



PERSONAL & CONFIDENTIAL

VIA ELECTRONIC MAIL

October 4, 2019

Sheree Cross, Personnel Officer
Ulster County Personnel Office
244 Fair Street
Kingston, New York 12401

Re: Harassment Complaint

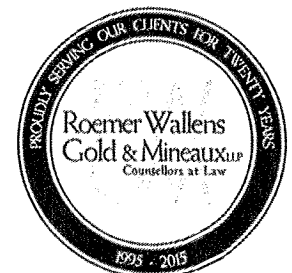
Dear Ms. Cross:

On May 21, 2019, the Ulster County Legislature passed Resolution No. 119.2 "Adopting the Ulster County Sexual Harassment Prevention Policy and the Discriminatory Harassment Prevention Policy and Complaint Procedure." It was approved by Acting County Executive Adele B. Reiter on May 29, 2019. Prior to the adoption of the Sexual Harassment Prevention Policy, the applicable policy was the Ulster County Policy on Harassment in the Workplace.

On March 29, 2019, Kathleen ("KT") Tobin emailed Ulster County Legislature Chair Tracey Bartels stating that "[s]ince the initial harassment allegations against County Legislator Hector Rodriguez have been made public, several women have contacted me with stories of unwanted touching as well [as] persistent sexually suggestive and inappropriate communication, both written and verbal. None of these women want to publicly speak of these experiences." Dr. Tobin followed up with an email on May 14, 2019 regarding whether an investigation would be conducted. The emails were forwarded to the Personnel Office.

Even though the alleged harassment concerns an Ulster County Legislator, the policies are still implicated and thus, an investigation was conducted.

The investigation constituted interviews with Dr. Tobin, three (3) Ulster County Legislators, and seven (7) women who have been subjected to behaviors and conduct by Mr. Rodriguez that they found troubling and/or harassing. One other individual came forward, but later requested that they not be part of any report.



Through the investigation, the following are examples of comments made by Mr. Rodriguez to some of the women, made in person, on the telephone, and/or in writing:

- I thought you loved me;
- How come you never call me;
- How come you don't love me anymore;
- I loved you;
- You look amazing;
- If I didn't know better, I'd kiss you;
- I wish we could hang out;
- You're so beautiful;
- Who else will I flirt with;
- I won't say the first thing that came to mind when I saw your pic today.

Several of the women stated that Mr. Rodriguez was in contact with them due to his position as a Legislator. They also stated their belief that they needed to continue working with him because of his position as a public official.

Additionally, two of the women directly confronted Mr. Rodriguez regarding his behaviors and comments and one woman stated that Mr. Rodriguez "forcibly kissed her."

The women were all found to be credible in their statements.

Mr. Rodriguez declined to participate in this investigation, despite several requests and email communications. Accordingly, it is my opinion that an adverse inference be drawn.

It should be noted as well that Mr. Rodriguez was directly warned about his behavior by Golden Hill Nursing & Rehab Center on May 9, 2014. The complaint there was that "Female employee made a complaint that employee engaged in unwanted physical touching that made her uncomfortable." The corrective action is that the "Employee will refrain from making sexual advances, propositions, flirtations or repeated requests ... or to made social ...". Thus, Mr. Rodriguez was aware that his behavior needed to change.

The statements and documentary evidence obtained in the course of this investigation support a finding that Mr. Rodriguez exploited his position as a Legislator to gain access to multiple women in an effort to proposition and "hit on them." It appears he romantically pursued several women and when they declined his advances, he ceased contacting them both personally and professionally. Although he may have been unaware of the true impact of his behavior, it is clear that Mr. Rodriguez had been confronted on multiple occasions, yet continued to flirt and send excessive and unrequited messages to women. Accordingly, the statements and documentary evidence obtained support a violation of the County's policies.

It is recommended that: (1) all employees, including the Legislature be trained on the Ulster County Sexual Harassment Prevention Policy and the Discriminatory Harassment Prevention

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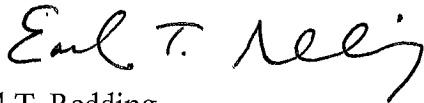
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Policy and Complaint Procedure; (2) a code of conduct with complaint procedure be adopted by the Legislature; and (3) corrective action, including and up to requesting resignation, be taken towards Mr. Rodriguez in any appropriate form as allowed by the law.

Please contact me if you would like to discuss further.

Respectfully yours,

Roemer Wallens Gold & Mineaux LLP

A handwritten signature in cursive script that reads "Earl T. Redding". The signature is written in black ink and is positioned above the printed name.

Earl T. Redding