

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #11/07-HDC: Preliminary Determination Pursuant to the Audit of the New York City Housing Development Corporation's (HDC) Equal Employment Opportunity Program from January 1, 2007 through December 31, 2009.

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 Housing Development Corporation'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 New York City Housing Development Corporation'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 did not have contact information for federal, state, and local agencies that enforce laws against discrimination. (Commission's Position, EEPC/Sect. 831, City Charter)
2. The EEO Officer did not submit the written investigative report including recommendation to the agency head for review. (*The HDC Discrimination Complaint Procedure and EEPC/Sect. 831, City Charter*)
3. The EEO officer did not inform all parties in writing of the outcome of the investigation. (*The HDC Discrimination Complaint Procedure and EEPC/Sect. 831, City Charter*)
4. Although the EEO professionals had some training (*EEO The Public Sector Perspective* course from the Cornell Institute of Labor Relations' EEO Studies Program, online training in hiring/firing employees lawfully and onsite training for preventing harassment in the workplace), they did not demonstrate that they received EEO professionals training which included discrimination complaint intake and investigation. (Commission's Position, EEPC/Sect. 831, City Charter)

Be It Finally Resolved,
that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to President Marc E. Jahr, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipt of the letter indicating what corrective actions the New York City Housing Development Corporation's Office will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

Approved unanimously on July 28, 2011.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq
Commissioner



Cesar A. Perez, Esq.
Chair

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

RESOLUTION #13/02-907C: Determination of implementation by the New York City Housing Development Corporation of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the New York City Housing Development Corporation's compliance with its Equal Employment Opportunity Program from January 1, 2007 to December 31, 2009.

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 Manhattan Borough President's Office's (MBPO) Equal Employment Opportunity Program, the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated July 28, 2011, setting forth its findings and recommended corrective actions; and

Whereas, the HDC submitted its response to the EEPC's preliminary determination letter, on August 12, 2011; and

Whereas, in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued a final determination on September 28, 2011, including such recommended corrective action as the Commission deemed; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the HDC for a period not to exceed six months, from November 2011 through April 2012, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Commission extended the compliance period through December, 2012 in order to confirm the successful completion of training for both EEO Counselors; and

Whereas, the New York City Housing Development Corporation submitted its Final Compliance Report on December 20, 2011, and provided supplemental documentation on January 23, 2013; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the New York City Housing Development Corporation'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 New York City Housing Development Corporation 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 New York City Housing Development Corporation President, Marc E. Jahr, formally informing him that the HDC 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



Cesar A. Perez, Esq.
Chair

From: Marc Jahr
Sent: Friday, January 25, 2013 3:31 PM
To: *HDCUsers
Cc:
Subject: HDC's Equal Employment Opportunity Practices
Importance: High

The Equal Employment Practices Commission ("EEPC") conducted an audit of HDC's practices and procedures in 2011. As a result, we have included the addresses and phone numbers of the New York City Commission on Human Rights, the New York State Division of Human Rights and the U.S. Equal Employment Opportunity Commission in HDC's "EEO Discrimination Complaint Procedure" so that employees are afforded the opportunity to effectively exercise their right to file an external complaint with Federal, State and Local administrative agencies.

This audit also included a recommendation that our EEO counselors attend a training session on Federal, State and City EEO laws and procedures in order to be better equipped to carry out their responsibilities. Appropriate training became available in December of 2012 and has now been completed.

Please take some time to re-familiarize yourselves with our EEO policies in light of the recommendations of the Equal Employment Practices Commission. The policies are in the HDC Employee Handbook at pages 2-16 through 2-17. Our Discrimination Complaint Procedure can be found on the HDC Portal in the "Document Center" under Human Resources. You can also directly use the following link:

<http://portal/Docs/default.aspx>

Once again, I wish to re-emphasize my commitment to HDC's EEO Program and welcome any questions, comments and/or suggestions you may have regarding it.