

NEW YORK CITY

COMMISSION ON  
HUMAN RIGHTSMAYOR  
MICHAEL R. BLOOMBERG

CCHR NEWSLETTER

COMMISSIONER  
PATRICIA L. GATLING

# Top Ad Agencies Sign Historic Diversity Agreements with CCHR

In September 2006, the Commission successfully negotiated agreements with the CEOs of 16 of the City's largest advertising agencies to boost minority representation in their creative and managerial positions, and make their firms more reflective of the City's diversity. These groundbreaking agreements provide the framework for the hiring, retention and promotion of minorities and require the agencies to establish recruitment goals and report those goals at the beginning of each year.

Additionally, the agencies are required to report their demographics, and provide data detailing staff promotions and separations. Should the agencies fail to achieve their goals in any year, they must hire consultants to assist them in the following year.

The agencies that signed agreements are: Arnold Worldwide and Euro RSCG Worldwide (HAVAS); BBDO, DDB, Merkley + Partners, and PHD USA (OMNICOM); Avrett, Free & Ginsberg, Draft New York, FCB New York, and Gotham, Inc (IPG); Grey Direct, Grey Interactive, Ogilvy & Mather, and Young & Rubicam (WPP); Kaplan Thaler Group, LTD and Saatchi & Saatchi (PUBLICIS GROUPE).

The Commission conducted a two and one-half-year investigation into 16 of the city's largest advertising agencies' hiring, promotion and retention practices following complaints that minority employment levels in the advertising industry in New York City had not kept up with other industries and did not reflect the City's diversity.

The Commission's investigation revealed that the number of minorities, particularly African-Americans, had barely increased since the 1960s, when the Commission held hearings on the same issue. Of 8,000 employees working at the 16 ad firms the Commission examined, approximately twenty-two percent earned more than \$100,000 and only 2.5% of that group were African-American. African-Americans make up one quarter of New York City's population.

As a result of the 16 historic diversity agreements, the Commission cancelled public hearings on the issue scheduled for September 25, 2006.



Commissioner Patricia L. Gatling (front-center) and her executive staff's collective efforts resulted in the landmark diversity agreements with City's top advertising agencies. (l-r, front) Deputy Commissioner of Community Relations Lee Hudson, Commissioner Gatling, Director of Communications Betsy Herzog, (l-r, back) Deputy Commissioner/General Counsel Cliff Mulqueen, Assistant Commissioner of Human Resources Nimer Basha, and Deputy Commissioner of Law Enforcement Avery Mehlman.



A Brighton Beach resident leaves his building unassisted due to a newly installed ramp.

## Making Brighton Beach Accessible to its Residents

As part of its aggressive equal access efforts under the Human Rights Law, CCHR targeted Brighton Beach because of its large number of elderly and disabled individuals, and a high percentage of inaccessible residential multiple-dwelling buildings. Of the 83 buildings CCHR surveyed, 56 were inaccessible due to a few steps at the entrances or in the lobbies. Commission staff interviewed residents who had been unable to leave their apartments for years.

During 2006, Commission staff successfully negotiated modifications for 23 buildings with 1,696 units, making those buildings accessible to over 3,500 tenants. The Commission achieved these modifications primarily through pre-complaint intervention and will continue to work in Brighton Beach until the remainder of the buildings the Commission identified are made accessible to their residents.

The Commission is evaluating other neighborhoods for their accessibility to disabled and elderly residents.

## NEW YORK CITY COMMISSION ON HUMAN RIGHTS



### MOVING FORWARD Commissioner's Message

In one of my proudest moments as NYC Human Rights Commissioner, we signed agreements with the CEOs of the City's largest advertising agencies who will increase their minority ranks—particularly in the creative and managerial positions—making their workforce more reflective of the City's rich diversity.

The agreements require 16 ad firms to establish recruitment, promotion, and

retention goals and issue an annual report specifying the race, title and salary of each employee hired and promoted.

These groundbreaking agreements underscore the Commission's commitment to ensuring a diverse NYC workforce. The ad industry—historically lacking diversity—is responsible for marketing products to millions of African-American and Hispanic consumers. Yet, the individuals responsible for this marketing—the creative directors—generally do not come from the minority communities.

I commend the CEOs of the agencies for committing themselves to an enhanced equal employment opportunity program that will yield lasting results. The transparency created in these agreements will also help ensure their success.

The 16 agreements are the culmination of our three-year investigation into the employment practices of the high-profile industry of advertising—an investigation that revealed that minority employee levels at the agencies were well below the levels in other industries. In this day and age, that can't be tolerated, especially since these advertisers work for many major corporations that have a large minority client base. Also, what made the situation more distressing is that the number of

minorities at these ad firms, particularly African-Americans, had barely increased since the 1960s.

Our investigations don't always begin as a result of reports from members of the public. Often, we take a proactive approach toward combating systemic discrimination in the City. We test daily for discrimination and we have begun a new testing program in employment for race discrimination. Based on a Princeton University study that the Commission assisted with, we are measuring the role that race plays in obtaining entry-level employment in the City. Unlike the previous study where no formal complaints were filed, the Commission is filing charges against any employer found discriminating. We are also stepping up our proactive testing in housing to uncover discriminatory practices by real estate agents, building owners, and managers.

Discrimination is unacceptable anywhere, but especially in a City as diverse as New York. We will continue to enforce one of the strongest civil rights laws in the nation to promote equal opportunities for everyone who lives in, works in, and visits our great City.

*Patricia L. Gatling*

### Grants/Honors/Appointments

#### Commissioner Honored by University of Maryland

The University of Maryland (UM) Law School honored Commissioner Gatling with its prestigious Benjamin Cardin Public Service Award. Commissioner Gatling, a UM Law graduate, was recognized for a career in public service. In addition to her work at the Commission, she teaches law enforcement officers around the world about human rights and democratic policing as part of a State Department program through John Jay College of Criminal Justice. Prior to her appointment as Commissioner by Mayor Bloomberg, she served as the First Assistant District Attorney at the Kings County District Attorney's Office.

#### Appointment



Dr. Eda Harris-Hastick

Mayor Bloomberg recently appointed Dr. Eda Harris-Hastick to the Commission. Dr. Hastick is a tenured Associate Professor of

Social Work at Medgar Evers College (MEC) of the City University of New York and a licensed clinical social worker with over 35 years experience. Previously, she served as Director of College Counseling Services and Chairperson of Special Programs at MEC; Assistant Chief of Alcoholism Services at Harlem Hospital

Center; and Administrator at NYC Department of Mental Health, Mental Retardation and Alcoholism Services. She is a founding member of the Caribbean-American Chamber of Commerce and Industry and currently sits on its board. Dr. Hastick received a B.A. in Sociology/Anthropology from Queens College, a Masters in Social Work from Smith College, School of Social Work, and a Doctorate in Education from Columbia University. Dr. Hastick is widely recognized for her professional and academic work, her research, leadership and community service.

#### New Staff Attorneys

CCHR added four new attorneys to its staff: Paula Edgar – J.D., CUNY School of Law; Mikki Collier – J.D., NY Law School; Paul McCulloch-Otero – J.D., Temple University Beasley School of Law; and Ann Macadangdang – J.D., NY Law School. They will investigate complaints of discrimination and prosecute violators.



Left to right: Paula Edgar, Mikki Collier, Paul McCulloch-Otero, and Ann Macadangdang.



## New Executive Director Named



Alex Korkhov

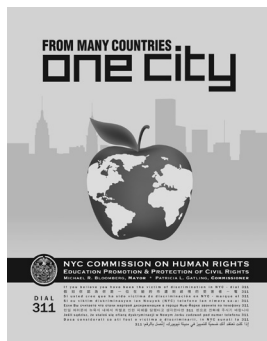
Alexander Korkhov was named Executive Director of the Community Relations Bureau in October 2006. His responsibilities include the development and implementation of the Commission's community relations policies and programs to cultivate a mutual understanding and respect among the City's many diverse communities. He oversees the day-to-day operations of the Bureau.

Mr. Korkhov has been with the Commission for fourteen years and most recently, he was the Co-Director of the Staten Island Community Service Center.

Mr. Korkhov received a Bachelor's Degree from the University of Maryland, a Masters Degree in Public Administration from Long Island University, and a Masters Degree in Library Science from Queens College, CUNY.

## Ad Campaign Hits Every City Street

CCHR's citywide public awareness campaign—launched in late 2005—ran throughout much of 2006, reaching millions of New Yorkers and visitors with a message of welcome and unity. The multi-lingual *One City* posters were displayed at phone kiosks, bus shelters and on the City's 3,000 Sanitation trucks and street sweepers, which hit all 6,300 "curb miles" of City streets. The campaign complemented CCHR's vigorous enforcement of the Law and its aggressive community outreach.



## Legislative Highlights

Commissioner Gatling testified before the City Council's new Civil Rights Committee on February 14, 2006, providing them with an overview of CCHR's work; and again before the same committee on March 23, 2006, April 28, 2006, and May 31, 2006, updating them on the work of the Commission, its budget and the *Race At Work* study. Commissioner Gatling testified before the Civil Rights Committee and Consumer Affairs Committee on November 28, 2006, regarding Fair Housing issues.



Commissioner Patricia L. Gatling spoke at a forum on minorities and the advertising industry—regarding CCHR's investigation into the industry's hiring practices and CCHR's efforts to diversify the City's largest ad firms—during the Congressional Black Caucus Foundation's 36th Annual Legislative Conference held in September 2006 in Washington D.C. Congresswoman Carolyn Cheeks Kilpatrick (left - 13th District, MI) hosted the forum.

## COMMISSION IN THE NEWS

### N.Y. Shops Pledge New Devotion to Diversity

Omnicon agencies take own path, 11 others sign agreement

BY WENDY NELLELO

WASHINGTON The ongoing issue of the ad industry's lack of diversity made headlines again last week, but with a fresh twist. For the first time, 11 agencies signed binding covenants.

Group: Gotham and Avert Free Ginsberg, Four WPP agencies signed: Young & Rubicam, G2 Direct, G2 Interactive and Ogilvy & Mather. Two Publicis Groupe shops signed, The Kaplan Thaler Group and Saatchi & Saatchi, as did Havas' Euro RSCG.

Mehman said he expected that Havas' Arnold Worldwide would also sign.

the commission," the source said. "But they overplayed their hand."

In a Sept. 6 letter to the New York City Council by an Omnicon attorney, the separate agreement calls for establishing an advisory committee made up of "leading executives and human resource professionals of various Omnicon agencies and members appointed by the civil rights committee of the New York City Council working with members of respected civil rights organizations." The deal also calls for paying \$2.5 million over five years to provide training and education.

AdWeek  
9/11/06 Page 8

### Advertising Age

CRANFORD INTERNATIONAL NEWSPAPER OF MARKETING (U.S. \$5.00, CANADA \$10.00, U.K. £3.00)

Advertising Age  
6/12/06 page 1

### NYC slaps subpoena on ad chiefs

DIVERSITY DEBATE: Hearings on hiring practices coincide with Advertising Week

BY LISALANDERS

THERE WILL BE TWO PARADES taking place during September's Advertising Week: a march of ad icons and a procession of Madison Avenue's leading execs.

### 宣传多元移民文化

市人权委员会活动延至月底

【本報記者張曉明報導】由紐約市多元文化委員會主辦的「宣傳多元移民文化」活動，原訂於九月八日舉行，但由於當日是「九一三」國慶日，活動將延至月底舉行。該活動旨在向公眾宣傳多元移民文化，並提高公眾對多元文化的認識。活動內容包括：在曼哈頓中區華埠舉行遊行，展示各種多元文化的標語和旗幟；在華埠舉行文化表演，包括舞龍、舞獅、武術、民族舞蹈等；在華埠舉行文化展覽，展示各種多元文化的藝術品和手工藝品。

委員會主席 Patricia Callahan 表示，紐約的多元文化是其在人口上的最大特色，也是其經濟和社會活力的重要因素。她呼籲公眾支持多元文化，並尊重每個人的權利。她還表示，委員會將繼續努力，促進多元文化的發展，並提高公眾對多元文化的認識。



China Press  
2/18/06 Page 3

### Human Rights Commissioner Honored by U.S. Army



THE UNITED STATES ARMY GARRISON FOR: HAMILTON honored NYC Human Rights Commissioner Chair Patricia L. Gatling on February 28, 2006 during their annual Black History Observance on

Our Times  
3/8/06 Page 11

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NEW

### New York City Ad Firms Agree To Hire More Black Managers

By DIANE CARDWELL and STUART ELLIOTT  
Finding that just 2 percent of the nation's creative and managerial staffs and to report on their progress each year.

Under the agreements, the agencies have agreed to submit to three years of monitoring by the city, under which the companies will report hiring, promotion and retention figures to the commission each year. If they do not meet their goals, they will hire an outside consultant to help.

The city's Human Rights Commission found that hiring of black workers had barely improved since 1994, and that the industry found similar problem years ago. Of 8,000 employees

NY Times  
9/08/06 page A1

## Free to choose

### MTA settlement will allow transgender patrons to use either men's or women's public rest rooms

BY SARA STEFANINI  
and NEW YORK

Transgender New Yorkers won the right to use any restroom they choose at MTA stations after a lawsuit was settled between a Chelsea woman and the agency.

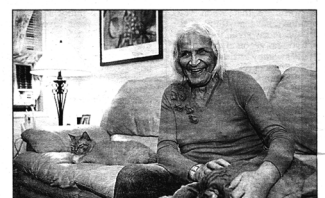
The agreement yesterday came as advocates prepare to tackle the same issue with the Port Authority. The advocates say that police arrested three transgender women for using

Stone, who began hormone replacement therapy 11 years ago. "It's like the world was lifted off my shoulders after a few months of hell."

Transit police charged her with disorderly conduct. She said the officers verbally abused her after she presented a man's work credentials. The charges were dropped after a protest in March.

As part of the agreement, the MTA will also sponsor a transgender sensitivity training program for employees, said Michael Silverman, an attorney for the Transgender Legal Defense and Education Fund. Silverman filed the complaint with the city Commission on Human Rights.

Both Silverman and Stone



Helena Stone, at home in damages in the rest-

Newsday  
10/24/06 Page 8

## N.Y. ad agencies vow to address lack of diversity

### People of color hold few top jobs

By Theresa Howard

USA TODAY

NEW YORK — Jimmy Smith is at the top of his game. His work as executive creative director at ad agency BBDO includes the launch of Motorola's Ratz phone and iTunes, and he's shown mu-

got a phone call from Warren, Mich., agency Campbell-Ewald. He says that in 1994, principal Dan Wieden pulled him back to his home in the Bronx. Smith wrote Wieden a letter asking for a job. Wieden's response was a letter questioning whether the reason was that he had been the agency's first black copywriter. "I was not hired because I was black," Wieden said. "I was hired because I was a good copywriter."

Advertising

One-based Wieden & Kennedy. But he says that in 1994, principal Dan Wieden pulled him back to his home in the Bronx. Smith wrote Wieden a letter asking for a job. Wieden's response was a letter questioning whether the reason was that he had been the agency's first black copywriter. "I was not hired because I was black," Wieden said. "I was hired because I was a good copywriter."

Now, the seven-page agreement signed by agencies in New York should boost such efforts. They include annual progress reports to the city and fines of up to \$10,000 for each agency that fails to meet its goals.

USA Today  
9/21/06 Page B3

September 14, September 20, 2006

THE NEW YORK AMSTERDAM NEWS

### Ad firms sign agreement to employ more Blacks

By HERB ROYD  
Special to the Amsterdam News  
The more things change, the more they remain the same, could be an axiom for the city's ad firms, which in 40 years have experienced no appreciable gain in the presence of Black managers.

With their feet forced to the fire by the New York City Human Rights Commission, several of the most prominent advertising agencies have agreed to remedy the situation

Free & Ginsberg; Draft New York; Euro RSCG Worldwide; PDB New York; Gotham, Inc.; Grey Direct; Grey Interactive; Kaplan Thaler Group, LTD.; Ogilvy & Mather; Saatchi & Saatchi; and Young & Rubicam.

These groundbreaking agreements will result in real-world career opportunities and transparency, allowing people, regardless of color, to make informed decisions about the products they buy," said Gatling.

"I am encouraged by the enthu-

Such opportunities certainly did not exist back in the 1960s, when the Rev. C. Vernon Mason was among a number of Black students seeking jobs in the advertising industry.

"I received a fellowship to Indiana University and entered

a program devised to assist minorities interested in obtaining an MBA," said Mason, who recently the executive director of the Fund for Community Leadership Development, Inc. "It wasn't just an diversity, it

(Continued on Page 6)

## NEW YORK CITY COMMISSION ON HUMAN RIGHTS

### High School Peer Mediators Attend CCHR's *Are We Cool?* Conference

On December 1, 2006, the City Commission on Human Rights held a unique one-day conference for 200-city high school students who are practicing peer mediators in their schools and their faculty advisors. The conference, *Are We Cool? A Conference for Peer Mediators*, built on the mediation and conflict resolution skills that head off serious conflict in the schools. It also gave the students the opportunity to meet other student mediators to share some of their experiences and success stories.

Joining Commissioner Gatling at the event was Mark A. Willis, Executive Vice President of Community Development at JPMorgan Chase. Chase provides supportive funding for the Commission's Peer Mediation Program and also funded the *Are We Cool?* conference. The conference took place at JPMorgan Chase's lower Manhattan offices.

The conference workshops were conducted by CCHR staff and members of: NYC Department of Education, Association for Conflict Resolution of Greater NY, Creative Response to Conflict, Crown Heights Community Mediation Center, CUNY Dispute Resolution Consortium, NY Center for Interpersonal Development, and the Office of Administrative Trials and Hearings – Center for Mediation Services.

Right: Student peer mediators participate in one of the two workshops provided at *Are We Cool? A Conference For Peer Mediators*. This exercise teaches students how to communicate with other students from different backgrounds.

Below: Commissioner Patricia L. Gatling kicks off *Are We Cool? A Conference For Peer Mediators* at the JPMorgan Chase offices in Lower Manhattan.

Below right: Adneri Ponce, Deputy Director of the Commission's Queens Community Service Center and a conference trainer, explains a mediation exercise during the conference.



Chris Walter, Deputy Director of the National Technical Assistance at the Center for Court Innovation and one of the conference trainers, addresses 200 city high school practicing peer mediators and faculty advisors prior to the *Are We Cool?* workshops. The one-day conference provided the group with additional mediation training.

#### THE LAW

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 AND FAMILY STATUS. THE CITY HUMAN RIGHTS LAW ALSO PROHIBITS RETALIATION AND BIAS-RELATED HARASSMENT.

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