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BY MAIL AND EMAIL

December 7, 2018

Kathleen Saunders
Chairperson
Bronx Community Board No. 4
1650 Selwyn Ave, Suite 11A
Bronx, NY 10457

Re: Determination Pursuant to Audit: Review, Evaluation and Monitoring of **Sexual Harassment Prevention and Response Practices of Bronx Community Board No. 4** for the period July 1, 2017 to June 30, 2018.

Dear Chairperson Saunders:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you and your agency for the cooperation extended to our staff during the course of this audit. This letter contains the EEPC's findings and determinations pursuant to our analysis for the period covering July 1, 2017 to June 30, 2018.

Chapter 36, Section 831(d)(5) of the New York City Charter (Charter) empowers the EEPC to audit and evaluate the employment practices and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity (EEO) for women and minority employees and applicants seeking employment. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any agency's plan, program, procedure, approach, measure or standard does not provide equal employment opportunity, require appropriate corrective action, and monitor the implementation of the corrective action it prescribes.

Bronx Community Board No. 4, which may herein be referred to as "the agency," falls within the EEPC's purview under Charter Chapter 36, Section 831(a), which delineates city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government where the majority of the board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..."



Equal Employment Practices Commission

The purpose of this audit and analysis is to evaluate the agency's EEO Program, not to issue findings of discrimination pursuant to the New York City Human Rights Law. The EEPC has adopted *Uniform Standards for EEPC Audits*¹ 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 designed to increase equality of opportunity for municipal government employees and job applicants. These standards are founded upon, and consistent with, federal, state and local laws, regulations, procedures and policies including, but not limited to, the City of New York's *Equal Employment Opportunity Policy, Standards and Procedures to Be Utilized by City Agencies 2014* (Citywide EEO Policy); New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter. Prescribed corrective actions are consistent with the aforementioned parameters.

The *Uniform Standards for EEPC Audits* require each agency to distribute the Citywide EEO Policy or its own EEO policy. As the Community Boards are comprised of members appointed by the respective Borough Presidents, under the *Minimum Equal Employment Opportunity Standards for Community Boards*, the expectation is that a Community Board adopts and distributes the Borough President's EEO Policy.

Scope and Methodology

The EEPC has established ***Community Board Auditing Standards for Sexual Harassment Prevention and Response***. The EEPC's audit methodology includes the collection and analysis of the documents, records, and data the agency provides in response to the *Sexual Harassment Prevention and Response Preliminary Interview Questionnaire (PIQ) for Community Boards*, which is based on these standards. The EEPC may conduct follow-up requests or discussions for clarity. The PIQ was sent to Bronx Community Board No. 4 on October 1, 2018. The EEPC received Bronx Community Board No. 4's (hereinafter referred to as BxCB4) completed questionnaire on October 22, 2018. The following determination indicates where the Community Board's District Office has or has not complied, in whole or in part, with the EEPC's *Minimum Equal Employment Opportunity Standards for Community Boards*.

Description of the Community Boards

Community Boards are local representative bodies. Each Community Board is comprised of up to fifty unsalaried members appointed by the Borough President in consultation with the City Council members who represent any part of the Community Board district. Each Community Board hires a full time, salaried District Manager and salaried support staff to administer its District Office, which works to resolve the service delivery problems of its residents and businesses. Community Boards also have an advisory role in zoning, land use issues, community planning, the city budget process, and the coordination of municipal services. Any person who resides, does business, or has a professional or other significant interest in the community is eligible for appointment to

¹ Corresponding audit/analysis standards are numbered throughout the document.



his/her Community Board. In addition to the Chairperson, the BxCB2's headcount consisted of a *District Manager*, and two *Community Associates*.

DETERMINATION

Following are the corresponding audit standards for each subject area along with the EEPC's findings and required corrective actions, where appropriate:

I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES

Determination: The agency is in non-compliance with the standards for this subject area.

1. Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
 - During the period in review, BxCB4 did not distribute or post an annual policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment. **Corrective action required.**

Corrective Action #1: Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.

2. Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.
 - During the period in review, BxCB4 did not follow, distribute, or post the Borough President's policy(ies) against sexual harassment. **Corrective action required.**

Corrective Action #2: Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.

II. EEO TRAINING FOR AGENCY

Determination: The agency is in non-compliance with the standard for this subject area.

3. Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
 - BxCB4 did not demonstrate that, during the period in review, all individuals who work within the Board received training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities. **Corrective action required.**

Corrective Action #3: Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.

III. COMPLAINT & INVESTIGATION PROCEDURES

Summary of Complaint Activity: Bronx Community Board No. 4 reported no employment discrimination complaints were filed during the audit period.

Determination: The agency is in partial compliance with the standards for this subject area.

4. Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation procedures.
 - BxCB4 did not demonstrate that, during the period in review, all individuals who worked within the Board received information regarding the Borough President's complaint investigation procedures. **Corrective action required.**

Corrective Action #4: Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation procedures.

5. Community Boards must maintain a summary of annual complaint activity.

NOTE: BxCB4 reported no discrimination complaints were filed during the period in review. As compliance with the standard could not be meaningfully measured for the period in review, further evaluation of this area was impractical.

IV. RESPONSIBILITY FOR IMPLEMENTATION

Determination: The agency is in non-compliance with the standards for this subject area.

6. Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.
 - BxCB4 did not demonstrate that, during the period in review, employees were directed to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. **Corrective action required.**

Corrective Action #5: Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

7. Community Board Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

- BxCB4 did not demonstrate that, during the period in review, the Chairperson, or their designees consulted or cooperated with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints. **Corrective action required.**

Corrective Action #6: Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

SUMMARY OF REQUIRED CORRECTIVE ACTIONS

Pursuant to the Equal Employment Practices Commission's *Minimum Equal Employment Opportunity Standards for Community Boards*, **6 corrective actions are currently required.**

1. Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
2. Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.
3. Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation procedures.
5. Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.
6. Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

CONCLUSION

If no corrective action is required, a *Determination of Compliance* is attached and no response is required.

If corrective action(s) are required, pursuant to Charter Chapter 36, please respond to this Determination within 14 days from the date of this letter via mail or email to Executive Director, Charise L. Terry, PHR at cterry@eepc.nyc.gov. Your response should indicate (with attached documentation) what steps your agency has taken, or will take, to implement the corrective action(s).



Once your response is received, the EEPC will inform your agency in writing of its compliance status or assigned compliance monitoring period. For action(s) not implemented, a monthly compliance monitoring period will be assigned, where the EEPC will verify implementation of the prescribed corrective action(s). Upon your agency's completion of the final corrective action, a *Determination of Compliance* will be issued.

If your agency does not respond within 14 days and corrective action(s) are required, the EEPC will assign a monthly compliance monitoring period.

Because the Community Boards are comprised of members appointed by the respective Borough Presidents, please forward a copy of your response to this Determination to the Office of the Borough President's EEO Officer.

In closing, thank you and your staff for the cooperation extended to the Equal Employment Practices Commission during the course of this audit.

Respectfully Submitted by,

A handwritten signature in blue ink, appearing to read "Imani Bowen", written over a horizontal line.

Imani Bowen, EEO Program Analyst

Approved by,

A handwritten signature in blue ink, appearing to read "Charise L. Terry", written over a horizontal line.

Charise L. Terry, PHR
Executive Director

- c: Paul Philps, District Manager
- Ruben Diaz Jr., Bronx Borough President
- Vivian Velez, Principal EEO Professional, Office of the Bronx Borough President
- Tom Lucania, Director of Community Boards Unit and Legislative Affairs

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RESPONSE: Determination Pursuant to Audit: Review, Evaluation and Monitoring of Sexual Harassment Prevention and Response Practices of Bronx Community Board No. 4 for the period July 1, 2017 to June 30, 2018
Date: Friday, December 21, 2018 1:14:38 PM
Attachments: [REDACTED]

Dear Chair Terry,

Below please find responses to the EEP's findings and determinations pursuant to your analysis for the period covering July 1, 2017 to June 30, 2018:

I. ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES

Determination: The agency is in non-compliance with the standards for this subject area.

Corrective Action #1: Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.

RESPONSE: The Chairperson will sign the attached letter each year when the BP sends the EEO and Sexual Harassment Prevention policies to the board.

2. Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.

Corrective Action #2: Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.

RESPONSE: Please be advised that the Borough President's Sexual Harassment Policy was printed and resent to staff. Each staff member will be emailed copies of the policies each year a record of receipt will be maintained by each staff member. **(SEE ATTACHED)**

II. EEO TRAINING FOR AGENCY

Determination: The agency is in non-compliance with the standard for this subject area.

3. Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.

Corrective Action #3: Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.

RESPONSE: As part of the recently approved Sexual Harassment Prevention legislation, all community board staff were required and completed the NYC Sexual Harassment Prevention course as designed by DCAS on time. All staff will take this course each year and maintain a record of staff compliance with this law. **(SEE ATTACHED CERTIFICATES OF COMPLETION)**

III. COMPLAINT & INVESTIGATION PROCEDURES

Summary of Complaint Activity: Bronx Community Board No. 4 reported no employment discrimination complaints were filed during the audit period.

Corrective Action #4: Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation

procedures.

RESPONSE: We will ensure that each staff member is advised that the complaint investigation procedure is included in the Borough President's Sexual Harassment Policy Statement.

IV. RESPONSIBILITY FOR IMPLEMENTATION

Determination: The agency is in non-compliance with the standards for this subject area.

Corrective Action #5: Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

RESPONSE: All employees were provided with a copy of the Borough President's Policy which outlines a process for filing a complaint.

Corrective Action #6: Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

RESPONSE: All District Manager's met with the Deputy Borough President and Counsel to discuss sexual harassment policies, complaints and the like on August 30, 2018. We will use the Borough President's EEO office to file internal complaints.

Please feel free to reach out if you have any questions.

Regards,

Paul

Paul A. Philps
District Manager
Community Board Four





Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Director of Learning and Development

Jennifer Shaw, Esq.
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Director of Compliance

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BY MAIL AND EMAIL

January 7, 2019

Kathleen Saunders
Chairperson
Bronx Community Board No. 4
1650 Selwyn Avenue, Suite 11A
Bronx, NY 10457

RE: Audit Resolution #2018AP/227-384-(2019): Final Determination Pursuant to the Review, Evaluation and Monitoring of the Bronx Community Board No. 4's Sexual Harassment Prevention and Response Practices Audit from July 1, 2017 to June 30, 2018.

Dear Chairperson Saunders:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for your Bronx Community Board No. 4 District Manager's December 21, 2018 response to our December 7, 2018 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

The Bronx Community Board No. 4 falls within the EEPC's purview under Chapter 36, Section 831(a) of the New York City Charter (Charter), which delineates city agency as any "city, county, borough or other office, administration, board, department, division, commission, bureau, corporation, authority, or other agency of government where the majority of the board members of such agency are appointed by the mayor or serve by virtue of being city officers or the expenses of which are paid in whole or in part from the city treasury..."

As indicated in our Preliminary Determination, the EEPC has adopted uniform standards¹ to assess agencies' employment practices and programs for compliance with federal, state, and local laws, and regulations, policies, and procedures designed to increase equality of opportunity for municipal government

¹ The EEPC's *Uniform Standards for EEPC Audits* and *Minimum Equal Employment Opportunity Standards for Community Boards* are founded upon, and consistent with, federal, state, and local laws, and regulations, procedures, and policies including, but not limited to, the City of New York's *Equal Employment Opportunity Policy, Standards and Procedures to be Utilized by City Agencies 2014*; New York City Human Rights Law (NYC Administrative Code §§8-107(1)(a) and (d), 8-107.13, and 8-107.1); New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter.



**Equal Employment
Practices Commission**

employees and job applicants. The attached Final Determination contains the EEPC's findings and required corrective actions pertaining to the referenced review, evaluation, and monitoring of your agency's employment practices and procedures.

Chapter 36, Section 832(c) of the New York City Charter requires that: 1) the EEPC assign a compliance monitoring period of up to six months to monitor your agency's efforts to eliminate remaining required corrective actions; and 2) the agency provide a written response within 30 days from the date of this letter indicating corrective action taken.

The assigned compliance monitoring period is: January 2019 to February 2019. Implementing all the corrective actions prior to the conclusion of the compliance monitoring period is highly encouraged and will serve to shorten the compliance monitoring period.

If corrective actions remain: Your agency's response should indicate what steps your agency has taken, or will take, to implement the corrective actions during the designated period. Documentation that supports the implementation of each corrective action shall be uploaded to TeamCentral, the EEPC's Automated Compliance Monitoring System. Your agency will be monitored until all corrective actions have been implemented. Instruction on how to access and navigate TeamCentral is attached. Upon your agency's completion of the final corrective action, the EEPC will issue a *Determination of Compliance*.

If no corrective actions remain: Your agency is exempt from the aforementioned monitoring period. A *Determination of Compliance* will be issued by the EEPC at its next meeting and no response is required.

If there are further questions regarding this Final Determination or the compliance monitoring process, please contact Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance at jshaw@eepc.nyc.gov or 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Charise L. Terry".

Charise L. Terry, PHR
Executive Director

- C: Paul Philps, District Manager
- Ruben Diaz Jr., Bronx Borough President
- Vivian Velez, Principal EEO Professional, Office of the Bronx Borough President
- Tom Lucania, Director of Community Boards Unit and Legislative Affairs

Enclosed: TeamCentral Agency Manual

FINAL DETERMINATION

Agency response indicating corrective action taken with documentation is due within 30 days.

The Equal Employment Practices Commission's findings and required corrective actions are based on the audit methodology that includes collection and analysis of the documents, records, and data the agency provided in response to the *EEPC* document and information request; the *EEPC Preliminary Interview Questionnaires (PIQ)* for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the agency's *Annual EEO Plans* and *Quarterly EEO Reports*; and workforce data from the *Citywide Equal Employment Database System*. Additional research and follow-up discussions or interviews were conducted as appropriate.

After reviewing the agency's optional response² (if applicable) to the EEPC's Preliminary Determination, our Final Determination is as follows:

Agree

Regarding your responses to the following EEPC required corrective actions, we *Agree* based on documentation that is attached to your response.

Corrective Action #1: Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.

Agency Response: On January 2, 2019, the agency District Manager emailed to all employees a memorandum issued by the *Chairperson* that reiterated commitment to the prevention of sexual harassment.

EEPC Response: The EEPC accepts the agency's response and documentation provided as confirmation that corrective action #1 has been implemented.

NOTE: Although the EEPC accepts the agency's response and documentation provided, the EEPC's standard requires the annual policy statement to include specific information. Attached for the agency's guidance when drafting future policy statements is a policy statement that the EEPC has previously accepted as demonstration of compliance with this standard (see Appendix A).

Corrective Action #2: Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.

Agency Response: On December 20, 2018, the agency District Manager emailed to all employees the Bronx Borough President's "*Joint Memorandum: Agency Head's 2018 Statement Against Sexual Harassment and Statement of Discrimination/Sexual Harassment Investigation Complaint Procedure*" (SH Complaint Procedure), which indicated, "[t]he following is the Office's sexual harassment policy." The SH Complaint Procedure also stated that "[e]mployees are hereby once

² Excerpts are italicized.

again notified that the Citywide Policy regarding “Sexual Harassment” is incorporated into the policies of the Office of the Bronx Borough President.”

EEPC Response: The Bronx Borough President’s Office advised the EEPC that it has adopted and posted the *Equal Employment Opportunity Policy, Standards, and Procedures to Be Utilized by City Agencies, City of New York 2014* (Citywide EEO Policy). As such, the agency’s electronic distribution of the SH Complaint Procedure, which incorporates the Citywide EEO Policy, is consistent with the EEPC’s standard that Community Boards must follow, distribute, and post the Borough President’s policy(ies) against sexual harassment. The EEPC accepts the agency’s response and documentation provided as confirmation that corrective action #2 has been implemented.

Corrective Action #3: Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.

Agency Response: On December 20, 2018, the agency’s District Manager emailed all employees the Bronx Borough President’s SH Complaint Procedure, which contained sections entitled, “*Sexual Harassment Policy,*” and “*Discrimination Complaint Procedure.*” Also, certificates of completion demonstrate that all agency employees completed the Department of Citywide Administrative Service’s “*Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace*” computer-based training.

EEPC Response: The EEPC accepts the agency’s response and documentation provided as confirmation that corrective action #3 has been implemented.

Corrective Action #4: Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President’s complaint investigation procedures.

Agency Response: On December 20, 2018, the agency’s District Manager emailed all employees a copy of the Bronx Borough President’s SH Complaint Procedure. Included in the document was a section entitled, “*Discrimination Complaint Procedure*” which included the subsections, “*When To File A Complaint,*” “*Where To File A Complaint,*” “*How To File An EEO Complaint,*” “*What Happens When A Complaint Is Filed,*” and “*Retaliation.*”

EEPC Response: The EEPC accepts the agency’s response and documentation provided as confirmation that corrective action #4 has been implemented.

Corrective Action #5: Community Boards must direct employees to utilize the Borough President’s Equal Employment Opportunity (EEO) Office to file an internal complaint.

Agency Response: On December 20, 2018, the agency’s District Manager emailed all employees a copy of the Bronx Borough President’s SH Complaint Procedure. Under the section entitled, “*How to File An EEO Complaint,*” the document states, “[a]n employee wishing to file an EEO complaint may contact one of the [EEO Officers] listed above. The employee has a right to meet

privately with the EEO Officer or a Counselor during office hours to discuss the complaint.” The names and contact information of the Bronx Borough President’s EEO Officer and EEO Counselor were also listed.

EEPC Response: The EEPC accepts the agency’s response and documentation provided as confirmation that corrective action #5 has been implemented.

Corrective Action #6: Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President’s principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

Agency Response: On December 20, 2018, the agency’s District Manager emailed all employees a copy of the Bronx Borough President’s SH Complaint Procedure, which included the direction to utilize the Borough President’s principal EEO Professional, “...for the handling of all EEO complaints.” The name and contact information of the principal EEO Professional was also provided. Additionally, on March 5, 2018, the Director of Community Boards Unit and Legislative Affairs of the Bronx Borough President’s Office and the agency’s District Manager communicated via email regarding updated sexual harassment training requirements. Certificates of completion demonstrate that all agency employees completed the required training.

EEPC Response: The EEPC accepts the agency’s response and documentation provided as confirmation that corrective action #6 has been implemented.

Monitoring Required

As there are no outstanding corrective actions, no monitoring is required during the assigned compliance monitoring period. No response is required and a *Determination of Compliance* will be issued by the EEPC at its next meeting.

Thank you and your staff for your continued cooperation.



**RESOLUTION NO.
2018AP/227-384-(2019)
Bronx Community Board No. 4
Chairperson Kathleen Saunders
Sexual Harassment Prevention and Response Practices
DETERMINATION: FINAL**

SYNOPSIS

Corrective Action(s) Period Audit Covered	Total: 6 July 2, 2017 to June 30, 2018		
Preliminary Determination Issued	December 7, 2018	Response Received	December 21, 2018
Final Determination Issued	January 7, 2019	Exempt from Responding	
Compliance-Monitoring	Not Required		

Whereas, pursuant to Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter), the Equal Employment Practices Commission (EEPC) is authorized to audit, review, evaluate, and monitor the employment practices and procedures of city agencies and other municipal entities (hereinafter "entities") and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women who are employed or seek employment, and to recommend practices, procedures, approaches, measures, standards, and programs to be utilized by such entities in these efforts; and

Whereas, pursuant to Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5), the EEPC has adopted Uniform Standards for Auditing Municipal Entities and Minimum Equal Employment Opportunity Standards for Community Boards to review, evaluate, and monitor entities' practices, procedures, approaches, measures, standards, and programs for compliance with federal, state, and local laws and regulations, and policies and procedures to increase equal opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the EEPC may make a determination pursuant to Charter Section 831(d) whether any plan, program, procedure, approach, measure, or standard adopted or utilized by any municipal entity does not provide equal employment opportunity, and the EEPC's determinations of compliance or non-compliance and prescribed corrective action are required by, or consistent with federal, state, and local laws and regulations, and policies and procedures to increase equality of opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, the EEPC conducted an audit, review, and evaluation of the Bronx Community Board No. 4's Sexual Harassment Prevention and Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 4's Sexual Harassment Prevention and Practices, the EEPC issued a Preliminary Determination, dated December 7, 2018, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
2. Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.
3. Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation procedures.
5. Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.
6. Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity submitted a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on January 7, 2019, which indicated that no areas required corrective action; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from January 2019 to February 2019 to determine whether the entity eliminated areas of non-compliance, if any; and

Whereas, in accordance with Charter Chapter 36, Section 832(c) the entity was required to respond in 30 days, and make monthly reports thereafter for a period not to exceed six months, on the progress of its efforts to correct outstanding areas of non-compliance; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), on January 7, 2019, the entity was exempt from issuing a response to the EEPC's Final Determination; Now Therefore,


Be It Resolved, that pursuant to Charter Chapter 35, Section 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity for minority group members and women, the EEPC approves the issuance of this Final Determination to Chairperson Kathleen Saunders to

exempt compliance-monitoring.

Approved unanimously on February 7, 2019.




Angela Cabrera
Commissioner



Arva R. Rice
Commissioner

absent

Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



**RESOLUTION NO.
2018AP/227-384-(2019)C1
Bronx Community Board No. 4
Chairperson Kathleen Saunders
Sexual Harassment Prevention and Response Practices
DETERMINATION: COMPLIANCE**

SYNOPSIS

Corrective Action(s) Period Audit Covered	Total: 6 July 2, 2017 to June 30, 2018		
Preliminary Determination Issued	December 7, 2018	Response Received	December 21, 2018
Final Determination Issued	January 7, 2019	Exempt from Responding	
Compliance-Monitoring	Not Required		

Whereas, pursuant to Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter), the Equal Employment Practices Commission (EEPC) is authorized to audit, review, evaluate, and monitor the employment practices and procedures of city agencies and other municipal entities (hereinafter "entities") and their efforts to ensure fair and effective equal employment opportunity (EEO) for minority group members and women who are employed or seek employment, and to recommend practices, procedures, approaches, measures, standards, and programs to be utilized by such entities in these efforts; and

Whereas, pursuant to Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5), the EEPC has adopted Uniform Standards for Auditing Municipal Entities and Minimum Equal Employment Opportunity Standards for Community Boards to review, evaluate, and monitor entities' practices, procedures, approaches, measures, standards, and programs for compliance with federal, state, and local laws and regulations, and policies and procedures to increase equal opportunity for women, minorities, and other employees and job applicants identified for protection from discrimination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the EEPC may make a determination pursuant to Charter Section 831(d) whether any plan, program, procedure, approach, measure, or standard adopted or utilized by any municipal entity does not provide equal employment opportunity, and the EEPC's determinations of compliance or non-compliance and prescribed corrective action are required by, or consistent with federal, state, and local laws and regulations, and policies and procedures to increase equality of opportunity for women, minorities,

and other employees and job applicants identified for protection from discrimination;
and

Whereas, the EEPC conducted an audit, review, and evaluation of the Bronx Community Board No. 4's Sexual Harassment Prevention and Response Practices;
and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 4's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated December 7, 2018, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Community Boards must distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
2. Community Boards must follow, distribute, and post the Borough President's policy(ies) against sexual harassment.
3. Community Boards must ensure that all individuals who work within the Board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. Community Boards must ensure that all individuals who work within the Board receive information regarding the Borough President's complaint investigation procedures.
5. Community Boards must direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.
6. Community Boards Chairpersons, or their designees, must consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints.

Whereas, within a two-week deadline following the EEPC's Preliminary Determination, the entity submitted a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on January 7, 2019, which indicated that no areas required corrective action; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from January 2019 to February 2019, to determine whether the entity eliminated areas of non-compliance, if any; and

Whereas, in accordance with Charter Chapter 36, Section 832(c) the entity was required to respond in 30 days, and make monthly reports thereafter for a period not to exceed six months, on the progress of its efforts to correct outstanding areas of non-compliance; and

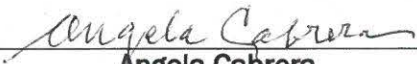
Whereas, in accordance with Charter Chapter 36, Section 832(c), on January 7, 2019, the entity was exempt from issuing a response to the EEPC's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Bronx Community Board No. 4 was exempt from monitoring on January 7, 2019; Now Therefore,

Be It Resolved, that the Bronx Community Board No. 4's has satisfied the equal employment standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Chairperson Kathleen Saunders of the Bronx Community Board No. 4.

Approved unanimously on February 7, 2019.



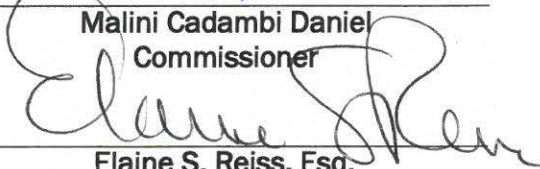
Angela Cabrera
Commissioner



Arva R. Rice
Commissioner

absent

Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
Arva R. Rice
Commissioners

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Director of Learning and Development

Jennifer Shaw, Esq.
Executive Agency Counsel/
Director of Compliance

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BY MAIL AND EMAIL

February 7, 2019

Kathleen Saunders
Chairperson
Bronx Community Board No. 4
1650 Selwyn Avenue, Suite 11A
Bronx, NY 10457

Re: Resolution #2018AP/227-384-(2019)C1
DETERMINATION: Compliance

Dear Chairperson Saunders:

On behalf of the members of the Equal Employment Practices Commission (EEPC), I write to inform you that pursuant to New York City Charter Chapter 35, Sections 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity (EEO) for minority group members and women, the EEPC's Board of Commissioners has approved the attached Determination.

Thank you and District Manager Paul Philps for the cooperation extended to the EEPC during the course of our review, evaluation, and monitoring of your agency's employment and EEO-related practices.

Sincerely,

A handwritten signature in black ink that reads "Elaine S. Reiss". The signature is written in a cursive, flowing style.

Elaine S. Reiss, Esq.
Commissioner

C: Paul Philps, District Manager
Vivian Velez, Principal EEO Professional, Office of the Bronx
Borough President
Tom Lucania, Director of Community Boards Unit and Legislative
Affairs



This

Determination of Compliance

is issued to

Bronx Community Board No. 4

for its compliance with the Equal Employment Practices Commission's Minimum Equal Employment Opportunity Standards for Community Boards from July 1, 2017 to this date.

On this 7th day of February in the year 2019,

Elaine S. Reiss, Esq., Commissioner

Charise L. Terry, PHR, Executive Director

In care of Chairperson Kathleen Saunders
and District Manager Paul Philps