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BY MAIL AND EMAIL

December 7, 2018

Dr. Bola Omotosho, Chairperson
Bronx Community Board No. 5
Bronx Community College, Gould Hall, Room #200
2155 University Avenue
Bronx, NY 10453

Re: Determination Pursuant to Audit: Review, Evaluation and Monitoring of **Sexual Harassment Prevention and Response Practices of Bronx Community Board No. 5** for the period July 1, 2017 to June 30, 2018.

Dear Chairperson Dr. Omotosho:

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. 5, 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. 5 on October 1, 2018. The EEPC received Bronx Community Board No. 5's (hereinafter referred to as BxCB5) 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 BxCB5's headcount consisted of a *District Manager*, and a *Community Coordinator*.

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, BxCB5 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 that reiterates 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, BxCB5 did not follow, distribute, and post the Bronx 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 partial 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.
 - BxCB5 did not demonstrate that, during the period in review, it ensured that 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.**



NOTE: A certificates of completion indicated that, subsequent to the period in review, on August 15, 2018, BxCB5's District Manager completed the Department of Citywide Administrative Services', "*Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace*" computer-based training. The Borough President's Director of Community Boards and Legislative Affairs required that all BxCB5 employees complete the computer-based training by December 14, 2018.

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. 5 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.
 - BxCB5 did not demonstrate that during the period in review, all individuals who work 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: BxCB5 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 partial 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.
 - BxCB5 did not demonstrate that, during the period in review, employees were directed to utilize the Borough President's Equal 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.

➤ BxCB5 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.**

NOTE: Subsequent to the period in review, the Director of Community Boards Unit and Legislative Affairs of the Bronx Borough President's Office and BxCB5's District Manager communicated via email regarding updated sexual harassment training requirements.

SUMMARY OF REQUIRED CORRECTIVE ACTIONS

Pursuant to the Equal Employment Practices Commission's *Minimum Equal Employment Opportunity Standards for Community Boards*, **5 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.

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@eeepc.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,


Imani Bowen, EEO Program Analyst

Approved by,


Charise L. Terry, PHR
Executive Director

c: Kenneth Brown, 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: FW: Borough President Sexual Harassment policy
Date: Friday, December 21, 2018 2:25:55 PM
Attachments: [REDACTED]

Dear Ms. Terry,

This email constitutes our Community Board's EEO Audit's response.

Attached are the following items:

- The Borough President's Policy on Sexual Harassment.
- Our Chairperson's letter regarding Sexual Harassment.
- The email sent to staff related to Sexual Harassment policies and procedures.

Below this email, please find the email that was sent to staff related to Sexual Harassment policies.

Please do not hesitate to contact this office if you have any further concerns.

Sincerely,

Ken Brown

Ken Brown
District Manager
Bronx Community Board 5
BCC Campus, Gould Residential Hall, Room 200
Bronx, NY 10453

[REDACTED]

From: [REDACTED]
Sent: Friday, December 21, 2018 2:17 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Borough President Sexual Harassment policy

Hello [REDACTED]

In conformity with the mandates by the Borough president's office and the City's EEPC office this communication is being sent to staff at Bronx Community District 5 offices.

Please find the following attachments:

- The Borough President's Sexual Harassment Prevention policy.
- The Letter from Bronx Community Board 5 Chairperson related to conformity to the Borough President's statement on Sexual Harassment.

The Bronx Borough President's EEO officer is:

[REDACTED]

Bronx Borough President
851 Grand Concourse Bronx, NY 10451

[REDACTED]

If you should have any concerns related to matters of Sexual Harassment you may address your concerns to the Borough President's EEO officer, [REDACTED]

Please do not hesitate to speak with me if you have any questions on this matter.

Sincerely,

Ken Brown
District Manager
Bronx Community Board 5
BCC Campus, Gould Residential Hall, Room 200
Bronx, NY 10453

[REDACTED]



Angela Cabrera
Malini Cadambi Daniel
Elaine S. Reiss, Esq.
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Judith Garcia Quiñonez, Esq.
Executive Agency Counsel/
Director of Learning and Development

Jennifer Shaw, Esq.
Executive Agency Counsel/
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BY MAIL AND EMAIL

December 31, 2018

Dr. Bola Omotosho
Chairperson
Bronx Community Board No. 5
Bronx Community College, Gould Hall, Room #200
2155 University Avenue
Bronx, NY 10453

RE: Audit Resolution **#2018AP/227-385-(2018)**: Final Determination Pursuant to the Review, Evaluation and Monitoring of the Bronx Community Board No. 5's Sexual Harassment Prevention and Response Practices Audit from July 1, 2017 to June 30, 2018.

Dear Chairperson Omotosho:

On behalf of the members of the Equal Employment Practices Commission (EEPC), thank you for your Bronx Community Board No. 5'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. 5 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

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.



local laws, and regulations, policies, and procedures designed to 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: Kenneth Brown, 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 31, 2018, the agency District Manager emailed all staff the Chairperson's policy statement, which 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 as demonstration that corrective action #1 has been implemented, 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 Bronx Borough President's policy(ies) against sexual harassment.

Agency Response: On December 31, 2018, the agency's District Manager electronically distributed to all employees the *Equal Employment Opportunity Policy, Standards, and Procedures to Be Utilized by City Agencies, City of New York 2014* (Citywide EEO Policy).

² Excerpts are italicized.

EEPC Response: The Bronx Borough President's Office advised the EEPC that it has adopted and posted the Citywide EEO Policy. As such, the agency's electronic distribution of 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 31, 2018, the agency's District Manager emailed all employees a copy of the Citywide EEO Policy, which the Bronx Borough President's Office has adopted as its own EEO Policy. Included in the policy is a section entitled, "*Specific Protections*" in which "*Sexual Harassment*" is listed as a subsection.

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 31, 2018 the agency's District Manager emailed all employees a copy of the Citywide EEO Policy, which the Bronx Borough President's Office has adopted as its own EEO Policy. Included within the Citywide EEO Policy was a section entitled "*Procedures*" and subsections entitled, "*Reporting Violations*," "*Contact with the EEO Office*," "*Withdrawing Complaints*," "*Mediation*," "*Concluding the Complaint Investigation*," and "*Other Places Where Complaints May Be Filed*."

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 Bronx Borough President's Equal Employment Opportunity Office to file an internal complaint.

Agency Response: In a December 21, 2018 email sent to all agency employees, the Bronx Community Board No. 5 District Manager stated, "[i]f you should have any concerns related to matters of Sexual Harassment you may address your concerns to the Borough President's EEO Officer...." The name and contact information of the Bronx Borough President's principal EEO professional was also provided.

EEPC Response: The EEPC accepts the agency's response and documentation provided as confirmation that corrective action #5 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/227-385-(2018)
Bronx Community Board No. 5
Chairperson Dr. Bola Omotosho
Sexual Harassment Prevention and Response Practices Audit
DETERMINATION: FINAL**

SYNOPSIS

Corrective Action(s)	Total: 5		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	December 7, 2018	Response Received	December 21, 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. 5's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 5'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.

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

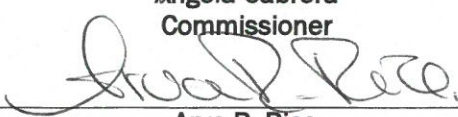
Whereas, in accordance with Charter Chapter 36, Section 832(c), on December 31, 2018, the entity was exempt from issuing a response to the EEPC's Final Determination; Now Therefore,

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 Dr. Bola Omotosho to exempt compliance-monitoring.

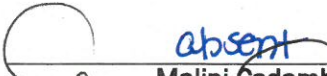
Approved unanimously on February 7, 2019.



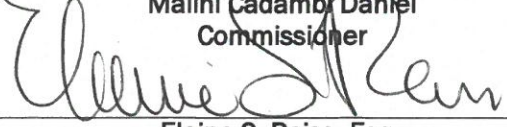
Angela Cabrera
Commissioner



Arva R. Rice
Commissioner



absent
Malini Cadamb, Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner

RESOLUTION NO.
2018AP/227-385-(2018)C27
Bronx Community Board No. 5
Chairperson Dr. Bola Omotosho
Sexual Harassment Prevention and Response Practices Audit
DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s)	Total: 5		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	December 7, 2018	Response Received	December 21, 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. 5's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 5'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.

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

Be It Resolved, that the Bronx Community Board No. 5 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 Dr. Bola Omotosho of the Bronx Community Board No. 5.

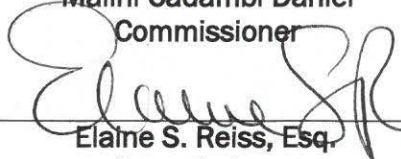
Approved unanimously on February 7, 2019.



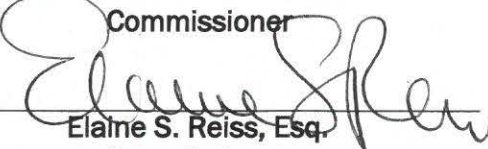
Angela Cabrera
Commissioner



Arva R. Rice
Commissioner



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

253 Broadway
Suite 602
New York, NY 10007

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

BY MAIL AND EMAIL

February 7, 2019

Dr. Bola Omotosho
Chairperson
Bronx Community Board No. 5
Bronx Community College, Gould Hall, Room #200
2155 University Avenue
Bronx, NY 10453

Re: Resolution #2018AP/227-385-(2018)C27
DETERMINATION: Compliance

Dear Chairperson Dr. Omotosho:

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 Kenneth Brown 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 name "Elaine" and last name "Reiss" clearly legible.

Elaine S. Reiss, Esq.
Commissioner

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

This

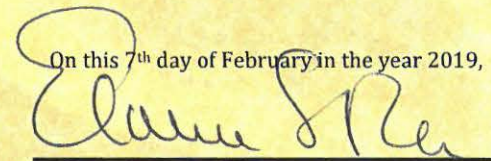
Determination of Compliance

is issued to

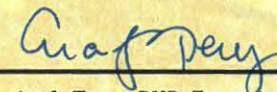
Bronx Community Board No. 5

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 Dr. Bola Omotosho
and District Manager Kenneth Brown*