In addition to increasing the time they spend on recruiting and hiring, IBO's EEO officers will be available to devote as much time as needed to fulfill their EEO responsibilities.

I am personally committed to the principles of Equal Employment Opportunity. We, as an agency, will continue to seek opportunities to diversify our workforce and ensure that any current and future staff members, regardless of race, ethnicity, sex, sexual orientation, age, or physical challenge, will find IBO a welcoming and productive environment. If any staff member has suggestions or wishes to help in this effort, they should please see me, Kevin, Michael J., or Indera.