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BY MAIL AND EMAIL

December 12, 2018

Gloria Alston
Chairperson
Bronx Community Board No. 3
1426 Boston Road
Bronx, NY 10456

Re: Determination Pursuant to Audit: Review, Evaluation and Monitoring of **Sexual Harassment Prevention and Response Practices of Bronx Community Board No. 3** for the period July 1, 2017 to June 30, 2018.

Dear Chairperson Alston:

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. 3, 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..."

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. 3 on October 1, 2018. The EEPC received Bronx Community Board No. 3's (hereinafter referred to as BxCB3) 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

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



has a professional or other significant interest in the community is eligible for appointment to his/her Community Board. In addition to the Chairperson, the BxCB3's headcount consisted of a *District Manager*, and a *Deputy District Manager*.

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.
 - Although BxCB3 reported that its Chairperson distributed the Bronx Borough President's (Borough President) *Joint Memorandum: Agency Head's 2018 Statement Against Sexual Harassment and Statement of Discrimination/ Sexual Harassment Investigation Complaint Procedures* (hereinafter referred to as SH Complaint Procedures), BxCB3 did not demonstrate that it distributed or posted 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.
 - Although BxCB3 reported that its Chairperson distributed (along with the SH Complaint Procedures) a copy of the *Equal Employment Opportunity Policy, Standards, and Procedures to Be Utilized by City Agencies, City of New York 2014* (hereinafter referred to as the Citywide EEO Policy), BxCB3 did not demonstrate that it followed, distributed, or posted 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.

- Although BxCB3 reported that it distributed a copy of the SH Complaint Procedures and the Citywide EEO Policy, BxCB3 did not demonstrate that, during the period in review, it ensured 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 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. 3 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.
 - Although BxCB3 reported that it distributed a copy of the SH Complaint Procedures and the Citywide EEO Policy, BxCB3 did not demonstrate that, during the period in review, all individuals who work within the Board receive 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: BxCB3 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.
 - Although BxCB3 reported that it distributed a copy of the SH Complaint Procedures, BxCB3 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.

➤ BxCB3 did not demonstrate that, during the period in review, it 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 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.

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 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.

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 EEPD 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 EEPD 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 EEPD 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.

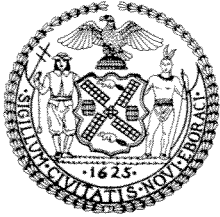
Imani Bowen, EEO Program Analyst

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: John Dudley, 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



The City of New York
Bronx Community Board Three

1426 Boston Road, Bronx, NY 10456
Telephone No.:(718)378-8054 – Fax No.:(718)378-8188
E-mail Address: jdudley@cb.nyc.gov

DIAL	Government Services
311	& Information for NYC

Comm. Bd. Info go to: bronxmail.com

RUBEN DIAZ, JR.
BRONX BOROUGH PRESIDENT

GLORIA ALSTON
CHAIRWOMAN

JOHN W. DUDLEY
DISTRICT MANAGER

December 21, 2018

Ms. Charise L. Terry, PHR
Executive Director
NYC Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

**RE: BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTIONS RECOMMENDED PER
EEPC AUDIT RELATING TO REVIEW, EVALUATION AND MONITORING OF SEXUAL HARASSMENT
PREVENTION AND RESPONSE PRACTICES OF BRONX COMMUNITY BOARD THREE (JULY 1, 2017 TO
JUNE 30, 2018)**

Dear Ms. Terry:

Bronx Community Board Three is in receipt of the EEPD Determination Pursuant to Audit, dated 12/12/18, of the EEPD evaluation and monitoring of the Sexual Harassment Prevention and Response Practices of Bronx Community Board Three, for the period July 1, 2017 to June 30, 2018. In line with such determination, wherein EEPD identified various corrective actions per subject area, following is Bronx Community Board Three's response by subject area noted:

I ISSUANCE, DISTRIBUTION AND POSTING OF EEO POLICIES

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION # 1

Please see the attached letter from Chairwoman Gloria Alston, dated December 21, 2018, to Ms. Charise L. Terry, PHR, re-iterating the commitment of the board, to the prevention of Sexual Harassment.

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION #2

Bronx Community Board Three has re-sent the sexual harassment policy of the Bronx Borough President, dated 4/20/18, to the staff at Bronx Community Board Three (see attached letter notification to staff person(s) indicating that the notification will be sent annually, and that a record of receipt by the staff person(s), will be retained for record keeping purposes).

EXECUTIVE OFFICERS

Rev. Bruce Rivera
1st Vice-Chairperson

Linda Kemp
2nd Vice-Chairperson

Joetta Brown
Secretary

Lanet Rivera
Treasurer

Rita Jones
Sgt.-at-Arms/Parliamentarian

II EEO TRAINING FOR AGENCY

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION #3

As part of the recently approved Sexual Harassment Prevention Legislation, Bronx Community Board Three staff were required and completed, the NYC DCAS Sexual Harassment Prevention Course on time. Bronx Community Board Three staff consisting of the district manager, John W. Dudley and Principal Administrative Associate, Level III, Ms. Etta F. Ritter, have taken and completed the DCAS on line training course – Sexual Harassment Prevention, in July 2018 (see copies of certificates of completion).

All staff will take this course each year and maintain a record of staff compliance with this law.

III COMPLAINT INVESTIGATION PROCEDURES

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION #4

Bronx Community Board Three will ensure that each staff member is advised that the complaint investigation procedure is included in the Bronx Borough President's Sexual Harassment Policy Statement dated 4/20/18.

IV RESPONSIBILITY FOR IMPLEMENTATION

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION #5

Bronx Community Board Three has directed that staff utilize the Bronx Borough President's Equal Employment Opportunity (EEO) office, to file an internal complaint against allegations of sexual harassment.

BRONX COMMUNITY BOARD THREE RESPONSE TO CORRECTIVE ACTION #6

Bronx Community Board Three has advised all community board staff to use the Bronx Borough President's EEO officer, to file an internal complaint against allegations of sexual harassment.

Your response as to the compliance status for Bronx Community Board Three, may be submitted to the attention of Mr. John W. Dudley, District Manager, at Bronx Community Board Three, 1426 Boston Road, Bronx, NY 10456. Please communicate with Mr. John W. Dudley, district manager, at 917-971-0082 or via email at jdudley@cb.nyc.gov, should any further information or certification of compliance in this matter be needed. Thank you.

Sincerely,



Gloria Alston
Chairwoman

Cc: Imani Bowen, EEO Program Analyst
Vivian Velez, Principal EEO Professional, Office of the Bronx Borough President
Tom Lucania, Director of Community Boards Unit and Legislative Affairs

EXECUTIVE OFFICERS

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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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New York, NY 10007

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212. 676.2724 fax

BY MAIL AND EMAIL

December 31, 2018

Gloria Alston
Chairperson
Bronx Community Board No. 3
1426 Boston Road
Bronx, NY 10456

RE: Audit Resolution #2018AP/227-383-(2018): Final Determination Pursuant to the Review, Evaluation and Monitoring of the Bronx Community Board No. 3's Sexual Harassment Prevention and Response Practices from July 1, 2017 to June 30, 2018.

Dear Chairperson Alston:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for your Bronx Community Board No. 3 District Manager's December 22, 2018 response to our December 12, 2018 Preliminary Determination and for the cooperation extended to our staff during the course of this audit.

The Bronx Community Board No. 3 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

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.



increase equality of opportunity for municipal government 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,



Charise L. Terry, PHR
Executive Director

C: John Dudley, 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 December 21, 2018, the agency sent a memorandum to all employees reiterating 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 as demonstration that corrective action #1 has been implemented, the EEPC's standard requires the annual policy statement to be from the agency's Chairperson and addressed to all Community Board staff. Attached for the agency's guidance 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 21, 2018, the agency electronically distributed the Bronx Borough President's *Joint Memorandum: Agency Head's 2018 Statement Against Sexual Harassment and Statement of Discrimination/Sexual Harassment Investigation Complaint Procedure* to all employees. Included in the document is the Borough President's policy(ies) against sexual harassment.

² Excerpts are italicized.

EEPC Response: 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: Certificates of completion demonstrate that on July 23, 2018 and July 27, 2018, 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 21, 2018, the agency electronically distributed the Bronx Borough President's *Joint Memorandum: Agency Head's 2018 Statement Against Sexual Harassment and Statement of Discrimination/Sexual Harassment Investigation Complaint Procedure* to all employees. Included in the document is information regarding the Borough President's complaint investigation procedures.

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 21, 2018, the agency electronically distributed the Bronx Borough President's *Joint Memorandum: Agency Head's 2018 Statement Against Sexual Harassment and Statement of Discrimination/Sexual Harassment Investigation Complaint Procedure* to all employees. Included in the document are directions to employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. Additionally, on December 21, 2018, the agency sent a memorandum to all employees advising them to utilize the Bronx Borough President's EEO Office for all discrimination and sexual harassment complaints. The name and contact information of the Borough President's EEO Officer was also included.

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 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.

Agency Response: On December 21, 2018, the agency sent a memorandum to all employees directing them to utilize the Bronx Borough President's EEO Officer for all discrimination and sexual harassment complaints. Additionally, the Director of Community Boards Unit and Legislative Affairs of the Bronx Borough President's Office and BxCB3's *District Manager* communicated via email regarding updated sexual harassment training requirements. Certificates of completion demonstrate that all BxCB3 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/227-383-(2018)
Bronx Community Board No. 3
Chairperson Gloria Alston
Sexual Harassment Prevention and Response Practices Audit
DETERMINATION: FINAL**

SYNOPSIS

Corrective Action(s)	Total: 6		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	December 12, 2018	Response Received	December 22, 2018
Final Determination Issued	December 31, 2018	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. 3's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 3's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated December 12, 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 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.

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 December 31, 2018, 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 December 31, 2018, 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 Gloria Alston to exempt compliance-monitoring.

Approved unanimously on February 7, 2019.

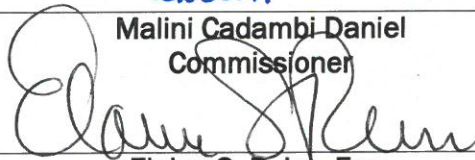


Angela Cabrera
Commissioner




Arva R. Rice
Commissioner

absent



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner

**RESOLUTION NO.
2018AP/227-383-(2018)C26
Bronx Community Board No. 3
Chairperson Gloria Alston
Sexual Harassment Prevention and Response Practices Audit
DETERMINATION: COMPLIANCE**

SYNOPSIS

Corrective Action(s)	Total: 6		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	December 12, 2018	Response Received	December 22, 2018
Final Determination Issued	December 31, 2018	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. 3's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 3's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated December 12, 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 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.

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 December 31, 2018, 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 December 31, 2018, 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. 3 was exempt from monitoring on December 31, 2018; Now Therefore,


Be It Resolved, that the Bronx Community Board No. 3 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 Gloria Alston of the Bronx Community Board No. 3.

Approved unanimously on February 7, 2019.

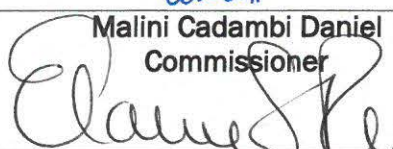


Angela Cabrera
Commissioner




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

Gloria Alston
Chairperson
Bronx Community Board No. 3
1426 Boston Road
Bronx, NY 10456

Re: Resolution #2018AP/227-383-(2018)C26
DETERMINATION: Compliance

Dear Chairperson Alston:

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, 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 (EEO) for minority group members and women, the EEPC's Board of Commissioners has approved the attached Determination.

Thank you and District Manager John Dudley 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 fluid and cursive, with the first and last names being more prominent.

Elaine S. Reiss, Esq.
Commissioner

C: John Dudley, 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. 3

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 Gloria Alston
and District Manager John Dudley*