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BY MAIL AND EMAIL

April 19, 2019

Alvin Berk
Chairperson
Brooklyn Community Board No. 14
810 East 16th Street
Brooklyn, NY 11230

Re: Brooklyn Community Board No. 14
Evaluation of Sexual Harassment Prevention and Response Practices
Audit Period: January 1, 2018 to December 31, 2018
Determination: **PRELIMINARY**

Dear Chairperson Berk:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you and your agency for the cooperation extended to our staff thus far. This letter contains the EEPC's evaluation and preliminary determinations pursuant to the Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices for the period covering January 1, 2018 to December 31, 2018.

Purpose

Chapter 36, Sections 830(a) and 831(d)(2) and (5) of the New York City Charter (Charter) authorize the EEPC to audit, review, evaluate, and monitor the employment practices, procedures, and programs of city agencies and other municipal entities, hereinafter "entities," and their efforts to ensure fair and effective equal employment opportunity (EEO) for women and minority employees and applicants. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any 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 prescribed.

The Brooklyn Community Board No. 14, hereinafter simply termed "agency" or "entity," falls within the EEPC's purview under Chapter 36, Sections 830(a) and 831(a) of the Charter, to review, evaluate, and monitor the coordination and implementation of affirmative employment programs of equal employment opportunity for 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 subject matter referenced, not to issue findings of discrimination pursuant to the New York City Human Rights Law.

Scope

The EEPC has adopted uniform standards for auditing municipal entities¹ and minimum standards for auditing Community Boards (collectively “Standards”) to review, evaluate, and monitor entities’ employment and EEO-related practices, procedures, approaches, measures, standards, and programs. These standards are founded upon, and consistent 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. Corrective actions prescribed are consistent with the aforementioned parameters 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*, as amended (Citywide EEO Policy); the New York City Human Rights Law (New York City Administrative Code Title 8); New York State Human Rights Law (New York Executive Law, Article 15); the New York State Civil Service Law §55-a; and the equal employment opportunity requirements of the New York City Charter.

Policy and Plan Requirements

The aforementioned Standards require, at minimum, that mayoral entities distribute the Citywide EEO Policy; non-mayoral entities establish or adopt a comprehensive EEO policy; and Community Boards, which are comprised of members appointed by the respective Borough Presidents, adopt and distribute the corresponding Borough President’s EEO Policy.

Because the EEPC is authorized to review and recommend actions that each entity should consider including in its annual plan of measures and programs to provide equal employment opportunity, or Annual EEO Plan, entities are also required to incorporate the EEPC’s corrective actions in prospective Annual EEO Plans and programs.

Methodology

The EEPC communicates with EEO professionals (including, but not limited to, past or current EEO Officers, Deputy or Co-EEO Officers, EEO Counselors, EEO Trainers, EEO Investigators, Disability Rights Coordinators, Career Counselors, and 55-a Program Coordinators) and other employees identified as having involvement in EEO program administration such as the Principal Human Resources Professional and relevant Counsel.

The EEPC’s audit methodology includes review of the agency’s Annual EEO Plans and Quarterly EEO Reports; analysis of workforce and utilization data; and the collection and analysis of documents, records, and data an entity and its representatives provide in response to the Sexual Harassment Prevention and Response Preliminary Interview Questionnaires (PIQ) for Community Boards. All PIQs contain requests to attach supporting documentation for the answer options selected.

EEO Professionals designated for online interviews are assigned a three-week deadline to complete and return the PIQs. The EEPC’s PIQ(s)/requests were sent to the Brooklyn Community Board No. 14 on February 11, 2019; the completed PIQ(s) were returned on February 27, 2019. Partial documentation was attached. Additional requests for information were made on February 28, 2019 and March 28, 2019.

The following determination indicates where the Brooklyn Community Board No. 14 has or has not complied, in whole or in part, with the established Standards.

Description of the Agency

Community Boards are local representative bodies. Each of the 59 Community Boards is comprised of up

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

to 50 unsalaried members, appointed by the Borough President in consultation with the City Council Members who represent any part of the Board district. The Boards play an advisory role in zoning and other land-use issues, in community planning, in the city budget process, and in the coordination of municipal services. Any person with a residence, business, professional or other significant interest in a given area is eligible for appointment to the Community Board serving that area. Each Board hires a full time District Manager and other staff to run a district office that receives and works to resolve residents' service delivery problems. In addition to the Chairperson, Brooklyn Community Board 14 (BkCB14) had a headcount of 3 at the conclusion of the audit period, which consisted of 1 District Manager and 2 Community Coordinators.

PRELIMINARY DETERMINATIONS AFTER AUDIT AND ANALYSIS

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. Distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.

➤ BkCB14 did not demonstrate that it distributed/posted an annual policy statement or memorandum by the Chairperson that reiterated a commitment to the prevention of sexual harassment. **Corrective Action Required.**

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

2. Follow, distribute and post the Borough President's policy(ies) against sexual harassment.

➤ BkCB14 did not demonstrate that it followed, distributed, and posted the Borough President's policy(ies) against sexual harassment. **Corrective Action Required.**

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

II. Agency-wide Training

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

3. 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.

- ✓ Training records indicated that all BkCB14 employees completed the Department of Citywide Administrative Services' *Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace* training between July and August of 2018.

III. Complaint and Investigation Procedures

Summary of Complaint Activity: The agency reported 0 internal and 0 external complaints were filed during the period in review.

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

4. Ensure that all individuals who work within the board receive information regarding the Borough President's complaint investigation procedures.

➤ BkCB14 did not demonstrate that all employees received information regarding the Borough President's complaint investigation procedures. **Corrective Action Required.**

Corrective Action #3: Ensure that all individuals who work within the board receive information regarding the Borough President's complaint investigation procedures.

5. Maintain a summary of annual complaint activity.

NOTE: BkCB14 reported no employment 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 partial-compliance with the standards for this subject area.

6. Direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

➤ BkCB14 did not demonstrate that employees were directed to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. **Corrective Action Required.**

Corrective Action #4: 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.

- ✓ On August 13, 2018, the Chief Administrative Officer/Deputy EEO Officer of the Office of the Brooklyn Borough President communicated via email with all BkCB14 employees regarding the citywide requirement for each employee to complete sexual harassment prevention training, which one (1) employee subsequently completed (see §II.3).

V. Reporting Standard for Agency Head

Determination: The agency is required to comply with the standards for this subject area.

8. Upon the EEPC's determination that the entity does not require further review or monitoring: Distribute a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring. This final action is required to conclude the audit and monitoring process.

FINAL ACTION: Upon the EEPC's determination that the entity does not require further review or monitoring: Distribute a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring. This final action is required to conclude the audit and monitoring process.

Summary of Corrective Actions:

The Brooklyn Community Board No. 14 has 5 required corrective action(s) at this time. This includes the aforementioned final action.

Conclusion

Pursuant to Charter Chapter 36, the Brooklyn Community Board No. 14 has the *option* to respond to this Preliminary Determination, but must respond to our Final Determination if corrective action is required. **Any response must be signed by the agency head and submitted to the EEPC's Executive Director.**

Optional Response to Preliminary Determination: If submitted, the Brooklyn Community Board No. 14's optional response to the EEPC's Executive Director should indicate, with attached documentation, what steps have been or will be taken to correct outstanding areas of non-compliance, and must be received in our office within 14 days from the date of this letter. No extensions will be granted for the *option* to respond to the Preliminary Determination.

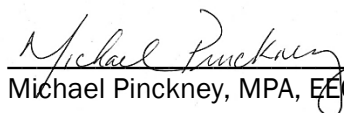
(Optional Conference) If requested, at the Optional Conference the EEPC will discuss the immediate steps that should be taken to correct outstanding areas of non-compliance and address questions regarding the Brooklyn Community Board No. 14's implementation of the prescribed corrective action(s).

(No Response Option) If the Brooklyn Community Board No. 14 does not respond to this Preliminary Determination within 14 days, it will become the EEPC's Final Determination.


Mandatory Response to Final Determination: Following this Preliminary Determination, the EEPC will issue a Final Determination where we may modify or eliminate the corrective action(s) based on verified information submitted as part of the response to the Preliminary Determination; identify remaining corrective action(s) that require further monitoring to ensure implementation; and assign a mandatory compliance-monitoring period of up to 6 months for this purpose. Pursuant to Charter Chapter 36, upon receipt, the Brooklyn Community Board No. 14 must submit a response, signed by the agency head, to our Final Determination within 30 days. Your response to the Final Determination will initiate the compliance-monitoring period.

In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,


Michael Pinckney, MPA, EEO Program Analyst

Approved by,


Charise L. Terry
Executive Director

c: Shawn Campbell, District Manager

Ama Dwimoh, Esq., EEO Officer, Office of the Brooklyn Borough President

Melody Ruiz, EEO Officer, Office of the Brooklyn Borough President

Ilacia Zuell, Manager, EEO Analysis and Audit



BROOKLYN COMMUNITY BOARD 14
FLATBUSH-MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

BILL DI BLASIO
Mayor

ERIC L. ADAMS
Borough President

ED POWELL
Chairman

SHAWN CAMPBELL
District Manager

EXECUTIVE COMMITTEE

GAIL L. SMITH
First Vice-Chair

CARMEN CERIO BELLE
Second Vice-Chair

JOSEPH DWECK
Third Vice-Chair

HINDY BENDEL
Secretary

SHAHID KHAN
Member-at-Large

STEVEN COHEN
Member-at-Large

ALVIN M. BERK
Chairman Emeritus

April 30, 2019

Michael Pinckney, MPA

EEO Program Analyst

NYC Equal Employment Practices Commission

253 Broadway, Suite 602

New York, NY 10007

This is in response to your evaluation of sexual harassment prevention and response practices audit preliminary determination, dated April 19, 2019.

Corrective Action #1: We acknowledge that there is no record of the Chairman's adoption and distribution of the Brooklyn Borough President's EEO policy and/or statement of commitment to the prevention of sexual harassment. The newly elected Chairman of CB14 has issued this statement for the period going forward as per a April 26 email (see attached.) We will maintain records of staff acknowledgement of receipt.

Corrective Action #2: The District Manager was under the impression that the EEPC accepted the photo documentation of the policy, which is posted on the front bulletin board and the forwarded emails to staff demonstrating that staff had received copies of the policy. Either CB14 should have been found in compliance, or these emails should demonstrate that corrective action has been taken.

Corrective Action #3: The District Manager discussed with EEPC representatives that the policy statement and the training included information regarding the Borough President's complaints investigation procedures. Since it has been documented that

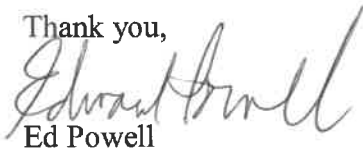
all staff were in receipt of the policy and that all staff members (3) completed the mandatory training, the requirement was met. Nonetheless, staff is included in this communication and therefore reminded of the Borough President's complaint investigation procedures, which are enumerated in the distributed and posted policy and were included in the completed training.

(Corrective Action #4): ALL staff members have completed the training and training certificates for ALL staff members were provided to EEPC as part of this audit and monitoring process.

Corrective Action #4/FINAL ACTION: Pending EEPC's determination that the entity does not require further review or monitoring, a memorandum signed by the agency head that re-emphasizes the commitment of the agency administrator to the EEO program, including the prevention of sexual harassment and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit and monitoring has been distributed.

Please advise should further action be required of Brooklyn Community Board 14.

Thank you,

A handwritten signature in cursive script, appearing to read "Ed Powell", is written over the printed name.

Ed Powell

Chairman



Vacant
Chair

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BY MAIL AND EMAIL

May 15, 2019

Ed Powell
Chairperson
Brooklyn Community Board No. 14
810 East 16th Street
Brooklyn, NY 11230

Re: Resolution #2019AP/230-484-(2019)
Brooklyn Community Board No. 14
Evaluation of Sexual Harassment Prevention and Response Practices
Audit Period: January 1, 2018 to December 31, 2018
Determination: **FINAL**

Dear Chairperson Powell:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for the continued cooperation extended to our staff. This document serves as a follow-up evaluation and Final Determination to the following:

Preliminary Determination Issued on: April 22, 2019
Response Received: May 1, 2019

Purpose

Chapter 35, Sections 815(a)(15) and (19) of the New York City Charter (Charter) calls for 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.

Charter Chapter 36, Sections 830(a) and 831(d)(2) and (5) authorize the EEPC to audit, review, evaluate, and monitor the employment practices, procedures, and programs of city agencies and other municipal entities, hereinafter "entities," and their efforts to ensure fair and effective EEO for women and minority employees and applicants. Charter Sections 831(d)(2) and 832(c) authorize the EEPC to make a determination that any 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 prescribed. The attachment contains the EEPC's final determination regarding the audit, review, and evaluation of the Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices.

As the Brooklyn Community Board No. 14 falls within the EEPC's purview under Charter Chapter 36, Section 831(a), the EEPC is authorized to review, evaluate, and monitor the coordination and implementation of its affirmative employment programs of EEO and related practices. As indicated in our Preliminary Determination, the EEPC has adopted uniform standards¹ to this end. The purpose of this Final Determination, as authorized by Charter Chapter 36, Section 832(c), is to determine the sufficiency of the Brooklyn Community Board No. 14's actions taken or planned thus far to correct areas of non-compliance identified in the EEPC's Preliminary Determination. Further, Chapter 36, Section 832(c) requires that: (1) the EEPC assign a compliance-monitoring period of up to six (6) months to monitor efforts taken to eliminate areas of non-compliance, if any; and (2) the agency respond in thirty (30) days and submit a report each month during this period on the progress of efforts taken to correct outstanding areas of non-compliance.

Next Steps

The assigned compliance-monitoring period is: June 1, 2019 to July 31, 2019. Correcting all outstanding areas of non-compliance without delay is highly encouraged and will serve to shorten this period.

If corrective actions remain: Corrective actions will be listed under the *Monitoring Required* section of the attached Final Determination. The EEPC requires that the agency head submit a signed response to this Final Determination. The signed response should indicate what steps the Brooklyn Community Board No. 14 has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Brooklyn Community Board No. 14 will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Brooklyn Community Board No. 14 is required to submit documentation that supports the implementation of each corrective action via TeamCentral, the EEPC's Automated Compliance-Monitoring System. Instruction on how to access and navigate TeamCentral is attached.

Final Memorandum: Upon the Brooklyn Community Board No. 14's implementation of the final corrective action, if any, the EEPC requires that the Brooklyn Community Board No. 14 submit a final memorandum, signed by the agency head, that recognizes the EEPC's audit and reiterates commitment to equal employment practices. **Upon receipt of this final memorandum, the EEPC will issue a *Determination of Compliance*.**

If no corrective actions remain: In lieu of a response to this Final Determination, the Brooklyn Community Board No. 14 must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Brooklyn Community Board No. 14 will be exempt from the abovementioned compliance-monitoring period.

Conclusion

¹ The EEPC's uniform standards for auditing municipal entities and minimum standards for auditing community boards (collectively "Standards") are founded upon, and consistent with, federal, state, and local laws and regulations, and policies and procedures, 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); New York State Human Rights Law (New York Executive Law, Article 15); New York State Civil Service Law § 55-a; and the equal employment opportunity requirements of the New York City Charter.

This is the EEPC's Final Determination. Questions regarding next steps may be addressed to 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
Executive Director

c: Shawn Campbell, District Manager, BkCB14
Ama Dwimoh, Esq., EEO Officer, Office of the Brooklyn Borough President
Melody Ruiz, EEO Officer, Office of the Brooklyn Borough President
Ilacia Zuell, Manager, EEO Analysis and Audit, EEPC

FINAL DETERMINATION

A response indicating progress of Brooklyn Community Board No. 14's efforts to correct outstanding areas of non-compliance, with supporting documentation, is due within 30 days.

The Equal Employment Practices Commission's findings and corrective actions required to remedy areas of non-compliance are based on the audit methodology, which included collection and analysis of the documents, records, and data provided; the EEPC's *Preliminary Interview Questionnaires* (PIQs) for EEO professionals and others involved in EEO program administration; and, if applicable, the *EEPC Employee Survey*; the *EEPC Supervisor/Manager Survey*; the *Annual EEO Plans* and *Quarterly EEO Reports* of the audited entity; 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 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:

Distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.

Agency Response:

"We acknowledge that there is no record of the Chairman's statement of commitment to the prevention of sexual harassment. The newly elected Chairman of CB14 has issued this statement for the period going forward as per a April 26 email. We will maintain records of staff acknowledgement of receipt." (A memorandum by the Chairperson that reiterated a commitment to the prevention of sexual harassment was distributed to employees on April 29, 2019 and proof of distribution was provided to the EEPC.)

EEPC Response:

The EEPC accepts the agency's response and proof of distribution of the Chairperson's memorandum as confirmation that Corrective Action #1 has been implemented.

Corrective Action#2:

Follow, distribute and post the Borough President's policy(ies) against sexual harassment.

Agency Response:

"We acknowledge that there is no record of the Chairman's adoption and distribution of the Brooklyn Borough President's EEO Policy...The District Manager was under the impression that the EEPC accepted the photo documentation of the policy, which is posted on the front bulletin board and the forwarded emails to staff demonstrating that staff had received copies of the policy. Either CB14 should have been found in compliance, or these emails should demonstrate that corrective action has been taken." (The Office of the Brooklyn Borough President's Equal Employment Opportunity Policy was distributed to employees on May 31, 2018 and proof of distribution was provided to the EEPC.)

² Excerpts are italicized.

EEPC Response:

The EEPC accepts the agency's response and proof of distribution of the Office of the Brooklyn Borough President's Equal Employment Opportunity Policy as confirmation that Corrective Action #2 has been implemented.

Corrective Action#3:

Ensure that all individuals who work within the board receive information regarding the Borough President's complaint investigation procedures.

Agency Response:

"The District Manager discussed with EEPC representatives that the policy statement and the training included information regarding the Borough President's complaint investigation procedures. Since it has been documented that all staff were in receipt of the policy and that all staff members (3) completed the mandatory training, the requirement was met. Nonetheless, staff is included in this communication and therefore reminded of the Borough President's complaint investigation procedures, which is enumerated in the distributed policy and were included in the completed training." (Employees received information regarding the Borough President's complaint investigation procedures via the Brooklyn Borough President's EEO Policy which was distributed on May, 31 2018 by the Chief Administrative Officer/Deputy EEO Officer of the Office of the Brooklyn Borough President.

EEPC Response:

The EEPC accepts the agency's response and proof of distribution of the Office of the Brooklyn Borough President's Equal Employment Opportunity Policy, that contained the Borough President's complaint investigation procedures, as confirmation that Corrective Action #3 has been implemented.

Corrective Action#4:

Direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

Agency Response:

No response received. (Employees were directed to utilize the Borough President's Equal Employment Opportunity Office to file an internal complaint via the Chairperson's memorandum that was distributed on April 29, 2019.)

EEPC Response:

The EEPC accepts the agency Chairperson's memorandum that was distributed to employees on April, 29, 2019 as confirmation that Corrective Action #4 has been implemented.

Monitoring Required

The agency's implementation of the following required corrective actions will be monitored during the assigned compliance-monitoring period.



FINAL ACTION:

Upon the EEPC's determination that the entity does not require further review or monitoring: Distribute a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring. This final action is required to conclude the audit and monitoring process,

Agency Response:

"Pending the EEPC's determination that the entity does not require further review or monitoring, a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring has been distributed."

EEPC Response:

The EEPC recognizes the agency's commitment to issue a memorandum signed by the agency head that re-emphasizes the commitment of agency administrators to the EEO program, including the prevention of sexual harassment, and informs employees of any changes to the agency's employment practices as a result of the EEPC's audit/monitoring. This final action is required to conclude the audit and monitoring process,

The EEPC thanks you and your staff for your continued cooperation.



**RESOLUTION NO.
2019AP/230-484-(2019)
Brooklyn Community Board No. 14
Chairperson Ed Powell
Sexual Harassment Prevention and Response Practices
DETERMINATION: FINAL**

SYNOPSIS

Corrective Action(s):	Total: 4		
Period Audit Covered:	January 1, 2018 to December 31, 2018		
Preliminary Determination Issued:	April 22, 2019	Response Received	May 1, 2019
Final Determination Issued:	May 15, 2019	Response Due	June 14, 2019
Compliance-Monitoring :	Required	June 1, 2019 to July 31, 2019	

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 procedures, practices and programs 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 agencies and municipal entities, and minimum standards for auditing 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 Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated April 22, 2019, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

1. Distribute/post an annual Policy statement or memorandum by the Chairperson reiterating

commitment to the prevention of sexual harassment.

2. Follow, distribute and post the Borough President's policy(ies) against sexual harassment.
3. Ensure that all individuals who work within the board receive information regarding the Borough President's complaint investigation procedures.
4. Direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

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 May 15, 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 June 1, 2019 to July 31, 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

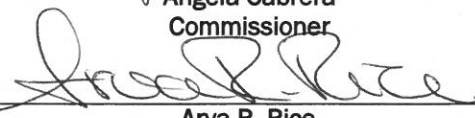
Whereas, in accordance with Charter Chapter 36, Section 832(c), on May 15, 2019, the entity was required to issue a response to the EEPC's Final Determination; Now Therefore,

Be It Resolved, that pursuant to 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 for minority group members and women, the EEPC approves the issuance of this Final Determination to Chairperson Ed Powell to assign compliance-monitoring.

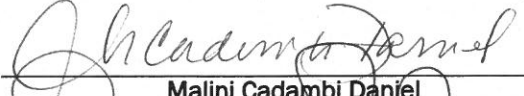
Approved unanimously on May 21, 2019.



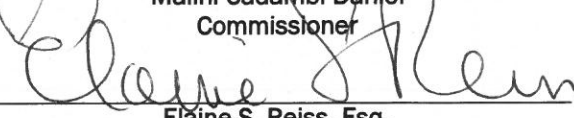
Angela Cabrera
Commissioner



Arva R. Rice
Commissioner



Malini Cadambi Danief
Commissioner



Elaine S. Reiss, Esq.
Commissioner

Memo

TO: All Employees
FROM: Equal Employment Practices Commission
DATE: 5/15/2019
RE: Sexual Harassment Prevention and Response Practices
Brooklyn Community Board No. 14

The New York City Charter requires the Equal Employment Practices Commission (EEPC) to conduct an audit once every four years to ensure each City agency or municipal entity (collectively “agency”) complies with federal, state, and local laws and regulations, and policies and procedures that increase equal opportunity for employees and applicants.

The EEPC recently concluded an audit and evaluation of the Brooklyn Community Board No. 14’s practices and procedures for compliance with city, state, and federal equal employment opportunity laws and regulations, and identified enhancement by means of the following:

- **Corrective Action #1:** Distribute/post an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
- **Corrective Action #2:** Follow, distribute and post the Borough President’s policy(ies) against sexual harassment.
- **Corrective Action #3:** Ensure that all individuals who work within the board receive information regarding the Borough President’s complaint investigation procedures.
- **Corrective Action #4:** Direct employees to utilize the Borough President’s Equal Employment Opportunity (EEO) Office to file an internal complaint.

Through successful completion of the EEPC’s audit, evaluation, and monitoring processes and the aforementioned enhancements Chairperson Powell reaffirms the commitment to ensuring that the Brooklyn Community Board No. 14’s employment practices encourage and maintain a workplace free from unlawful discrimination and sexual harassment, and that all employees are aware of their rights and obligations under the agency’s equal employment opportunity policies.

RESOLUTION NO.
2019AP/231-484-(2019)C18
Brooklyn Community Board No. 14
Chairperson Ed Powell
Sexual Harassment Prevention and Response Practices
DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s)	Total: 4		
Period Audit Covered	January 1, 2018 to December 31, 2018		
Preliminary Determination Issued	April 22, 2019	Response Received	May 1, 2019
Final Determination Issued	May 15, 2019	Response Received	May 29, 2019
Compliance-Monitoring	Required	June 1, 2019 to July 31, 2019	

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 procedures, practices and programs 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 agencies and municipal entities, and minimum standards for auditing 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 Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Brooklyn Community Board No. 14's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated April 22, 2019, setting forth findings and the following corrective actions required to remedy areas of non-compliance:

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

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

Corrective Action #3: Ensure that all individuals who work within the board receive information regarding the Borough President's complaint investigation procedures.

Corrective Action #4: Direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint.

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 May 15, 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 June 1, 2019 to July 31, 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 May 29, 2019, the entity issued a response to the EEPC's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Brooklyn Community Board No. 14 was monitored until May 29, 2019; and

Whereas, pursuant to 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 for minority group members and women, the Chairperson submitted a copy of a memorandum to staff dated May 15, 2019, which recognized the EEPC's audit and reiterated commitment to the Brooklyn Community Board No. 14's equal employment practices; Now Therefore,

Be It Resolved, that the Brooklyn Community Board No. 14 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 Ed Powell of the Brooklyn Community Board No. 14.

Approved unanimously on June 21, 2019.



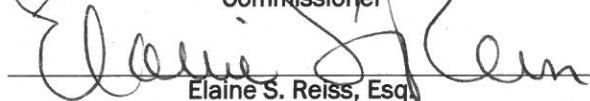
Angela Cabrera
Commissioner



Arva R. Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



BY MAIL AND EMAIL

Vacant
Chair

June 21, 2019

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

Ed Powell
Chairperson
Brooklyn Community Board No. 14
810 East 16th Street
Brooklyn, NY 11230

Charise L. Terry, PHR
Executive Director

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

Re: Resolution #2019AP/231-484-(2019)C18
DETERMINATION: Compliance

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

Dear Chairperson Powell:

253 Broadway
Suite 602
New York, NY 10007

212. 615. 8939 tel.
212. 676. 2724 fax

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 Shawn Campbell 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, appearing to read "Elaine S. Reiss".

Elaine S. Reiss, Esq.
Commissioner

C: Shawn Campbell, District Manager

This

Determination of Compliance

is hereby issued to

Brooklyn Community Board No. 14

*for successful implementation of 4 of 4 required corrective action(s),
thereby achieving compliance with the Equal Employment Practices Commission's
Sexual Harassment Prevention and Response Practices
from January 1, 2018 to this date.*

*In care of Chairperson Ed Powell
and District Manager Shawn Campbell*

On this 21st day of June in the year 2019,

Elaine S. Reiss

Elaine S. Reiss, Esq., Commissioner

Charise L. Ferry

Charise L. Ferry, Executive Director