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BY EMAIL

February 1, 2021

Mark Diller
Chair
Manhattan Community Board No. 7
250 West 87 Street, Floor HC
New York, New York 10024

Audit Status:
Evaluation of Sexual Harassment Prevention and Response Practices for Audit
Period January 1, 2020 to December 31, 2020.
Determination: **PRELIMINARY**

Dear Chair Diller:

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 Manhattan Community Board No. 7's Sexual Harassment Prevention and Response Practices for the period covering January 1, 2020 to December 31, 2020.

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 Manhattan Community Board No. 7, 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 Manhattan Community Board No. 7 on December 18, 2020; the PIQ(s) were not returned. Additional requests for information were made on December 21, 2020 and January 6, 2021; no response was received.

The following determination indicates where the Manhattan Community Board No. 7 has or has not complied, in whole or in part, with the established Standards.

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

Description of the Agency

Community Boards are local representative bodies. Each of the fifty-nine (59) Community Boards is comprised of up to fifty (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. (Source: The Green Book 3/2019). In addition to the Chair, during the period in review, Manhattan Community Board No. 7 had a headcount of three (3) that consisted of one (1) District Manager, one (1) Assistant District Manager, and one (1) Community Assistant.

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.

➤ Manhattan Community Board No. 7 did not demonstrate that, during the period in review, it distributed or posted an annual Policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment. **Corrective Action Required.**

Corrective Action #1: 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.

➤ Manhattan Community Board No. 7 did not demonstrate that, during the period in review, 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 non-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.

- Manhattan Community Board No. 7 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.**

Corrective Action #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.

III. Complaint and Investigation Procedures

Summary of Complaint Activity: Because Manhattan Community Board No. 7 did not submit a response to the EEPCC's PIQs, it is unknown whether Manhattan Community Board No. 7 received any complaints 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.

- Manhattan Community Board No. 7 did not demonstrate that, during the period in review, it ensured that all individuals who work within the board received information regarding the Borough President's complaint investigation procedures. **Corrective Action Required.**

Corrective Action #4: 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.

- Manhattan Community Board No. 7 did not demonstrate that, during the period in review, it maintained a summary of annual complaint activity. **Corrective Action Required.**

Corrective Action #5: Maintain a summary of annual complaint activity.

IV. Responsibility for Implementation

Determination: The agency is in non-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.

- Manhattan Community Board No. 7 did not demonstrate that, during the period in review, it directed employees to utilize the Office of the Manhattan Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. **Corrective Action Required.**

Corrective Action #6: 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.

➤ Manhattan Community Board No. 7 did not demonstrate that, during the period in review, the Community Board Chairperson, or their designee, consulted and cooperated with the Office of the Manhattan Borough President's principal EEO Professional on the prevention, investigation, and resolution of sexual harassment complaints. **Corrective Action Required.**

Corrective Action #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.

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 Manhattan Community Board No. 7 has **8** required corrective action(s) at this time. This includes the aforementioned final action.

Conclusion

Pursuant to Charter Chapter 36, the Manhattan Community Board No. 7 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 Manhattan Community Board No. 7'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 Manhattan Community Board No. 7's implementation of the prescribed corrective action(s).

(No Response Option) If the Manhattan Community Board No. 7 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 Manhattan Community Board No. 7 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,



Imani Bowen, EEO Program Analyst

Approved by,



Charise L. Terry
Executive Director

c: Penny Ryan, District Manager, Manhattan Community Board No. 7
Connor Allerton, Principal EEO Professional, Office of the Manhattan Borough President
Luisa Lopez, Principal EEO Professional, Office of the Manhattan Borough President
Ilacia N. Zuell Manager, EEO Analysis and Audit, EEPC

COMMUNITY BOARD 7 Manhattan

February 12, 2021

Hon. Cherise L. Terry
Executive Director
NYC Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

Re: Sexual Harassment Prevention and Response Practices
Audit of Community Board 7/Manhattan for the Period
January 1 – December 31, 2020 (the “Audit”)
CB7 Response to Preliminary Determination

Honorable Executive Director Terry:

On behalf of Community Board 7/Manhattan, I am pleased to submit this response to the Preliminary Determination concerning the Audit relayed to CB7 in your letter of February 1, 2021.

At the outset, I wish to acknowledge and thank members of your staff, including Imani Bowen and Ilacia N. Zuell, for their assistance in our understanding the goals of the Audit and the procedures available to CB7 in meeting the goals. In particular, Mss. Bowen’s and Zuell’s participation along with other member of their team in a joint meeting on Friday, February 5th, was enormously helpful to all of us at CB7 in developing an understanding of this process that eluded us in prior communications.

I hasten to add that CB7 supports the goals of the Audit, and of ensuring the CB7 District Office is a workplace free of sexual harassment and other forms of employment discrimination and retaliation (collectively referred to below as the “EEO Principles”).

This response will set forth the Corrective Actions contained in the Preliminary Determination, and provide CB7’s Responses outlining our current efforts to satisfy those corrective actions.

By way of explanation, I am the Chair of CB7. I assumed this position on January 5, 2021, following an election by my colleagues. Mark Diller, my predecessor as Chair, was in office for the period under Audit. This response contains the results of our combined efforts to understand and respond to the Audit.

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

CB7 Action in Response to #1: Please find accompanying this Response a memorandum from Steven Brown, CB7 Chair, distributed by email to all three CB7 District Office employees on Friday, February 12, 2021, which reconfirms CB7’s commitment to the prevention of sexual

harassment as well as other forms of discrimination and conduct violating core EEO principles. In relevant part that memorandum reads:

Community Board 7/Manhattan is committed to ensuring that the District Office is a workplace that embraces the spirit as well as the letter of the law with respect to the prevention of sexual harassment, adherence to the principles of equal employment opportunity, and establishing the District Office (both remotely and in person) as a workplace free from discrimination based on all categories protected by law (including sex, sexual orientation, gender, race, color, national origin, religion, age, disability, alienage or citizenship status, marital status, prior record of arrest or conviction, genetic predisposition, carrier status, pregnancy, caregiver status, or being a victim of domestic violence), as well as harassment or retaliation against a person who opposes or complains about prohibited conduct or participates in the EEO complaint or investigation processes.

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

CB7 Action in Response to #2: The February 12, 2021 memorandum referenced in CB7 Action in Response to #1 enclosed a copy of the most recent policy statement of the Manhattan Borough President, entitled "Manhattan Borough President's Equal Employment Opportunity Policy and Plan," concerning the prevention of sexual harassment in particular and the EEO Principles in their totality.

Corrective Action #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.

CB7 Action in Response to #3: The February 12, 2021 memorandum referenced in CB7 Action in Response to #1 above enclosed a copy of the most recent Manhattan Borough President's Equal Employment Opportunity Policy and Plan.

The February 12th memorandum to the District Office Staff also enclosed a separate document promulgated by the Department of Citywide Administrative Services entitled "City of New York EEO Complaint Procedural Guidelines" dated as of 2018, setting forth the most recent set of guidelines provided by DCAS on complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles (referred to herein as the "DCAS Procedural Guidelines"). I note that the DCAS Procedural Guidelines include detailed complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles, as well as sample forms with instructions relating to each step in the process of pursuing any form of complaint relating to potential violations of the EEO Principles

In addition, all three members of the CB7 District Office Staff successfully completed during calendar 2020 an online training relating to the prevention of sexual harassment and other aspects of a workplace in compliance with the EEO Principles. That training, which is offered

annually, was conducted in 2020 using an online platform due to the pandemic. CB7 is seeking written confirmation of the completion of such training by each District Office Staff member, which in previous years would have involved a physical sign-in sheet. Due to the need to conduct the training using an online platform, we are seeking alternative documentation to confirm completion of the training.

Corrective Action #4: Ensure that all individual who work within the board receive information regarding the Borough President's complaint investigation procedures.

CB7 Response to #4: The documents referenced in CB7's Response to Corrective Actions #s 2 and 3 above, which were distributed to the CB7 District Office Staff with the February 12th annual statement and memorandum referenced in the Response to #1 above, included the DCAS Procedural Guidelines, which constitute the most recent set of guidelines provided by the Borough President's Office on complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles, including without limitation retaliation or harassment against a person who opposes or complains about prohibited conduct or participates in the EEO complaint or investigation processes.

Corrective Action #5: Maintain a summary of annual complaint activity.

CB7 Response to #5: After conferring with Mark Diller, the Chair of CB7 during the period under Audit, as well as Penny Ryan, the District Manager during that period, I have determined that no complaints relating to acts of sexual harassment or other conduct in violation of the EEO Principles were asserted or reported by any of the District Office Staff, and no reports were received containing facts or circumstances that raised a concern about such conduct having occurred.

Accordingly, there is no activity to summarize.

CB7 will maintain such a summary in the future if any complaint activity is brought to the attention of the Chair, the District Manager, or the CB7 Principal EEO Professional.

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

CB7 Response to #6: The February 12th memorandum referenced in Response #1 above includes a statement directing the District Office Staff to utilize the Borough President's EEO Office to file an internal complaint concerning acts of sexual harassment or in violation of the EEO Principles.

Corrective Action #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.

CB7 Response to #7: In a February 9, 2021, email communication by CB7 Chair Steven Brown to Luisa Lopez and Conor Allerton, the designated principal EEO Professionals at the Manhattan Borough President's Office, CB7 sought the most recent policy statements and related guidelines and procedures relating the prevention, investigation and resolution of acts of sexual harassment and violations of the EEO Principles. A copy of the February 9th email to the MBPO EEO Professionals accompanies this Response.

Corrective Action #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.

CB7 Response to #8: I, as Chair of CB7, will issue to all District Office Staff a follow-up memorandum substantially in the form of the February 12th memorandum, updated to reflect any further requirements or suggestions received from the EEPC in connection with the Audit.

By its nature, such a follow-up memorandum must await the conclusion of the Audit and related procedures.

I remain at your disposal to follow up on any of the matters discussed above or in the Preliminary Determination.

Respectfully submitted:

Steven M. Brown
Chair, Community Board 7/Manhattan

Copy: Imani Bowen, EEPC EEO Program Analyst
Ilacia N. Zuell, Manager, EEPC EEO Analysis and Audit

Mark Diller, CB7 Chair 2019-2020
Penny Ryan, CB7 District Manager



Vacant
Chair

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Elaine S. Reiss, Esq.
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BY EMAIL

February 23, 2021

Steven M. Brown
Chairperson
Manhattan Community Board No. 7
250 West 87 Street, Floor HC
New York, New York 10024

Audit Status:
Evaluation of Sexual Harassment Prevention and Response Practices for Audit
Period January 1, 2020 to December 31, 2020.
Manhattan Community Board No. 7
Determination: **FINAL**
Resolution #: 2021AP/247-347-(2021)

Dear Chairperson Brown:

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: February 1, 2021
Response Received: February 12, 2021

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 Manhattan Community Board No. 7's Sexual Harassment Prevention and Response Practices.

As the Manhattan Community Board No. 7 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 Manhattan Community Board No. 7'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: March 1, 2021 to April 30, 2021. 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 Manhattan Community Board No. 7 has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Manhattan Community Board No. 7 will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Manhattan Community Board No. 7 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 Manhattan Community Board No. 7's implementation of the final corrective action, if any, the EEPC requires that the Manhattan Community Board No. 7 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 Manhattan Community Board No. 7 must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Manhattan Community Board No. 7 will be exempt from the abovementioned compliance-monitoring period.

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.

Conclusion

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,


For Charise L. Terry
Executive Director

c: Penny Ryan, District Manager, Manhattan Community Board No. 7
Connor Allerton, Principal EEO Professional, Office of the Manhattan Borough President
Luisa Lopez, Principal EEO Professional, Office of the Manhattan Borough President
Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance, EEPC
Ilacia N. Zuell Manager, EEO Analysis and Audit, EEPC
Imani Bowen, EEO Program Analyst, EEPC

Enclosed: TeamCentral Agency Manual

FINAL DETERMINATION

A response indicating progress of the Manhattan Community Board No. 7'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:

"Please find accompanying this Response a memorandum from Steven Brown, CB7 Chair, distributed by email to all three CB7 District Office employees on Friday, February 12, 2021, which reconfirms CB7's commitment to the prevention of sexual harassment as well as other forms of discrimination and conduct violating core EEO principles. In relevant part that memorandum reads: 'Community Board 7/Manhattan is committed to ensuring that the District Office is a workplace that embraces the spirit as well as the letter of the law with respect to the prevention of sexual harassment, adherence to the principles of equal employment opportunity, and establishing the District Office (both remotely and in person) as a workplace free from discrimination based on all categories protected by law (including sex, sexual orientation, gender, race, color, national origin, religion, age, disability, alienage or citizenship status, marital status, prior record of arrest or conviction, genetic predisposition, carrier status, pregnancy, caregiver status, or being a victim of domestic violence), as well as harassment or retaliation against a person who opposes or complains about prohibited conduct or participates in the EEO complaint or investigation processes.'"

EEPC Response:

The EEPC accepts the agency's response and documentation provided as confirmation that Corrective Action #1 has been implemented. On February 12, 2021, Manhattan Community Board No. 7's Chairperson sent its Policy statement entitled *Community Board 7/Manhattan Annual Policy Statement on Preventing Sexual Harassment, Sexual Harassment Complaint Procedures, and Equal Employment Opportunity* memorandum to all employees via email. The memorandum reiterated the Chairperson's commitment to the prevention of sexual harassment.

² Excerpts are italicized.

Corrective Action #2:

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

Agency Response:

"The February 12, 2021 memorandum referenced in CB7 Action in Response to #1 enclosed a copy of the most recent policy statement of the Manhattan Borough President, entitled "Manhattan Borough President's Equal Employment Opportunity Policy and Plan," concerning the prevention of sexual harassment in particular and the EEO Principles in their totality."

EEPC Response:

The EEPC accepts the agency's response and documentation provided as confirmation that Corrective Action #2 has been implemented. On February 12, 2021, Manhattan Community Board No. 7's Chairperson distributed the *Manhattan Borough President's Equal Employment Opportunity (EEO) Policy and Plan*, and the *EEO Complaint Procedural Guidelines, City of New York, 2018* to all employees via email and advised that both documents were physically posted within the Manhattan Community Board No. 7 office.

Corrective Action #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.

Agency Response:

"The February 12, 2021 memorandum referenced in CB7 Action in Response to #1 above enclosed a copy of the most recent Manhattan Borough President's Equal Employment Opportunity Policy and Plan. The February 12th memorandum to the District Office Staff also enclosed a separate document promulgated by the Department of Citywide Administrative Services entitled 'City of New York EEO Complaint Procedural Guidelines' dated as of 2018, setting forth the most recent set of guidelines provided by DCAS on complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles (referred to herein as the "DCAS Procedural Guidelines"). I note that the DCAS Procedural Guidelines include detailed complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles, as well as sample forms with instructions relating to each step in the process of pursuing any form of complaint relating to potential violations of the EEO Principles. In addition, all three members of the CB7 District Office Staff successfully completed during calendar 2020 an online training relating to the prevention of sexual harassment and other aspects of a workplace in compliance with the EEO Principles. That training, which is offered annually, was conducted in 2020 using an online platform due to the pandemic. CB7 is seeking written confirmation of the completion of such training by each District Office Staff member, which in previous years would have involved a physical sign-in sheet. Due to the need to conduct the training using an online platform, we are seeking alternative documentation to confirm completion of the training."

EEPC Response:

The EEPC accepts the agency's response and documentation provided as confirmation that Corrective Action #3 has been implemented. On February 12, 2021, Manhattan Community Board No. 7's Chairperson distributed the *Manhattan Borough President's Equal Employment Opportunity (EEO) Policy and Plan* and the *EEO Complaint Procedural Guidelines, City of New York, 2018* to all employees via email. Each document contained a guide on the prevention of sexual harassment and employees' related rights and responsibilities.

Corrective Action #4:

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

Agency Response:

“The documents referenced in CB7’s Response to Corrective Actions #s 2 and 3 above, which were distributed to the CB7 District Office Staff with the February 12th annual statement and memorandum referenced in the Response to #1 above, included the DCAS Procedural Guidelines, which constitute the most recent set of guidelines provided by the Borough President’s Office on complaint procedures with respect to any potential acts or practices of sexual harassment or other conduct in violation of the EEO Principles, including without limitation retaliation or harassment against a person who opposes or complains about prohibited conduct or participates in the EEO complaint or investigation processes.”

EEPC Response:

The EEPC accepts the agency’s response and documentation provided as confirmation that Corrective Action #4 has been implemented. On February 12, 2021, Manhattan Community Board No. 7’s Chairperson distributed the *Manhattan Borough President’s Equal Employment Opportunity (EEO) Policy and Plan*, and the *EEO Complaint Procedural Guidelines, City of New York, 2018* to all employees via email, demonstrating that all individuals who work within the board received information regarding the Office of the Manhattan Borough President’s complaint investigation procedures.

Corrective Action #5:

Maintain a summary of annual complaint activity.

Agency Response:

“After conferring with Mark Diller, the Chair of CB7 during the period under Audit, as well as Penny Ryan, the District Manager during that period, I have determined that no complaints relating to acts of sexual harassment or other conduct in violation of the EEO Principles were asserted or reported by any of the District Office Staff, and no reports were received containing facts or circumstances that raised a concern about such conduct having occurred. Accordingly, there is no activity to summarize. CB7 will maintain such a summary in the future if any complaint activity is brought to the attention of the Chair, the District Manager, or the CB7 Principal EEO Professional.”

EEPC Response:

The EEPC accepts the agency’s response and documentation provided as confirmation that Corrective Action #5 has been implemented. Manhattan Community Board No. 7’s Chairperson confirmed that the Community Board received no discrimination complaints during the period in review and committed to maintaining a summary for future complaints that may be filed.

Corrective Action #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.

Agency Response:

“In a February 9, 2021, email communication by CB7 Chair Steven Brown to Luisa Lopez and Conor Allerton, the designated principal EEO Professionals at the Manhattan Borough President’s Office, CB7 sought the most recent policy statements and related guidelines and procedures relating the prevention, investigation and resolution of acts of sexual harassment and violations of the EEO Principles. A copy of the February 9th email to the MBPO EEO Professionals accompanies this Response.”

EEPC Response:

The EEPC accepts the agency's response and documentation provided as confirmation that Corrective Action #7 has been implemented. A February 9, 2021 email from Manhattan Community Board No. 7's Chairperson to the Office of the Manhattan Borough President's principal EEO Professionals and subsequent distribution of the Office of the Manhattan Borough President's EEO policies and procedures demonstrated that Manhattan Community Board No. 7's Chairperson consulted and cooperated with the Office of the Manhattan Borough President's principal EEO Professionals on the prevention of sexual harassment complaints.

Monitoring Required

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

Corrective Action #6:

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

Agency Response:

"The February 12th memorandum referenced in Response #1 above includes a statement directing the District Office Staff to utilize the Borough President's EEO Office to file an internal complaint concerning acts of sexual harassment or in violation of the EEO Principles."

EEPC Response:

The EEPC recognizes Manhattan Community Board No. 7's commitment to implement Corrective Action #6. On February 12, 2021, Manhattan Community Board No. 7's Chairperson directed all employees via email to utilize the Office of the Manhattan Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. Although Manhattan Community Board No. 7 directed employees to utilize the Office of the Manhattan Borough President's EEO Office to file an internal complaint, it did not provide the current contact information for the EEO Office or principal EEO Professionals, and the contact information in the policy provided to employees was not up-to-date. In order to demonstrate compliance, provide documentation that demonstrates that Manhattan Community Board No. 7 employees were provided with the current contact information for the EEO Office of the Manhattan Borough President.

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.

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



**RESOLUTION NO.
2021AP/247-347-(2021)
Manhattan Community Board No. 7
Chairperson Steven M. Brown
Sexual Harassment Prevention and Response Practices
DETERMINATION: FINAL**

S Y N O P S I S

Corrective Action(s):	Total: 7		
Period Audit Covered:	January 1, 2020 to December 31, 2020		
Preliminary Determination Issued:	February 1, 2021	Response Received	February 12, 2021
Final Determination Issued:	February 23, 2021	Response Due	March 25, 2021
Compliance-Monitoring:	Required	March 1, 2021 to April 30, 2021	

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 Manhattan Community Board No. 7’s Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Manhattan Community Board No. 7’s Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 1, 2021, 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 training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. 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.
6. 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.

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 February 23, 2021, which indicated that the following areas required corrective action: no(s). 6; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from March 1, 2021 to April 30, 2021, 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 23, 2021, 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 Steven M. Brown to assign compliance-monitoring.

Approved unanimously on February 25, 2021.

/s/Angela Cabrera
Angela Cabrera
Commissioner/Mayoral Appointee

/s/Elaine S. Reiss
Elaine S. Reiss, Esq.
Commissioner/Mayoral Appointee

/s/Arva R. Rice
Arva R. Rice
Commissioner/City Council Appointee

Vacant
Commissioner/City Council Appointee

Vacant
Chair/Commissioner/Joint Appointee

On behalf of all Commissioners in attendance,



Charise L Terry
Executive Director

COMMUNITY BOARD 7 Manhattan

March 23, 2021

Hon. Cherise L. Terry
Executive Director
NYC Equal Employment Practices Commission
253 Broadway, Suite 602
New York, NY 10007

Re: Sexual Harassment Prevention and Response Practices
Audit of Community Board 7/Manhattan for the Period
January 1 – December 31, 2020 (the “Audit”)
CB7 Final Memorandum

Honorable Executive Director Terry:

On behalf of Community Board 7/Manhattan, I am pleased to submit this Final Memorandum concerning the Audit relayed to CB7 as referenced above.

Final Memorandum:

Please accept this letter both as a re-affirmation of CB7’s acknowledgment of the goals and results of the Audit, and our commitment to the principles underlying these actions.

In particular, on behalf of Community Board 7/Manhattan’s 50 volunteer members and paid District Office Staff, I confirm with the greatest zeal possible that CB7 supports the goals of the Audit, and of ensuring the CB7 District Office is a workplace free of sexual harassment and other forms of employment discrimination and retaliation (collectively referred to below as the “EEO Principles”). The EEO Principles are a fundamental element of the respect CB7 has for ourselves, each other, and the Community we serve. Our commitment to these EEO Principles transcends our work in all spheres.

Final Corrective Action:

To the best of our understanding, the only remaining action item with respect to the above-referenced Audit concerned Corrective Action #6 from your February 1, 2021 Preliminary Determination, which read in relevant part:

Corrective Action #6: Direct employees to utilize the Borough President’s Equal Employment Opportunity (EEO) Office to file an internal complaint.

And to which CB7 responded in our February 12, 2021 reply:

CB7 Response to #6: The February 12th memorandum referenced in Response #1 above includes a statement directing the District Office Staff to utilize the Borough President's EEO Office to file an internal complaint concerning acts of sexual harassment or in violation of the EEO Principles.

In your February 23, 2021 Final Determination, the remaining action item regarding Corrective Action #6 raised the concern that the contact information for the Manhattan Borough President's Office Staff EEO Officers, Luisa Lopez and Conor Allerton, were out of date. As stated in your Final Determination:

EEPC Response:

The EEPC recognizes Manhattan Community Board No. 7's commitment to implement Corrective Action #6. On February 12, 2021, Manhattan Community Board No. 7's Chairperson directed all employees via email to utilize the Office of the Manhattan Borough President's Equal Employment Opportunity (EEO) Office to file an internal complaint. Although Manhattan Community Board No. 7 directed employees to utilize the Office of the Manhattan Borough President's EEO Office to file an internal complaint, it did not provide the current contact information for the EEO Office or principal EEO Professionals, and the contact information in the policy provided to employees was not up-to-date. In order to demonstrate compliance, provide documentation that demonstrates that Manhattan Community Board No. 7 employees were provided with the current contact information for the EEO Office of the Manhattan Borough President.

Further Corrective Action Taken:

In response to this portion of the Final Determination, CB7 obtained from the Manhattan Borough President's Office an updated "Equal Employment Opportunity Policy and Plan" (referred to as the "Updated MBPO Policy Statement"). The Updated MBPO Policy Statement provided current names and contact information for the Borough President's EEO Officers, as well as the current complaint form.

CB7 then updated and amended the Annual Statement to the CB7 District Office Staff in a follow-up memorandum dated March 16, 2021 sent to the entire Staff. As set forth in the updated Annual Statement (a copy of which is attached), CB7 advised the Staff:

As set forth in the February 12, 2021 annual statement, Community Board 7/Manhattan is committed to ensuring that the District Office is a workplace that embraces the spirit as well as the letter of the law with respect to the EEO Principles described in that statement.

In furtherance of that annual statement (a copy of which is attached) and that commitment, I am pleased to attach the most recent version of the Manhattan Borough President's Equal Employment Opportunity Policy and Plan (referred to as the "Updated MBPO Policy Statement"). Among other things, the Updated MBPO Policy Statement provides (a) current contact information for the EEO Officers (Luisa Lopez and Conor Allerton), and the Personnel Officer and 55-a Coordinator (Deirdre Lyles) at the Manhattan Borough President's Office to whom concerns and complaints relating to the EEO Principles may be addressed, and (b) an EEO Complaint Form that may be completed easily using any standard computer.


Please make note of this updated information, and as always feel welcome to contact me with any questions or if you need any follow-up.

CB7 respectfully submits that the above further corrective action completely satisfies the one remaining action item considered open in the Final Determination.

We respectfully request that the Audit therefore be deemed satisfactorily concluded, and that CB7 be considered exempt from any further monitoring period with respect to these matters or the Audit.

We would be remiss if we failed once again to acknowledge our thanks for the informed and positive guidance we have received throughout this process from the members of your staff, including especially Imani Bowen and Ilacia N. Zuell. With their help, it is my hope that this Final Memorandum and attachments will finally resolve all matters under inquiry.

Respectfully submitted:



Steven M. Brown
Chair, Community Board 7/Manhattan

Copy: Imani Bowen, EEPC EEO Program Analyst
Ilacia N. Zuell, Manager, EEPC EEO Analysis and Audit

Mark Diller, CB7 Chair 2019-2020
Penny Ryan, CB7 District Manager

Memorandum

TO: All Employees
FROM: Equal Employment Practices Commission
DATE: 3/24/2021
RE: Audit: Review, Evaluation, and Monitoring of Sexual Harassment Prevention and Response Practices
Manhattan Community Board No. 7

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 Manhattan Community Board No. 7’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:

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 training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. 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.
6. 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.

Through successful completion of the EEPC’s audit, evaluation, and monitoring processes and the aforementioned enhancements Chairperson Brown reaffirms the commitment to ensuring that the



**Equal Employment
Practices Commission**

Manhattan Community Board No. 7 '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.



Vacant
Chair

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

Jeanne M. Victor
Executive Director

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

April 22, 2021

Steven M. Brown
Chairperson
Manhattan Community Board No. 7
250 West 87 Street, Floor HC
New York, New York 10024

Re: Resolution #2021AP/248-347-(2021)C11
DETERMINATION: Compliance

Dear Chairperson Brown,

On behalf of the members of the Equal Employment Practices Commission (EEOC), 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 EEOC's Board of Commissioners has approved the attached Determination.

Thank you and District Manager Penny Ryan for the cooperation extended to the EEOC 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". The signature is fluid and cursive.

Elaine S. Reiss, Esq.
Commissioner

c: Penny Ryan, District Manager, Manhattan Community Board No. 7

Monitoring of Sexual Harassment Prevention and Response Practices

RESOLUTION NO.

2021AP/248-347-(2021)C11

Manhattan Community Board No. 7

Chairperson Steven M. Brown

DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s):	Total: 7		
Period Audit Covered:	January 1, 2020 to December 31, 2020		
Preliminary Determination Issued:	February 1, 2021	Response Received	February 12, 2021
Final Determination Issued:	February 23, 2021	Response Received	March 23, 2021
Compliance-Monitoring:	Required	March 1, 2021 to April 30, 2021 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 Manhattan Community Board No. 7’s Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Manhattan Community Board No. 7’s Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 1, 2021, 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 training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.
4. 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.
6. 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.

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 February 23, 2021, which indicated that the following areas required corrective action: no(s). 6; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from March 1, 2021 to April 30, 2021, 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 March 23, 2021, the entity issued a response to the EEPC's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Manhattan Community Board No. 7 was monitored until March 23, 2021; 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 March 24, 2021, which recognized the EEPC's audit and reiterated commitment to the Manhattan Community Board No. 7's equal employment practices; Now Therefore,

Be It Resolved, that the Manhattan Community Board No. 7 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 Steven M. Brown of the Manhattan Community Board No. 7.

Approved unanimously on April 22, 2021.

/s/Angela Cabrera
Angela Cabrera
Commissioner/Mayoral Appointee

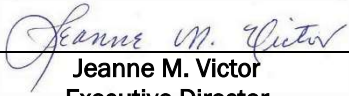
/s/Elaine S. Reiss
Elaine S. Reiss, Esq.
Commissioner/Mayoral Appointee

/s/Arva R. Rice
Arva R. Rice
Commissioner/City Council Appointee

Vacant
Commissioner/City Council Appointee

Vacant
Chair/Commissioner/Joint Appointee

On behalf of all Commissioners in attendance,



Jeanne M. Victor
Executive Director



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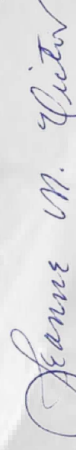
Determination of Compliance

is hereby issued to

Manhattan Community Board No. 7

*for successful implementation of 7 of 7 required corrective action(s),
thereby achieving compliance with the Equal Employment Practices Commission's
Sexual Harassment Prevention and Response Practices
from January 1, 2020 to this date.*

On this 22nd day of April in the year 2021,


Jeanne M. Victor, Executive Director

*In care of Chairperson Steven M. Brown
and District Manager Penny Ryan*