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'Probable' harassment by Concilio, ex-director

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In a rare finding, the Pennsylvania Human Relations Commission has found probable cause that Concilio, Pennsylvania's oldest Latino social-services organization, and its fired director engaged in sexual harassment against a former female employee.

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The commission directed Concilio to "cease and desist from discriminating from its employees because of their sex" and to provide sexual-harassment training to all its employees, among other directives, according to the agency's findings, obtained this week by the *Daily News*.

The commission also ordered Concilio to reimburse the victim for expenses incurred because of the complaint, a settlement that will be negotiated at a closed-door conciliation meeting scheduled for March 23 in Philadelphia.

Legal observers say that it's uncommon for the commission to find probable cause in cases it reviews. "The number of instances where the commission does this historically is rare," said labor lawyer Barry R. Elson, a partner at Thorp Reed & Armstrong.

"It's generally thought to be of some significance when the commission schedules a conciliation meeting."

If the parties can't settle in the conciliation process, then the PHRC could take further action in the form of another complaint against Concilio, legal experts say.

The accuser claimed in a complaint filed with the state agency last May that Concilio's then-executive director, Roberto Santiago, had sexually assaulted her two months prior in his office on 7th Street near Fairmount Avenue. The victim, 36, whom the *Daily News* is identifying only by her first name, Marisol, then endured days of sexual advances from him, with the knowledge of other agency employees, according to the complaint. The advances stopped when she reported the alleged assault to police.

"Probable cause exists to credit the Complainant's allegations that Respondent created a hostile work environment because of her sex," according to the commission's finding. The PHRC also found that Concilio had engaged in "quid pro quo sexual harassment" because Santiago, as the agency's director, had offered Marisol a trip to Puerto Rico and a job promotion in return for sexual favors.

"Probable cause exists to credit the complainant's allegation that Robert[o] Santiago, [Concilio's] Executive Director, aided, abetted, incited, obstructed, collaborated, participated and conspired with" Concilio, the report said.

Santiago was suspended with pay by Concilio's board of directors last March 31 but was later cleared by police and by an independent investigator hired by the board. Santiago - who also left his post with the city Civil Service Commission once he was suspended - was reinstated June 6. Marisol left on sick leave the next day because she

found it stressful to be near him, **said her attorney, Jeffrey Campolongo.**

Her job was eliminated the next month, but the commission found no probable cause that Concilio had retaliated against her.

The *Daily News* then reported in September that Santiago's former stepdaughters, now city police officers, had filed police reports claiming that he had sexually abused them as children. The day after the allegations were published, Concilio's board fired Santiago. The District Attorney's Office did not pursue charges against him because the statute of limitations had run out.

In a civil suit that Marisol filed in August, a judge ruled against Santiago by default, but the terms of the ruling were not available.

Efforts to reach Santiago yesterday were unsuccessful. He was a longtime advocate in the city's Latino community and served as head of Concilio for 13 years. Concilio's executive director, Joanna Otero-Cruz, who began in the post on Monday, declined to comment yesterday "because of the ongoing sensitive nature of this matter."

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