



Commission on Human Rights

January 22, 2016

NYC Commission on Human Rights Doubles Average Amount Collected in Discrimination Cases in 2015

*Commission on Human Rights collects nearly \$1.4 million in awards and penalties in
discrimination cases in 2015*

*Commission opened 755 investigations into potential discrimination in 2015, a 20 percent
increase from 2014*

*Highest numbers of complaints in 2015 were related to disability, race, and gender
discrimination*

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New York – The New York City Commission on Human Rights more than doubled the average amount of damages and civil penalties collected in cases resulting in monetary recovery in 2015. The Commission, which fights discrimination citywide by enforcing the City Human Rights Law, collected an average of \$21,777 per case in 2015, up from \$9,725 per case in 2014. In total, the Commission collected \$1,371,984 in combined fines and compensatory damages in discrimination cases in 2015.

“The New York City Commission on Human Rights works tirelessly to ensure that victims of discrimination are compensated fairly and that violators are held accountable,” said **Carmelyn P. Malalis, Chair of the Commission on Human Rights**. “No one deserves to be discriminated against, but if they are, the New York City Commission on Human Rights is here to help them get the justice they deserve. The Commission strives to protect every New Yorker and thoroughly investigates complaints to strategically address violations of the Law.”

The Commission opened 755 investigations of discrimination in 2015, a 20 percent increase from 2014 when the Commission filed 628 cases. In 2015, disability-related complaints were the most common, composing 31 percent of all cases. Race and gender-related discrimination complaints followed at 20 percent and 18 percent, respectively. Fifteen percent of complaints alleged national origin discrimination. Complaints against landlords and brokers refusing to rent to people receiving government assistance to pay rent made up 11 percent of all cases in 2015.

Carmelyn P. Malalis joined the Commission as Chair and Commissioner in February 2015 after spending over a decade in private practice as an employee rights advocate. Since then, she has revitalized and reorganized the Commission to make it an effective tool in addressing and preventing all forms of discrimination in New York City.

Under new leadership in 2015, the Commission:

- **Doubled the average amount of money collected per case** for victims of discrimination and the City. In 2015, the average monetary recovery rose to \$21,777 from \$9,725 per case in 2014.
- **Collected \$1,371,984** in combined fines and compensatory damages in discrimination cases.
- **Opened 755 investigations of discrimination in 2015**, 127 more cases than in 2014 when the Commission opened 628 cases.
- **Quadrupled the number of investigations** into allegations that **landlords and brokers discriminated** against tenants who receive public assistance or government-funded rental assistance, filing 86 “source of income” cases in 2015, up from 23 in 2014.
- **Resolved more than 100 cases without going to trial**, resulting in benefits to victims, including:
 - A Queens woman who was refused an apartment due to her Section 8 housing voucher. As part of the settlement agreement, the landlord and real estate company agreed to accept the woman’s Section 8 voucher, offered her a two-year lease at a lower preferential rent, agreed to renew subsequent lease renewals pursuant to NYC’s Rent Stabilization Laws, and agreed to post Fair Housing Law posters in the apartment building and realty offices for two years and undergo New York City Human Rights Law training.
 - A female job applicant who was refused employment due to her pregnancy. The Commission ordered the employer to pay her \$20,000 in damages as well as \$2,500 in civil penalties. The employer was also ordered to attend anti-discrimination training.
 - A disabled tenant without reasonable access to her building. After the Commission investigated the complaint, the building owners, management company, and apartment owners installed a lift in the building lobby, levelled the floors at the bathroom and apartment entrance doorways, widened the bathroom doorway, installed an accordion door, and made a cutout in the bathtub. The disabled tenant also received \$10,000 in emotional distress damages and the parties were ordered to attend anti-discrimination training.
- **Educated more than 7,500 New Yorkers** about their rights under the city’s **Fair Housing Laws**.
- **Levied the largest civil penalty in Commission history** against a male employer who sexually harassed a female employee over a three year period. The employer repeatedly engaged the female employee in unwanted touching, used lewd and sexually inappropriate language to and about her, and posted a sexually explicit cartoon

depicting her in the workplace. The Commission **fined the employer \$250,000**, the maximum allowable under the law.

- **Opened six times as many investigations into criminal history discrimination in employment** in 2015 compared to 2014. The Commission opened 77 new criminal history-related discrimination investigations in 2015, a 544 percent increase since 2015 when the Commission opened 12.
- **Offered 1,271 workshops, presentations, and trainings** on the City Human Rights Law in 2015, **educating more than 70,000 New Yorkers and businesses.**
- **Hired new legal, community relations, policy, and communications staff** to increase the reach and capacity of the Commission thanks to Mayor De Blasio's and City Council's commitment in the last budget, which the Mayor made permanent in the preliminary budget out this week.
- **Broadened the impact of the City's Human Rights Law** by bringing business practices and policies in compliance with the law. For example, as part of a Commission settlement agreement with food retailer Pret A Manger involving denial of service to a customer with a service dog, the company agreed to train **all 75 managers in its 41 restaurant** locations across all five boroughs on the City's Human Rights Law.
- **Engaged small business communities in all five boroughs on how to develop equitable employment practices to comply with the City Human Rights Law.** For example, the Commission ordered a free training instead of a fine in the case of a small business owner who unknowingly violated the law when she posted a gender-biased ad on Craigslist.
- Hosted **225 anti-discrimination workshops** attended by more than **4,000 middle and high school students** on conflict resolution and preventing bias, cyberbullying, sexual harassment.
- **Created educational materials in 10 different languages** to reach the City's non-English speaking communities about their rights under the City Human Rights Law and how to file a claim.
- **Enforced two new employment protections** added to the City Human Rights Law this year: the **Fair Chance Act**, which makes it illegal to ask about someone's criminal history until after a conditional offer of employment has been made, and the **Stop Credit Discrimination in Employment Act**, which makes it illegal for an employer to discriminate against current or prospective employees based on credit history. The Law was also amended in 2016 to protect caregivers, making it illegal for employers to discriminate against employees because they care for children, parents, spouses or other family members with disabilities. The law becomes effective May 4, 2016.
- **Issued enforcement guidance in three areas of the law** (Fair Chance Act, the Stop Credit Discrimination in Employment Act, and gender identity protections) to provide

businesses and employers with great transparency in the enforcement process and help New Yorkers gain an understanding of their rights and responsibilities under the law.

- **Revamped the Commission's testing program**, which uses matched pairs of testers to uncover more subtle forms of discrimination. The testers are identical, except for the protected category being tested, so they can discover different treatment as they apply for the same jobs or housing.

The NYC Commission on Human Rights enforces the City Human Rights Law, one of the strongest human rights laws in the nation. The Law protects New Yorkers against discrimination in housing, employment, public accommodation, bias-based profiling, and discriminatory harassment across 22 broad categories including age, race, color, creed, national origin, gender and gender identity, pregnancy, disability, sexual orientation, marital status, alienage or citizenship status, status as victim of sexual or domestic violence, criminal and arrest record, credit history, unemployment status, lawful source of income, housing status, presence of children, lawful occupation, and starting May 4, 2016, caregiver status.

The Commission will continue to streamline its processes, sharpen its investigatory tools, and educate the public and business community about the law in 2016 so that every New Yorker can live and work free from discrimination.

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