

# EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

**RESOLUTION #12/25-132:** Preliminary Determination Pursuant to the Audit of the Office of the Independent Budget Office (IBO) and its compliance with its Equal Employment Opportunity (EEO) Policy and Federal, State and City equal employment opportunity requirements for the period from January 1, 2009 to December 31, 2011.

**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 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 IBO did not issue a statement from the agency head reiterating commitment to EEO and listing the name and phone number of the EEO officer.
2. The agency's organization chart did not include the EEO Officer's title or reporting relationship.

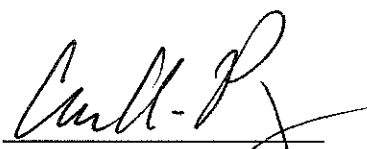
**Be It Finally Resolved**, that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Executive Director Ronnie Lowenstein of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, a response to these findings within thirty days of receipt of the letter indicating what corrective

actions the IBO will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on September 13, 2012.

**Angela Cabrera**  
**Commissioner**

**Malini Cadambi Daniel**  
**Commissioner**



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

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

**RESOLUTION #13/04-132C:** 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 compliance with its Equal Employment Opportunity Program from January 1, 2009 to December 31, 2011.

**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 the Administrative Code of the City of New York, Title 8, as amended, the City established the New York City Human Rights Law, which identified other groups for protection from discrimination in employment; and

**Whereas**, pursuant to its audit of the Independent Budget Office's (IBO) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated September 13, 2012, setting forth its findings and recommended corrective actions; and

**Whereas**, the IBO submitted its response to the EEPC's preliminary determination letter, on October 11, 2012; and

**Whereas**, the Independent Budget Office submitted with its response to the preliminary determination documentation of actions taken to rectify the non-compliance identified in the preliminary determination; and

**Whereas**, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a final determination on November 20, 2012; and

**Whereas**, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to determine whether the corrective actions taken by the agency are sufficient to remedy non-compliance identified in the preliminary determination; and

**Whereas**, at the EEPC's request, pursuant to Section 815.a.(19) of the New York City Charter, on January 23, 2013, the IBO submitted a copy of the agency head's memorandum to staff, which outlined the corrective actions implemented in response to the EEPC's audit; and

**Whereas**, all of the aforementioned recommended corrective actions are required by, or are consistent with, the Independent Budget Office's Equal Employment Opportunity Policy; and

**Whereas**, the members of this Commission have reviewed a Compliance Summary Report prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

**Be It Resolved,**

that the Independent Budget Office has implemented the recommended 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, to forward a letter to the Independent Budget Office Executive Director Ronnie Lowenstein, formally informing her that the IBO has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on January 24, 2013.

**Angela Cabrera**  
**Commissioner**

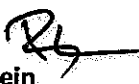
**Malini Cadambi Daniel**  
**Commissioner**

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

**Arva R. Rice**  
**Commissioner**

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

MEMORANDUM

To: Staff  
From: Ronnie Lowenstein   
Date: January 23, 2013  
Re: EEPC Audit Findings

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The Equal Employment Commission (EEPC) recently concluded an audit of IBO's compliance with IBO and citywide EEO requirements and EEPC policies. EEPC requires the agency head to distribute a memorandum to all staff informing them of the changes that have been implemented in the agency's EEO program as a result of the audit findings.

The Commission's audit found that IBO was generally in compliance with EEO law and policies. The audit findings made two minor recommendations to improve the agency's compliance. The recommendations and IBO's response are summarized below.

***Distribution of EEO Policy***

As recommended, the IBO Director has issued a memorandum reiterating the agency's commitment to EEO which will be distributed to all employees during their EEO training. This memo also includes the names and contact information for the EEO Officer and Counselor.

***Organizational Chart Updated to Reflect Reporting Relationship of EEO Officer to IBO Director***

As recommended, IBO has updated the agency's organizational chart to show the titles of the EEO Officer and Counselor, as well as their reporting relationships to the IBO Director.

I want to reaffirm IBO's commitment to maintaining fair employment practices for all employees and job applicants. We are committed to EEO policy and principles, will continue to seek opportunities to diversify the agency's workforce, and will ensure that current and future staff members are aware of their rights and obligations under this policy. We will work to make certain that all IBO employees, regardless of race, ethnicity, gender, sexual orientation, age, physical challenge, or other protected class status, find IBO a welcoming and productive work environment. If you have any suggestions for improving IBO's efforts in this area, please reach out to me, Nashla, Paul or Doug.