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BY EMAIL

February 12, 2021

Vincent Arcuri
Chairperson
Queens Community Board No. 5
61-23 Myrtle Ave.
Flushing, New York 11385

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

Dear Chairperson Arcuri:

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. 5'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. 5, 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. 5 on December 18, 2020; the completed PIQ(s) were returned on January 8, 2021. Supporting documentation was attached. Additional requests for information were made on February 5, 2021.

The following determination indicates where the Queens Community Board No. 5 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. 5's headcount included a District Manager and three (3) 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 partial-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. 5 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.

✓ On December 16, 2020, all employees received via email an electronic copy of the *City of New York, Office of the President of the Borough of Queens, Equal Employment Opportunity Policy, 2020* (EEO Policy). The email was sent by a Community Associate and included a read receipt as confirmation of delivery. The email stated, "[i]n order for us to assure compliance with our EEO Responsibilities, please review the attached memo from Borough President Donovan Richards, and the most recent copy of the Queens BP EEO Policy and Procedures, which applies to our office as well." On December 18, 2020 and December 22, 2020, the Queens Community Board No. 5's two (2) other Community Associates and the District Manager confirmed receipt via email.

In addition, pictures of Queens Community Board No. 5's office demonstrate the accessible posting of a previous version of the EEO Policy, entitled *Office of the Queens Borough President, EEO Policies, 2017*.

NOTE: Queens Community Board No. 5 should update the policies posted in its office to ensure the Office of the Queens Borough President's most recent policy(ies) against sexual harassment are posted.

II. Agency-wide Training

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

3. Ensure that all individuals who work within the board receive training and/or a guide on the prevention of sexual harassment and their related rights and responsibilities.

✓ On November 27, 2020 and December 4, 2020, the District Manager of Queens Community Board No. 5 forwarded to all staff an email from a co-principal EEO Professional of the Office of the Queens Borough President that contained a web link to its mandatory *Sexual Harassment Prevention: What to Know About Unlawful and Inappropriate Behaviors in the Workplace* computer-based training (SHP CBT). Employees were instructed to complete the SHP CBT, which covered the following topics: sexual harassment, federal, state, and local laws, prevention techniques, and procedures for filing a complaint. Certificates of completion, dated December 2020 and from the *Department of Citywide Administrative Services' Office of Learning and Development Citywide Training Center*, confirm that all Queens Community Board No. 5 employees completed the aforementioned SHP CBT.

III. Complaint and Investigation Procedures

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

Determination: The agency is in 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.

✓ On December 16, 2020, all employees received via email an electronic copy of the EEO Policy which contained the Office of the Queens Borough President's complaint investigation procedures (see § I.2 for details).

5. Maintain a summary of annual complaint activity.

NOTE: Queens Community Board No. 5 reported no complaints were filed during the audit period in review, therefore compliance with this standard could not be meaningfully measured.

IV. Responsibility for Implementation

Determination: The agency is in 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.

✓ In December 2020 Queens Community Board No. 5 distributed the EEO Policy which contained directives to utilize the Office of the Queens Borough President's EEO Office to file an internal complaint. Section A.2: *Where to File an Internal Complaint or Seek Assistance with an EEO Matter* of the EEO Policy's *Procedures* stated, "[a]ny person who wishes to talk about a question or problem related to the agency's equal employment opportunity policy, to file a complaint of discrimination, or to receive assistance with an EEO matter may contact one of the EEO officers." The EEO Policy contained contact information (name, office address, phone number and email) for the co-Principal EEO Professionals from the Office of the Queens Borough President.

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.

✓ Email correspondence between a co-Principal EEO Professional from the Office of the Queens Borough President and the Queens Community Board No. 5's District Manager demonstrates collaboration on the distribution of the SHP CBT during the period in review.

NOTE: Queens Community Board No. 5 reported no complaints were filed during the audit period in review, therefore cooperation on the investigation and resolution of sexual harassment complaints could not be meaningfully measured.

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 Queens Community Board No. 5 has 2 required corrective action(s) at this time. This includes the aforementioned final action.

Conclusion

Pursuant to Charter Chapter 36, the Queens Community Board No. 5 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. 5'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.

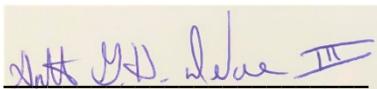
(Optional Conference) If requested, at the Optional Conference the EEPC will discuss the immediate steps that should be taken to correct outstanding areas of non-compliance and address questions regarding the Queens Community Board No. 5's implementation of the prescribed corrective action(s).

(No Response Option) If the Queens Community Board No. 5 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. 5 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.

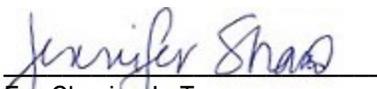
In closing, we want to thank you and your staff for the cooperation extended to the Equal Employment Practices Commission's EEO Program Analysts during the course of our audit and analysis.

Respectfully Submitted by,



Arthur G. H. DeVore III, EEO Program Analyst

Approved by,



For Charise L. Terry
Executive Director

c: Gary Giordano, District Manager, Queens Community Board No. 5
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



Community Board No. 5

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Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

February 25, 2021

Charise L. Terry
Executive Director
NYC EEP
253 Broadway, Suite 602
New York, NY 10007

Re: CB5Q Response to EEP's Preliminary
Determination

Dear Ms. Terry,

In response to the preliminary determination of the Evaluation of Sexual Harassment Prevention and Response Practices Audit your office conducted, please note that the following corrective actions have been taken:

- Attached is a copy of the memo from myself, the Chairperson, which was forwarded to the staff members of Community Board 5, Queens with attachments, that reiterates commitment to the prevention of sexual harassment.
- A more recent copy of the Queens Borough President's sexual harassment policy will be posted in the office of Community Board 5, Queens.

Sincerely,

Vincent Arcuri
Chairperson

Cc: Michael Pinckney, MPA, Administrator of Audits and Executive Services, NYC EEP
Lisa Atkins and Irving Poy, EEO Officers, Office of the Borough President
Allan Swisher, General Counsel, Office of the Borough President
Gary Giordano, District Manager, CB5Q



Vacant
Chair

Angela Cabrera
Elaine S. Reiss, Esq.
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BY EMAIL

March 5, 2021

Vincent Arcuri
Chairperson
Queens Community Board No. 5
61-23 Myrtle Ave.
Flushing, New York 11385

Audit Status:

Evaluation of Sexual Harassment Prevention and Response Practices for
Audit Period January 1, 2020 to December 31, 2020.

Determination: FINAL

Resolution #: 2021AP/248-435-(2021)

Dear Chairperson Arcuri:

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 12, 2021

Response Received: February 24, 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 Queens Community Board No. 5's Sexual Harassment Prevention and Response Practices.

As the Queens Community Board No. 5 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. 5'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: April 1, 2021 to May 31, 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. 5 has taken, or will take, to correct outstanding areas of non-compliance during the designated compliance-monitoring period. The Queens Community Board No. 5 will be monitored monthly until all outstanding areas of non-compliance have been sufficiently corrected. The Queens Community Board No. 5 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. 5's implementation of the final corrective action, if any, the EEPC requires that the Queens Community Board No. 5 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. 5 must submit a final memorandum (See Next Steps, Final Memorandum). Upon the EEPC's receipt of the final memorandum, the Queens Community Board No. 5 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,



Charise L. Terry
Executive Director

c: Gary Giordano, District Manager, Queens Community Board No. 5
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, EEPC
William Peterson, Manager, Labor Relations Analysis and Audit Unit, EEPC
Arthur G.H. DeVore III, EEO Program Analyst, EEPC

Enclosed: TeamCentral Agency Manual

FINAL DETERMINATION

A response indicating progress of Queens Community Board No. 5'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:

"Attached is a copy of the memo from myself, the Chairperson, which was forwarded to the staff members of Community Board 5, Queens with attachments, that reiterates commitment to the prevention of sexual harassment."

EEPC Response:

The EEPC recognizes the agency commitment to implement Corrective Action #1. Queens Community Board No. 5's Chairperson issued a memorandum to staff, entitled *Our Equal Employment Opportunity Commitment (EEO) and Sexual Harassment Prevention Commitment*, that stated "I would like to reiterate our commitment to preventing sexual harassment in the workplace, and will do so on an annual basis." The memorandum was dated February 24, 2021, signed by the Chairperson, and emailed to the District Manager and a general email address for the Queens Community Board No. 5. To demonstrate compliance, submit documentation that demonstrates Queens Community Board No. 5 distributed the aforementioned memorandum to all staff. 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.

² Excerpts are italicized.

RESOLUTION NO.
2021AP/248-435-(2021)
Queens Community Board No. 5
Chairperson Vincent Arcuri
Sexual Harassment Prevention and Response Practices
DETERMINATION: FINAL

S Y N O P S I S

Corrective Action(s):	Total: 1		
Period Audit Covered:	January 1, 2020 to December 31, 2020		
Preliminary Determination Issued:	February 12, 2021	Response Received	February 24, 2021
Final Determination Issued:	March 5, 2021	Response Due	April 4, 2021
Compliance-Monitoring:	Required	April 1, 2021 to May 31, 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 Queens Community Board No. 5’s Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Queens Community Board No. 5’s Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 12, 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.

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 March 5, 2021, which indicated that the following areas required corrective action: no(s). 1.

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from April 1, 2021 to May 31, 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 5, 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 Vincent Arcuri to assign compliance-monitoring.

Approved unanimously on April 22, 2021.

/s/Angela Cabrera
Angela Cabrera
Commissioner/Mayoral Appointee

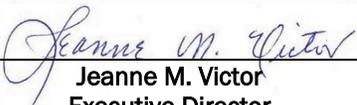
/s/Elaine S. Reiss
Elaine S. Reiss, Esq.
Commissioner/Mayoral Appointee

/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



Community Board No. 5

Borough of Queens
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Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

April 27, 2021

Jeanne Victor
Executive Director
NYC EEPC
253 Broadway, Suite 602
New York, NY 10007

Re: CB5Q Response to EEPC's Final
Determination

Dear Ms. Victor,

In response to the Final determination of the Evaluation of Sexual Harassment Prevention and Response Practices Audit your office conducted, please note that the following corrective actions have been taken:

- Attached is a copy of the memo from myself, the Chairperson, which was forwarded to the staff members of Community Board 5, Queens on February 22nd, 2021, with attachments, that reiterates commitment to the prevention of sexual harassment.
- A more recent copy of the Queens Borough President's sexual harassment policy has been posted in the office of Community Board 5, Queens.

Sincerely,

Vincent Arcuri
Chairperson

Cc: Michael Pinckney, MPA, Administrator of Audits and Executive Services, NYC EEPC
Lisa Atkins and Irving Poy, EEO Officers, Office of the Borough President
Allan Swisher, General Counsel, Office of the Borough President
Gary Giordano, District Manager, CB5Q



Community Board No. 5

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Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

MEMORANDUM

TO: CB5Q Staff
FROM: Vincent Arcuri, Chair
DATE: February 24, 2021
**RE: Our Equal Opportunity Employment Commitment (EEO)
and Sexual Harassment Prevention Commitment**

I am writing to let you know that the NYC Equal Employment Practices Commission (EEPC) recently concluded an audit of our Community Board's sexual harassment prevention policies, a process that allowed us to review our equal employment opportunity (EEO) practices and ensure that we are meeting our commitment to an equitable and respectful workplace free from discrimination and harassment. The audit did not result in any significant changes to our policies, but pursuant to the EEPC's recommendations, I would like to reiterate our commitment to preventing sexual harassment in the workplace, and will do so on an annual basis.

Please know that I am committed to our EEO program and the goal of preventing and appropriately responding to all forms of discrimination in the workplace.

Attached you will find a summary and a full copy of the Queens Borough President Offices EEO Policy, and specific policies relating to sexual harassment. We have adopted the EEO and Sexual Harassment Prevention Policies of the Borough President's Office as our Community Board 5, Queens policies. Please review these materials so that you are aware of your rights and obligations under the Policy. If you have any questions, please reach out to our EEO Officers at the Borough President's Office, [REDACTED] and [REDACTED]. Thank you.

Sincerely,

Vincent Arcuri
Chair

Cc: Lisa Atkins and Irving Poy, EEO Officers, Office of the Borough President



Aldrin Rafael Bonilla
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

June 10, 2021

Vincent Arcuri
Chairperson
Queens Community Board No. 5
61-23 Myrtle Ave.
Flushing, New York 11385

Re: Resolution #2021AP/249-435-(2021)C28
DETERMINATION: Compliance

Dear Chairperson Arcuri:

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 Gary Giordano 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: Gary Giordano, District Manager, Queens Community Board
No. 5



Monitoring of Sexual Harassment Prevention and Response Practices

RESOLUTION NO.

2021AP/249-435-(2021)C28

Queens Community Board No. 5

Chairperson Vincent Arcuri

DETERMINATION: COMPLIANCE

SYNOPSIS

Corrective Action(s):	Total: 1		
Period Audit Covered:	January 1, 2020 to December 31, 2020		
Preliminary Determination Issued:	February 12, 2021	Response Received	February 24, 2021
Final Determination Issued:	March 5, 2021	Response Received	April 27, 2021
Compliance-Monitoring:	Required	April 1, 2021 to May 31, 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. 5's Sexual Harassment Prevention and Response Practices; and

Whereas, pursuant to the audit, review, and evaluation of the Queens Community Board No. 5's Sexual Harassment Prevention and Response Practices, the EEPC issued a Preliminary Determination, dated February 12, 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

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 March 5, 2021, which indicated that the following areas required corrective action: no(s). 1; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), in the Final Determination, the EEPC assigned a monitoring period from April 1, 2021 to May 31, 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 April 27, 2021, the entity issued a response to the EEPC's Final Determination; and

Whereas, in accordance with Charter Chapter 36, Section 832(c), the Queens Community Board No. 5 was monitored until April 6, 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 February 24, 2021, which recognized the EEPC's audit and reiterated commitment to the Queens Community Board No. 5's equal employment practices; Now Therefore,

Be It Resolved, that the Queens Community Board No. 5 has satisfied the equal employment standards set by the EEPC pursuant to its authority under New York City Charter Chapters 35 and 36; and

Be It Resolved, that the EEPC's Board of Commissioners approves the issuance of this Determination of Compliance to Chairperson Vincent Arcuri of the Queens Community Board No. 5.

Approved unanimously on June 10, 2021.

/s/Angela Cabrera
Angela Cabrera
Commissioner/Mayoral Appointee

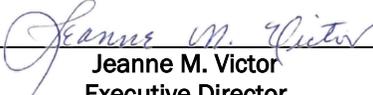
/s/Elaine S. Reiss
Elaine S. Reiss, Esq.
Commissioner/Mayoral Appointee

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

Vacant
Commissioner/City Council Appointee

/s/Aldrin Rafael Bonilla
Aldrin Rafael Bonilla
Chair/Commissioner/Joint Appointee

On behalf of all Commissioners in attendance,


Jeanne M. Victor
Executive Director



This

Determination of Compliance

is hereby issued to

Queens Community Board No. 5

*for successful implementation of 1 of 1 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 10th day of June in the year 2021,

Jeanne M. Victor, Executive Director

*In care of Chairperson Vincent Arcuri
and District Manager Gary Giordano*