

NEW YORK CITY COUNCIL
COMMITTEE ON STANDARDS AND ETHICS

-----X

IN RE THE MATTER OF
COUNCIL MEMBER BARRY GRODENCHIK

CHARGES

-----X

The New York City Council (the "Council"), Committee on Standards and Ethics (the "Committee"), being duly empaneled and proceeding in Executive Session, convened to consider the matter of certain allegations on the part of Council Member Barry Grodenchik ("Council Member Grodenchik") in violation of the New York City law and the policies and rules of the Council expressly set forth in Charges One and Two below (collectively, the "Charges"). Upon due consideration of the allegations and review of the supporting information and materials thereof, the Committee finds there is cause to support the Charges and cause the matter to be set down for further proceedings consistent with the procedures of the Committee.

BACKGROUND

1. Council Member Grodenchik was elected in November 2015 to the City Council of the City of New York (the "Council") from the 23rd City Council District, which serves certain communities in eastern Queens, New York. He took office on November 24, 2015 and was re-elected to the position in November 2017. He currently is serving his second term of office.
2. Members of the Council are provided office space at 250 Broadway, New York, New York and also work at City Hall, including in the Council Chambers when the Council is in session. In addition, each Council Member has a District Office located within his or her Council District.
3. Council Members have Council Staff who work directly with and for them and also work with staff to the Council, often referred to as "Central Staff."

FACTUAL ALLEGATIONS

4. Council Staff Member-1 ("CSM-1") is a woman who at all times relevant to the Charges was and remains an employee of the Council.
5. In or about 2017 up to and including in or about January 2019, both dates being approximate and inclusive, Council Member Grodenchik engaged in harassment on the basis of gender by committing the following acts and conduct, among others:
 - a. On a regular basis, Council Member Grodenchik gave frequent and unwarranted attention to CSM-1, including, but not limited to, displaying a disproportionate interest in CSM-1 by going out of his way to visit and linger around CSM-1 in her office at 250 Broadway with the sole purpose of trying to spend time with CSM-1 and without any legitimate

business purpose to do so; invading CSM-1's personal space and greeting her with hugs and kisses on the cheek; seeking out and approaching CSM-1 in the halls, in meetings, and in and around City Hall and 250 Broadway without any legitimate business purpose; commenting on CSM-1's physical appearance; and, on at least one occasion, asking CSM-1 to visit his office to meet in private without any legitimate business purpose.

b. In or about spring 2018, Council Member Grodenchik made inappropriate and unwelcome comments to CSM-1 about her physical appearance in the vicinity of or in City Hall. In sum and substance, Council Member Grodenchik approached CSM-1 and stated words to the effect that CSM-1 had lost weight and then criticized CSM-1's response by stating words to the effect of "the correct response is 'thank you.'"

c. During a meeting held on or about January 24, 2019, at 250 Broadway in a conference room on the 18th floor and attended by, among others, Council Member Grodenchik, two other Council Members, Council Staff to the attending Council Members, Central Staff, and CSM-1, Council Member Grodenchik engaged in inappropriate conduct of a sexual nature by, among other things, blowing a kiss in the direction of CSM-1 and singling out CSM-1 to approach her in order to give her a hug and a kiss on the cheek.

6. During and in order to engage in the aforementioned acts and conduct, Council Member Grodenchik exploited his position of power and status as a Council Member.

7. As a result of the aforementioned acts and conduct, Council Member Grodenchik caused CSM-1 to suffer embarrassment, stress, discomfort, and emotional distress in the workplace. CSM-1's work environment also was adversely affected as the aforementioned acts and conduct of Council Member Grodenchik caused CSM-1 to avoid leaving her office, including to attend meetings and to attend to Council business conducted at City Hall, in an attempt to avoid Council Member Grodenchik and his unwelcome attention toward her.

**CHARGE ONE
HARASSMENT ON THE BASIS OF GENDER**

8. Paragraphs One through Seven are repeated and re-alleged as if set forth fully herein.

9. In or about 2017 up to and including in or about January 2019, both dates being approximate and inclusive, as a result of the acts and conduct set forth above and expressly incorporated herein as if fully set forth herein, Council Member Grodenchik engaged in harassment on the basis of gender in violation of the New York City law and the policies and rules of the Council referenced in this Charge One below.

(In violation of New York City Charter Section 45; the Council's Anti-Discrimination and Harassment Policy; and Council Rule 10.80.)

**CHARGE TWO
DISCRIMINATION ON THE BASIS OF GENDER**

10. Paragraphs One through Seven are repeated and re-alleged as if set forth fully herein.

11. In or about 2017 up to and including in or about January 2019, both dates being approximate and inclusive, as a result of the acts and conduct set forth above and expressly incorporated herein as if fully set forth herein, Council Member Grodenchik engaged in harassment on the basis of gender thereby causing CSM-1 to be discriminated against on the basis of her gender in violation of the New York City law and the policies and rules of the Council referenced in this Charge Two below.

(In violation of New York City Charter Section 45; the Council's Anti-Discrimination and Harassment Policy; and Council Rule 10.80.)

VOTED THIS 29th DAY OF APRIL, 2019
NEW YORK CITY COUNCIL
COMMITTEE ON STANDARDS AND ETHICS



STEVEN MATTEO
CHAIR OF THE COMMITTEE ON STANDARDS AND ETHICS

