

# NYC COMMISSION ON HUMAN RIGHTS



**2011**

## Annual Report

MICHAEL R. BLOOMBERG, Mayor  
PATRICIA L. GATLING, Commissioner/Chair



# 2011 Annual Report

NEW YORK CITY COMMISSION ON HUMAN RIGHTS



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PATRICIA L. GATLING, COMMISSIONER/CHAIR  
NEW YORK CITY COMMISSION ON HUMAN RIGHTS



# Message from the Mayor



New York is proud to be the most diverse city in the world. In neighborhoods across the five boroughs, people of all backgrounds live and work together. We have always been a place where everyone who works hard has an opportunity to pursue their dreams—and this sense of promise and possibility has helped us become both an engine for economic growth and a beacon of hope to people around the world.

In our City of equal opportunity, we are committed to protecting the civil rights of everyone who lives in, works in, or visits the five boroughs. Discrimination simply has no place here. The New York City Human Rights Law is one of the strongest and most comprehensive civil rights laws in the nation, ensuring that everyone is treated fairly, with the widest possible choices in employment, housing, and public accommodations.

Ten years ago, I appointed Brooklyn prosecutor Patricia L. Gatling to head our anti-discrimination efforts at the New York City Commission on Human Rights. Since then, she and her dedicated team of attorneys and Human Rights Specialists have brought justice to thousands of individuals seeking resolutions to their complaints of discrimination, and they have educated many more about our Human Rights Law.

The New York City Commission on Human Rights has made vital contributions to our City. I invite you to learn more about the Commission's work and achievements in its 2011 Annual Report.



**Michael R. Bloomberg**

# Message from the Commissioner



In last year's annual report, I described a case that could broaden the Human Rights Law and have a wide-reaching effect on the disabled community. The case involved a disabled tenant who requested that his building's front door be made accessible and a large housing provider who, instead, took years before providing the tenant with an accessible side door entrance. Following a trial, we ordered the housing provider to make the front door accessible because our law ensures that disabled tenants are entitled to full, equal, and unsegregated access. In September 2011, the Bronx Supreme Court upheld the Commission's

Order to modify the building's front door, stating that the accessible side door did not constitute a reasonable accommodation under the Human Rights Law.

This groundbreaking disability discrimination case established that front door access must always be provided unless proven that the request is financially devastating or architecturally infeasible. Our work on *John Rose v. Co-op City of New York d/b/a Riverbay Corporation and Vernon Cooper* and the court's upholding of our Order will have a long term positive impact for thousands of individuals.

During 2011, we focused many of our resources on some of the City's most vulnerable populations. As part of our disability efforts, we continue to work with housing providers, employers, and public accommodation owners to resolve accessibility issues. Public accommodations would include: theaters, stores, restaurants, medical offices, banks, hotels, hair salons, government agencies, and taxis. Each year, tens of thousands of individuals benefit from modifications to structures and policy changes that we successfully negotiate. Examples of modifications include ramps, grab bars, accessible dressing rooms, and disability theater seating.

In addition, our Immigrant Employment Rights Program continues to be an important part of our work. Nearly 40 percent of the City's population are foreign-born and could face discrimination because of their national origin or citizenship status. With the success of our ESOL classes for intermediate and advanced students, we created and launched a new curriculum for those learning English on the beginner level. The students learn about the City's anti-discrimination law and the rights they have under the law while advancing their literacy skills.

All too often, especially in this economy, individuals with arrest and/or conviction records are also easy targets for discrimination. Under the City Human Rights Law, individuals with arrest or conviction records are

protected from discrimination in employment. We are providing workshops for inmates at Rikers Island and other borough facilities with the cooperation of the NYC Department of Correction. We also provide these workshops to dozens of reentry organizations, informing the formerly incarcerated of their rights under the Human Rights Law and the available services through NYC agencies and community organizations, enabling them to secure employment and rebuild their lives.

A large percentage of our workshops are devoted to individuals reentering the workforce. Through our program *Working for Real: Employment Rights and Discrimination in the Workplace*, we speak to individuals in workforce development agencies and other back-to-work programs throughout the City providing them with information on work-related issues such as discrimination in employment, sexual harassment, and conflict resolution.

We have recently begun working with the NYC Department of Housing Preservation & Development on a Fair Housing initiative. With a unified message on Fair Housing, we will raise awareness about the Federal Fair Housing Act and the NYC Human Rights Law, prevent the unwarranted displacement of individuals and families, and evaluate the effectiveness of message-based campaigns to landlords that promote anti-discriminatory changes in behavior.

We are also working on a new, more interactive website and expect to launch it in mid-2012. The new website will have more online educational materials, including short videos on the Human Rights Law and the programs we provide, and will also have the ability to connect with a younger audience through the use of social media. Some of our videos will include an overview of the Commission, how to file a complaint, 4 short videos for individuals with disabilities, and an assortment of student-produced Public Service Announcements and podcasts on recognizing and combating discrimination.

These are just a few of our many highlights and some of what lies ahead.

New York City has one of the oldest and strongest civil rights laws in the nation, and here at the Commission on Human Rights, we vigorously enforce that law, protecting New Yorkers and visitors from discrimination, and educating them about the law.

I am proud to serve as this City's Human Rights Commissioner and am grateful to Mayor Bloomberg for the opportunity to continue promoting and protecting the civil rights of all New Yorkers and visitors.



**Patricia L. Gatling**





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# Introduction

The New York City Human Rights Law is one of the most comprehensive civil rights laws in the nation. The Law prohibits discrimination in employment, housing and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, marital status and partnership status. In addition, the Law affords protection against discrimination in employment based on arrest or conviction record and status as a victim of domestic violence, stalking and sex offenses. In housing, the Law affords additional protections based on lawful occupation, family status, and any lawful source of income. The City Human Rights Law also prohibits retaliation and bias-related harassment, including cyberbullying.

The New York City Commission on Human Rights is charged with the enforcement of the Human Rights Law, Title 8 of the Administrative Code of the City of New York, and with educating the public and encouraging positive community relations. The Commission is divided into two major bureaus -- Law Enforcement and Community Relations. The Law Enforcement Bureau is responsible for the intake, investigation, and prosecution of complaints alleging violations of the Law. The Community Relations Bureau helps cultivate understanding and respect among the City's many diverse communities through its borough-based Community Service Centers and numerous educational and outreach programs.

# Law Enforcement Bureau

The Commission's Law Enforcement Bureau (LEB) enforces the NYC Human Rights Law. LEB is responsible for the intake, investigation, and prosecution of complaints alleging violations of the Law.

The number of new cases the Commission filed in 2011 was 332; 64% of those cases were in employment, 21% in housing, 14% in public accommodation, and 1% were bias-related harassment. In addition, the Commission successfully resolved 184 allegations of discrimination through pre-complaint intervention; 178 of those are in the area of disability. Pre-complaint intervention assures a speedy resolution without the necessity of filing a complaint, avoiding costly and lengthy litigation.

The following three examples illustrate successful pre-complaint interventions.

- One pre-complaint intervention involved a Brooklyn tenant whose landlord refused to accept her rent voucher, until LEB successfully intervened and explained that under the Human Rights Law, it is illegal to discriminate in housing based on one's lawful source of income.
- LEB successfully intervened on behalf of a Manhattan resident who was refused entry into a pizzeria she normally frequented with her guide dog. LEB spoke with the owner who shortly thereafter, posted a sign that service dogs were permitted in the establishment.
- LEB successfully intervened on behalf of a resident who after surgery, needed a disabled parking spot closer to his entrance during his recovery period.

In addition to the 184 allegations resolved through pre-complaint intervention, the Commission resolved 464 filed cases. The average amount of time it took to resolve all these cases was 348 days.

The Commission's two-pronged approach – an intensive initial interview of the complainant followed by an immediate investigation of the facts alleged – provides investigators with a greater ability to gather evidence, identify witnesses, and build the strongest case. This successful approach is responsible for a significant increase in Probable Cause Determinations and Settlements since 2002.

During 2011, 93% of the pending cases at the Commission were under one year old, as compared to just 14% at the beginning of this administration. In 2011, there were 2 cases older than three years as compared to 2002, when there were 2,224 cases at the Commission three years or older. The overall reduction in cases since 2002 has given investigators the ability to focus on current cases and not be burdened with overwhelming case loads.

## Orders

In 2011, the Commission took eight cases to trial and issued eight post-trial Orders.

- On February 17, 2011, the Commission ordered an apartment building owner to pay \$31,500 to a tenant and \$20,000 to her roommate for evicting the couple based on the roommate's race and color. The owner was also ordered to pay a \$20,000 fine to the City.
- On April 15, 2011, the Commission ordered an employer to pay one of his employees \$500 in compensatory damages and a \$10,000 fine to the City for retaliating against the worker because the worker's wife, also an employee, filed a discrimination complaint with the Commission.
- On May 23, 2011, the Commission ordered the owners of an apartment building to pay a fine to the City in the amount of \$20,000 after refusing to accept a tenant's Section 8 rent voucher, forcing

the tenant to move out of the building, and trying to convince her not to file a complaint with the Commission.

- On June 26, 2011, the Commission ordered a security company to pay \$20,360 to a man who was denied entry into a public building because of his disability, and a \$15,000 fine to the City.
- Also on June 26, 2011, the Commission ordered a construction company and its owner to pay an employee \$14,863.33 in damages and a \$5,000 fine to the City after firing the employee because she had intended to marry her boyfriend and at some point possibly have children.
- On October 27, 2011, the Commission ordered an apartment listing company to pay a \$5,000 fine to the City for a discriminatory website posting based on lawful source of income.
- On November 9, 2011, the Commission ordered a bridal hair and makeup stylist to pay a potential client \$7,500 in damages and a \$15,000 fine to the

City for denying service to a woman based on her race.

- On November 21, 2011, the Commission ordered a building owner to pay a \$10,000 fine to the City for refusing to rent an apartment to a Commission tester based on his race.

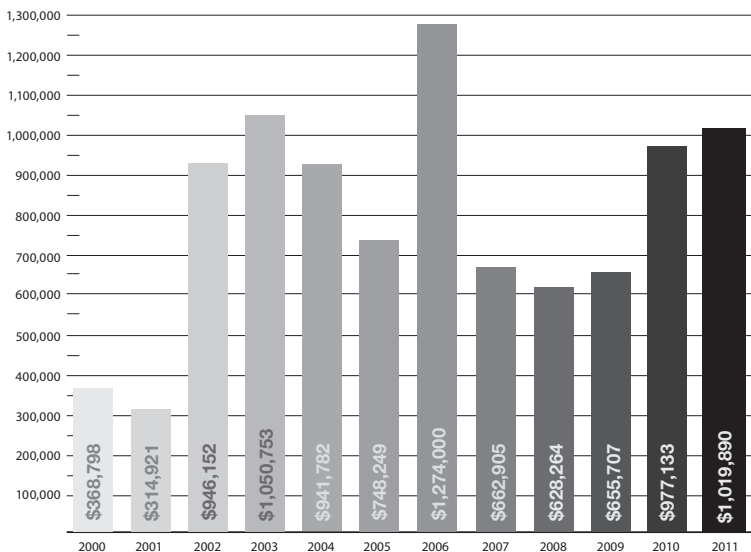
**Fines**

In 2011, the Commission assessed fines totaling \$265,650.

**Settlements**

The Commission has the authority to obtain cash settlements for those aggrieved by violations of the Human Rights Law. In 2011, the total dollar value of the settlements was \$1,019,890. Non-cash settlements successfully negotiated by the Commission include rehiring, policy changes, and modifications for accessibility.

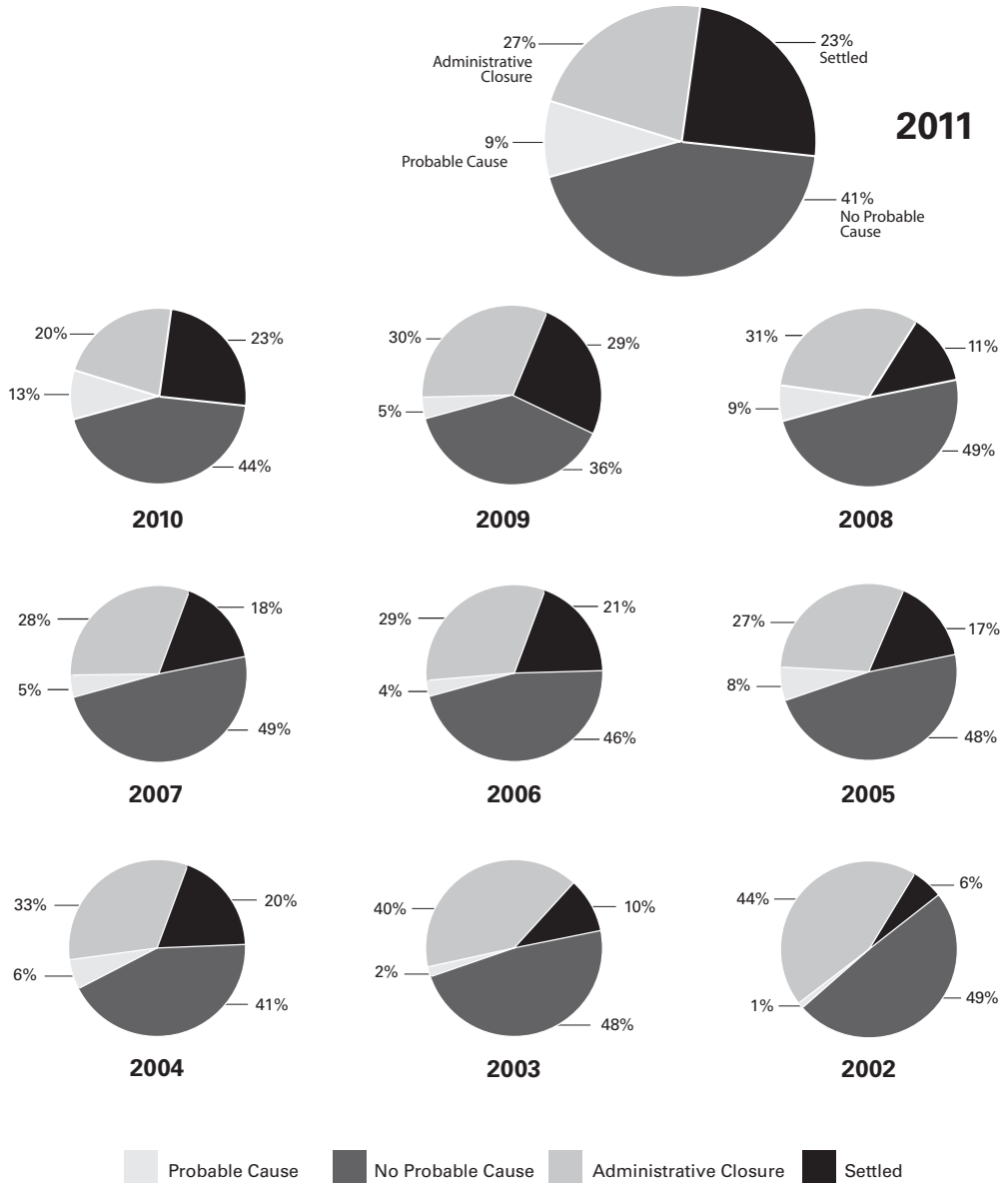
**SETTLEMENTS**



### Determinations and Resolutions

Since 2002, Settlements have dramatically risen as the Determinations and Resolutions chart illustrates.

## DETERMINATIONS AND RESOLUTIONS



**Disability Access**

Many of New York’s buildings, stores, and other public accommodations are not accessible to people with disabilities. As a result of its aggressive efforts in 2011, the Commission successfully negotiated 178 modifications for individuals with disabilities; more than double the amount in 2002. Most of these modifications were accomplished through pre-complaint intervention. (Also, see page 11.)

The Equal Access Program assists the disabled community by identifying architectural and financial resources that are available, advocating for the disabled when dealing with landlords and/or service providers, and assisting with legal actions if intervention fails. Community Relations staff members, trained in conducting investigations at various sites requiring disability access, have coordinated their efforts with the Law Enforcement Bureau.

Modifications secured through the Commission include: installing permanent and portable ramps -- both interior and exterior, hand rails, grab bars, accessible fitting rooms, and bathrooms, accessible bank teller window, electronic doors, electronic gates, Braille signage in lobby, stairwells, and laundry room, and lifts in lobbies; widening of aisles; permitting service animals in residences and on a private bus; moving disabled tenants to accessible apartments and/or buildings; unlocking of cart corrals and gates; widening of checkout aisles; lowering of credit card swipe; lowering door pressure; reversing door swing for better access; creating disability parking spaces with signage; the use of side locked entrances; and lobby rugs secured to floor.

**LEB Staff**

The Law Enforcement Bureau consists of 13 attorneys, 3 Human Rights Specialists, including one retired NYPD officer, and 4 support staff members.

**COMPLAINT PROCESS**

INTAKE	Attorneys conduct the interview and try to intervene and resolve the issue before generating a complaint.
COMPLAINT IS FILED	Office of Docketing files and serves the complaint; sometimes parties are invited to mediate.
INVESTIGATION	Attorneys interview witnesses, review documents.
DETERMINATION	Probable Cause: refer to OATH for trial. No Probable Cause: case is dismissed, complainant may appeal to the Commissioner.
THE HEARING PROCESS	Administrative Law Judge holds a pre-trial conference. If case does not settle, Administrative Law Judge conducts a hearing and issues a Report and Recommendation.
FINAL DECISION AND ORDER	The Commission issues a Final Decision and Order. If no liability found: case dismissed. If liability found: relief ordered.

**CASES FILED**

<b>EMPLOYMENT Protected Classes</b>	2009	2010	2011
Age	11	27	15
Creed	13	22	11
Disability	65	84	56
Alienage	0	2	1
Color	7	5	5
National Origin	23	34	29
Sexual Orientation	12	9	8
Race	37	56	48
Gender*	68	81	77
Arrest Record	5	3	1
Conviction Record	13	21	10
Domestic Violence	2	3	1
Citizenship Status	3	1	1
Partnership Status	0	0	0
Marital Status	1	1	2
Retaliation***	30	54	39

<b>HOUSING Protected Classes</b>	2009	2010	2011
Age	0	6	3
Creed	3	2	0
Disability	36	32	26
Alienage	3	0	1
Lawful Source of Income	124	24	19
Gender*	1	3	3
Color	0	3	1
Marital Status	0	0	3
National Origin	1	6	1
Sexual Orientation	6	6	4
Race	5	21	8
Presence of Children**	1	10	7
Lawful Occupation	0	2	1
Citizenship Status	1	0	0
Partnership Status	0	0	0
Retaliation***	5	3	4

<b>PUBLIC ACCOMMODATION Protected Classes</b>	2009	2010	2011
Age	1	2	0
Creed	1	6	3
Disability	11	19	17
Alienage	3	0	0
Color	3	2	3
National Origin	2	5	5
Sexual Orientation	7	4	5
Race	9	16	19
Gender*	2	8	3
Citizenship Status	1	0	1
Partnership Status	0	0	0
Retaliation***	1	3	1

<b>Bias-Related Protected Classes</b>	2009	2010	2011
Disability	0	0	1
National Origin	0	2	0
Sexual Orientation	0	1	1
Race	0	1	0

<b>MEDIATION</b>	2009	2010	2011
Cases	6	2	9
Closed	6	2	9
Successfully Settled	5	2	9
Unsuccessful, returned to LEB	1	0	0
Conferences	6	2	9

**Note: Many cases are filed under several protected classes. Protected classes vary according to jurisdiction i.e. employment, housing, and public accommodations.**

**\*Includes Gender Identity and Sexual Harassment.**

**\*\*Includes children that are, may be, or would be residing there.**

**\*\*\*Not a protected class but an area of jurisdiction.**



# Inquiries

2009 Protected Classes	Employment	Housing	Public Accommodation	Bias-Related Harassment	Other*	Total
Age	114	27	18	1	4	164
Religion/Creed	49	14	31	1	7	102
Disability	229	215	119	5	32	600
Alienage/Citizenship Status	10	11	5		3	29
Color	72	33	41	3	4	153
National Origin	162	67	71	4	7	311
Sexual Orientation	36	26	19	3	4	88
Race	231	121	121	10	16	499
Gender**	123	18	16	3	9	169
Arrest Record	21				1	22
Conviction Record	53				4	57
Domestic Violence	4				1	5
Partnership Status	4	5	2		10	21
Marital Status	8	14	1			23
Lawful Source of Income		220			12	232
Lawful Occupation		9			1	10
Presence of Children***		23			2	25
Retaliation****	39	8	2	2		51
Non-stated*****	1,068	873	541	21	1,228	3,731

2011 Protected Classes	Employment	Housing	Public Accommodation	Bias-Related Harassment	Other*	Total
Age	107	37	33	1	19	197
Religion/Creed	37	30	36	4	8	115
Disability	183	242	171	4	96	696
Alienage/Citizenship Status	14	16	6	1	9	46
Color	110	52	81	9	15	267
National Origin	191	83	77	4	18	373
Sexual Orientation	31	29	18	3	10	91
Race	195	97	131	6	36	465
Gender**	121	22	21	3	11	178
Arrest Record	11				3	14
Conviction Record	47				13	60
Domestic Violence	3				4	7
Partnership Status	3	2	3		1	9
Marital Status	5	7	2		2	16
Lawful Source of Income		51			5	56
Lawful Occupation		13			5	18
Presence of Children***		37			3	40
Retaliation****	45	7	3	1	5	61
Non-stated*****	911	777	568	14	1,156	3,426

2010 Protected Classes	Employment	Housing	Public Accommodation	Bias-Related Harassment	Other*	Total
Age	141	32	16	3	4	196
Religion/Creed	43	17	34	1	7	102
Disability	238	229	110	1	18	596
Alienage/Citizenship Status	11	10	5		4	30
Color	102	35	60	4	7	208
National Origin	215	80	80	5	17	397
Sexual Orientation	47	26	18	4	4	99
Race	224	102	134	6	17	483
Gender**	172	7	22	1	6	208
Arrest Record	19				1	20
Conviction Record	60				4	64
Domestic Violence	7					7
Partnership Status	2	3	5		1	11
Marital Status	7	8			2	17
Lawful Source of Income		151			2	153
Lawful Occupation		7			1	8
Presence of Children***		30			1	31
Retaliation****	28	3	1		1	33
Non-stated*****	1,140	863	627	30	1,137	3,797

LIMITED ENGLISH PROFICIENCY Languages	2009	2010	2011
Arabic	3	5	5
Bengali			3
Cantonese	8	13	22
Chinese		1	2
Farsi			1
French		3	1
Haitian Creole		1	1
Hebrew		1	
Japanese		1	
Korean	4	1	4
Mandarin	20	16	19
Polish		2	
Portuguese	1	1	
Punjabi	1	9	1
Russian	20		12
Spanish	364	490	470
Tagalog		1	1
Turkish		1	
Ukrainian	1		

\*Inquiries based on a protected class but not an area of jurisdiction.

\*\*Includes Gender Identity and Sexual Harassment.

\*\*\*Includes children that are, may be, or would be residing there.

\*\*\*\*Not a protected class but an area of jurisdiction.

\*\*\*\*\*Inquiries that did not state a protected class.

# Community Relations Bureau

The Law charges the Commission with educating the public about the protections and provisions of the Law and encouraging understanding and respect among New York City's many communities. To address this mission, the Community Relations Bureau (CRB) provides services through the Commission's five borough-based Community Service Centers.

The various services of the Community Relations Bureau's field operation compose its Neighborhood Human Rights Program (NHRP). The NHRP works on a local level with block, tenant, religious, educational, merchant, and community groups to improve and stabilize communities by: supporting civic leadership and community organizations, educating community members about the protections they have under the Human Rights Law, and connecting them to the Commission's law enforcement functions and other City services.

Each field office, or Community Service Center, offers the Commission's many services including: Immigrant Employment Rights training; Equal Access (disability access) investigations, workshops, and pre-complaint resolutions; School Program sessions (NYC Human Rights Law, Sexual Harassment, Cyberbullying, and Conflict Resolution); Peer Mediation Training in high and middle schools; Employment Discrimination workshops in workforce development settings, Employment Discrimination workshops for incarcerated and formerly incarcerated individuals; Fair Housing activities and Mortgage Counseling and Predatory Loan Prevention. Dedicated teams of Human Rights Specialists staff each borough office.

In addition to filing a complaint with LEB in lower Manhattan, the Commission expanded its complaint filing system by sending an attorney to one of the Commission's five Community Service Centers on select days each week. The attorney's schedule for each of the field offices is listed on the Commission website, [www.nyc.gov/cchr](http://www.nyc.gov/cchr).

As part of a comprehensive public education campaign, the Commission published its informational booklet in top languages spoken by New Yorkers, including Chinese, English, French,

Haitian Creole, Korean, Russian, and Spanish. The booklets appear on the Commission's website: [www.nyc.gov/cchr](http://www.nyc.gov/cchr). In addition to those languages, some of the Commission's info cards are printed in Arabic, Urdu, and Polish.

The Commission maintains its aggressive public education through the programs it provides.

## Immigrant Employment Rights

The Commission conducted 308 workshops, ESOL classes, and other outreach events during 2011 to inform immigrant workers, employers, and immigrant advocacy organizations about their rights and obligations under Federal and City laws. These discussions, instructions in adult literacy classes, presentations to new citizens, literature, and other workshops explained discrimination based on national origin and citizenship or alienage status. The citywide presentations were conducted in English, Spanish, Chinese, Haitian Creole, and Russian.

The Commission's ESOL classes teach immigrant employment rights to adult students at the beginning / intermediate and advanced levels using an interactive level-appropriate DVD workbook. The Commission has also prepared beginning / intermediate and advanced workbooks for ESOL teachers with lesson plans and supplemental information. While advancing the students' literacy goals, the classes teach key points in hiring (I-9 form, interview questions, acceptable documents for work authorization, E-verify, and establishing identity) and discrimination on the job (English-only policies, dress, accent). The Commission taught 80 ESOL sessions, reaching 1,614 students and teachers with this important information.

## Discrimination in Employment

During 2011, CRB continued its workforce development program *Working for Real: Employment Rights and Discrimination in the Workplace*. This anti-discrimination program provides workshops throughout the City's many workforce development and other back-to-work agencies. The program highlights employment information, recognizing and responding to employment discrimination,

sexual harassment in the workplace, and specific resources for the disabled, individuals with arrest and/or conviction records, and victims of sexual harassment. Recessionary economics and high unemployment have supported the need for these workshops at multi-site organizations such as Goodwill Industries and FECS and many other community-based venues.

The Commission also expanded its workshop format for people who are incarcerated or formerly incarcerated conducting 199 workshops for 5,496 individuals through a large reentry network including, for example, Alpha School/Center for Progressive Living, ComALERT, and the Women's Prison Association. Weekly workshops at one of the 16 Rikers Island facilities are coordinated through the City's Department of Correction. These workshops emphasize employment protections under the Law, City-wide services, voting rights, and helpful resources.

### **Equal Access**

The CRB staff continued its effective Equal Access Program in conjunction with LEB by regularly conducting workshops and investigations. They also provide pre-complaint intervention when individuals experience accessibility problems. As a result, CRB staff successfully negotiated 165 modifications during 2011 through pre-complaint intervention, and LEB negotiated an additional 13 modifications.

Examples of modifications secured in 2011 through the Commission are listed on page 7 in this report.

### **School Program**

Commission staff members visited 23 City schools and 19 youth centers in 2011. They conducted 295 sessions and taught over 6,074 students in grades 6-12. The classes cover: the Human Rights Law, Sexual Harassment, Conflict Resolution, Cyberbullying, and Peer Mediation. The Conflict Resolution workshops often lead to the schools' interest in the Commission's Peer Mediation Training Program.

The Commission's Peer Mediation Training

Program establishes a Peer Mediation program in the school and prepares middle and high school students to become Peer Mediators. These student mediators then assist their peers in resolving differences before they escalate into violence. CRB's approach to teaching peer mediation is grounded in the principles that underlie the Human Rights Law -- tolerance, human dignity, and respect. The 8-10 week program also teaches these young students valuable life skills such as patience, persistence, active listening, and problem solving, while presenting alternatives to threats and violence. Students, faculty, and staff benefit from the program. Approximately 20 students per school participate in the Peer Mediation Training Program. The Commission uses its *Talk it Over: A Peer Mediator's Guide* to assist the student mediators with the mediation process. A Commission-authored training manual is left with the school to assist the school coordinator in training additional students to sustain the program.

During 2011, 187 high school students from 13 schools throughout the City graduated from the Peer Mediation Training Program.

### **Fair Housing**

The Commission participates in many activities to promote fair housing -- equal housing opportunity under the law. These activities include: fair housing training for providers and protected groups; resolution of informal housing complaints, particularly those that are disability-related; investigation of unlawful real estate practices; providing technical assistance to tenants as part of the Citywide Task Force on Housing Court; and active participation in community activities that encourage harmonious intergroup relations and neighborhood stability. In 2011, CRB delivered 52 Fair Housing workshops.

### **Mortgage Counseling and Predatory Loan Prevention**

The Commission's 4 trained counselors are assigned to each of the Commission's borough-based Community Service Centers. The

Commission is a HUD-certified Housing Counseling Agency, receiving most of its clients from HUD when homeownership is in jeopardy.

CRB staff members conduct outreach and counseling services to address the community instability created by predatory lending practices. These practices include excessively high fees and commissions, misrepresentation of the mortgage's terms and conditions, high interest rates, repeated financing of loans, balloon payments, and the financing of high-cost credit insurance. CRB staff provided 573 counseling sessions for 81 homeowners facing foreclosure.

The Commission continued its outreach campaign to complement its counseling services. Staff members distribute information and helpful resources, including consumer and banking information. The Commission also participates in homeownership seminars and predatory lending workshops in communities more vulnerable to this type of discrimination.

### **Other Activities**

CRB's 2011 grant from the US Department of Justice Office of Special Counsel to support the Commission's ESOL program was extended until June 2012. CRB also continued grant activity from the Christopher and Dana Reeve Foundation to produce a series of 4 short web-based educational videos for individuals with disabilities seeking accessibility solutions.

CRB enhanced its fair housing and employment discrimination program for the formerly

incarcerated with interagency funding totaling \$118,750 from NYC Departments of Housing Preservation and Development, Health and Mental Hygiene, and Correction, Human Resources Administration; and the Brooklyn District Attorney's Office. These funds support presentations and publications in reentry organizations or correctional facilities and multiple fair housing projects for housing providers and NYC residents.

By year-end, the Commission delivered 85,916 units of service throughout the five boroughs, exceeding its benchmark but decreasing 4% from 2010.

The CRB staff delivered 128 workshops in a language other than English. Those languages were: Spanish - 112; Mandarin - 9; Haitian Creole - 1; French - 2; Russian - 1; Portuguese - 1; Nepalese -1; and Punjabi -1.

In addition, the Department of City Planning estimates that nearly 50% of all New Yorkers speak a language other than English at home and of those 49% are considered Limited English Proficient (LEP). They conclude that 25% of all New Yorkers are LEP. With that criteria, the Commission would estimate service to over 21,479 LEP individuals.

The Commission's educational programs and services were further supplemented in 2011 with funding from: JPMorgan Chase; and the Tiger Baron Foundation.

### **CRB Staff**

The Community Relations Bureau consists of 25 program and field staff and 4 support staff members.

## COMMUNITY PROGRAMS

IMMIGRANT EMPLOYMENT RIGHTS	<p>Program provides presentations and materials on employment and workplace protections for immigrants (City and Federal law ) including: immigrant workers, employers, and immigrant advocacy organizations;</p> <ul style="list-style-type: none"> <li>• ESOL adult literacy students at all learning levels;</li> <li>• ESOL, ESL, GRE, and ABE instructors.</li> </ul>
EMPLOYMENT DISCRIMINATION AND THE WORKPLACE	<p>Program provides presentations for:</p> <ul style="list-style-type: none"> <li>• clients in workforce development agencies and other back-to-work programs;</li> <li>• individuals with disabilities;</li> <li>• individuals with arrest and/or conviction records;</li> <li>• victims of domestic violence.</li> </ul>
EMPLOYMENT DISCRIMINATION AND REENTRY: <i>TURNING THE GAME AROUND</i>	<p>Program provides presentations and materials for incarcerated and previously incarcerated individuals in:</p> <ul style="list-style-type: none"> <li>• reentry community organizations;</li> <li>• correctional institutions;</li> <li>• parole and probation orientations.</li> </ul>
EQUAL ACCESS	<p>Program provides:</p> <ul style="list-style-type: none"> <li>• investigation of individual inquiries (interviews, space assessment, code assessment, analyzing possibilities of code compliance, discussion of the law);</li> <li>• intervention, i.e. educating and negotiating with owners;</li> <li>• group presentations regarding disability rights to consumers, business people, social service agencies, and hospitals;</li> <li>• drafting complaints and follow-up investigations.</li> </ul>
SCHOOL PROGRAM	<p>Program provides several curricula, including the "NYC Human Rights Law," "Sexual Harassment," "Cyberbullying," and "Resolving Conflict" to:</p> <ul style="list-style-type: none"> <li>• school classes (grades 6-12) or youth programs;</li> <li>• teacher and parent groups.</li> </ul>
PEER MEDIATION & COMMUNITY MEDIATION	<p>Program provides:</p> <ul style="list-style-type: none"> <li>• response to mediate bias and other community disputes;</li> <li>• peer mediation programs in schools;</li> <li>• conflict resolution training to personnel from community groups, not-for-profit and schools.</li> </ul>
FAIR HOUSING, MORTGAGE COUNSELING & PREDATORY LOAN PREVENTION	<p>Program provides:</p> <ul style="list-style-type: none"> <li>• fair housing training with HPD to contractors and developers;</li> <li>• community or parent group presentations on fair housing provisions of the Law;</li> <li>• weekly assistance in Housing Courts with the Citywide Task Force on Housing Court.</li> </ul> <p>HUD-referred counseling for individuals facing the loss of their homes that includes:</p> <ul style="list-style-type: none"> <li>• reviewing in person their financial and mortgage status;</li> <li>• writing letters to creditors or banks to negotiate payment;</li> <li>• exploring alternatives to foreclosure with individuals and lending institutions;</li> <li>• referring cases of suspected predatory lending;</li> <li>• distributing literature and participating in housing coalitions;</li> <li>• delivering community presentations on predatory lending and foreclosure prevention.</li> </ul>

# FY 2012 Budget

The Commission's funding comes primarily from City tax-levy monies and the Federal Community Development Block Grant (CDBG) administered by the US Department of Housing and Urban Development (HUD). A contract with the Equal Employment Opportunity Commission (EEOC) and a supplemental grant from the US Department of Justice provided additional funding. Interagency funding was also provided by the NYC Housing Preservation & Development, NYC Dept. of Health & Mental Hygiene, NYC Dept. of Correction, NYC Human Resources Administration, and ComALERT -- Kings County District Attorney's Office.

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City Tax-Levy	\$2,594,158
Federal Community Development Block Grant	\$4,525,000
<b>TOTAL</b>	<b>\$7,119,158</b>

## **Additional Program Grant Funding**

EEOC Contract (Workshare agreement)	\$84,900
US Department of Justice	\$66,000
Fair Housing Project -- NYC Housing Preservation & Development	\$99,750
Reentry Project -- NYC Dept. of Health & Mental Hygiene, NYC Dept. of Correction, NYC Human Resources Administration, ComALERT Kings County District Attorney's Office	\$19,000
<b>TOTAL</b>	<b>\$269,650</b>

# Major Highlights

## ***The Right To Work: Understanding Immigrant Employment Rights – Beginner Level***

The Commission's Immigrant Employment Rights Program includes a successful adult literacy curriculum for intermediate and advanced ESOL classes (English for Speakers of Other Languages). In 2011, the Commission created and launched a new curriculum for *beginner-level* ESOL classes with new lessons and workbooks for students and teachers. This new curriculum is funded by the US Department of Justice.

## **Workshops for Formerly Incarcerated and Inmates**

The Commission developed and has been providing workshops for the formerly incarcerated, inmates at 16 Facilities throughout the city, and dozens of reentry organizations, informing individuals of their rights under the City Human Rights Law and the services available from NYC agencies and through community organizations. The workshops focus on employment discrimination and successful transition from prison to home.

## ***Turning the Game Around: NYC Can Help***

The Commission published an information and resource guide for the formerly incarcerated and individuals who are soon-to-be-released from prison -- with funding assistance from the NYC Department of Health and Mental Hygiene, the NYC Human Resources Administration, the NYC Department of Correction, and the Kings County District Attorney's Office.

## **Equal Access for Individuals With Disabilities**

For the ninth year in a row, the Commission has successfully negotiated over 150 modifications in housing and public accommodations (such as ramps, grab bars, bell and buzzer systems, disability and companion seating at entertainment venues) for individuals with disabilities. Additionally, the Bronx Supreme Court upheld the Commission's Order to a building owner to make a front door accessible to a disabled tenant stating that they had not met their obligation by making a side door accessible.

## **Fair Housing Public Education**

The Commission ramped up its public education with a campaign to inform NYC residents of their rights to fair housing and encourage them to report discrimination. This intensified effort included community media events in all five boroughs, marking the 43rd anniversary of the passage of the federal Fair Housing Act and the 53rd anniversary of the passage of City's Sharkey-Brown-Isaacs Law -- the nation's first Fair Housing Law to extend protection against discrimination to private housing providers. Both the Federal and City Fair Housing Laws are central achievements of the Civil Rights Movement.

# Commission in the News

The Commission's Communications Division works closely with both the Law Enforcement and Community Relations Bureaus to develop a media strategy that would maximize the number of people the Commission reaches, informing them of the Commission's work and the NYC Human Rights Law. Part of this aggressive anti-discrimination campaign included highlighting the Commission's high-profile cases and events in mainstream, ethnic, and community press.

In 2011, the Commission appeared 311 times in the media, with the majority prominently featuring the Commission. These numbers do not include each media

outlet's online version of the story, or the multiple times a story was broadcast in a single day.

Significant placements in both print and electronic media included: The Associated Press, Reuters, NY 1 News, WPIX 11, NYC Media, The Filipino Channel, The Korean Channel, Gwangju Foreign Language Network, *The NY Times*, *The NY Daily News*, *NY Post*, *The NY Law Journal*, *Wall Street Journal*, *Staten Island Advance*, *Daily Mail* (UK), *NY Beacon*, *World Journal*, *Sing Tao Daily*, *The Korea Daily*, *Odessa on the Hudson*, *NY Able*, *Gothamist*, 77 ABC, and WNYC 93.9 and AM 820. Below and the following page provide a sampling of the Commission's 2011 highlights in the media.

## Disabled Co-op Resident Has Right to Use the Front Door, Court Says

**BY JOHN CAHER**  
A BRONX JUDGE has held that offering side-door access to a disabled co-op resident who cannot navigate the front door does not constitute a reasonable accommodation under the human rights law, but she drastically cut the damages ordered by the New York City Commission on Human Rights.  
Supreme Court Justice Mary Ann Briganti-Hughes agreed with the commission that the owner and management of Co-op City violated the New York City Administrative Code and discriminated against resident John Rose, who has cerebral palsy and uses a scooter to get around. But the judge found a \$51,000 compensatory damage

award and a \$50,000 fine excessive, cutting the award for mental anguish down to \$15,000 and the fine to \$5,000.  
According to the human rights commission, Mr. Rose's disease has progressed to the point where he has no use of his legs and limited use of his arms. Mr. Rose, 68, would wait at the front door until someone came along to let him in, and at times waited hours if no one else was entering or exiting the building, records show.  
Mr. Rose, a resident of Co-Op City for 30 years, asked the management company in 2008...  
**Online**  
The Bronx Supreme Court decision is posted at [nyj.com](http://nyj.com).



John Rose next to the Co-Op City entrance he cannot navigate.

NY Law Journal 10/11/11

## FORUM HELPS PAROLEES GET BACK ON TRACK



The city's human rights commissioner, Patricia L. Gulling, right, joins with panelists providing information on job training and counseling, housing, health and legal services to more than 100 parolees and probationers. Thursday's event, titled "Making Reentry Our Community Goal," featured 25 city and community service agencies and took place at the Gerard Carter Community Center in Stapleton.

SI Advance 10/29/11



Commissioner Chair Patricia L. Gulling (right) of the NYC Commission on Human Rights and Board Chair Maria Chakravorty (left) of Diaspora Community Services mark the anniversary of Federal and City Fair Housing Laws with efforts to inform tenants and homeowners of their rights under the City Human Rights Law and encourage them to report discriminations. © photo: Betty Sterling

## Human right commission encourages tenants of their rights under the law

NYC Human Rights Commission's campaign also offers the 53rd anniversary of the City's passage of the Shaker-Brown-Rosen Law, which was an effort to ensure before the

Commission's campaign also offers the 53rd anniversary of the City's passage of the Shaker-Brown-Rosen Law, which was an effort to ensure before the

NY Beacon 4/21/11

## NY1 For You: Disabled Manhattan Tenant Gets Fully Accessible Bathroom

By Rocco Vertuccio

The new year brought a much-needed gift for one mother who struggled to bathe her 40-year-old blind disabled daughter in their Washington Heights apartment without a bathroom. NY1's Rocco Vertuccio filed the following NY1 For You report.

Last March, NY1 first met Gladys Salva and her daughter Tina, who is blind and suffers from brain damage and cerebral palsy. At the time, the Salvass lived in one of the five apartments in a Washington Heights building where the tenants' bathrooms were torn out. They were forced to use bathrooms in vacant unlocked apartments throughout the building.

"We have to put her on the wheelchair at 6 o'clock in the morning, when she wakes up wet, to bring her out to the cold hall to go to a vacated apartment," said Gladys Salva at the time.

The tenants had been in court for five years with their landlord. Since NY1 first reported the story, a New York City Housing Court Judge appointed an administrator to run the property.

Gladys Salva was delighted to finally have a bathroom, until she realized the bathtub did not fit the disabled seat for Tina. Bathing her 40-year old daughter became difficult and dangerous.

City Human Rights Law requires that landlords must provide a reasonable accommodation to their disabled tenants, unless it is financially or architecturally impossible.

So NY1 asked the Human Rights Commission to intervene and the agency worked with the building's administrator to have a flipdown seat bolted to the wall, grab bars rearranged, and a handheld showerhead attached.







# Executive Staff

**Patricia L. Gatling**

Commissioner/Chair

**Cliff Mulqueen**

Deputy Commissioner/General Counsel

**Lee Hudson**

Deputy Commissioner for Community Relations

**Carlos Vélez**

Executive Director for Law Enforcement

**Nimer Basha**

Assistant Commissioner for Human Resources

**Alex Korkhov**

Executive Director for Community Relations

**Betsy Herzog**

Director of Communications

# Commissioners

The Human Rights Commissioners are appointed by the Mayor to serve in a non-salaried position, assisting the Commissioner and Chair, Patricia L. Gatling, in addressing issues of discrimination.

**Reverend Dr. Calvin O. Butts III**

Pastor of the Abyssinian Baptist Church, one of the founders of the Abyssinian Development Corporation, and President of the State University of New York College at Old Westbury.

**Dr. Eda F. Harris-Hastick**

ACSW, Ed.D., tenured Professor of Social Work at Medgar Evers College of the City University of New York and a licensed clinical social worker.

**William Hibsher**

Esq., Litigation Partner at Bryan Cave, LLP in NYC.

**Renee Lobo**

Producer, broadcast journalist, investigative reporter and anchor for International Television.

**Rabbi Haskel Lookstein**

Rabbi of Congregation Kehilath Jeshurun and Principal of the Ramaz School.

**Grace Lyu-Volckhausen**

President of the Tiger Baron Foundation.

**Omar T. Mohammedi**

Esq., Private attorney specializing in employment discrimination and corporate and real estate transactions.

**Dr. Derek Bryson Park**

Ph.D., Managing Director at Mahler & Emerson Inc.; Vice-Chair of the NYC Industrial Development Agency; Vice-Chair of the NYC Capital Resource Corporation.

**Rabbi Joseph Potasnik**

Executive Vice President of the NY Board of Rabbis, Senior Rabbi at Congregation Mt. Sinai in Brooklyn Heights, author, and radio personality and commentator.

# Publications

## Booklets:

*NYC Commission on Human Rights*

English/Chinese  
English/French  
English/Haitian Creole  
English/Korean  
English/Russian  
English/Spanish

*Discrimination Against Muslims, Arabs and South Asians in New York City Since 9/11*  
Survey report

*Equal Access: It's the Law*  
English/Chinese  
English/Korean  
English/Russian  
English/Spanish

*Fair Housing: It's the Law*  
English/Chinese  
English/Korean  
English/Spanish

*Guidelines Regarding Gender Identity Discrimination*  
English/Spanish

*Making It Happen & Staying Home: Services For You\**  
English/Spanish  
Pocket guide for prisoners and formerly incarcerated

*Turning the Game Around: NYC Can Help\**  
English/Spanish  
Pocket guide for prisoners and formerly incarcerated

*Race At Work: Realities of Race and Criminal Record in the NYC Job Market* by Dr. Devah Pager and Dr. Bruce Western

Report on the impact of race, ethnicity and criminal records on securing entry-level positions in NYC

*Talk It Over—A Peer Mediator's Guide\**

*The NYC Human Rights Law: Administrative Code of the City of NY Title 8*

*The Right to Work: Understanding Immigrant Employment Rights*  
Beginner/Intermediate and Advanced Levels

## Cards:

Commission Offices, Law, and Services  
English/Spanish

Domestic Violence and Employment Rights  
English/Arabic  
English/Chinese  
English/Haitian Creole  
English/Korean  
English/Polish  
English/Russian  
English/Spanish  
English/Urdu

Employment Discrimination (English/Spanish)

Fair Housing  
English/Chinese  
English/French  
English/Haitian Creole  
English/Korean  
English/Russian  
English/Spanish

Gender Identity

Housing Discrimination  
English/Chinese  
English/Haitian Creole  
English/Italian  
English/Korean  
English/Russian  
English/Spanish

Immigrant Employment Rights  
English/Chinese  
English/French  
English/Haitian Creole  
English/Korean  
English/Polish  
English/Russian  
English/Spanish

Peer Mediation

Pregnancy and Employment Rights  
English/Chinese  
English/Russian  
English/Spanish

School Program

Sexual Harassment  
English/Spanish

## Brochure:

*Mediation Questions and Answers\**

*Sexual Harassment in the Workplace*  
English  
Spanish

## CCHR Newsletters:

2002 – 2010

Immigrants and New Citizens 2011 – 2012\*

## Annual Reports:

2002 – 2011 Available online: [www.nyc.gov/cchr](http://www.nyc.gov/cchr)

## Posters:

Fair Housing  
English  
Spanish  
Multi-lingual

*From Many Countries, One City*  
Multi-lingual

## CD-ROM:

*Discrimination and Race Relations: Selected Reports From the NYC Commission on Human Rights (1935 – 2005)*

100 selected major reports, speeches, surveys, documents, testimony from public hearings, and policy papers since the Commission's earliest days in 1934 as a voluntary mayoral committee

## DVD:

*Fighting for Justice: NY Voices of the Civil Rights Movement*

Apollo Panel Discussion  
NYC TV Broadcast copy  
Esther Cooper Jackson  
Clifford L. Alexander, Jr.  
Elsie Richardson

\*Currently not available online

# Office Locations/Contact Information

## Main Office

Dial 311 or Tel: (212) 306-7500

Fax: (212) 306-7658

NY Relay Services:

(800) 421-1220 English

(877) 662-4886 Spanish

711

## For Mortgage Counseling Services, call

Brooklyn and Queens

(718) 657-2465

Bronx

(718) 579-6900

Manhattan and Staten Island

(212) 306-5070

## Website

[www.nyc.gov/cchr](http://www.nyc.gov/cchr)

## Community Service Centers

### Manhattan

40 Rector Street, 10th Floor

New York, NY 10006

### Queens

153-01 Jamaica Avenue, 2nd Floor

Jamaica, NY 11432

### Bronx

1932 Arthur Avenue, Room 203A

Bronx, NY 10457

### Staten Island

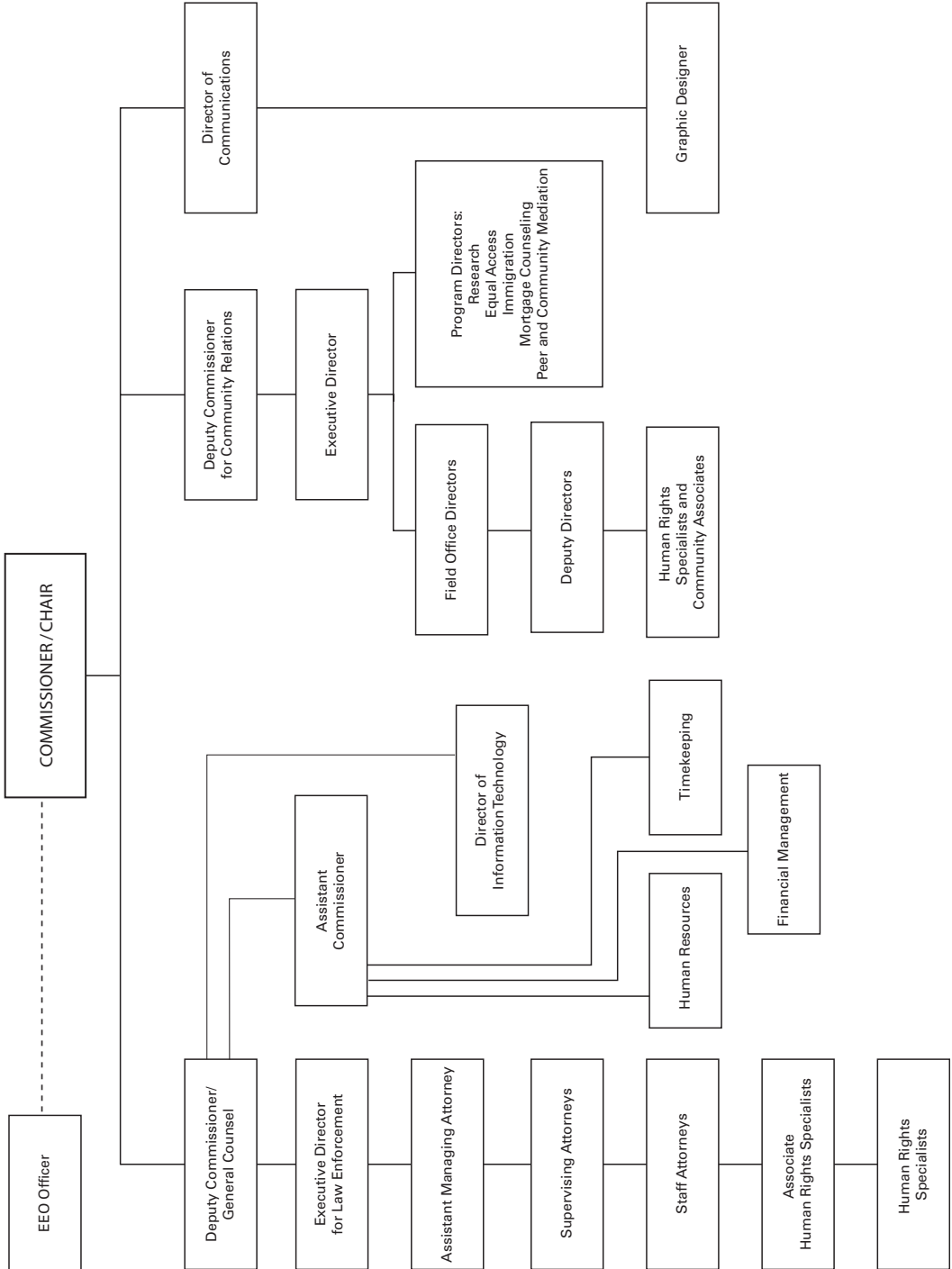
60 Bay Street, 7th Floor

Staten Island, NY 10301

### Brooklyn

275 Livingston Street, 2nd Floor

Brooklyn, NY 11217







**NEW YORK CITY COMMISSION ON HUMAN RIGHTS**

MICHAEL R. BLOOMBERG, Mayor  
PATRICIA L. GATLING, Commissioner/Chair

