

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #05/09-261: Preliminary Determination Pursuant to the Audit of the Department of Youth and Community Development's Equal Employment Opportunity Program from January 1, 2003 through December 31, 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 Youth and Community Development'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 did not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the audit of the Department of Youth and Community Development's compliance with the City's Equal Employment Opportunity Policy (EEO), the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Five supervisors interviewed by EEPC auditors indicated that their performance evaluation forms did not include a rating for EEO performance.
2. There was no indication in the one internal discrimination complaint file that the DYCD Commissioner reviewed or approved the EEO investigator's final report and recommendations.
3. There is no indication in that same discrimination complaint file that the respondent was notified in writing of the agency's determination.
4. The agency did not conduct adverse impact studies during the audit period.
5. Fifty-seven percent of survey respondents indicate that their performance evaluations did not contain recommendations for improving job performance and 77 percent indicated that their evaluations do not have recommendations for career advancement.

6. The EEO Officer did not keep agendas or notes of her meetings with the Commissioner regarding EEO matters.
7. Supervisors and managers were not directed to discuss the agency's EEO policies with their subordinates.
8. Seventy-seven percent of survey respondents indicated they did not know the name of the persons responsible for providing career counseling.

Be It Finally Resolved,

that the Commission authorizes the Vice Chair/Commissioner to forward a letter to Commissioner Jeanne B. Mullgrav formally informing her of the findings with appropriate explanations and requesting, pursuant to Chapter 36 of the New York City Charter, her response to these findings within thirty days and receipt of the letter indicating what corrective actions the Department of Youth and Community Development will take to bring it into compliance with the New York City Equal Employment Opportunity Policy.

Approved unanimously on June 8, 2005.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Manuel A. Méndez
Vice-Chair

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

RESOLUTION #06/01-260C: Determination of implementation by the Department of Youth and Community Development of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Youth and Community Development's Charter-mandated Equal Employment Opportunity Program from January 1, 2003 to December 31, 2004.

Whereas, pursuant to Chapter 36, Sections 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 Department of Youth and Community Development (DYCD), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated June 8, 2005, setting forth its findings and recommended corrective actions; and

Whereas, DYCD submitted its response to EEPC's preliminary determination letter, on June 17, 2005; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its response on June 27, 2005; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor DYCD for a period not to exceed six months, from August 2005 through January 2006, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Department of Youth and Community Development submitted its Final Compliance Report on January 10, 2006, one month early; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City'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 Department of Youth and Community Development has implemented 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 Chair, Ernest Hart, Esq., to forward a letter to the Commissioner of the Department of Youth and Community Development, Jeanne B. Mullgrav, formally informing her that DYCD has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on January 24, 2006.

Chereé A. Buggs, Esq.
Commissioner

Angela Cabrera
Commissioner

Veronica Villanueva, Esq.
Commissioner



Ernest F. Hart, Esq.
Chair



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JEANNE B. MULLGRAV
Commissioner

MEMORANDUM

TO: All Staff

FROM: Jeanne B. Mullgrav *J. Mullgrav*

DATE: January 10, 2006

SUBJ: **Equal Employment Practices Commission Audit**

Chapter 36 of the New York City Charter empowers the Equal Employment Practices Commission (EEPC) to review, evaluate and monitor the equal employment programs, practices, policies and procedures of all City agencies.

The Commission has recently conducted an audit of DYCD to evaluate its compliance with the Charter mandated EEO policy for the two year period July 1, 2002 through June 30, 2004.

While we have made significant achievements and improvements in the area of EEO, there are greater efficiencies to be gained. As a result of the EEPC's recommendations, DYCD:

- will continue its efforts to conduct adverse impact studies for all positions
- have had representatives from the EEO Office at departmental meetings to discuss the EEO Policy as well as provide information on the rights of each employee to file a complaint within DYCD
- has developed and circulated a newsletter in which contact information for the EEO Officer, Career Counselor, and EEO Counselors, and gives information on the services that are available through each office
- has included recommendations in employee evaluations to improve job performance and explain career advancement opportunities

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I would like to take this opportunity to reaffirm the Department's strong commitment to maintaining and enforcing fair employment practices for all of its employees and job applicants. It is essential that DYCD take measures to prevent discrimination and ensure that all employees are aware of their rights and obligations under the Equal Employment Opportunity Policy. We should all encourage a work environment that respects and appreciates differences and diversity of our employees.

All employees are encouraged to use the EEO resources available within DYCD and to address any concerns to Ms. Felicia Thornton, EEO Officer, 156 William Street, 6th Floor. She may be reached at (212) 442-6659.

Thank you.