

I'm sure he said the same stuff to you today as he did w/ Jonathan and I.

The only

From [REDACTED] on 2011/10/31 17:11

thing is I get what Vito's trying to do, I don't think Jonathan does or he is ignoring it

To + [REDACTED] on 2011/10/31 17:12

I told Jonathan that Vito was mad at me for not wanting to share a hotel room with him. He said just tell Vito that you are not going.

What did [REDACTED] say?

From [REDACTED] on 2011/10/31 17:13

I asked Jonathan today if we could sit down and talk. He didn't ask me if everything was ok or what it's about...didn't say yes either.

From [REDACTED] on 2011/10/31 17:14

She said she's play craps w/ him and said yes to having dinner w/ him...she has no idea what a perv he is but she'll soon find out

To + [REDACTED] on 2011/10/31 17:15

Yikes. That is not good. He legally has to do something if you tell him there is this shit going on- which is probably why he is avoiding it.

From + [REDACTED] on 2011/10/31 17:16

Idk what there is that we can do but things need to change...it's getting out of hand for you, [REDACTED] and myself

To + [REDACTED] on 2011/10/31 17:16

Omg- I feel so bad for her. He tried to kiss [REDACTED] one time when he was drunk. I am scared of him

From [REDACTED] on 2011/10/31 17:16

Exactly!!

From + [REDACTED] on 2011/10/31 17:17

Oh no!!! Yes def getting out of hand. Jonathan needs to step in and help us figure out what to do...what do you think?

To + [REDACTED] on 2011/10/31 17:19

Don't say anything yet. Let me talk to [REDACTED] and see what she thinks. He goes through waves but bringing it up to Jonathan or Vito is not going to be pretty

From + [REDACTED] on 2011/10/31 17:21

Ok I wasn't going to tell Jonathan any specifics, just to ask what's the best way for us to handle this situation. I'll hold off tho

To + [REDACTED] on 2011/10/31 17:23

Do you think Jonathan will tell Vito? You know [REDACTED] quit bc of this reason. He said super fucked up shit to her.

From [REDACTED] on 2011/10/31 17:25

Yea I knew what he was doing to [REDACTED] He did this shit to [REDACTED] too. He's been getting worse over time w/ it. Jonathan wouldn't tell VJL. He prob wouldn't

From [REDACTED] on 2011/10/31 17:26

even have anything to say to me if I did talk to him. I've talked to him in

2011-2012 PERSONNEL ACTION REQUEST

A Social Security Number: [Redacted] First Name: [Redacted] M.I.: [Redacted] Last Name: [Redacted] Sfx: [Redacted]

- New Employee (Not employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Reinstated/Reappointed (Previously employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Transfer (Employee transferring from one Member/Unit to another Member/Unit)—Complete Blocks A, B, C, D, F, G, I, and J.
- Salary Adjustment (No change in Payroll Designation)—Complete Blocks A, C, E, I, and J. B for Title Changes.
- Change of Employment Dates and/or Payroll Designation—Complete Blocks A, B, C, D, F (if applicable), G (if applicable), I, and J.
- Personnel Actions not Affecting Allocations—Complete Blocks A, B, C, I, and J as needed.
- Terminations, Resignations, Leave Without Pay—Complete Blocks A, H, I, and J as needed.

B Member/Unit: Vito Lopez / Assembly (B45) Unit Code

Job Title: Legislative Assistant Title Code

Payroll Designation: Annual Full Time (A) Annual Legislative (L) Annual Part Time (P) Session (S)

(Check one box) Temporary (T)

Supervisor: Debra Feinberg Designated Time Sheet Supervisor: Debra Feinberg

Public Information Address: (Please check appropriate box)

Capitol, Albany Other: 434 South 5th Street, Brooklyn, NY 11211
(Must be a District Office address or other official Assembly address)

Work Address: (Location where employee is assigned)
434 South 5th Street, Brooklyn, NY 11211 Tel. #: (718) 963-7029

Mailing Address: Payroll Check Distribution (Complete if different from Public Information Address.)
Must be a District Office address or other official Assembly address. 250 Broadway

C Term of This Employment Authorization

Beginning Date: 3/3/11 End Date: (Check the box which applies):

12/31/11 12/31/12 Other

D Salary

Annual Full Time (A), Annual Legislative (L) or Annual Part Time (P) Payroll: \$ 45,000 Annual Salary Rate

Session (S) or Temporary (T) Payroll: \$ _____ Total Salary Amount for the period of employment

E Salary Increase/Decrease

For Salary Adjustments only) New Annual Salary Rate: (Applies to A, L, P Payroll types only) Amount: \$ _____

Salary Adjustment for Period Specified in Block C (Applies to any payroll type) Amount: \$ _____

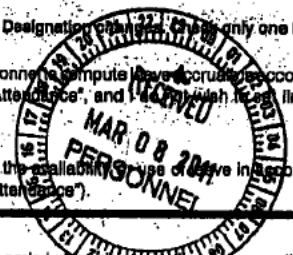
Increase Decrease

F Leave Accruals 70

Complete this section for New, Reinstated, Reappointed or Transferring employees; or Payroll Designation. **Check only one box.**

For A, L, P Payrolls Only: I authorize the Assembly Human Resources Department/Minority Administration and Personnel to compute leave accruals in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance", and I agree to the limits on the availability or use of leave.

This is mandatory for all S, T Payrolls and optional for A, L, P Payrolls. I will complete a Time Bank Form for this employee. (Check this box if you wish to limit the availability or use of leave in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance".)



G Benefits Eligibility

For Annual Part-Time (P), Session (S) and Temporary (T) Payroll, please estimate over the period of employment the average anticipated hours per pay period. Note: Limited benefits are available to employees on the Session "S" and Temporary "T" Payrolls.

H Termination, Resignation, Leave without Pay

Check the appropriate box and explain under "Reason" below. Please enter anticipated date of return:

TERMINATION RESIGNATION LWOP OTHER

Ending Date: Mo. / Day / Yr. Reason/Name of New Employer If State Agency: _____

I APPOINTING AUTHORITY/DEPARTMENT HEAD SIGNATURE Vito Lopez Date: 3/7/11

Appointing Authority/Department Head Name (please type) Vito Lopez Unit Code _____

J Remarks: _____

2011-2012 PERSONNEL ACTION REQUEST

A Social Security Number: _____ First Name: _____ M.I.: _____ Last Name: _____ Sfx: _____

- New Employee** (Not employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Reinstated/Reappointed** (Previously employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Transfer** (Employee transferring from one Member/Unit to another Member/Unit)—Complete Blocks A, B, C, D, F, G, I, and J.
- Salary Adjustment** (No change in Payroll Designation)—Complete Blocks A, C, E, I, and J. B for Title Changes.
- Change of Employment Dates and/or Payroll Designation**—Complete Blocks A, B, C, D, F (if applicable), G (if applicable), I, and J.
- Personnel Actions not Affecting Allocations**—Complete Blocks A, B, C, I, and J as needed.
- Terminations, Resignations, Leave Without Pay**—Complete Blocks A, H, I, and J as needed.

B Member/Unit: Vito Lopez (_____) Unit Code
 Job Title: Chief of Staff (_____) Title Code

(A completed "Oath of Office", and "Job Description" and "Employee Designation—Financial Disclosure" must accompany this PAR)

Payroll Designation: Annual Full Time (A) Annual Legislative (L) Annual Part Time (P) Session (S)
 (Check one box) Temporary (T)

Supervisor: Lopez Designated Time Sheet Supervisor: Lopez

Public Information Address: (Please check appropriate box)
 Capitol, Albany Other 434 South 5th St
 (Must be a District Office address or other official Assembly address)

Work Address: (Location where employee is assigned)
434 South 5th St Tel. #: (_____)
Brooklyn NY 11211

Mailing Address: Payroll Check Distribution (Complete if different from Public Information Address.)
 Must be a District Office address or other official Assembly address.
250 Broadway

C Term of This Employment Authorization

Beginning Date: 1/1/12 End Date: (Check the box which applies):
 12/31/11
 12/31/12
 Other _____

D Salary

Annual Full Time (A), Annual Legislative (L) or Annual Part-Time (P) Payrolls \$ <u>50000</u> Annual Salary Rate <u>12/12</u>	Session (S) or Temporary (T) Payrolls \$ _____ Total Salary Amount for the period of employment
--	--

E Salary Increase/Decrease

New Annual Salary Rate (Applies to A, L, P Payroll types only) Amount: \$ _____	Salary Adjustment for Period Specified in Block C (Applies to any payroll type) Amount: \$ _____ <input type="checkbox"/> Increase <input type="checkbox"/> Decrease
--	--

F Leave Accruals

Complete this section for New, Reinstated, Reappointed or Transferring employees; or Payroll Designation changes. Check only one box.

For A, L, P Payrolls Only

I authorize the Assembly Human Resources Department/Minority Administration and Personnel to compute leave accruals in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance", and I do not wish to set limits on the availability or use of leave.

This is mandatory for all S, T Payrolls and optional for A, L, P Payrolls
 I will complete a Time Bank Form for this employee. (Check this box if you wish to limit the availability or use of leave in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance").

G Benefits Eligibility

For Annual Part-Time (P), Session (S) and Temporary (T) Payrolls, please estimate over the period of employment, the average anticipated hours per pay period _____. Note: Limited benefits are available to employees on the Session "S" and Temporary "T" Payrolls.

H Termination, Resignation, Leave without Pay

Check the appropriate box and explain under "Reason" below: Please enter anticipated date of return:

TERMINATION RESIGNATION LWOP OTHER

Ending Date: _____ Reason/Name of New Employer if State Agency: _____
 Mo. Day Yr.

I APPOINTING AUTHORITY/DEPARTMENT HEAD SIGNATURE [Signature] Date: 12/7/11
 Appointing Authority/Department Head Name (please type) Vito Lopez (B45)
 Unit Code

J Remarks: _____

Vito it looks like you did a good job intimidating the commissioner. He knows that you are going to continue to stand up and not let him get away with ignoring all of the problems that you have addressed. It's pretty low that he chickened out of coming, quite indicative of his character.

[REDACTED] on 2011/11/22 15:36

Vito this was an amazing hearing. You truly are an effective leader and I am confident that the changes discussed today you will see through. You are the hero on this front and will prevail in securing benefits for one of the most important populations in the city: the elderly. I am very excited to be a part of this with you.

[REDACTED] on 2011/11/22 23:01

Vito, I want you to know that I have your back and looking out for you. It's shitty that he thinks he can do what he did and then all of a sudden try to be your friend. I'm here for you during the ups and downs and am and will always be proud to fight all your causes next to your side. Also, You taking me to the mansion was very significant but mostly because I got to go with you.

[REDACTED] on 2011/11/23 15:30

Feelings and lots of emotions

[REDACTED] on 2011/11/23 19:14

Vito, I'm looking forward to seeing you tomorrow. I often have a lot of fun around you and really enjoy your company. I will miss you while I'm out but I will call you regularly to make up for it. I'm looking forward to spending that Sunday with you and I'm excited that I will be able to finally have more time to do more things with you.

[REDACTED] on 2011/11/23 22:45

Freezer tomorrow

[REDACTED] on 2011/11/23 23:30

What?! Well at least bring me blankets.

[REDACTED] on 2011/11/23 23:31

And a snack

[REDACTED] on 2011/11/24 07:18

Happy thanksgiving Vito! I'm glad I get to spend it with you, helping people who otherwise wouldn't have a place to go for a hot meal.

[REDACTED] on 2011/11/24 21:06

Vito, I hope you are having a wonderful time with your family this thanksgiving. You work so hard and deserve the best of everything. Today was an amazing day and yet only a small reflection of everything you have done for your community. I am so grateful for everything you have done for me and feel so honored and excited that you are a part of my life. I am looking forward to winning all the causes with you that are so very important, right by your side.

[REDACTED] on 2011/11/25 23:43

Hi Vito, I wanted to let you know that I've been thinking of you and that I will miss you during the upcoming week. I had a wonderful time with you yesterday and I was so excited that I was able to a part of your tradition

that helps so many seniors. I spent almost an hour talking about you to my grandma last night. She told me that I was so lucky to work for such a wonderful person, but she didn't tell me anything I didn't already know.

██████████ on 2011/11/27 01:08

Hi Vito, I hope you are doing well. Today was such a beautiful day- I wish I could have spent it with you! I will be so happy when I am done with test. I'm looking very much so to being able to spending more time with you soon.

██████████ on 2011/11/27 23:22

Vito is was so good to hear from you today. I really enjoy hearing you laugh and smile and i was happy To hear that you were enjoying yourself at a rock concert aka "The christening". I drove past the tenement museum last night in my way home from the library last night and thought of you. We should definitely go some time soon. I'm looking forward to hanging out next Sunday.

██████████ on 2011/11/29 08:57

Vito, thank you so much for inviting me out last night. I miss you and I can't wait until next Sunday.

██████████ on 2011/11/30 00:12

Vito, I can't wait until this week is over so I can see you. I'm looking forward to Sunday. I found a place in manhattan that I think you'll like that I will call and make reservations tomorrow.

██████████ on 2011/11/30 17:56

I just saw the google alert vito! I'm happy to see an article that exhibits some of the many wonderful things you do. Very strategic on your part of including me in the photos, only next time I want to be next to you!

██████████ on 2011/11/30 18:37

Nice pictures made sure you were next to your boyfriend lucky you

██████████ on 2011/11/30 18:39

Correction: mr levin is not my boyfriend. My loyalties remain only to Mr. Lopez.

██████████ on 2011/11/30 18:40

Levin just happened to be in the photo- I was there because of you!

██████████ on 2011/11/30 18:44

Smart answer as always evade the point

██████████ on 2011/11/30 23:21

Vito you are getting good with the texts. It's so good to hear from you. I'm looking forward to coming back and spending time with you soon.

██████████ on 2011/11/30 23:27

I'm sending a present for you tomorrow with ██████████

██████████ on 2011/12/01 10:07

Vito- Rabbi called again to thank you for the armory. He wanted to make sure you knew how much he appreciates all your efforts in securing the space for their holidays.

██████████ on 2011/12/01 23:29

Vito it's almost over. One more day to go. I'm going to go in the office on

Sunday before we meet up To catch up on the week and everything I missed. I miss you and I can't wait to see you.

[REDACTED] on 2011/12/02 20:53

Vito I'm looking forward to the test being over and getting to see you. I'm really excited thinking about all the wonderful things we will be able to accomplish in the near future. You are a very special person and I feel so privileged and honored working with you. I'll call you tomorrow when I finish the exam.

[REDACTED] on 2011/12/03 21:18

I'm just leaving the spa and I do feel better but mainly because I got to talk to you today. I'm looking very much forward to seeing you tomorrow.

[REDACTED] on 2011/12/04 23:35

Vito I had such a good time tonight with you. I'm looking forward to more good times like these in the near future. I'm going to try harder to do things better so that we can win the day together.

[REDACTED] on 2011/12/04 23:37

And I'm working on my letter but I think I'll have to wake up early and finish it.

[REDACTED] on 2011/12/05 10:47

a little more adventure or intensity would be better

[REDACTED] on 2011/12/05 23:27

Vito I am looking forward to more intensity and more adventure with you. I had a great time today. I really love waking up and going to work just to be able to see you. I'm looking forward to going up to Albany with you tomorrow and finding you an apartment. Then we will have to get a Christmas tree to decorate!

[REDACTED] on 2011/12/06 15:17

The first apt we looked at was so nice. I'm really excited about it. We are on to see apt number 2

[REDACTED] on 2011/12/06 20:49

Turn a corner real soon

[REDACTED] on 2011/12/06 20:49

Yes I will

[REDACTED] on 2011/12/06 20:50

The right corner

[REDACTED] on 2011/12/06 20:51

Yes Vito

[REDACTED] on 2011/12/06 22:16

Vito thank you again for dinner

[REDACTED] on 2011/12/09 01:19

Vito, I am so sorry about the google alerts. RBSCC is such an amazing organization that doesn't deserve the shit that is in the press. It is really awful what you Chris and Angela are going through. Thank you for inviting me out tonight. I know you are going through a rough time but I'm here if you need anything.

[REDACTED] on 2011/12/09 15:23

To [REDACTED] on 2011/10/31 17:56
His moods change like the weather- he's got some real issues.
From + [REDACTED] on 2011/10/31 17:58
:(let me know whenever I can help. I can see it's def a minefield w him.
see you tomorrow...a new day!
To [REDACTED] on 2011/10/31 17:58
Haha thanks. Have a fun evening!
From + [REDACTED] on 2011/10/31 18:02
tx you too
To [REDACTED] on 2011/11/01 09:50
Would you be able to go with Jeff tonight to public housing until 7:30?
From - [REDACTED] on 2011/11/01 09:51
yea
To [REDACTED] on 2011/11/01 09:51
Ok thanks.
From - [REDACTED] on 2011/11/01 09:53
np
From + [REDACTED] on 2011/11/01 19:14
done w bldgs should I call
To [REDACTED] on 2011/11/01 19:14
Can I call u in a bit- I'm still with him
From + [REDACTED] on 2011/11/01 19:15
yep
From - [REDACTED] on 2011/11/02 11:40
I don't want to get in ur face & bother you but let me know if I can help
you with anything.
To [REDACTED] on 2011/11/02 11:41
Thanks
To [REDACTED] on 2011/11/03 15:34
Thanks again for all your support
From + [REDACTED] on 2011/11/03 15:36
np not trying to push u on it & also really as a lawyer I know 0 about how
these things really go, but the whole thing just makes me so furious. puts
everyone in such rock/hard place situation for job fear.
To [REDACTED] on 2011/11/03 15:42
Hey did you overhear the conversation he had with me earlier?
From - [REDACTED] on 2011/11/03 15:44
parts of several,
From - [REDACTED] on 2011/11/03 15:44
heard him saying part re closer than close
From - [REDACTED] on 2011/11/03 15:45
if that's what u mean
From + [REDACTED] on 2011/11/03 22:06
hey I'm sure you're still busy but FYI checked on the issue for that bill
that my lawyer friend at the bank knows about... and everything changes if
odonell etc gets involved first. totally different proof, burden etc.

To + [REDACTED] on 2011/10/27 09:45
Sick

From + [REDACTED] on 2011/10/28 12:09
Hey babe. I remember the holidays being stressful last year w buying all te decorations and settin up for the holiday party. Please keep on dl for now but I'd help you w finding stuff and setting up (or if you guys need to borrow a car) vitos party was a lot of work too

From [REDACTED] on 2011/10/28 12:10
Dl in case something happens but if you want to meet up or phone conference about last year let me know (or if you assign another staffer)

To + [REDACTED] on 2011/10/29 08:31
Thank you

From [REDACTED] on 2011/11/01 14:34
Hey. Hope your doing ok

To + [REDACTED] on 2011/11/01 16:02
I'm not

From + [REDACTED] on 2011/11/01 18:21
I love you. Stay strong

From + [REDACTED] on 2011/11/01 18:23
In trying to make it to bk unidos so I might see you Thursday

To + [REDACTED] on 2011/11/01 18:52
Ok thank you

From [REDACTED] on 2011/11/02 10:12
Hey. Call back if you can but no sweat. I told [REDACTED] to give you a ring. She is speaking at a meeting soon but will call after that. Thanks for helping and call back if you can to chat :)

From + [REDACTED] on 2011/11/02 10:28
Haha Brooklyn undios party?!

From + [REDACTED] on 2011/11/02 10:30
Everytime I try to spell unidos it auto corrects to undies!

To [REDACTED] on 2011/11/02 10:44
He's on his way so I'll try to call you tonight

From + [REDACTED] on 2011/11/02 10:45
K. Love ya and stay strong

To + [REDACTED] on 2011/11/02 10:45
Thank you

From + [REDACTED] on 2011/11/02 19:59
Hey. [REDACTED] called me again she said you were calling her later. She asked if I knew if you were going to somas. I said I wasn't sure and for her to ask you. I said you hadn't been feeling too well recently (wasn't going to discuss really reason). Just wanted to pass that along. Love ya

To [REDACTED] on 2011/11/02 23:36
You mean you didn't want to tell her that I am being sexually harrassed ? I'm soo fucking pissed. I don't know how long I am going to last.

From [REDACTED] on 2011/11/02 23:39
Oh honey. I'm so sorry you have to deal w that sick shit

To [REDACTED] on 2011/11/03 22:52

Thank you

From [REDACTED] on 2011/11/04 10:26

confusion w communication on Lindsay park & jeff. they at all out here for meeting

From [REDACTED] on 2011/11/04 10:26

will prob need to go into back room

From [REDACTED] on 2011/11/04 10:28

nevermind. solved they are meeting out here

From [REDACTED] on 2011/11/04 21:09

u kno i am thinking about it & really the getting u a job route gets you much more in the end. reporting just gets you revenge? pick your dream job. but save the recordings. if u ever decide to report it in any way, do it so loud and fast and so public so he can't kill you figuratively or literally

To [REDACTED] on 2011/11/04 21:56

I'm going to start sending out my resume

To [REDACTED] on 2011/11/06 22:28

Vito wants to leave at 10 am tomorrow

From [REDACTED] on 2011/11/06 22:38

ok I will be at office at 9:30. also updates on the items I was working on last week:

1) deed bill- I have emailed a list of ideas (the ones you emailed me plus some additional ones) to multi-state mortgage fraud expert & waiting back on opinion. so far I think best ideas are either a) to require the seller to be present before the county clerk at the time of deed filing, or b) adding a fingerprinting requirement as part of notarization.

2) TRO bill-he wants me to check back in on that (& the status of the actual TRO pending) on the 14th.

To [REDACTED] on 2011/11/06 22:39

Ok thanks

From [REDACTED] on 2011/11/06 22:41

also I figure tomorrow after I get back from the hearing I will try to schedule some more meetings from the community leaders list V gave me (churches, after school progs, etc) unless there are more pressing issues to work on. Also, lastly, I am working on the questions for the illegal hotels hearing and will have them by nov 11th to send to (tony?).

To [REDACTED] on 2011/11/06 22:42

Yes let's go over them first. Don't make any spots for tomorrow afternoon though.

From [REDACTED] on 2011/11/06 22:42

ok

To [REDACTED] on 2011/11/06 23:06

He just fired me

From [REDACTED] on 2011/11/06 23:08

no!!! call me if u want omg
From [REDACTED] on 2011/11/06 23:09
that disgusting old perv
From [REDACTED] on 2011/11/06 23:58
well I am going to bed. that is terrible news & I don't know what to say
other than let me know if I can help w anything...finding a
lawyer...getting ur stuff..etc.
To [REDACTED] on 2011/11/07 08:43
So He called me after that and picked me up and told me that he wanted me
to stay.
From + [REDACTED] on 2011/11/07 08:48
omg.
From + [REDACTED] on 2011/11/07 09:16
could you give me Vitos cell #, I don't have it & am trying to fig out re:
hearing this morn bc he changed meet-up time.
To [REDACTED] on 2011/11/08 12:12
Be careful what you say in front of [REDACTED] about Vito (FYI)
From [REDACTED] on 2011/11/08 12:13
I know I figd. thank u.
From + [REDACTED] on 2011/11/08 13:17
do u have angela's cell #
From + [REDACTED] on 2011/11/08 16:57
ok so update on these damn turkeys: Brian Sullivan is the contact person.
he's been in touch w Joe. Brian will handle logistics of forms, payments
etc. once I give him the #s and account name (friends of V? etc) so he can
execute. he needs 1 week notice to arrange the quantity.
To [REDACTED] on 2011/11/08 17:31
Ok I will talk to frank tonight
From [REDACTED] on 2011/11/08 17:32
k. sneak in a fa la la la la while you're there. that seems to be the way
to really turn vito's mind.
To [REDACTED] on 2011/11/08 17:33
It's a shinny key
To [REDACTED] on 2011/11/09 09:40
I'm at home working on Vito's fundraiser so call me later about the
turkies. Frank is going to call John Doyle
From [REDACTED] on 2011/11/09 09:41
ok. me& [REDACTED] going to school visit, call u after.
To [REDACTED] on 2011/11/09 09:42
No prob
To [REDACTED] on 2011/11/09 18:41
The older man is Tom burrows- he hates Vito
To [REDACTED] on 2011/11/09 18:44
Esteban ran against Vito and he is an idiot and asshole
From [REDACTED] on 2011/11/09 20:45
got it. levin heading in.

Why? Are u sure u want to so that?
To [REDACTED] on 2011/11/06 22:41
I don't know how much more I can take. I can't sleep, I have no appetite and my hair is falling out. It depends on how everything goes but honestly I am ready to go if I have to.
To [REDACTED] on 2011/11/06 22:48
He just fired me
From [REDACTED] on 2011/11/06 22:50
Whatttt!
From [REDACTED] on 2011/11/06 22:51
How
To [REDACTED] on 2011/11/06 22:54
He called [REDACTED] and told her that he wanted to see me at 8:15 in the morning at the office but I told her that I had a doctor's appointment at 8:30. So I called him and he told me that he wanted me gone by December and he wanted a detailed plan of me leaving by Tuesday.
To [REDACTED] on 2011/11/07 17:33
What is the address
From [REDACTED] on 2011/11/07 17:34
[REDACTED]
To [REDACTED] on 2011/11/07 17:39
We are on our way to the office to pick up the stamps then we will head to the club
To [REDACTED] on 2011/11/08 12:46
When is the three kings day holiday party
From [REDACTED] on 2011/11/08 13:08
Jan 7th
To [REDACTED] on 2011/11/08 13:09
Thanks I'll put it on the calendar
To [REDACTED] on 2011/11/08 21:55
What time does Vito need to pick you up and what is the phone number for the woman Peter Lugers and what's her name
From [REDACTED] on 2011/11/08 22:07
He can pick me up at 630. Just Google Peter luger and ask for Maria
From [REDACTED] on 2011/11/09 17:59
Hey whos running against Martin dilan
To [REDACTED] on 2011/11/09 17:59
Wilfredo larancuent
From [REDACTED] on 2011/11/09 18:04
Do u know his nationality
To [REDACTED] on 2011/11/09 18:05
Domenican
To [REDACTED] on 2011/11/09 18:05
He's 58 and on the ex bd of the working families party
To [REDACTED] on 2011/11/13 14:38
What time are you flying back?

2011-2012 PERSONNEL ACTION REQUEST

A

Social Security Number First Name M.I. Last Name Sfx.

- New Employee (Not employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Reinstated/Reappointed (Previously employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Transfer (Employee transferring from one Member/Unit to another Member/Unit)—Complete Blocks A, B, C, D, F, G, I, and J.
- Salary Adjustment (No change in Payroll Designation)—Complete Blocks A, C, E, I, and J. B for Title Changes.
- Change of Employment Dates and/or Payroll Designation—Complete Blocks A, B, C, D, F (If applicable), G (If applicable), I, and J.
- Personnel Actions not Affecting Allocations—Complete Blocks A, B, C, I, and J as needed.
- Terminations, Resignations, Leave Without Pay—Complete Blocks A, H, I, and J as needed.

B Member/Unit: Vito Lopez (B45)
 Job Title: Legislative Counsel (_____)
(A completed "Oath of Office", and "Job Description" and "Employee Designation—Financial Disclosure" must accompany this PAR) Title Code

Payroll Designation: Annual Full Time (A) Annual Legislative (L) Annual Part Time (P) Session (S)
 (Check one box) Temporary (T)

Supervisor: _____ Designated Time Sheet Supervisor: _____

Public Information Address: (Please check appropriate box)
 Capitol, Albany Other: 434 South 5th St.
(Must be a District Office address or other official Assembly address)

Work Address: (Location where employee is assigned)
434 South 5th St. Tel. #: (716) 963-7624
Brooklyn NY 11211

Mailing Address: Payroll Check Distribution (Complete if different from Public Information Address).
 Must be a District Office address or other official Assembly address: 250 Broadway

C Term of This Employment Authorization End Date: (Check the box which applies):

Beginning Date: 10/20/11 12/31/11
 12/31/12
 Other

D Salary

Annual Full Time (A), Annual Legislative (L) or Annual Part-Time (P) Payrolls \$ <u>55,000</u> Annual Salary Rate	Session (S) or Temporary (T) Payrolls \$ _____ Total Salary Amount for the period of employment
---	---

E Salary Increase/Decrease

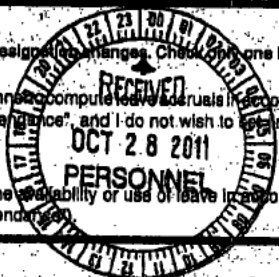
New Annual Salary Rate <small>(Applies to A, L, P Payroll types only)</small> Amount: \$ _____	Salary Adjustment for Period Specified in Block C <small>(Applies to any payroll type)</small> Amount: \$ _____ <input type="checkbox"/> Increase <input type="checkbox"/> Decrease
--	--

F Leave Accruals

Complete this section for New, Reinstated, Reappointed or Transferring employees; or Payroll Designation changes. Check only one box.

For A, L, P Payrolls Only
 I authorize the Assembly Human Resources Department/Minority Administration and Personnel to compute leave accruals in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance", and I do not wish to be limited on the availability or use of leave.

This is mandatory for all S, T Payrolls and optional for A, L, P Payrolls
 I will complete a Time Bank Form for this employee. (Check this box if you wish to limit the availability or use of leave in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance".)



G Benefits Eligibility

For Annual Part-Time (P), Session (S) and Temporary (T) Payrolls, please estimate over the period of employment, the average anticipated hours per pay period: _____ Note: Limited benefits are available to employees on the Session "S" and Temporary "T" Payrolls.

H Termination, Resignation, Leave without Pay

Check the appropriate box and explain under "Reason" below: Please enter anticipated date of return:

TERMINATION RESIGNATION LWOP OTHER

Ending Date: _____ Reason/Name of New Employer if State Agency: _____
 Mo. / Day / Yr.

I APPOINTING AUTHORITY/DEPARTMENT HEAD SIGNATURE [Signature] Date: 10/28/11

Appointing Authority/Department Head Name (please type) Vito Lopez (_____)
 Unit Code

J Remarks: _____

2011-2012 PERSONNEL ACTION REQUEST

A Social Security Number [redacted] First Name [redacted] M.I. [redacted] Last Name [redacted] Sfx. [redacted]

- New Employee (Not employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Reinstated/Reappointed (Previously employed in Assembly since January 1, 1983)—Complete Blocks A, B, C, D, F, G, I, and J.
- Transfer (Employee transferring from one Member/Unit to another Member/Unit)—Complete Blocks A, B, C, D, F, G, I, and J.
- Salary Adjustment (No change in Payroll Designation)—Complete Blocks A, C, E, I, and J. B for Title Changes.
- Change of Employment Dates and/or Payroll Designation—Complete Blocks A, B, C, D, F (if applicable), G (if applicable), I, and J.
- Personnel Actions not Affecting Allocations—Complete Blocks A, B, C, I, and J as needed.
- Terminations, Resignations, Leave Without Pay—Complete Blocks A, H, I, and J as needed.

B Member/Unit: Vito Lopez (Unit Code) _____
Job Title: Legislative Counsel (Title Code) _____
(A completed "Oath of Office", and "Job Description" and "Employee Designation—Financial Disclosure" must accompany this PAR)
Payroll Designation: Annual Full Time (A) Annual Legislative (L) Annual Part Time (P) Session (S)
(Check one box) Temporary (T)
Supervisor: [redacted] Designated Time Sheet Supervisor: [redacted]
Public Information Address: (Please check appropriate box)
 Capitol, Albany Other 434 South 5th St
(Must be a District Office address or other official Assembly address)
Work Address: (Location where employee is assigned)
434 South 5th St Tel. #: () _____
Brooklyn NY 11211
Mailing Address: Payroll Check Distribution (Complete if different from Public Information Address.)
Must be a District Office address or other official Assembly address.
250 Broadway

C Term of This Employment Authorization
Beginning Date: 1/1/2012 End Date: (Check the box which applies):
 12/31/11
 12/31/12
 Other _____

D Salary
Annual Full Time (A), Annual Legislative (L) or Annual Part-Time (P) Payrolls
\$ 50,000 Annual Salary Rate
Session (S) or Temporary (T) Payrolls
\$ _____ Total Salary Amount for the period of employment

E Salary Increase/Decrease (For Salary Adjustments only)
New Annual Salary Rate (Applies to A, L, P Payroll types only)
Amount: \$ _____
Salary Adjustment for Period Specified in Block C (Applies to any payroll type)
Amount: \$ _____
 Increase Decrease

F Leave Accruals
Complete this section for New, Reinstated, Reappointed or Transferring employees; or Payroll Designation changes. Check only one box.
For A, L, P Payrolls Only
 I authorize the Assembly Human Resources Department/Minority Administration and Personnel to compute leave accruals in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance", and I do not wish to set limits on the availability or use of leave.
 This is mandatory for all S, T Payrolls and optional for A, L, P Payrolls
I will complete a Time Bank Form for this employee. (Check this box if you wish to limit the availability or use of leave in accordance with the "Rules and Regulations Relating to the Crediting and Reporting of Time and Attendance").

G Benefits Eligibility
For Annual Part-Time (P), Session (S) and Temporary (T) Payrolls, please estimate over the period of employment, the average anticipated hours per pay period _____. Note: Limited benefits are available to employees on the Session "S" and Temporary "T" Payrolls.

H Termination, Resignation, Leave without Pay
Check the appropriate box and explain under "Reason" below: Please enter anticipated date of return:
 TERMINATION RESIGNATION LWOP _____ OTHER _____
Ending Date: _____ Reason/Name of New Employer if State Agency: _____
Mo. Day Yr.

I APPOINTING AUTHORITY/DEPARTMENT HEAD SIGNATURE [Signature] Date: 12/7/11
Appointing Authority/Department Head Name (please type) Vito Lopez (Unit Code) _____

J Remarks: _____

Nov. 3, 2011 9:43PM Recording

VJL: I probably have an attraction to you and I have to deal with that just like you said. That might sound terrible to you, but that is not the worst thing. If I thought you were terrible and ugly that might even be worse, or you might like that better but that is something I will deal with, like you said. But I don't want it to be, there has to be... I'm not presenting it well. There must be a way of us moving towards a very good friendship then that is good.

█ and that's exactly what I want.

VJL: I need a strong support system, all right? Do you hear me?

VJL: and I get a text...If you text me twice a night I would like it more than once, but at least once... good night and a text.

November 6, 2011 Recording

█ Vito, I don't know what to say. If I tell you what I think, you get angry at me. I don't know. I don't want to fight with you anymore.

VJL: People should tell each other what they think. You are right we shouldn't get angry and we should phase each other out. You know it's been too hurtful the last few weeks. No one has ever told me that I lack professionalism.

█ I never said that.

VL: You sort of said that.

█: I said that I just wanted a professional relationship.

VL: Can I say, it's how you say it, and you've been treated as professionally as you could. You might say that's personal, or I shouldn't have said something and it was definitely out of context and you know people say things. There has to be some emotion to a relationship... and there has to be a phasing out...

[He begins complaining that everyone texted him the day of the march but █]

█: Vito I didn't realize at that point that you wanted to be text...

VL: how about what a terrible day Vito had, and that is not the day to talk about professionalism and respect

CK notes

December 14, 2011, 5:00 pm

Bill Collins, Carolyn Kearns, Yolande Page

BC, CK and YP received copy of email from [REDACTED] to Assemblyman Vito Lopez. BC requested information re/ [REDACTED] from HR [REDACTED] hired in March, promoted to COS in September

[REDACTED] attended sexual harassment training on November 2nd in NYC.

YP:

On Wed, 12/7, [REDACTED] told YP that there was a lot going on in the office and that [REDACTED] would be calling her.

On Thursday, 12/8, YP spoke w/ [REDACTED]; had not spoken with her previously.

[REDACTED] told YP that at VL's request she had been looking for an apartment for VL in Albany. He had told her that he would only get the apartment if she moved in. She asked YP if she had to do it. YP said no, of course not. [REDACTED] also told YP that VL said that he said he wanted her to "cuddle with me every night" and that [REDACTED] told him no and that she didn't want to be intimate with him.

[REDACTED] stated that whenever she rejected his advances, he would blow up and get upset. She stated that there were other advances; the cuddling incident was not the only one. [REDACTED] also told YP that VL likes to throw money at women, telling them to buy skirts and dresses. He also told [REDACTED] to wear a button-down shirt and to keep the top two buttons unbuttoned (something about her being small-breasted and opening up). After they went to Gracie Mansion, he also told her that she should get her eyebrows done.

[REDACTED] stated that VL told her that he had feelings for her. She told him that she did not have feelings for him. [REDACTED] stated that he would say things like, "you need to turn the corner" with me.

[REDACTED] stated that VL did not allow her to go to Somos. She wanted to go, but he told her that she was only allowed to go if she would stay in a room with him. She said no, so she didn't attend. YP stated that she told [REDACTED] that she did not have to take that and that she should call BC to file a complaint. [REDACTED] remembered BC from training (mustache). She stated that she wanted to think about it.

On Monday 12/12, [REDACTED] stated that she had a discussion with VL and told him that he needed to stop sexually harassing her. She said he used foul language and said, "If you don't want to be here..." but then he took her with him to a meeting. She said it happened with other employees, too - that he would fire you, but then not fire you. YP reminded her that Capital EAP was available to her and discussed again filing a complaint. [REDACTED] said she was definitely going to do something. She said was supposed to come to Albany for a hearing, but wasn't sure if she was still going. She said she would call YP on Wednesday.

On Tuesday, 12/13: [REDACTED] called and told YP she was going to file a complaint, but that she needed to speak with her lawyer. She indicated that she said something to VL on Monday because another staffer told her that at a fundraiser Wednesday night, VL had said to this other staffer that he wanted her to go on a date with him and that she should be naked, wearing nothing but a scarf. That's why [REDACTED] told him on Monday that he needed to stop the sexual harassment. YP gave her the phone numbers for BC and EAP.

[REDACTED] also told YP that a previous staffer left his employ because he tried to grab her boob.

During one of these conversations [REDACTED] told YP that she didn't want her life story in the press. She also indicated that there was some personal history that made this all the more difficult for her and that she had told this to VL and asked him to please stop.

CONFIDENTIAL



[Redacted] <[Redacted]@gmail.com>

massager

1 message

[Redacted] <[Redacted]@gmail.com>
To: Jonathan Harkavy <jh5710@gmail.com>

Thu, Dec 1, 2011 at 12:08 AM

btw- i bought vito a massage (er)

[Redacted]

NYS Assembly MEMBER Travel VOUCHER

Trip #: _____

NOTE: Please read the instructions on the reverse side before completing this form.

Voucher #: _____

FINANCE DEPARTMENT USE ONLY		04020	Interest Eligibility	N
Payee Amount		MIR Date (MM/DD/YY)		

1) Payee Name (Last) Lopez	(First) Vito	(MI)	(Suffix)	Route	IRS Code	IRS Amount	Stat Type	Statistic	Indicator Dept.	Indicator State
Street Address (Limit to 30 spaces) Rm 743 Legislative office Bldg.				Ref/Inv. No. (Limit to 14 additional spaces) TRAVEL						
City (Limit to 30 spaces) Albany			State NY	Zip Code 12248		Ref/Inv. Date (MM/DD/YY)				

DATE	CITY	CITY	STATE	COUNTY	MODE OF TRAVEL	MILES
2) 12/6	From: Brooklyn	To: Albany	NY	Albany	Personal Car	165
12/7	From: Albany	To: Brooklyn	NY	Kings	Personal Car	165
	From:	To:				
	From:	To:				
	From:	To:				

PURPOSE: Service + Democratic Conference

Assembly Per Diem Allowance rates are the amounts allowed pursuant to rules promulgated by the federal government for federal employees.

Per Diem rates change from county to county, and are subject to change at any time. Current rate schedule can be found at <http://intranet.nysa.us/perdiem>

3) STATE VEHICLE?
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

PER DIEM ALLOWANCE			
4)	DATE	FULL AMOUNT	PARTIAL AMOUNT
	SUNDAY		
	MONDAY		
	TUESDAY 12/6	165	
	WEDNESDAY 12/7		61
	THURSDAY		
	FRIDAY		
	SATURDAY		

7) ACTUAL AND INCURRED TRAVEL EXPENSES			
*Current mileage rate is available at: http://intranet.nysa.us/policy/?sec=mileage			
MILEAGE	Total Number of Miles Claimed	Mileage Reimbursement Rate	AMOUNT
Enter miles claimed and current mileage rate*	330	x 0.55.5	183.15
Tolls (attach receipts)			
Train (attach receipts)			
Air (attach receipts)			
Subway/Taxi			
Registration/Conference Fees (attach receipts)			
Other (List - Bus, Ferry, Parking, Gas, etc.)			

PER DIEM ALLOWANCE Subtotal..... 5) 165 6) 61

ACTUAL AND INCURRED TRAVEL EXPENSES Subtotal..... 8) 183.15

VOUCHER TOTAL (Combine the subtotals entered in boxes 5), 6) and 8) to show voucher total)... 9) 409.15

10) I hereby certify eligibility for the above per diem allowance(s) and that the above travel expenses were incurred in the rendering of legislative duties, and that the above bill is just, true and correct, and that the balance shown is actually due and owing, and that this voucher is submitted in accordance with policy promulgated by the Speaker of the Assembly.

Date: 12/13/11 Signature of Member: [Signature] Unit Code: B45

Finance Department - Do Not Write in this Space
I certify that this claim is correct and just, and payment is approved.

DATE RECEIVED:

Director of Finance/Designee

Date

WHITE: Accounts Payable

YELLOW: Accounts Payable

PINK: Traveler

VLJCOPE000150 11/2011

CSS
9am



from m/A V. Lopez's office.

12/8/2011

#



LM 11¹⁶am

4197 ✓

YP
100013

³⁵
Ham



returning Y.P.'s call. ✓

YP

100014

12/9/2011

9¹¹am - [REDACTED] from M/A V. Lopez's office.

12/12/2011

Please call, she said it was important # [REDACTED]

YP

100015

1:00 pm - [redacted] from M/A V Lopez's office # [redacted]
will or should be available for about another 45 mins. If not she will
call you back.

4:41 pm - Patty from the Speaker's office. ✓

12/13/2011

1:30 pm - [redacted] from M/A V Lopez's office. ✓

1:45 pm - Sue from the Speaker's office returning call ✓

YP

105B

12/14/2011

15
[redacted] from V. Lopez's office.
12 pm - Asked for email address. @ 12³⁰ pm spoke w/ [redacted] she will send
y.p. the email.

23
1 pm - Alisha calling for Bill Collins to speak w/ y.p. ✓

YP
100017

12/28/2011

1¹¹ pm - [REDACTED] works in ~~area~~ Members office and would like to speak w/ Y.P. about inappropriate comments that the member is saying. She did not want to go into further ~~discu~~ discussion about it. Please call cell # [REDACTED]

YP

100018

William Collins

From: [REDACTED]@gmail.com]
Sent: Wednesday, December 14, 2011 1:02 PM
To: [REDACTED]
Cc: pagey@assembly.state.ny.us; collinsw@assembly.state.ny.us;
kearnsc@assembly.state.ny.us
Subject: termination

December 14th, 2011

Dear Assemblyman Vito Lopez:

As you are fully aware, you fired me on Sunday, after a series of escalating incidents in which I repeatedly denied your sexual advances and told you to stop making sexual and other inappropriate remarks to me and other staff or to retaliate against me, and after I reported your behavior last week to human resources. Although you told me that I should still report for work for a brief transition before leaving, you then continued to yell at me on Monday, within ear shot of all staff, stating that you were "not going to get caught up in this minutia type of thing" or "be bogged down in bullshit."

I no longer feel safe at work or in your presence. It is impossible for me to perform my actual job, and I need time to recover from the way I have been treated. You have forced me out, and I am no longer able to report to work. I ask that you continue to pay me while I recover. In any event, I currently have 5 personal days and 6 days of unused comp time, so regardless of your position, I should receive a paycheck through and including December 28, 2011.

I have left all work related materials and papers on my desk and my keys, and left instructions for staff to deal with outstanding matters. My Assembly I.D. will be placed in the mail as of later today.

ASSEMBLY SEXUAL HARASSMENT/RETALIATION POLICY

I. Sexual Harassment

Sexual harassment in the workplace is not only an offensive working condition, it is against the law. The New York State Human Rights Law (Executive Law sec. 290 et seq.) prohibits discrimination in employment on the basis of age, race, creed, color, national origin, sex, disability or marital status. Sexual harassment is also recognized as an unlawful employment practice under Title VII of the Civil Rights Act of 1964, imposing legal responsibilities upon every Assembly employee as well as the Assembly itself as employer.

Sexual harassment in the workplace is a condition which is not only obnoxious to its victims, but costly to the employer in its impact on employee productivity and morale. For purposes of this policy, the Assembly "workplace" or "employment environment", in accordance with existing law, may include off-premises business meetings, work-related attendance at receptions, working meals, work-related travel, and any other work-related events. Every Assembly employee is entitled to an employment environment free from sexual harassment, and all Assembly Members and employees are hereby advised that sexual harassment will not be tolerated within the Assembly workplace. Disciplinary sanctions will be enforced against any Assembly employee who is found to have engaged in prohibited conduct, as defined herein, and against any supervisor who knowingly permits such conduct by employees under his or her supervision. The Assembly shall conduct awareness training for all Members and employees. Unit heads and supervisory employees shall take affirmative steps to insure that all employees are informed of the Assembly policy on sexual harassment, to assist employees who complain of prohibited conduct, and to maintain in each office a working environment free from sexual harassment.

II. Prohibited Conduct

Following the Federal Equal Employment Opportunity Commission guidelines, sexual harassment, for the purpose of this directive, is hereby defined as any unwelcome (a) sexual advances, (b) requests for sexual favors, and (c) other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment shall include conduct as described above by any Member or employee, whether or not in a supervisory position over the victim. The conduct need not be a condition or requirement for continued employment, promotion or other tangible employee benefit; sexual harassment shall include conduct which interferes with an individual's job performance by creating an offensive working environment.

III. Retaliation

No Assembly employee shall be subject to any form of retaliation because they report, complain of, or provide information, assistance and/or testimony related to any complaint of sexual harassment.

IV. Grievance Procedure

Any Assembly employee who feels that they may have been subjected to sexual harassment should feel free to address the situation with the person directly, but need not feel compelled to do so. If an employee chooses such method of dealing with such circumstances, and the offending behavior does not cease, the employee should pursue the grievance procedure set forth in this policy.

A. Complaints

Complaints of sexual harassment or retaliation, other than complaints subject to the provisions of Article V of this Policy, may be directed to the appropriate unit head or in writing to the Office of Counsel to the Majority, Room 448M Capitol, ext. 4191. Complainants are strongly encouraged to consult initially with their respective unit heads to attempt informal resolution, but failure to do so will in no way limit the right to utilize the Assembly grievance procedure initially or thereafter if resolution cannot be accomplished through the unit head. There shall also be Intake Representatives, made up of Majority and Minority members and staff, to whom complaints of sexual harassment can be made. A list of all Intake Representatives is maintained by the Office of Counsel to the Majority and the Office of Human Resources. Complainants may direct their complaints to any Intake Representative. Intake Representatives will assist a complainant in commencing the grievance procedure under the Assembly's policy. Intake Representatives will not participate in the formal investigation undertaken by the Office of Counsel to the Majority or any designated outside party. Interns are subject to and covered by this policy. Given the relative short duration of their employment, the Assembly encourages interns to contact Counsel's Office or any Intake Representative regarding a complaint as promptly as possible. Complaints shall be made within one year after occurrence of the alleged prohibited conduct or retaliation. Written complaints shall be maintained by the Office of Counsel to the Majority for seven (7) years.

All complaints of sexual harassment or retaliation, and information and proceedings relating thereto, shall be kept in strict confidence except as otherwise specified herein.

B. Investigation

Upon receipt of a written complaint the Counsel shall, in a timely manner, conduct an investigation of the complaint, interviewing appropriate persons, examining relevant records, and consulting with and utilizing any appropriate Assembly staff. At the recommendation of the Intake Representatives and Counsel's Office, in consultation with the complaining party, and when extraordinary circumstances warrant, an outside party shall be retained to conduct the investigation of a complaint interposed under this policy. In the event that the alleged offender might have an official role in the grievance procedure or supervision/oversight of persons involved in such process, he/she shall not perform that role or exercise any such authority in relation to such complaint.

Neither the complaining individual nor the alleged offender will be entitled to participate in the determination of whether a violation of this policy has occurred other than as witnesses.

If the Counsel deems it appropriate, the parties to the complaint may, if both parties agree, be brought together to attempt an informal resolution of the complaint in a manner satisfactory to both parties.

Both the complainant and the person against whom the complaint is made shall be permitted to have their private counsel present at an interview or any other proceeding at which their presence is required.

C. Counsel's Findings

Upon conclusion of the investigation, and within 90 days after the complaint was brought, the Counsel shall make written findings which shall consist of the following:

1. A finding that no prohibited conduct or retaliation has occurred; or
2. A finding that prohibited conduct or retaliation has occurred and a report to the offending party's immediate supervisor including a recommended remedy. This remedy which may be oral censure of the offender; written censure of the offender, to be included in the offender's personnel file; and/or, transfer, suspension, or discharge of the offender, or any other action which may be appropriate under the circumstances.

Copies of the Counsel's written finding shall be mailed to the complainant and the party against whom the complaint was made.

D. Hearing

Upon a finding by Counsel that no prohibited conduct has occurred and a written request by the complainant for a hearing, the Director of Human Resources shall conduct a formal hearing. Upon a finding by Counsel that prohibited conduct has occurred and a written request by the offender, a formal hearing shall be conducted by the Director of Human Resources only with regard to the recommended remedy. Such formal hearing shall provide a fair opportunity for parties and witnesses to be heard. At the conclusion of such hearing, the Director shall issue a written determination.

E. Record

The record maintained with respect to each complaint and investigation of sexual harassment and/or retaliation shall contain: the written complaint; any written statements produced during the investigation; the recommendation of the Counsel. Such record shall be available to either party or the designee thereof.

V. Members of the Assembly

A complaint of sexual harassment and/or retaliation against a Member of the Assembly shall be referred to the Assembly Standing Committee on Ethics and Guidance for investigation. The Committee shall conduct its investigation in the same manner as described above with respect to investigations conducted by counsel. Upon conclusion of the investigation, the Committee shall report its findings to the Speaker and, as appropriate, the Minority Leader, accompanied by a recommended remedy, or dispose of the matter in accordance with its policy regarding disciplinary matters.

VI. Appeals

If any party is not satisfied with the outcome of the grievance procedure, appeal may be taken directly to the Speaker of the Assembly or his designated representative, who may be an outside hearing officer retained on an ad hoc basis.

State and federal law also provide administrative and judicial remedies for employees which may be pursued by filing a complaint with the Albany Regional Office of the New York State Division of Human Rights or with the Federal Equal Employment Opportunity Commission. It is recommended, but not legally required, that the complainant first use the grievance procedure within the Assembly as established herein.

VII. Training

The Assembly shall conduct a sexual harassment awareness training program and every Member and employee shall receive such training. Such program shall be conducted so as to ensure that every Member and employee understands the seriousness of the problem of sexual harassment, how to recognize and address it, rights and responsibilities under the law and the Assembly Policy, and how to bring a complaint. Failure to attend such training program or re-scheduled sessions thereof shall subject a Member or employee to appropriate sanctions so as to compel and insure attendance and participation in such training by all Members and employees. Training shall be conducted separately for Members, supervisory and non-supervisory employees, and interns, with emphasis on the respective rights and responsibilities of each group.

VIII. Dissemination

A copy of this Policy shall be included in the Employee Information Guide, shall be distributed at least once annually, and shall be otherwise disseminated as the Speaker may direct.



SHELDON SILVER, SPEAKER

Issued August 16, 1984
Reissued March 2011

Andrea Kwiatkowski

m: William Collins <collinsw@assembly.state.ny.us>
it: Wednesday, August 29, 2012 3:51 PM
To: 'Jonathan Rosen'; 'Michael Whyland'; 'James Yates'; 'Carolyn Kearns'
Subject: RE: Section V of Assembly Sexual Harassment/Retaliation Policy

By law a "complaint" - we now know - can be conversation with anybody in management - not just Counsel's Office (which happened) and we did get a writing from another employee. There is too much aggressive finger-pointing and background noise here from Allred/Wang to flat out deny any "complaint". One flaw in our Policy is the written complaint requirement. The apparent legal flaw in our process was stopping everything to negotiate a settlement. It is true that our Policy doesn't envision any such process and we shouldn't have agreed to put the implementation of the Policy "on hold" indefinitely while another recourse was undertaken. The truth makes it too subtle to say "No complaint = no Ethics Committee"

From: Jonathan Rosen [mailto:Jonathan@berlinrosen.com]
Sent: Wednesday, August 29, 2012 3:43 PM
To: Michael Whyland; 'William Collins'; 'James Yates'; 'Carolyn Kearns'
Subject: RE: Section V of Assembly Sexual Harassment/Retaliation Policy

Simpler to say only complaint we got was the ltr that was marked confidential from lawyer / could not turn that over – was no other complaint – or do you feel like that leaves us on shakey / unfactual ground.

Mike – I think it is worth a call on this and everything to see where we are.

From: Michael Whyland [mailto:whylandm@assembly.state.ny.us]
Sent: Wednesday, August 29, 2012 3:40 PM
To: 'William Collins'; 'James Yates'; Jonathan Rosen; 'Carolyn Kearns'
Subject: RE: Section V of Assembly Sexual Harassment/Retaliation Policy

Maybe I can talk to him on background and explain the issue here?

From: William Collins [mailto:collinsw@assembly.state.ny.us]
Sent: Wednesday, August 29, 2012 3:35 PM
To: 'Michael Whyland'; 'James Yates'; 'Jonathan Rosen'; 'Carolyn Kearns'
Subject: RE: Section V of Assembly Sexual Harassment/Retaliation Policy

I think there is subtlety here which is difficult to explain. Our policy - we now know, wrongly - requires a "written complaint" be filed with Counsel's Office. Instead of a "written complaint" or even any dialogue with the principle victim, Counsel's Office got a "cc" to an e-mail. We busted our ass to contact this person to see if they WANTED to interpose a complaint against a Member. Instead of dialogue OR any writing, we got a letter from her lawyer saying "we say harassment and retaliation happened, we say our clients aren't talking to you, we say we could sue you for big bucks, we are willing to discuss a confidential settlement; what do you want to do?". We agreed to negotiate a confidential settlement and we did. Counsel's Office didn't ever get a written complaint or even any conversation from this principle victim.

From: Michael Whyland [mailto:whylandm@assembly.state.ny.us]
Sent: Wednesday, August 29, 2012 3:27 PM
To: 'James Yates'; 'Jonathan Rosen'; 'William Collins'; 'Carolyn Kearns'
Subject: FW: Section V of Assembly Sexual Harassment/Retaliation Policy

We need a call about this. Is everyone available?

From: Gormley, Michael [<mailto:MGORMLEY@ap.org>]
It: Wednesday, August 29, 2012 1:28 PM
From: Michael Whyland (whylandm@assembly.state.ny.us)
Subject: Section V of Assembly Sexual Harassment/Retaliation Policy

Section V of the policy states: "A complaint of sexual harassment and/or retaliation against a member of the Assembly shall be referred to the Assembly Standing Committee on Ethics and Guidance for Investigation."

Section IV notes complaints can go to the counsel unless they are governed by Section V. So avoiding the committee is based only an opinion of the counsel and Speaker? How can that overrule the policy, and how can it be "legally correct" as yesterday's statement says? Thanks.

Michael Gormley
Capitol editor
The Associated Press
P.O. Box 7165, Capitol Station
Albany, N.Y. 12244
518-449-7131
Cell: 518-527-6661
Twitter: APgormley



Every day, more than half the world's population receives news from AP. AP serves 1,700 newspapers and 5,000 radio and television outlets in the United States as well as newspaper, radio and television subscribers internationally. Founded in 1846, the AP provides news in text, audio, video, graphics and photos to more than 15,000 news organizations.

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1898 and delete this email. Thank you.
[IP_US_DISC]

msk dccc60c6d2c3a6438f0cf467d9a4938

Carolyn Kearns

From: [REDACTED]@gmail.com
Sent: Wednesday, January 04, 2012 3:13 PM
To: Carolyn Kearns
Subject: Re: termination

Thank you. I will call you then.

On Jan 4, 2012, at 3:02 PM, "Carolyn Kearns" <kearnsc@assembly.state.ny.us> wrote:

You can call me at (518)455-4191 or I can reach out to you. (The phone number I have for you is [REDACTED])

From: [REDACTED]@gmail.com
Sent: Wednesday, January 04, 2012 2:52 PM
To: Carolyn Kearns
Subject: Re: termination

2:00 pm works for me- thank you

On Jan 4, 2012, at 1:29 PM, "Carolyn Kearns" <kearnsc@assembly.state.ny.us> wrote:

Absolutely. Would 2:00 be good for you?

From: [REDACTED]@gmail.com
Sent: Wednesday, January 04, 2012 1:21 PM
To: Carolyn Kearns
Subject: Re: termination

The 12th would be better for me. Can we set up an appointment for the afternoon?

On Jan 4, 2012, at 10:17 AM, "Carolyn Kearns" <kearnsc@assembly.state.ny.us> wrote:

[REDACTED]
Thank you for getting back to me. As I noted previously, it is important that we understand what you are asking the Assembly to do. I understand that you are currently out of town and will not return until January 11th. Given that delay, is it possible to set up a date/time for us to speak on either the 11th or 12th?
Carolyn

From: [REDACTED]@gmail.com
Sent: Wednesday, January 04, 2012 8:51 AM
To: Carolyn Kearns
Subject: Re: termination

Dear Carolyn,

I am currently out of town and will follow up with your office regarding the email I sent on December 14th when I return on Jan 11th.

Sincerely,
[REDACTED]

On Dec 15, 2011, at 10:40 AM, "Carolyn Kearns" <kearnsc@assembly.state.ny.us> wrote:

Dear Ms. [REDACTED],

Please be advised that Bill Collins and I have received a copy of the email message you sent to Assemblyman Vito Lopez on December 14, 2011.

While you have previously received a copy of the Assembly's Sexual Harassment/Retaliation Policy, I am providing it to you again now in order to ensure that you have it before you. As stated in the policy and reiterated in our employee training, the Assembly is committed to providing our employees with a workplace free from sexual harassment. This is an obligation we take very seriously. Please note that sexual harassment and retaliation in response to a sexual harassment complaint are both prohibited. Complaints of sexual harassment are investigated as discretely as possible.

We would like to follow up with you regarding this matter. It is of particular importance that we understand whether it was your intention to file a formal complaint of sexual harassment by sending us a copy of the email to Assemblyman Lopez. Please contact us at your earliest convenience.

Sincerely,

Carolyn Kearns
Deputy Counsel to the Majority
448M Capitol
Albany, NY 12054
(518)455-4191

<http://intranet.nysa.us/files/2011harass.pdf>

From: [REDACTED] [mailto:[REDACTED]@gmail.com]
Sent: Wednesday, December 14, 2011 1:02 PM
To: [REDACTED]
Cc: pagey@assembly.state.ny.us;
collinsw@assembly.state.ny.us;
kearnsc@assembly.state.ny.us
Subject: termination

December 14th, 2011

Dear Assemblyman Vito Lopez:

As you are fully aware, you fired me on Sunday, after a series of escalating incidents in which I repeatedly denied your sexual advances and told you to stop making sexual and other inappropriate remarks to me and other staff or to retaliate against me, and after I reported your behavior last week to human resources. Although you told me that I should still report for work for a brief transition before leaving, you then continued to yell at me on Monday, within ear shot of all staff, stating that you were "not going to get caught up in this minutia type of thing" or "be bogged down in bullshit." I no longer feel safe at work or in your presence. It is impossible for me to perform my actual job, and I need time to recover from the way I have been treated. You have forced me out, and I am no longer able to report to work. I ask that you continue to pay me while I recover. In any event, I currently have 5 personal days and 6 days of unused comp time, so regardless of your position, I should receive a paycheck through and including December 28, 2011.

I have left all work related materials and papers on my desk and my keys, and left instructions for staff to deal with outstanding matters. My Assembly I.D. will be placed in the mail as of later today.

Carolyn Kearns

From: Carolyn Kearns [kearnsc@assembly.state.ny.us]
Sent: Thursday, December 15, 2011 2:55 PM
To: [REDACTED]@gmail.com
Cc: 'William Collins'; 'Yolande Page'
Subject: follow up re/ status

Dear Ms. [REDACTED]

In response to a concern you raised in your email, please be advised that we have not received any request to terminate your employment. Thus, as far as we are concerned, you continue to be employed by the NYS Assembly.

We are available to discuss with you any concerns you may have regarding your status and/or the availability of leave credits.

Sincerely,

Carolyn Kearns
Deputy Counsel to the Majority
448M Capitol
Albany, NY 12248
(518)455-4191



OFFICE OF
COUNSEL TO THE MAJORITY

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

ROOM 448m, CAPITOL
ALBANY, NEW YORK 12248
(518) 455-4191
FAX: (518) 455-4103

December 19, 2011

Ms. [REDACTED]
[REDACTED], Apt. [REDACTED]
[REDACTED], N.Y. [REDACTED]

Dear Ms. [REDACTED]

I am sending this letter, which mirrors what I wrote to you in two emails on Thursday, December 15th, simply to ensure that you have received my response.

Please be advised that Bill Collins and I received a copy of the email message you sent to Assemblyman Vito Lopez on December 14, 2011.

While you have previously received a copy of the Assembly's Sexual Harassment/Retaliation Policy, I am providing it to you again now in order to ensure that you have it before you. As stated in the policy and reiterated in our employee training, the Assembly is committed to providing our employees with a workplace free from sexual harassment. This is an obligation we take very seriously. Please note that sexual harassment and retaliation in response to a sexual harassment complaint are both prohibited. Complaints of sexual harassment are investigated as discretely as possible.

In response to a concern you raised in your email, please be advised that we have not received any request to terminate your employment. Thus, as far as we are concerned, you continue to be employed by the NYS Assembly.

We would like to follow up with you regarding this matter. It is of particular importance that we understand whether it was your intention to file a formal complaint of sexual harassment by sending us a copy of the email to Assemblyman Lopez. Moreover, we are available to discuss with you any concerns you may have regarding your status and/or the availability of leave credits.

NYA 002375

Please contact us at your earliest convenience.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Kearns". The signature is written in black ink and is positioned above the printed name and title.

Carolyn Kearns
Deputy Counsel to the Majority

Encl.: Assembly Sexual Harassment/Retaliation Policy

CK notes:

12/28/11

Phone call from [REDACTED] On speaker-phone with BC and CK. Cell phone: [REDACTED]

Got background first: Started working for Vito Lopez on October 19th of this year. Hired as legislative counsel to work in his Brooklyn office. She is an attorney, admitted to practice, but the job is primarily that of a community organizer; she works as a contact for constituents and gov't officials, and plans events. Nothing legal, but job posting said preferred JD.

Her first week there, Vito told her she needed to wear high heels. She was wearing flats. She ignored it and laughed it off, but said to us that she feels it was highly inappropriate.

She said that what he says to other employees is horrendous, including comments about their bodies. She heard third-hand about a comment to the COS that she was small breasted and should wear something low cut. She also heard third-hand that he said to another employee to just wear a scarf, wanted to take on a date.

What she heard most – After Vito would make a comment, if the employee didn't respond, he would badger her, yell in a nonsensical way, as punishment.

[REDACTED] said that she heard some things that Vito said to [REDACTED] re/ the hotel; that she was listening to the phone conversation. In her opinion, [REDACTED] was fired as retaliation. [REDACTED] said that Vito fired [REDACTED] 2 or 3 times. [REDACTED] said that [REDACTED] has on a recording Vito talking about the hotel room, not being emotionally involved, doesn't know if place in the office, etc.

[REDACTED] said he would fire and rehire an hour later, but then he fired her for good, and that the reasons were pretextual. [REDACTED] said that Vito is now playing a game, saying that he didn't fire her, doesn't know why she left, etc.

[REDACTED] believes that Vito is ready to do the same to her. She said that he is worried that someone is recording him. She said the "new COS" is flirtatious and believes her to be the favorite. [REDACTED] also said something about him giving the new COS \$20-\$30 to buy dangly earrings and that he bought her a ring and wanted her to wear it.

[REDACTED] also referenced the discussion Vito had re/ sharing bedroom and PR being a trial period for being his girlfriend.

BC indicated that it would be helpful to write down these incidents and to interpose a complaint, it needs to be in writing. I told her to distinguish what she heard and saw first-hand from those things she heard about third-hand, noting that the latter can be relevant, as well.

[REDACTED] said she had a meeting with him for an hour and he was misrepresenting what she had said in the past. She relayed a conversation she had had with the new COS¹ in which [REDACTED] had said that she wasn't sure they should be asking staff to come in on the Monday after Christmas

¹ [REDACTED] identified her as [REDACTED]

(which was supposed to be a day off) given that employees had been asked to work on Christmas at the senior center and that she didn't know if it was legal. ([REDACTED] says that they don't volunteer -- they are "voluntold" and that if you don't do it he gets really mad at you.) Vito is now changing the tone of that to make it sound like she had said that it was illegal. She thinks he is looking for reasons to get rid of her and that he thinks someone is recording him.

[REDACTED] stated that [REDACTED] did have recordings of him harassing her and that she ([REDACTED]) had given her the idea to do it. [REDACTED] stated that there are hours and hours of it.

[REDACTED] stated that Vito had said to her today, "I don't know if you're a good fit for this office" even though he had just promoted her to Deputy Chief of Staff the previous week. The reason he gave her was that she was not involved in her job, and that she was only in it for personal gain. (She had asked for maybe \$10K more in salary.)

[REDACTED] said she would put details in writing and send via email.

Carolyn Kearns

From: William Collins [collinsw@assembly.state.ny.us]
Sent: Tuesday, January 03, 2012 7:44 PM
To: kearnsc@assembly.state.ny.us
Subject: Fw: Fwd: summary
Attachments: Summary for HR.docx

From: [mailto: [REDACTED]@gmail.com]
Sent: Tuesday, January 03, 2012 07:41 PM
To: collinsw@assembly.state.ny.us <collinsw@assembly.state.ny.us>
Subject: Fwd: summary

Apologies-- this one should work. I will follow-up with a hard copy tomorrow.

----- Forwarded message -----

From: [REDACTED] <[REDACTED]@gmail.com>
Date: Mon, Jan 2, 2012 at 8:19 PM
Subject: summary
To: [REDACTED] <[REDACTED]@gmail.com>

Here is a brief written follow-up to our phone conversation. In sum, Assemblymember Lopez has repeatedly made unwanted, unwelcome sexually suggestive comments directed at me and several members of the staff, as well as generally treating the female members of the staff differently from the male staff members in ways that negatively impact how and whether the female members of staff are able to do their work. When a female employee does not accept his inappropriate behavior, he retaliates by telling them that they "have the wrong attitude" or "don't care about their job" and suggests or threatens that they might be better off working in another office. I have personally witnessed the following comments by Assemblymember Lopez:


- Frequent comments to me and other female about our appearances, all in the context of constantly encouraging us to be flirtatious and sexy in order to be good at our jobs:
 - telling me and others to wear high heels
 - telling me and others to wear skirts and earrings
 - telling a female employee that she "needed to do something about waxing her eyebrows"
 - repeatedly telling a story about a woman who was very successful at her job, and describing her as "flirtatious and always wearing a miniskirt"
- On several occasions, as a part of a discussion about how specific former female employees were successful at their jobs, describing them as having been flirtatious with males in the community
- Frequently joking, in my presence and the presence of others, that various male employees "are in love with" various female employees
- Frequently telling female employees to smile, a comment I have never heard directed at a male employee
- Telling the female employees that they cannot mention their boyfriends
- Requiring female employees to attend additional events (e.g., all of the "coalition" events planned by other staff members), although male employees are not held to the same standard. For instance, if a female employee does not attend, Assemblymember Lopez will inquire why she is not in attendance, and then the next time he sees her, he will chastise her for failing to attend. I have witnessed that pattern on several occasions, but never for a male employee.
- In staff meetings, repeatedly telling a story regarding a visit by the President of the Dominican Republic, in which the President allegedly remarked that he liked visiting Brooklyn because "the women all wear short skirts"

In addition, other employees have told me of various comments where Assemblymember Lopez has made explicit comments about their body as well as telling them to wear short skirts, high heels, specific

items of jewelry, and to be flirtatious. For instance, one female employee mentioned that he once told her she “had small breasts” and therefore “should wear low cut shirts.” Also, two female employees have mentioned that he has asked and/or pressured them (individually, and on separate occasions) to share a hotel room with him.

These comments and both the discriminatory and retaliatory behavior are humiliating for me, and make it extremely difficult and often impossible to perform the functions required of my position. In my opinion, the atmosphere created by Assemblyman Lopez’s words and behavior is such that his impression of my performance is not merit-based, but rather on whether I adhere to what he considers is the acceptable role for a female’s behavior—specifically, flirtatious, dressed in high heels and skirts, and always available socially.

This is just a summary of what I’ve experienced with some highlighted specific examples, it is not everything that occurred or that I have observed.


Deputy Chief of Staff
Assemblymember Vito J. Lopez
434 S. 5th St.
Brooklyn, New York 11102

William F. Collins
Counsel to the Majority
New York State Assembly
Room 448M, State Capitol
Albany, New York 12248

January 4, 2012

Here is a brief written follow-up to our phone conversation. In sum, Assemblymember Lopez has repeatedly made unwanted, unwelcome sexually suggestive comments directed at me and several members of the staff, as well as generally treating the female members of the staff differently from the male staff members in ways that negatively impact how and whether the female members of staff are able to do their work. When a female employee does not accept his inappropriate behavior, he retaliates by telling them that they "have the wrong attitude" or "don't care about their job" and suggests or threatens that they might be better off working in another office. I have personally witnessed the following comments by Assemblymember Lopez:

- Frequent comments to me and other female about our appearances, all in the context of constantly encouraging us to be flirtatious and sexy in order to be good at our jobs:
 - telling me and others to wear high heels
 - telling me and others to wear skirts and earrings
 - telling a female employee that she "needed to do something about waxing her eyebrows"
 - repeatedly telling a story about a woman who was very successful at her job, and describing her as "flirtatious and always wearing a miniskirt"
- On several occasions, as a part of a discussion about how specific former female employees were successful at their jobs, describing them as having been flirtatious with males in the community
- Frequently joking, in my presence and the presence of others, that various male employees "are in love with" various female employees
- Frequently telling female employees to smile, a comment I have never heard directed at a male employee

- Telling the female employees that they cannot mention their boyfriends
- Requiring female employees to attend additional events (e.g., all of the "coalition" events planned by other staff members), although male employees are not held to the same standard. For instance, if a female employee does not attend, Assemblymember Lopez will inquire why she is not in attendance, and then the next time he sees her, he will chastise her for failing to attend. I have witnessed that pattern on several occasions, but never for a male employee.
- In staff meetings, repeatedly telling a story regarding a visit by the President of the Dominican Republic, in which the President allegedly remarked that he liked visiting Brooklyn because "the women all wear short skirts"

In addition, other employees have told me of various comments where Assemblymember Lopez has made explicit comments about their body as well as telling them to wear short skirts, high heels, specific items of jewelry, and to be flirtatious. For instance, one female employee mentioned that he once told her she "had small breasts" and therefore "should wear low cut shirts." Also, two female employees have mentioned that he has asked and/or pressured them (individually, and on separate occasions) to share a hotel room with him.

These comments and both the discriminatory and retaliatory behavior are humiliating for me, and make it extremely difficult and often impossible to perform the functions required of my position. In my opinion, the atmosphere created by Assemblyman Lopez's words and behavior is such that his impression of my performance is not merit-based, but rather on whether I adhere to what he considers is the acceptable role for a female's behavior—specifically, flirtatious, dressed in high heels and skirts, and always available socially.

This is just a summary of what I've experienced with some highlighted specific examples, it is not everything that occurred or that I have observed.

