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BY EMAIL

February 4, 2021

Eugene T. Kelty
Chairperson
Queens Community Board No. 7
133-32 41st Road Suite 3B
Flushing, New York 11355

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

Dear Chairperson Kelty:

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 Queens 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 Queens 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 Queens Community Board No. 7 on December 18, 2020; the incomplete PIQ(s) were returned on January 8, 2021. No documentation was attached. Additional documentation was provided to the EEPC on January 20, 2021.

The following determination indicates where the Queens 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). During the period in review, in addition to the Chairperson, Queens Community Board No. 7's headcount included a District Manager, a Community Aide and two (2) Community Associates.

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.

➤ The Queens Community Board No. 7 did not distribute/post 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.

➤ The Queens Community Board No. 7 did not demonstrate that it followed, distributed and posted the Office of the Queens 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 partial-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.

✓ Certificates of completion from the Department of Citywide Administrative Services' (DCAS) Office of Learning and Development Citywide Training Center confirm that the District Manager, the Community Aide and one (1) Community Associate completed *Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace* (SHP Training) computer-based training between December 2, 2020 and December 3, 2020. According to DCAS' website the SHP Training covered the following topics which includes employee rights and responsibilities: sexual harassment; federal, state, and local laws; prevention techniques, and procedures for filing a complaint.

- Queens Community Board No. 7 did not demonstrate that the second Community Associate 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: The Queens Community Board No. 7 did not report the number of internal and external complaints that were filed during the period in review.

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

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

- The Queens Community Board No. 7 did not demonstrate that all individuals who work within the board received information regarding the Office of the Queens 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.

- The Queens Community Board No. 7 did not demonstrate that 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.

- The Queens Community Board No. 7 did not demonstrate that it directed employees to utilize the Office of the Queens 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.

- The Queens Community Board No. 7 did not demonstrate that the Community Board Chairperson, or their designee, consulted and cooperated with the Office of the Queens Borough President's principal EEO Professionals 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 EEPCC'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 EEPCC's audit/monitoring. This final action is required to conclude the audit and monitoring process.

FINAL ACTION: Upon the EEPCC'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 EEPCC's audit/monitoring. This final action is required to conclude the audit and monitoring process.

Summary of Corrective Actions:

The Queens 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 Queens 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 Queens 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.

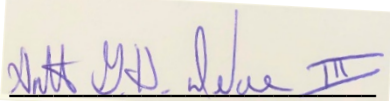
(Optional Conference) If requested, at the Optional Conference the EEPC will discuss the immediate steps that should be taken to correct outstanding areas of non-compliance and address questions regarding the Queens Community Board No. 7's implementation of the prescribed corrective action(s).

(No Response Option) If the Queens 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 Queens 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,



Arthur G. H. DeVore III, EEO Program Analyst

Approved by,



Charise L. Terry
Executive Director

c: Marilyn McAndrews, District Manager, Queens Community Board No. 7
Lisa Atkins, co-Principal EEO Professional, Office of the Queens Borough President
Irving Poy, co-Principal EEO Professional, Office of the Queens Borough President
William Peterson, Manager, Labor Relations Analysis and Audit, EEPC



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BY EMAIL

February 23, 2021

Eugene T. Kelty
Chairperson
Queens Community Board No. 7
133-32 41st Road Suite 3B
Flushing, New York 11355

Audit Status:
Evaluation of Sexual Harassment Prevention and Response Practices for
Audit Period January 1, 2020 to December 31, 2020.
Determination: **FINAL**
Resolution #: 2021AP/247-437-(2021)

Dear Chairperson Kelty:

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 4, 2021
No Response Received.

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

As the Queens 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 Queens 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 Queens Community Board No. 7 has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Queens Community Board No. 7 will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Queens 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 Queens Community Board No. 7's implementation of the final corrective action, if any, the EEPC requires that the Queens 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 Queens Community Board No. 7 must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Queens 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 EEP's Final Determination. Questions regarding next steps may be addressed to Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance at jshaw@eeepc.nyc.gov or 212-615-8942.

Thank you and your staff for your continued cooperation.

Sincerely,


For Charise L. Terry
Executive Director

c: Marilyn McAndrews, District Manager, Queens Community Board No. 7
Lisa Atkins, co-principal EEO Professional, Office of the Queens Borough President
Irving Poy, co-principal EEO Professional, Office of the Queens Borough President
Jennifer Shaw, Esq., Executive Agency Counsel/Director of Compliance, EEP
William Peterson, Manager, Labor Relations Analysis and Audit Unit, EEP
Arthur G.H. DeVore III, EEO Program Analyst, EEP

Enclosed: TeamCentral Agency Manual

FINAL DETERMINATION

A response indicating progress of Queens 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:

Monitoring Required

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

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

Agency Response:

No response received.

EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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

Agency Response:

No response received.

EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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:

No response received.

² Excerpts are italicized.



EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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

Agency Response:

No response received.

EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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

Agency Response:

No response received.

EEPC Response:

Implementation of this corrective action 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:

No response received.

EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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:

No response received.

EEPC Response:

Implementation of this corrective action will be monitored during the assigned compliance-monitoring period.

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



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

**RESOLUTION NO.
2021AP/247-437-(2021)
Queens Community Board No. 7
Chairperson Eugene T. Kelly
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 4, 2021 No Response Received
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 Office of the Queens Community Board No. 7’s Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Office of the Queens Community Board No. 7’s Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 4, 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 Presidents' 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 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 February 23, 2021, which indicated that the following areas required corrective action: no(s). 1, 2, 3, 4, 5, 6 and 7.

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 Eugene T. Kelty 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

Borough of Queens

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Donovan Richards, Jr.
Queens Borough President

Eugene T. Kelty Jr.
Chairperson

Marilyn McAndrews
District Manager

February 26, 2021

Charise L Terry
Executive Director
Equal Employment Practices Commission
253 Broadway
Suite 602
New York, N.Y. 10007

Dear Ms. Terry:

This is in response to your letter dated February 23, 2021 regarding Audit Status: Evaluation of Sexual Harassment Prevention and Response Practices for Audit Period January 1, 2020 to December 31, 2020 –Determination: Final—Resolution # 2021AP/247-437-(2021). I will be providing answers to your Monitoring Required Corrective Actions #'s 1-6. I would just like to thank you for allowing the Board a Compliance Period: March 1, 2021—April 30, 2021. However, as you stated in your letter "Correction all outstanding areas of non-compliance without delay is highly encouraged and will serve to shorten this period." Since most of this is already in file, I am submitting this to you today.

Corrective Action # 1: Distribute/post and annual Policy Statement or Memorandum by the Chairperson reiterating commitment to the prevention for sexual harassment.

Answer: Attached are **Exhibits 1 & 2**. **Exhibit 1** is the Chair's Memorandum to All current staff for Community Board # 7. **Exhibit 2** is the Policy statement that is posted in the Board's Office.

Corrective Action # 2: Follow, Distribute and Post the Borough Presidents' policy (ies) against sexual harassment

Answer: The Borough President's Sexual Harassment Policy has been distributed and posted at the Community Board' Office. See **Exhibit 3--4--5 and Picture of Posting**.

Corrective Action # 3: Ensure 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.

Answer: As per the attached E-Mail, each Office employee received an on line training course called PROD-Learning and Development training confirmation # 201203-226110-30-111019 **Exhibit 6** are all the Staff certificate's for the training courses

Corrective Action # 4: Ensure that all individuals who work within the Board received information regarding the Borough President's Complaint Investigation procedures.

Answer: All Staff Members were given a copy of the Complaint of Discrimination form as well as blank copies are in file for all staff members to use. **See Exhibit # 7.**

Corrective Action # 5: Maintain a summary of Annual Complaint activity

Answer: There is an annual complaint activity report. **See Exhibit 8.**

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

Answer: All Staff members have been issued an internal memo indicating the current Borough President EEO Coordinators. **Exhibit 9**

Corrective Action # 7: Community Boards 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.

Answer: At this time and in previous years, there has been no complaints from any Staff of Community Board # 7 as indicated by the Annual Complaint activity. **Exhibit # 8.** It is understood that the current Chair or their designee fully cooperate with any complaint immediately utilizing the EEO coordinators at the Queens Borough President's Office. (BP Coordinators are Ms. Lias, Atkins and Mr. Irving Poy.

I hope that this has addressed all the Commission's concerns and Corrective Actions as indicated in your February 23, 2021 letter. You have my contact information ekelty@cb.nyc.gov as well at the Community Board Office E-Mail address, qn07@cb.nyc.gov Telephone # 718-359-2800

Just one final note, if you decide to conduct another audit report on Community Boards, it would be appreciated that you contact us in the beginning of November due to the many Legal Holidays that are in December, i.e. Christmas, Hanukkah, Kwanzaa, Rama Dan, and many of the Staff as well as the Chairs may be away and unable to complete your Audit report in the proper time frame.

Sincerely,



Chair—CB 7 Queens.

Cc: Hon Donovan Richards-Queens Borough President.
CB 7 Executive Board.

Memorandum

TO: All Employees

FROM: Equal Employment Practices Commission

DATE: 4/9/2021

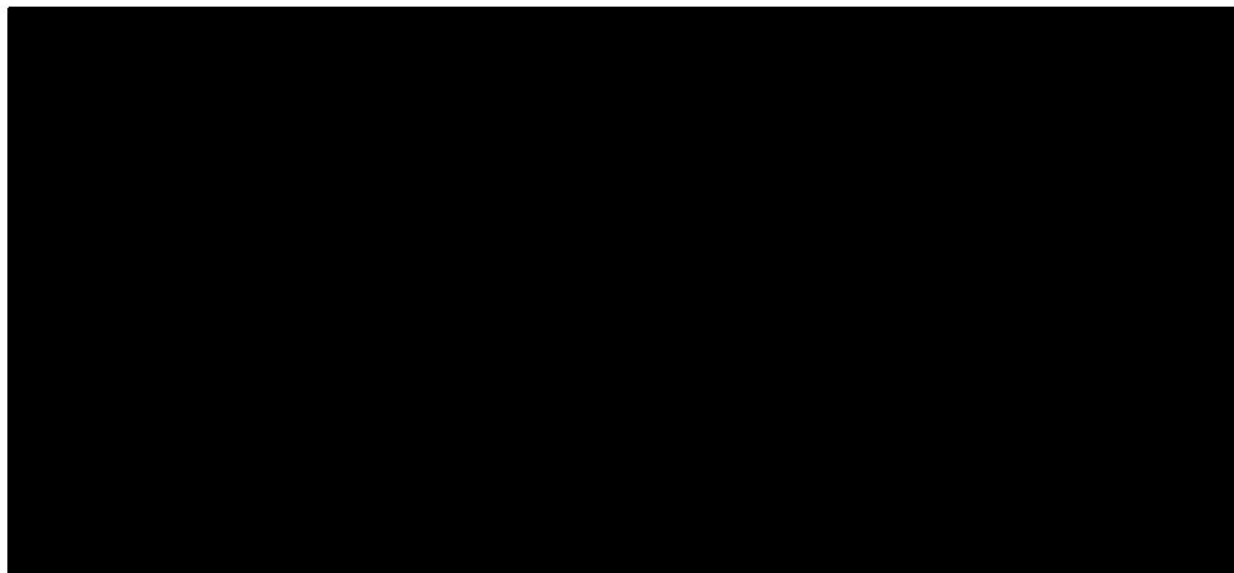
RE: Audit: Review, Evaluation, and Monitoring of Sexual Harassment Prevention and Response Practices
Queens Community Board No. 7

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 Queens 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:

- Distribute/post an annual policy statement or memorandum by the Chairperson reiterating commitment to the prevention of sexual harassment.
- Follow, distribute and post the Borough Presidents’ policy(ies) against sexual harassment.
- 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.
- Ensure that all individuals who work within the board receive information regarding the Borough President’s complaint investigation procedures.
- Maintain a summary of annual complaint activity.
- Direct employees to utilize the Borough President’s Equal Employment Opportunity (EEO) Office to file an internal complaint.
- 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 Choose an item. Chairperson Kelty reaffirms the commitment to ensuring that the Queens 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 EMAIL

April 22, 2021

Eugene T. Kelty
Chairperson
Queens Community Board No. 7
133-32 41st Road, Suite 3B
Flushing, New York, 11355

Re: Resolution #2021AP/248-437-(2021)C19
DETERMINATION: Compliance

Dear Chairperson Kelty,

On behalf of the members of the Equal Employment Practices Commission (EEPC), I write to inform you that pursuant to New York City Charter Chapter 35, Sections 815(a)(15) and (19), which requires agency heads to ensure and promote equal opportunity for all persons in appointment, payment of wages, development, and advancement, and to establish measures and programs to ensure a fair and effective affirmative employment plan to provide equal employment opportunity (EEO) for minority group members and women, the EEPC's Board of Commissioners has approved the attached Determination.

Thank you and District Manager Marilyn McAndrews for the cooperation extended to the EEPC during the course of our review, evaluation, and monitoring of your agency's employment and EEO-related practices.

Sincerely,

A handwritten signature in black ink, appearing to read "Elaine S. Reiss". The signature is fluid and cursive.

Elaine S. Reiss, Esq.
Commissioner

c: Marilyn McAndrews, District Manager, Queens Community Board No. 7

Monitoring of Sexual Harassment Prevention and Response Practices

RESOLUTION NO.

2021AP/248-437-(2021)C19

Queens Community Board No. 7

Chairperson Eugene T. Kelty

DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s):	Total: 7		
Period Audit Covered:	January 1, 2020 to December 31, 2020		
Preliminary Determination Issued:	February 4, 2021	No Response Received	
Final Determination Issued:	February 23, 2021	Response Received	February 26, 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 Queens Community Board No. 7’s Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Queens Community Board No. 7’s Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 4, 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 Presidents' 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 EEPD'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 EEPD issued a Final Determination on February 23, 2021, which indicated that the following areas required corrective action: no(s). 1, 2, 3, 4, 5, 6 and 7; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPD 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 26, 2021, the entity issued a response to the EEPD's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Queens Community Board No. 7 was monitored until April 9, 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 April 9, 2021, which recognized the EEPD's audit and reiterated commitment to the Queens Community Board No. 7's equal employment practices; Now Therefore,

Be It Resolved, that the Queens Community Board No. 7 has satisfied the equal employment

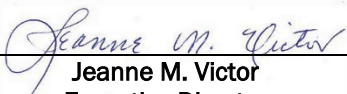
standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Chairperson Eugene T. Kely of the Queens Community Board No. 7.

Approved unanimously on April 22, 2021.

<hr/> <div>/s/Angela Cabrera Angela Cabrera Commissioner/Mayoral Appointee</div>	<hr/> <div>/s/Elaine S. Reiss Elaine S. Reiss, Esq. Commissioner/Mayoral Appointee</div>
<hr/> <div>/s/Arva R. Rice Arva R. Rice Commissioner/City Council Appointee</div>	<hr/> <div>Vacant Commissioner/City Council Appointee</div>
<hr/> <div>Vacant Chair/Commissioner/Joint Appointee</div>	

On behalf of all Commissioners in attendance,



Jeanne M. Victor
Executive Director

This

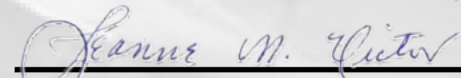
Determination of Compliance

is hereby issued to

Queens 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 Eugene T. Kelty and
District Manager Marilyn McAndrews*