



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

Charise L. Terry, PHR
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253 Broadway
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212. 615. 8939 tel.
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BY MAIL AND EMAIL

December 7, 2018

George L. Rodriguez
Chairperson
Bronx Community Board No. 1
3024 Third Avenue
Bronx, NY 10455

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

Dear Chairperson Rodriguez:

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. 1, 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. 1 on October 1, 2018. The EEPC received Bronx Community Board No. 1's (hereinafter referred to as BxCB1) 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 BxCB1'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, BxCB1 did not distribute or post an annual policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment. **Corrective action required.**

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

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

➤ During the period in review, BxCB1 did not follow, distribute or post the Borough President's policy(ies) against sexual harassment. **Corrective action required.**

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

II. EEO TRAINING FOR AGENCY

Determination: The agency is in 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.

➤ BxCB1 did not demonstrate that, during the period in review, all employees received either training or a guide on the prevention of sexual harassment and their related rights and responsibilities. **Corrective action required.**

NOTE: Certificates of completion demonstrate that, subsequent to the period in review, on July 30, 2018, all BxCB1 employees completed the Department of Citywide Administrative

Services’, “Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace” computer-based training.

III. COMPLAINT & INVESTIGATION PROCEDURES

Summary of Complaint Activity: Bronx Community Board No. 1 reported no employment discrimination complaints were filed during the audit period.

Determination: The agency is in 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.
 - BxCB1 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 #3: 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: BxCB1 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.
 - In their PIQ response BxCB1 acknowledged that, during the period in review, it did not direct employees to utilize the Borough President’s Equal Employment Opportunity (EEO) office to file an internal complaint. **Corrective action required.**

Corrective Action #4: 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.

- BxCB1 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 BxCB1'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*, **4 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 information regarding the Borough President's complaint investigation procedures.
4. 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@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 EEPCC 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 EEPCC 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 EEPCC 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: Cedric L. Lofton, 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



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BY MAIL AND EMAIL

January 3, 2019

George L. Rodriguez
Chairperson
Bronx Community Board No. 1
3024 Third Avenue
Bronx, NY 10455

RE: Audit Resolution #2018AP/228-381-(2019): Final Determination Pursuant to the Review, Evaluation and Monitoring of the Bronx Community Board No. 1's Sexual Harassment Prevention and Response Practices of Bronx Community Board No. 1 from July 1, 2017 to June 30, 2018.

Dear Chairperson Rodriguez:

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. Consistent with the powers and duties of agency heads, set forth in New York City Charter, this Commission requires the agency head to issue the response to this Final Determination.

As the EEPC did not receive the Bronx Community Board No. 1's response to our December 7, 2018 Preliminary Determination within 14 days from the date of its issuance, and consistent with the audit protocol referenced therein, the attached Determination is now Final.

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

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.



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: Cedric L. Lofton, 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
January 3, 2019

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

Charise L. Terry, PHR
Executive Director

Judith Garcia Quiñonez, Esq.
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BY MAIL AND EMAIL

December 7, 2018

George L. Rodriguez
Chairperson
Bronx Community Board No. 1
3024 Third Avenue
Bronx, NY 10455

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

Dear Chairperson Rodriguez:

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. 1, 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. 1 on October 1, 2018. The EEPC received Bronx Community Board No. 1's (hereinafter referred to as BxCB1) 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 BxCB1'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, BxCB1 did not distribute or post an annual policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment. Corrective action required.

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

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

➤ During the period in review, BxCB1 did not follow, distribute or post the Borough President's policy(ies) against sexual harassment. Corrective action required.

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

II. EEO TRAINING FOR AGENCY

Determination: The agency is in 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.

➤ BxCB1 did not demonstrate that, during the period in review, all employees received either training or a guide on the prevention of sexual harassment and their related rights and responsibilities. Corrective action required.

NOTE: Certificates of completion demonstrate that, subsequent to the period in review, on July 30, 2018, all BxCB1 employees completed the Department of Citywide Administrative

Services', "Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace" computer-based training.

III. COMPLAINT & INVESTIGATION PROCEDURES

Summary of Complaint Activity: Bronx Community Board No. 1 reported no employment discrimination complaints were filed during the audit period.

Determination: The agency is in 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.
 - BxCB1 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 #3: 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: BxCB1 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.
 - In their PIQ response BxCB1 acknowledged that, during the period in review, it did not direct employees to utilize the Borough President's Equal Employment Opportunity (EEO) office to file an internal complaint. **Corrective action required.**

Corrective Action #4: 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.

- BxCB1 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 BxCB1'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*, **4 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 information regarding the Borough President's complaint investigation procedures.
4. 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@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 EEPCC 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 EEPCC 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 EEPCC 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: Cedric L. Lofton, 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

RESOLUTION NO.
2018AP/228-381-(2019)
Bronx Community Board No. 1
Chairperson George L. Rodriguez
Sexual Harassment Prevention and Response Practices
DETERMINATION: FINAL

SYNOPSIS

Corrective Action(s):	Total: 4	
Period Audit Covered:	July 1, 2017 to June 30, 2018	
	December 7,	
Preliminary Determination Issued:	2018	No Response Received
Final Determination Issued:	January 3, 2019	Response Due February 4, 2019
Compliance-Monitoring:	Required	January 3, 2019 to February 28, 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 Bronx Community Board No. 1's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 1'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 information

regarding the Borough President's complaint investigation procedures.

4. 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 did not submit a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on January 3, 2019, which indicated that the following areas required corrective action: no(s). 1, 2, 3, and 4; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from January 3, 2019 to February 28, 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 February 4, 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 George L. Rodriguez to assign compliance-monitoring.


Approved unanimously on March 14, 2019.




Angela Cabrera
Commissioner

ABSENT

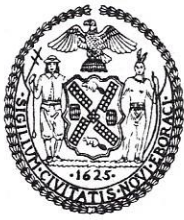
Arva R. Rice
Commissioner



Malini Cadambi Daniel
Commissioner



Elaine S. Reiss, Esq.
Commissioner



BRONX COMMUNITY BOARD #1

3024 THIRD AVENUE

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SERVING PORT MORRIS • MOTT HAVEN • MELROSE



RUBEN DIAZ, JR.
BOROUGH PRESIDENT

GEORGE L. RODRIQUEZ
CHAIRPERSON

CEDRIC L. LOFTIN
DISTRICT MANAGER

February 26, 2019
Ms. Charise L. Terry PHR
Executive Director
New York City Equal Employment Practices Commission
253 Broadway
Suite 602
New York, NY 10007

RE: Audit Resolution # 2018AP/227-382-(2019)

Dear Executive Director Terry:

As requested, below you will find responses from Bronx Community Board One to the EEPC's findings and determinations pursuant to your analysis for the period covering July 1, 2017 to June 30, 2018:

Corrective Action # 1

1. Issuance , Distribution and Posting of EEO Policies

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

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

Response: The Chairperson will sign the attached letter each year when the Borough President sends the EEO and Sexual Harassment Prevention Policies to the board.

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

Response: The Borough President's Sexual Harassment Policy was printed and given to staff. Each staff member will be Emailed copies of the policies each year. A record of receipt will be maintained by each staff member. (Please see Attached).

II EEO Training for Agency

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

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

Corrective Action # 3: As noted in your January 3, 2019 document Certificates of completion demonstrate that, subsequent to the period of review, on July 30, 2018, all BxCB1 employees completed the Department of Citywide Administrative Services, Sexual Harassment Prevention: What to know about Unlawful and inappropriate Behaviors in the Workplace "computer –based training. All staff will take this course each year and maintain a record of staff compliance with this law.

III. Complaint and Investigation Procedures

Summary of Complaint Activity: Bronx Community Board No. 1 had or reported no employment discrimination complaints that were filed during the audit period.

Determination: The agency is in 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.

Corrective action# 4: The community board will direct employees to utilize the Borough President's Equal Employment (EEO) to file an internal complaint. Additionally the Community Board Chairperson, or their designees, will consult and cooperate with the Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints

IV. Responsibility for Implementation

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

Community Boards must direct employees to utilize the Borough President's Equal Employment (EEO) Office to file an internal complaint.

Corrective Action # 4: All employees were provided with a copy of the Bronx Borough President's Policy which outlines the process for filing a complaint.

Bx. CB 1 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 complaint.

Corrective Action: As stated in this report the Director of Community Boards Unit and Legislative Affairs of the Bronx Borough President's Office and BxCB1's District Manager communicated via email regarding updated sexual harassment training.

Additionally, we will assure that each staff member is advised that the complaint investigation procedure is included in the Borough President's Sexual Harassment Policy Statement and have advised all community board staff to use the Borough President's EEO office to file an internal complaint.

We thank you for the opportunity to respond to and make corrective actions as outlined in the January 3, 2019 Audit Resolution #2018AP/227-381-(2019) Mr. George L. Rodriguez Chairperson and Cedric L. Loftin, District Manager.

C: The Honorable Ruben Diaz Jr; Bronx Borough President
 Ms. Vivian Velez, Agency Principal EEO Professional, Office of the Bronx Borough President
 Mr. Thomas Lucania, Director of Community Boards Unit and Legislative Affairs

RESOLUTION NO.
2018AP/228-381-(2019)C4
Bronx Community Board No. 1
Chairperson George L. Rodriguez
Sexual Harassment Prevention and Response Practices
DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s)	Total: 4		
Period Audit Covered	July 1, 2017 to June 30, 2018		
Preliminary Determination Issued	December 7, 2018	No Response Received	
Final Determination Issued	January 3, 2019	Response Received	February 28, 2019
Compliance-Monitoring	Required	January 3, 2019 to February 28, 2019 without extension	

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 Bronx Community Board No. 1's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Bronx Community Board No. 1'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 information regarding the Borough President's complaint investigation procedures.
4. 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 did not submit a preliminary response; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), after consideration, the EEPC issued a Final Determination on January 3, 2019, which indicated that the following areas required corrective action: no(s). 1, 2, 3, and 4; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from January 3, 2019 to February 28, 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 February 28, 2019, the entity issued a response to the EEPC's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Bronx Community Board No. 1 was monitored until February 28, 2019; Now Therefore,

Be It Resolved, that the Bronx Community Board No. 1 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 George L. Rodriguez of the Bronx Community Board No. 1.

Approved unanimously on March 14, 2019.



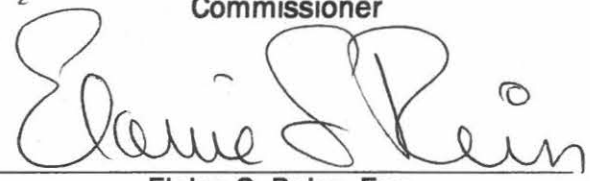
Angela Cabrera
Commissioner



Malini Cadambi Daniel
Commissioner



Arva R. Rice
Commissioner



Elaine S. Reiss, Esq.
Commissioner



Vacant
Chair

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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New York, NY 10007

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

BY MAIL AND EMAIL

March 14, 2019

George L. Rodriguez
Chairperson
Bronx Community Board No. 1
3024 Third Avenue
Bronx, NY 10455

Re: Resolution #2018AP/228-381-(2019)C4
DETERMINATION: Compliance

Dear Chairperson Rodriguez:

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 Cedric L. Lofton 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 "Malini Cadambi Daniel". The signature is fluid and cursive, with the first name "Malini" being the most prominent part.

Malini Cadambi Daniel
Commissioner

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

EEPC

EQUAL EMPLOYMENT PRACTICES COMMISSION

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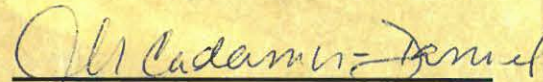
Determination of Compliance

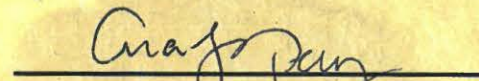
is issued to

Bronx Community Board No. 1

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 14th day of March in the year 2019,


Malini Cadambi Daniel, Commissioner


Charise L. Terry, PHR, Executive Director

In care of Chairperson George L. Rodriguez
and District Manager Cedric L. Lofton