

# 2015 ANNUAL REPORT

**BILL DE BLASIO**, Mayor

**CARMELYN P. MALALIS**, Commissioner/Chair

Commission's Fair Chance Act Media Event at the HOPE Program, whose mission is to empower New Yorkers living in poverty to achieve economic self-sufficiency through employment and advancement.

Photo Credit: Mariela Lombard for the NYC Commission on Human Rights



**Commission on  
Human Rights**

# 2015

## ANNUAL REPORT



# Message from the Mayor



I am incredibly proud of all we have accomplished in the year since I appointed Carmelyn P. Malalis as Chair and Commissioner of CCHR. Already home to one of the most comprehensive human rights laws in the country, New York has continued to strengthen the legal protections available to residents and to those who work in and visit our great city. In the past year, new laws have removed unnecessary barriers to employment, by preventing employers from discriminating against job applicants on the basis of their credit or criminal history, and created additional measures to combat discrimination through housing and employment testing programs.

Under the leadership of Commissioner Malalis, CCHR remains robustly committed to protecting and advocating for all New Yorkers. By prosecuting violations of the Human Rights Law, educating individuals about their rights, and conducting outreach programs, the Commission on Human Rights plays a pivotal role in ensuring that New York fulfills its promise as a city where everyone can thrive, regardless of who they are or where they come from. I invite you to learn more about the Commission's work in its 2015 Annual Report.

A handwritten signature in black ink that reads "Bill de Blasio". The signature is written in a cursive, flowing style.

Bill de Blasio  
Mayor



# Message from the Commissioner



This February marked my one-year anniversary as Commissioner and Chair of the New York City Commission on Human Rights (the “Commission”) – what a year it has been! Our team came together with a mission to transform, connect, and deliver, and I am incredibly proud of the work the Commission has accomplished.

Thanks to the support of the Mayor and the City Council, the Commission has grown both in size and in scope. Our staff is dedicated to transforming the agency into a vital, efficient, and responsive resource for the community as well as a credible venue of justice for all New Yorkers. We added staff; restructured to improve supervision, training, and staff development; and created new departments to address agency needs and priorities. We strengthened our team by hiring highly-skilled and experienced civil rights attorneys, community advocates, and leaders who bring deep community connections and/or cultural or linguistic competency to help us build relationships with communities unfamiliar with the Commission and effectively serve the City’s many diverse communities.

The Commission expanded both its Community Relations Bureau (“CRB”) and the Law Enforcement Bureau (“LEB”) over the last year. CRB works closely with LEB to address community needs and educate the public on the rights afforded, and obligations imposed, by the New York City Human Rights Law (“NYCHRL”). This year, we built new relationships with small business and housing provider communities, community-based organizations, and sister agencies; provided free regularly scheduled workshops in English and Spanish; and met with community stakeholders to address their concerns. As a result of improved coordination within the agency, CRB’s work on the ground informs LEB’s targeted and strategic enforcement efforts. Our strategic approach enabled LEB to file 31% more cases last year than in 2014.

The Commission’s presence in print, television, and social media has dramatically increased as we work to expand its exposure throughout New York City. We launched two highly visible campaigns in 2015, on the Stop Credit Discrimination in Employment Act and the Fair Chance Act, with advertisements on subways and buses, social media, and community and ethnic media radio and print outlets. Dozens of newspaper and news websites featured the Commission’s work, as well as radio and television, including *The New York Times*, *Politico*, *Associated Press*, *New York Daily News*, *The Metro*, *El Diario*, *Buzzfeed*, *The Advocate*, WNYC, 1010 WINS, NBC News, NY1, Univision, and Telemundo. The Commission’s visibility on social media and the web has also dramatically increased. In the past year, our Facebook and Twitter follower base increased by over 400% and 1,100%, respectively and we doubled the average number of page views and tripled the average number of new visitors to our website. We encourage you to follow us and visit the website regularly to stay current on all of the Commission’s developments.

In 2016, the Commission will continue its transformation by adding staff, upgrading systems to improve efficiency and data collection, and initiating the agency’s first rulemaking process in nearly 20 years, while continuing to develop community relationships throughout the City. My staff and I are committed to creating an agency responsive to the many diverse communities of New York City and restoring a venue for justice for all New Yorkers. Please learn about the Commission’s work over the past year, reach out to us, and partner with us.

A handwritten signature in black ink, appearing to read 'C. P. Malalis', written in a cursive style.

Carmelyn P. Malalis  
Commissioner and Chair





# Table of Contents

<b>Introduction</b>	<b>1</b>
The Commission’s Complaint Process	2
<b>Law Enforcement Bureau</b>	<b>4</b>
Complaints Filed in 2015	4
Pre-Complaint Interventions	6
Areas of Increased Investigations in 2015	6
LEB Determinations in 2015	6
Damages Awards and Civil Penalties	7
Case Examples	8
LEB Staff	10
<b>Decisions and Orders</b>	<b>11</b>
<b>Inquiries</b>	<b>12</b>
<b>Community Relations Bureau</b>	<b>13</b>
Education and Training About the NYCHRL	13
Equal Access for People with Disabilities	14
Workforce Development and Back to Work	15
Re-Entry Programs, Incarcerated and Formerly Incarcerated Individuals	15
Serving the City’s Immigrant Communities	16
Outreach and Education to Students, Schools, Educators and Staff	17
Serving the City’s LGBTQ Communities	17
Fair Housing Services and Programs	19
Mortgage Counseling and Predatory Loan Prevention	19
Overall Assistance by CRB	19
CRB Staff	21
<b>Agency-Wide Highlights</b>	<b>22</b>
Commission Greatly Expands Size and Reach	22
Commission Prioritizes Transparency and Community Engagement	22
Commission Expands Language Access	23
Two New Protections Added to the NYCHRL	24
Commission Launches Cultural Competency Trainings for Staff	24
<b>Commission in the News</b>	<b>25</b>
<b>FY 2016 Budget</b>	<b>28</b>
<b>Commissioners</b>	<b>29</b>
<b>Publications and Materials</b>	<b>30</b>
<b>Office Locations/Contact Information</b>	<b>34</b>



# Introduction

The New York City Commission on Human Rights (the “Commission”) is the agency charged with the enforcement of the New York City Human Rights Law (“NYCHRL”), Title 8 of the Administrative Code of the City of New York. The NYCHRL is one of the most comprehensive anti-discrimination laws in the country. It includes protections in public accommodations, housing, and employment based on race; religion/creed; color; age; national origin; alienage or citizenship status; gender; gender identity and expression; sexual orientation; pregnancy; disability; and marital or partnership status. Additional protections are included in employment based on arrest or conviction record; status as a victim of domestic violence, stalking, sex offenses; unemployment status; and credit history; and as of May 4, 2016, status as a caregiver. More protections are afforded in housing based on lawful occupation, lawful source of income, and the presence of children.

The NYCHRL also prohibits retaliation, discriminatory harassment or violence, and bias-based profiling by law enforcement. In addition, the law requires employers to make reasonable accommodations for people with disabilities; religious observances or practices; pregnancy, childbirth or related medical conditions; and for victims of domestic violence, sex offenses or stalking. Housing providers and public accommodations are also required to make reasonable accommodations for people with disabilities.

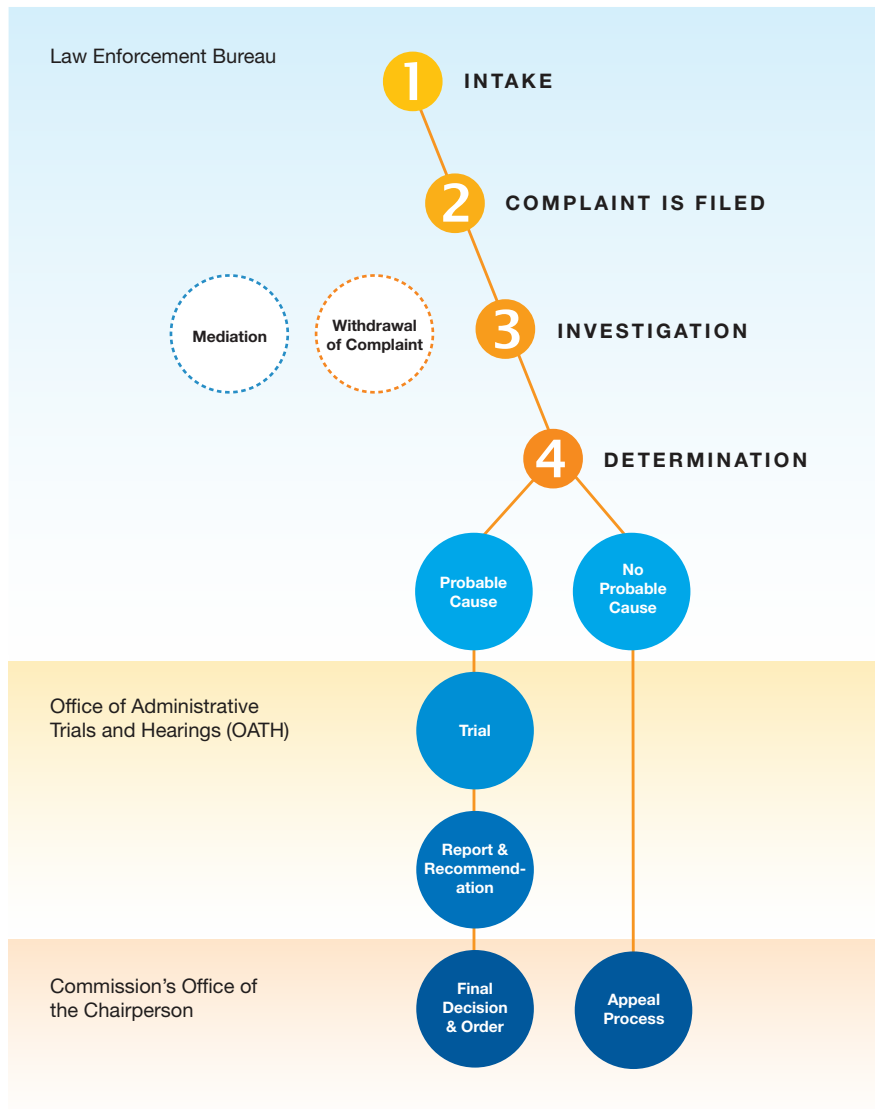
The Commission is divided into three major areas – the Law Enforcement (“LEB”) and Community Relations (“CRB”) Bureaus, and the Office of the Chairperson. The Law Enforcement Bureau is responsible for the intake, investigation, and prosecution of NYCHRL violations, including those that raise systemic violations. CRB, through borough-based Community Service Centers (“CSC”), helps cultivate understanding and respect among the City’s many diverse communities through pre-complaint interventions, conferences, workshops and training sessions, among other initiatives. The Office of the Chairperson houses the legislative, policy, and adjudicatory functions of the Commission, and convenes meetings with the agency’s commissioners.

With two new protections added in 2015, the Commission expanded and increased its investigations. The Stop Credit Discrimination in Enforcement Act (“SCDEA”), which went into effect on September 3, 2015, amended the NYCHRL by making it an unlawful discriminatory practice for employers, labor organizations, and employment agencies, with some limited exceptions, to request or use an applicant’s or employee’s consumer credit history for the purpose of making any employment decisions, including hiring, compensation, or other terms and conditions of employment. The Fair Chance Act (“FCA”), which went into effect on October 27, 2015, amended the NYCHRL by making it an unlawful discriminatory practice for employers, labor organizations, and employment agencies, with some limited exceptions, to inquire about or consider the criminal history of job applicants until after extending a conditional offer of employment.

In 2015, the Commission published legal enforcement guidance on the SCDEA, the FCA, and the NYCHRL’s protections against discrimination on the basis of gender identity and expression, to provide New Yorkers with clarity and transparency on what constitutes violations of the law in these areas. The Commission plans to publish legal enforcement guidance in additional areas throughout the next year. In addition, the Commission is currently undergoing its first rulemaking process in nearly twenty years, and its first-ever rulemaking process regarding a protected status, on the FCA. The Commission will be hosting a public hearing on March 21, 2016. These detailed rules will provide New Yorkers with further clarity on complying with the law.

# The Commission’s Complaint Process

A complaint filed at the Commission starts with investigation by LEB. Before there is a final order, there are several additional stages involving other governmental entities and judicial bodies independent from LEB.



**Intake:** An attorney or investigator in LEB interviews the person reporting discrimination, gathers information, and reviews documents. If what is reported is covered by the NYCHRL, the attorney will draft a “Complaint.” In the Complaint, the person reporting discrimination is called the “Complainant” and the person or entity against whom discrimination is reported is called the “Respondent.”

**Complaint Is Filed:** When the Complaint is ready, the person reporting discrimination reviews the Complaint and signs it. Then the Complaint is sent to the Respondent. The Respondent has 30 days to respond by filing an “Answer.”

**Investigation:** After the Respondent answers the complaint, LEB investigates further. The Complainant is asked to respond to the Respondent’s position, called a “Rebuttal.” The investigation may include interviewing the parties and their witnesses, requesting documents from the parties, or other actions.

**Withdrawal of Complaint:** The Complainant can ask to withdraw her Complaint for any reason, for example, if she chooses to file the same claim in court instead of proceeding through the Commission process.

**Mediation or Conciliation:** At various stages of the process, LEB may seek to negotiate a pre-hearing resolution of each case which could result in a conciliation agreement signed by all parties, including the Chair on the Commission’s behalf. The conciliation agreement becomes an enforceable order of the Commission. LEB may also invite the parties to discuss a possible resolution to a case, called “Mediation” at our Office of Mediation and Conflict Resolution (“OMCR”). Both parties must agree to participate before Mediation can be scheduled.

**Determination:** After the investigation concludes, LEB issues a determination. LEB may determine that there is “probable cause” that discrimination occurred or “no probable cause” that discrimination occurred. If LEB finds probable cause, the parties receive a notice and the case is referred to the Office of Administrative Trials and Hearings (OATH), for a proceeding before an Administrative Law Judge. If LEB does not find probable cause, the parties receive a document called a “Determination” which explains LEB’s decision. Either party can write to the Commission’s Office of General Counsel to request an appeal of the determination within thirty days of service of the notice. Any appeals received by the Office of General Counsel are sent to the Office of the Chairperson for consideration.

**Trial:** An LEB attorney litigates cases at OATH. LEB does not represent the Complainant, but instead represents the interests of the City. The Complainant or her attorney may “intervene” in the case at or before the first conference with the Judge is held.

**Report & Recommendation:** The Judge’s Report and Recommendation, along with the hearing record and the parties’ post-hearing submissions, if any, are sent to the Commission’s Office of General Counsel for processing, and then forwarded to the Office of the Chairperson.

**Final Decision & Order:** The Office of the Chairperson of the Commission reviews the Report and Recommendation and the hearing record and issues a Decision and Order.

**Appeal:** Either party may seek review of the Decision and Order in New York State Supreme Court within thirty days of the issuance of the Decision and Order.

# Law Enforcement Bureau

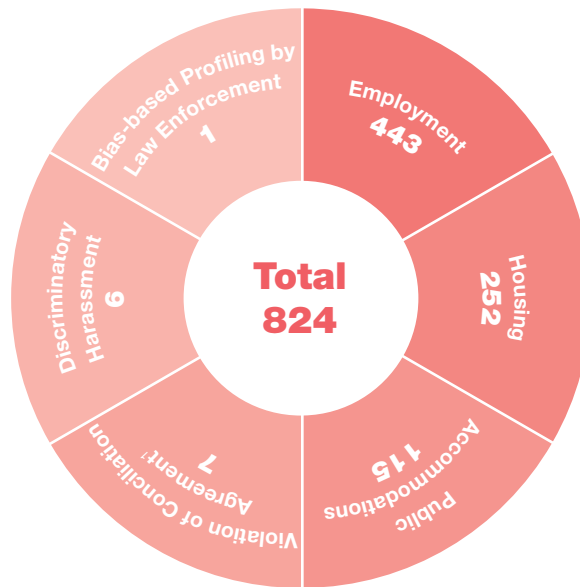
The Commission’s LEB enforces the NYCHRL. Allegations of discrimination come to LEB for investigation in several ways. Members of the public may file a complaint with LEB about their own experience. A lawyer may file a complaint with LEB on a client’s behalf. Service providers, community organizations, elected officials, or individuals may bring specific incidents or potential patterns of discrimination to LEB’s attention, and LEB can initiate its own investigation.

## Complaints Filed in 2015

Across all complaint-filing methods, LEB opened investigations in 824 cases in 2015 alleging a variety of often overlapping discriminatory activities: a thirty-one percent (31%) increase from 2014. Fifty-four percent (54%) of those cases were in employment, thirty-one percent (31%) in housing and fourteen percent (14%) in public accommodations. One percent (1%) involved discriminatory harassment and one percent (1%) were related to a violation of a conciliation agreement. Disability-related claims were the most common, composing thirty-one percent (31%) of all cases. Race discrimination claims followed at twenty percent (20%) with gender and national origin discrimination following at fifteen percent (15%) and fourteen percent (14%), respectively.

The types of discrimination claims filed with and by the Commission during 2015 can be found below -- first, the number of cases in each jurisdiction, and second, the number of claims in each protected class. Since many complaints alleged more than one protected class, these totals will exceed the number of complaints filed.

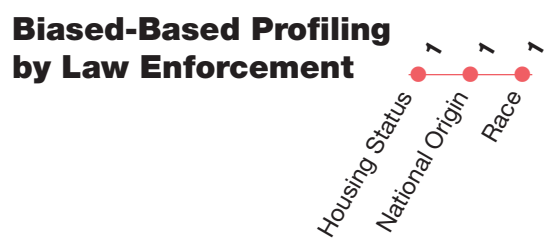
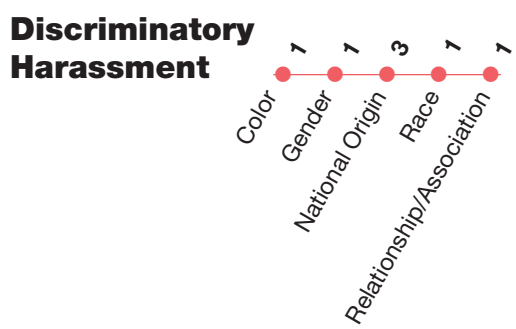
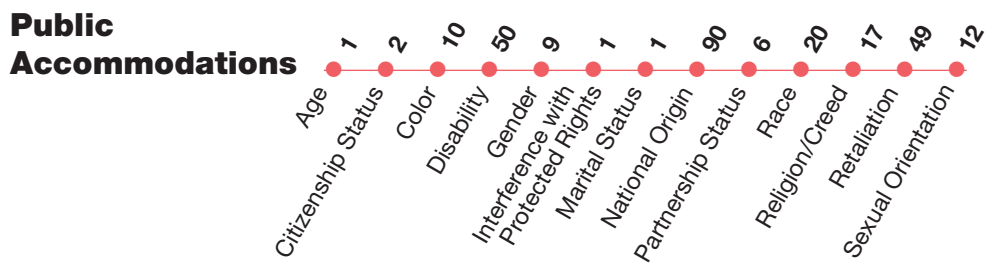
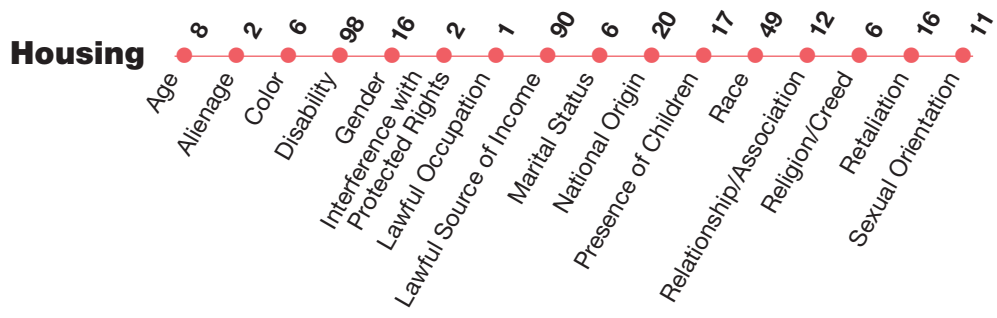
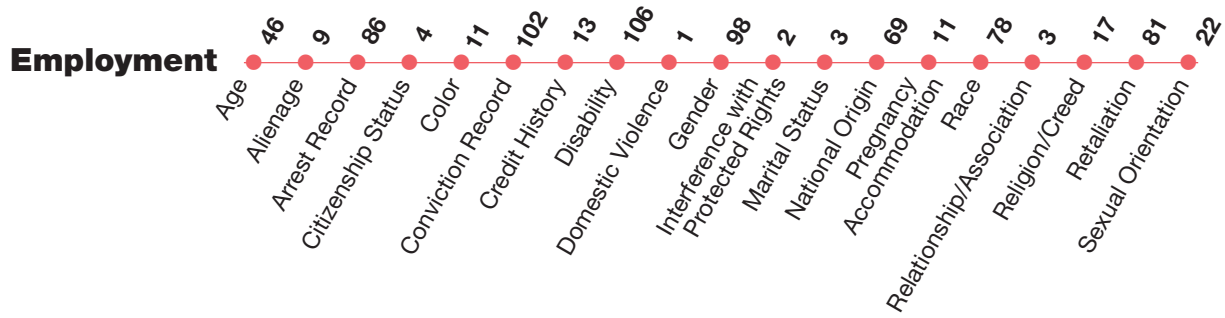
### Complaints by Jurisdiction:



<sup>1</sup>A complaint based on a violation of a conciliation agreement stands alone as a violation of the NYCHRL and is not related to a particular protected category; therefore those complaints are not listed in the chart “Claims By Protected Class.”

## Claims By Protected Class:

The graphic shows only categories with 1 or more cases.



## Pre-Complaint Interventions

In some situations, a person who has made an allegation of discrimination may decide not to file a complaint because the Commission intervened even before the filing of a complaint, resulting in a resolution of all or part of the problem presented. In 2015, LEB resolved 13 cases in this way.<sup>2</sup>

Pre-complaint intervention is often particularly effective when a person with a disability or a pregnant person has been denied an accommodation. For example, in one case, a tenant with a disability reported to LEB that a housing provider had indicated that he would be charged an additional \$300 rent because he had a service dog. After LEB contacted the housing provider, the landlord agreed to withdraw the rent overcharge. In another example, a tenant reported to LEB that he needed a ramp to enter his building because of a mobility-related disability. The landlord had refused to build a ramp. However, after LEB contacted the landlord and addressed the issue, the building installed the necessary ramps.

LEB also intervenes prior to the filing of a complaint where per se violations are discovered. For example, where a small business has posted a discriminatory ad, such as an ad for a “waitress” or “hostess,” which expresses an illegal gender-based limitation, LEB may issue a cease-and-desist letter warning the business of its obligations under the law, order the business to attend a free training on the NYCHRL provided by the Commission, and require the business to respond with a corrected ad.

## Areas of Increased Investigations in 2015

### Source of Income Discrimination in Housing:

LEB quadrupled the number of investigations into allegations that landlords and brokers discriminated against tenants who seek to use government-funded rental assistance, filing 90 source of income cases in 2015, up from 22 in 2014. This type of complaint made up eleven percent (11%) of all cases filed in 2015.

### Arrest and Criminal History Discrimination in Employment:

LEB opened eight times as many investigations into criminal history discrimination in employment in 2015 compared to 2014. LEB also initiated 101 new criminal history-related discrimination investigations in 2015, compared to 12 such cases in 2014.

### Commission-Initiated Cases:

In 2015, LEB expanded the use of Commission-initiated investigations, filing over fifty cases across ten protected categories. In contrast, almost all of the Commission-initiated complaints filed in 2014 were against businesses posting job advertisements expressing a gender limitation, such as “waitress” or “hostess.” In 2015, LEB’s Commission-initiated complaints addressed disability access in housing and public accommodations (seven cases) and arrest and conviction discrimination in employment (eight cases) for the first time in the Commission’s recent history. Over one-third of LEB’s Commission-initiated cases addressed source of income discrimination in housing (18 cases).

## LEB Determinations in 2015

After investigation, LEB issues a Notice of Determination of Probable Cause (“PC”) or No Probable Cause (“NPC”). In making this evaluation, LEB uses the following standard, pursuant to the NYCHRL

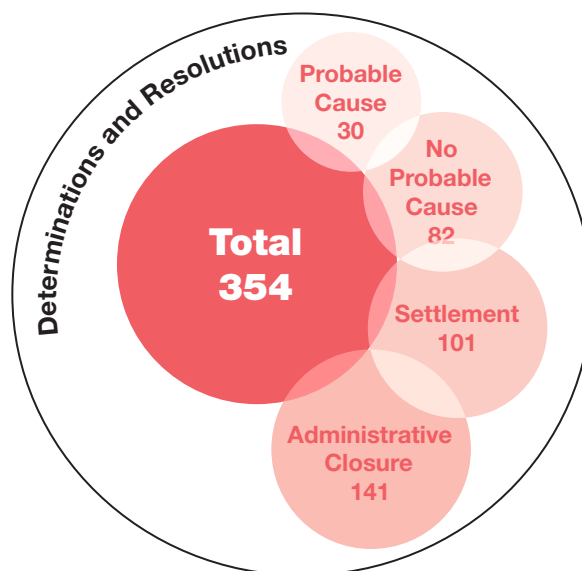
<sup>2</sup> Pre-complaint interventions are also handled by CRB.



§ 8-116 and the Commission’s Rules of Practice § 1-51: whether probable cause exists to credit the allegations of a complaint that an unlawful discriminatory practice has been or is being committed by a respondent where a reasonable person, looking at the evidence as a whole, could reach the conclusion that it is more likely than not that the unlawful discriminatory practice was committed.

At various stages of the process, LEB may seek to negotiate a pre-hearing resolution of each case which could result in a settlement of the case. In such cases the parties and the Commission enter into a conciliation agreement, which is an enforceable Commission order. In addition, LEB may consider administratively closing a case in certain circumstances, including where the parties reach their own resolution and request an administrative closure; where the complainant has decided to bring the case in another forum; or where LEB determines that continuing the investigation is not in the public interest because, for example, key evidence is not available or because further investigation is unlikely to lead to a determination of probable cause that a discriminatory practice occurred. Administrative closure preserves complainants’ right to bring the same claim in another forum.

LEB closed 354 cases in 2015, in the following categories:



The average amount of time it took to resolve these cases was 420 days; representing a 10% decrease from 2014.

## Damages Awards and Civil Penalties

In 2015, the Commission more than doubled the average amount of damages and civil penalties ordered in the previous year. There were 62 cases in which there was a monetary resolution.<sup>3</sup> The monetary resolutions averaged \$21,806 per case in 2015, up from \$9,725 per case in 2014. In total, the Commission ordered the collection of \$1,351,984 in combined fines and compensatory damages in discrimination cases in 2015.



<sup>3</sup>One case involved both a fine and damages award.

## Case Examples

The following examples illustrate the new enforcement strategies LEB has implemented since Commissioner Malalis began her tenure in February 2015. In both settlement agreements and in enforcement actions, in addition to compensatory damages, affirmative relief and civil penalties, LEB is seeking measures that will prevent discrimination citywide, such as policy changes, anti-discrimination training, in many cases provided by the Commission for free, and postings notifying the public about their rights under the NYCHRL.

### HOUSING



2015 Fair Housing Symposium at Brooklyn Law School. Credit: Carmen Boon

#### **Landlord Who Refused Section 8 Voucher Agrees to a Lease with Lower Rent**

A prospective tenant filed a complaint alleging that a landlord refused to accept her Section 8 voucher. The case was resolved quickly to meet the complainant's goal of obtaining an apartment for the tenant, and the Commission's goal of establishing measures to prevent such discrimination in the future. The Commission, real estate agent, and landlord entered into a conciliation agreement requiring Respondents to accept the prospective tenant's voucher, offer her a two-year lease at a lower preferential rent, allow her to keep a pet, post a Notice of Rights in the apartment building and realty offices for two years, and undergo anti-discrimination training.

#### **Co-op Building and Apartment Owner Complete Construction To Accommodate Tenant with Disabilities**

A tenant filed a complaint against a co-op building and an apartment owner alleging disability discrimination for failure to accommodate a tenant. LEB conducted an investigation and identified several building modifications necessary to accommodate the tenant's multiple disabilities. Respondents and the Commission entered into a conciliation agreement requiring the building owners, management company and apartment owners to install a lift in the building lobby, and the owners of the apartment to level the floors at the bathroom and bedroom doorways, widen the bathroom doorway, install an accordion door, and make a cutout in the bathtub. In addition, Complainant received \$10,000 in emotional distress damages and Respondents' staff received anti-discrimination training.

## EMPLOYMENT

### **Employers Pay \$20,000 to Employee Fired Immediately After Notification of Pregnancy**

A former employee filed a complaint against a medical office alleging pregnancy discrimination because she was terminated on the same day she informed them of her pregnancy, telling her it would be better if she returned to work after she gave birth. LEB conducted an investigation and issued a Probable Cause Determination. Before a hearing was held, the Commission and the employers entered into a conciliation agreement requiring the employers to undergo anti-discrimination training and pay \$20,000 in emotional distress damages to the complainant.

### **Hospital Changes Absenteeism Policy That Resulted in Disability Discrimination<sup>4</sup>**

A former employee filed a complaint against a hospital alleging disability discrimination because she had been fired after being hospitalized, and the hospital considered her sick leave as a reason to terminate her. LEB conducted an investigation, including a review of the hospital’s employee policies. LEB found that the hospital’s absence control policy did not adequately provide accommodations for employees with disabilities, in violation of the NYCHRL. The hospital and the Commission entered into a conciliation agreement requiring the hospital to pay the complainant \$14,000 in damages (back pay and emotional distress), pay a civil penalty of \$14,000 to the City of New York, provide anti-discrimination training to all supervisory-level personnel (400 employees), update its employment policies and procedures to comply with the NYCHRL, and display Notice of Rights postings in prominent common areas at all of its places of business.

### **Housing Complex Pays \$240,000 To Settle Employee’s Disability Discrimination Claim**

An employee filed a complaint against his employer, alleging discrimination based on disability and religion. LEB conducted an investigation and issued a finding of probable cause to credit the allegations of discrimination. The employer and the Commission entered into a conciliation agreement requiring the employer to pay the complainant \$240,000 (\$190,000 in front pay and \$50,000 in emotional distress damages); develop anti-discrimination policies that comport with the NYCHRL’s protections against discrimination in employment, housing, and public accommodations; train all employees and board members on the new policies; post the new policies on its website; post a Notice of Rights in each of the 14 buildings in its complex; and post the Commission’s “Pregnancy and Employment Rights” poster in its business office.

## PUBLIC ACCOMMODATIONS

### **Restaurant Chain Settles Claims of Disability Discrimination and Conducts Anti-Discrimination Training in All 41 Locations in NYC**

A customer with a disability, using a service dog, filed a complaint against a fast food restaurant chain alleging that he was denied an opportunity to dine at one of the company locations. During LEB’s investigation, the respondent and the Commission entered into a conciliation agreement in which the company agreed to provide anti-discrimination training to approximately 75 general and assistant managers for all of its 41 restaurants in New York City.

<sup>4</sup>This case is not included in the settlements and monetary resolutions listed above because the deadline for the hospital to conclude its training is in April 2016.

## **LEB Staff**

In 2015, LEB changed its structure to add supervising attorneys who specialize in specific issue areas and bring in significant civil rights/human rights experience and community relationships to the Commission. In addition, LEB has added a Managing Attorney to ensure continuing training and skill development amongst the staff. LEB also hired eight new agency attorneys, all of whom come with several years of relevant experience, including working with vulnerable populations, litigating under the NYCHRL, and handling high-volume caseloads. Consistent with our effort to increase internal language capabilities, many of our new hires speak second and third languages in addition to English. LEB staff now speak the following languages: Spanish, French, Haitian Creole, Hindi, Urdu, Gujarati, Malayalam, Tamil, Arabic, Mandarin, Croatian, Bosnian, and Serbian.

# Decisions and Orders

The Commission published three Decisions and Orders in 2015, which are viewable on the agency’s website.

- In Cardenas v. Automatic Meter Reading Corp., a business owner was found to have sexually harassed a female employee over a three-year period, repeatedly engaging in unwanted touching, regularly using lewd and sexually inappropriate language to and about her, and posting a sexually explicit cartoon in the workplace identified as the complainant. Here, the Commission issued its highest civil penalty allowable under the law – \$250,000. In addition to the civil penalty, payable to the general fund of the City of New York, the complainant was awarded damages totaling \$422,670, including back pay, front pay, and emotional distress damages.
- In Commission on Human Rights v. CU 29 Copper Restaurant & Bar, an immigrant owner of a small business with five employees was found to have placed a Craigslist ad looking for a “female bartender” and a “pizza man” – both of which constitute gender-based limitations on employment in violation of the NYCHRL. Here, the Commission required that Respondent attend a free training on the law and post a Notice of Rights under the NYCHRL in its place of business. In deciding against levying civil penalties, the Commission considered Respondent’s financial resources, sophistication and size of the enterprise, the willfulness of the violation, the ability to obtain counsel, whether levying civil penalties is necessary to deter future violations, and the impact on the public of issuing civil penalties on the small business.
- In Commission on Human Rights v. Crazy Asylum LLC, a business was found to have placed a Craigslist ad seeking a “waitress,” which constitutes an unlawful gender-based limitation in employment. Respondents, Crown Hospitality Group and The Windsor, are larger businesses that own seven upscale restaurants in New York City. Here, the Commission ordered a civil penalty of \$10,000 – twice the amount recommended by the administrative law judge at the City’s Office of Administrative Trials and Hearings – due to the employer’s failure to take the complaint process seriously, failure to respond to the LEB for well over two years, failure to comply with an order from the administrative law judge, and the posting of another unlawful advertisement including another illegal gender-based limitation while the case was still pending. The Commission determined that a civil penalty was necessary to deter future violations. In addition to a fine, the Commission also required the employer to post a Notice of Rights under the NYCHRL as well as undergo training on the law.

# Inquiries

The chart below provides information on the communications (i.e., telephone calls, emails, and letters) the Commission received from the public inquiring about the NYCHRL in 2015. Since many communications alleged more than one jurisdiction and/or protected class, the totals will exceed the number of actual inquiries.

	Protection	Employment	Housing	Public Accommodation	Discriminatory Harassment and Violence	Bias-Based Profiling	Jurisdiction Not Stated	Total
Age		76	32	24	2	0	50	184
Religion/Creed		28	16	41	1	1	21	108
Disability		172	394	179	2	1	148	896
Alienage/ Citizenship Status		8	5	7	0	0	4	24
Color		96	75	119	3	2	113	408
National Origin		108	74	87	2	0	62	333
Sexual Orientation		32	33	22	1	0	27	115
Race		194	128	184	3	3	128	640
Gender*		146	59	61	2	0	67	335
Arrest Record		41	●	●	●	●	17	58
Conviction Record		57	●	●	●	●	15	72
Dom./Sex. Violence, Stalking		4	●	●	●	●	1	5
Partnership Status		0	2	0	1	●	5	8
Marital Status		2	3	1	0	●	2	8
Lawful Source of Income	●		78	●	●	●	11	89
Lawful Occupation	●		2	●	●	●	3	5
Presence of Children**	●		29	●	●	●	2	31
Unemployment Status		1	●	●	●	●	0	1
Credit History		7	●	●	●	●	0	7
Retaliation		34	7	2	0	0	1	44
Protected Class Not Stated		291	274	188	17	1	2097	2868
Other***		2	17	1	1	0	0	21

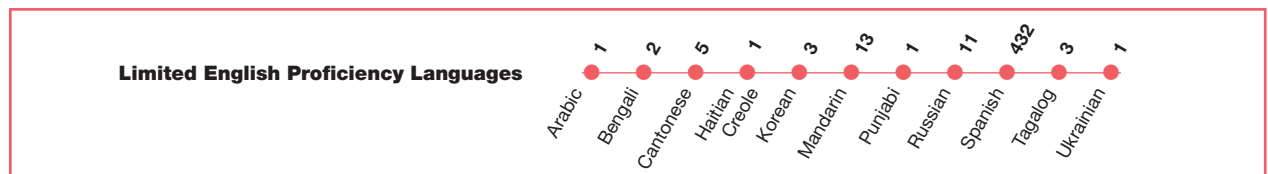
**Total Cases: 5296**

**Number of Inquiries Resolved by Pre-Complaint Intervention: 163**

\* Includes Gender Identity and Gender Expression.

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

\*\*\* Inquiries about protected categories not covered by the relevant jurisdiction.



# Community Relations Bureau

The NYCHRL empowers the Commission to proactively reach out to the public – individuals, community-based organizations, advocacy groups, businesses, and housing providers – to provide education and training on the protections of the NYCHRL and encourage understanding and respect among the people that live in, work in, and visit New York City. To further this mission, CRB staffs Human Rights Specialists in each of the five borough-based CSCs, to foster strong relationships across the City’s diverse communities, to lead a wide variety of in-depth workshops on community members’ rights and obligations under the NYCHRL, and to serve as an initial point of contact for those seeking to make a discrimination claim or connect with other City agencies. Taken together, this outreach, education, and community outreach work in 2015 included more than 1,200 workshops serving more than 84,000 New Yorkers. CRB’s key results and new developments are described below.

## Education and Training About the NYCHRL



### Atención jefes: hay que aprender a no juzgar al contratar

La Comisión de Derechos Humanos inicia seminarios en español para orientar a empresarios y evitar discriminaciones que contravengan la ley de Nueva York

Dinero, Empleo NYC, Justicia laboral



La ley prohíbe que se discrimine en razón de género y nacionalidad. Archivo  
Vanessa Ramos, Director of Trainings and Development conducting a Human Rights Law workshop in Spanish. Credit: Gerardo Romo for El Diario La Prensa.

In order to better fulfill our mission, increase quality, and maintain standards for the hundreds of Commission workshops conducted across New York City each month, the Commission hired its first Director of Training and Development in October 2015. The Director undertook a top-to-bottom review of all Commission training curricula, and began to revise and rewrite all of CRB’s public workshops to be more clear, comprehensive, and reflective of the current interpretation of the law.

CRB staff partnered with issue experts to develop and pilot new trainings addressing additions to the NYCHRL – such as employment protections related to the FCA and the SCDEA – and key communities that the Commission identified as particularly vulnerable, such as immigrant and transgender communities. Finally, to fulfill our agency language access plan and reflect our commitment to language access for New York’s diverse communities, CRB began translating several workshops into Spanish and conducted targeted outreach to deliver workshops to immigrant communities.

Outreach to City agencies and community-based organizations, which had been static for several years, saw a significant boost in 2015. New partnerships include: Save Our Streets South Bronx, the Losaida Center, the New York Taxi Worker’s Alliance, the Hispanic Federation, and sister agencies such as the Mayor’s Office to Combat Domestic Violence, the Department of Probation, the Human Resources Administration, the Mayor’s Office of

People with Disabilities, Housing Preservation and Development, the Mayor’s Office of Immigrant Affairs, and the Small Business Services to name a few. Working with the NYC Coalition to Stop Credit Checks in Employment, CRB coordinated a day of visibility at the Barclays Center in Brooklyn. Council Member Darlene Mealy and Council Member Brad Lander joined Commissioner Malalis and her staff in distributing over 41,000 pieces of educational pamphlets to the general public.

Small businesses are a crucial constituency – and ally – in the Commission’s mandate to protect the rights of all New Yorkers and ensure maximal compliance by employers and providers of public accommodations. In 2015, CRB staff provided tailored workshops for more than one dozen Business Improvement Districts, Chambers of Commerce, and other government agencies at the federal, state, and local level. These workshops addressed general responsibilities and rights related to employment, housing and public accommodation, but also addressed specific issues including wheelchair accessibility, refusal of service to patrons, and discriminatory harassment.

Finally, increased blatant acts of discrimination and micro-aggression toward the Muslim communities and those who are perceived to be Muslim have compelled CRB to focus more of its resources in this area. In an effort to engage Muslim New Yorkers, CRB has proactively reached out to community leaders to discuss strategic collaboration in protecting the rights of Muslim communities. The leaders shared incidents of discrimination in housing, employment and education. The harassment of Muslim women as well as children in public schools are complaints that were echoed from Bensonhurst to Harlem. CRB coordinated a roundtable meeting where leaders discussed issues facing their communities with the Commissioner and her staff.

## Equal Access for People with Disabilities



Ted Finkelstein, Director of Equal Access Program. Credit: Event participant and Ted Finkelstein

CRB staff continued its work on behalf of people with disabilities through the Commission’s Project Equal Access, with the goal of identifying equal access issues in housing, employment, and public accommodations, and resolving them prior to LEB intervention. Individuals, housing providers, and other entities have praised this innovative program, in which CRB staff members regularly conduct workshops and engage in collaborative discussions with relevant parties to address accessibility issues and encourage quick resolutions. In 2015, CRB successfully negotiated 154 modifications for individuals, working with LEB staff as needed. Some 2015 results include policy changes, such as permitting service dogs on property; the installation of ramps, handrails, and chair lifts in buildings; widening hallways; and other ad hoc modifications.

Often, the negotiated accommodations have a broad public benefit beyond the original complaint. Highlights from 2015 include: a major Manhattan college equipping its shuttle bus with wheelchair lifts; installation of an accessible computer station at a library; improving access to basement lecture halls with adequate signage; adding electronic doors to the rear entrance of a heavily-used academic building; repairing broken sidewalks on a college campus; creating a disability parking space at a major Brooklyn hospital; and the addition of accessible checkout counters at a major food chain.

Through Project Equal Access, Commission staff serve as both advocates and issue experts for stakeholders throughout the City. CRB participates actively in five different disability rights advisory



committees, including at Mount Sinai Hospital, the New York City Bar Association, NYC Office of Emergency Management, and the Parks Department. CRB led new trainings for major partners in 2015, including Initiatives for Women with Disabilities, the Rusk Institute, the Bronx Jewish Community Council, Housing Court Answers, and the Albemarle Neighborhood Association in Brooklyn. Finally, the Commission has worked with property management companies and trained them on their responsibilities and their legal obligations with respect to disability access, such as the staff of Key Realty and Foxy Management, as well as co-op boards.

The Commission also participated in the City’s inaugural Disability Pride Parade, held on July 12, 2015. The Commission joined in several preliminary planning sessions for the parade and a large contingent of Commission staff including Commissioner Malalis marched the parade route. CRB also participated in the Disability Pride Parade follow-up activities, including joining the ADA Legacy Tour bus as it made stops in all five boroughs, discussing the Commission’s work at stops in Brooklyn, Manhattan and the Bronx. Additionally, CRB attended the gala at Brooklyn Historical Society’s opening of the exhibition on Gaining Access: The New York City Disability Rights Movement.

## Workforce Development and Back-To-Work



Commission’s Fair Chance Act poster at the HOPE program. Credit: Mariela Lombard

During 2015, CRB continued its workforce development program, Working for Real: Employment Rights and Discrimination in the Workplace. This program, which aims to educate vulnerable job seekers about their rights under the NYCHRL, operates in partnership with the City’s many workforce development and other back-to-work agencies. The curriculum highlights recognizing and responding to employment discrimination, sexual harassment, and disability access.

In 2015, CRB conducted 370 workshops for a total of 8,088 workforce development clients. In particular, the Commission has expanded this work

through partnerships with large, multi-site organizations such as Goodwill Industries, Maximus, and others.

Finally, with the expansion of the City’s employment protections, the FCA and SCDEA, the Commission’s workforce development activities took on particular importance in 2015, as workshops were revised to highlight the new protections. For example, the Commission convened a meeting with over forty lawyers from the management bar to discuss our plans for enforcement of, and outreach concerning, the new protections.

## Re-Entry Programs, Incarcerated, and Formerly Incarcerated Individuals

With the addition of the FCA in 2015, the Commission’s far-reaching work with incarcerated and formerly incarcerated individuals took on particular importance. To educate New Yorkers about the new law, CRB conducted 253 workshops for 9,364 individuals.

CRB staff built and/or strengthened relationships with a variety of different groups and programs including the HOPE Program, VOCAL, Community Service Society, the National Employment Law Project, the NAACP, B2W/DB Grant Associates, Save Our Streets South Bronx, ComALERT, Serendipity 1 and 2, New York City Department of Health and Mental Hygiene’s Cure Violence Program, New York City



Fair Chance Act event at the HOPE Program. Photo: Mariela Lombard

Department of Probation's Neighborhood Opportunity Network Program, New York City Department of Correction, Hour Working Women Reentry Program, New York State Department of Education ACCESS and their reentry consortium network, and the Women's Prison Association.

In addition, each week, CRB collaborates with the Department of Correction to present workshops at one of the 16 different Rikers Island facilities. These workshops emphasize employment and fair housing protections under the NYCHRL. CRB is also currently working in conjunction with the New York State Office of Alcohol & Substance Abuse Services ("OASAS")

to conduct NYCHRL workshops at several locations funded by OASAS, as well as conducting workshops at the New York City OASAS offices for staff and interns.

## Serving the City's Immigrant Communities

Immigrant New Yorkers, regardless of their citizenship or alienage status, are protected under the NYCHRL, and can be a particularly vulnerable population due to language access or immigration status issues. To ensure robust outreach to these diverse communities, CRB used a multifaceted approach that included more than 200 distinct outreach efforts. Highlights include:



Scene from a naturalization ceremony. Credit: iStock Photography

- Contacting more than 32,223 people at 193 naturalization swearing-in ceremonies, to provide information on the NYCHRL to new citizens and provide personal, on-site support to immigrant families with questions about their rights;
- Collaborating with 16 educational institutions to provide adult literacy classes which include literature and other information regarding the NYCHRL and Commission services;
- Partnering with over one dozen entities to educate English Speakers of Other Languages ("ESOL") students and immigrant New Yorkers about their employment rights, using an interactive DVD workbook developed and produced by the Commission. CRB conducted 53 workshops, including 35 ESOL classes (reaching 700 students and teachers), and other outreach events to inform immigrant workers, employers, and advocacy organizations about rights and obligations under federal and City laws;
- Revising materials relating to immigrants' rights to reflect best practices and changes in the NYCHRL. Partners in this work included York College, City Tech College, Brooklyn Library, New York Public Library, LaGuardia College, Opportunities For Better

Tomorrow, Dominico-American Society, Jewish Community Council of Greater Coney Island, Chinatown YMCA, United Multicultural Center of Staten Island, Turning Point, and New York State Office For New Americans, and the CUNY Citizenship Now Project;

- Conducting citywide workshops with community groups in English, Spanish, Haitian Creole, French, Russian, and Chinese, to explain discrimination based on national origin, and citizenship or alienage;

- Translating the NYCHRL, and Credit Discrimination and Fair Chance Act workshops and trainings into Spanish, with more language translations planned for 2016; and
- Publishing, with the Mayor’s Office of Immigrant Affairs (“MOIA”), a new Immigrants and NYC Human Rights: At Work and At Home pamphlet in eight languages and co-hosting a roundtable event with MOIA, attended by over thirty immigrants’ rights groups.

## Outreach and Education to Students, Schools, Educators, and Staff

In 2015, CRB staff members visited 25 City schools and 15 youth centers across the City. They conducted 225 sessions and taught over 4,039 youth in grades 6-12 about an array of topics including the NYCHRL, addressing incidents of sexual harassment, conflict resolution among school stakeholders, cyberbullying, and peer mediation between students.

CRB also helps schools train middle and high school students to become peer mediators by using an internally developed Peer Mediation Training Program whose curriculum is based on the Commission’s Talk it Over: A Peer Mediator’s Guide. During this eight-to-ten-week program, CRB staff members teach students valuable life skills and facilitate discussions regarding patience, persistence, active listening, and problem-solving while presenting alternatives to threats and violence, and student mediators learn to assist their peers in resolving differences before they escalate into violence or harassment. CRB’s approach is grounded in the underlying principles of the NYCHRL – tolerance, human dignity, and respect. In 2015, 106 high school students from nine schools throughout the City graduated from the Peer Mediation Training Program.

In 2015, the Commission staff began an extensive revision of the current mediation curriculum by revamping and modernizing its training materials. In addition, the Commission began the process of creating new materials specifically tailored for use by Parent Teacher Associations and other parent groups. The Commission will continue its extensive revision of the current mediation curriculum and will re-launch the program in 2016.

## Serving the City’s LGBTQ Communities



Commission’s staff and friends at the 2015 Pride Parade. Credit: Charlie T. Photography

2015 was a transformative year for the Commission’s effort to reach the lesbian, gay, bisexual, transgender, queer and gender non-conforming (“LGBTQ”) communities in New York City. From LGBTQ Pride Month in June through year’s end, CRB staff attended over 50 workshops, forums, fairs, and other public events to educate communities on specific provisions of the NYCHRL related to sexual orientation, gender identity and gender expression.

Highlights from a year that saw the Commission emerge as a resource for, and partner with, LGBTQ communities include:

- Co-organizing New York City's first Transgender Economic Empowerment Forum with the Mayor's Community Affairs Unit in which Commissioner Malalis partnered with First Lady Chirlane I. McCray to address the participants;
- Convening a roundtable discussion with several transgender community advocates from around the City;
- Commissioner Malalis speaking at the Queens Borough President's LGBT Pride Celebration;
- Commissioner Malalis addressing the crowd at the Mayor's Annual LGBT Pride Celebration;
- A Commission contingent marching in the annual Pride marches in Manhattan and Brooklyn;
- Developing transgender cultural competency training in partnership with the LGBT Community Center;
- Addressing a group of LGBT veterans for the first time at the Manhattan Veterans Administration Hospital;
- Partnering with the Anti-Violence Project ("AVP") to raise awareness and combat discriminatory harassment and violence in the LGBT community;
- Participating in the creation of the New York City Department of Education's LGBTQ Student Support Advisory Committee;
- Participating in the creation of an LGBTQ Task Force in Crown Heights to combat violence; and
- Educating community organizations on the newly released Commission legal enforcement guidance on discrimination based on gender identity and expression.

Through the training events, tabling opportunities, and speaking engagements, the Commission reached over 2,300 members of various LGBTQ communities throughout the five boroughs, working with a number of organizations, including the Ali Forney Center, AVP, Black Lesbian Conference, BOOM Health, Callen-Lorde Community Health Center, Make the Road New York, Stonewall Democrats, NYLAG, the National Center for Transgender Equality, the Family Equality Council, Destination Tomorrow, Gay Men's Health Crisis, Harlem Pride, the LGBT Community Center, New Fest, SAGE and TransLatinas.

## Fair Housing Services and Programs



2015 joint Commission on Human Rights and Department of Housing Preservation and Development Fair Housing Symposium at Brooklyn Law School. Credit: Nancy Siesel

In 2015, the Commission’s Fair Housing Program participated in several activities to promote equal opportunity for housing under the law. These activities included: providing training for housing providers and community groups (including 118 fair housing workshops); facilitating problem-solving discussions with housing providers to resolve housing complaints; assisting LEB in investigations of unlawful real estate practices; providing technical assistance to tenants as part of the Citywide Task Force on Housing Court; and participating in community activities which encouraged harmonious intergroup relations and neighborhood stability.

CRB conducted many of these activities in collaboration with the City’s Department of Housing Preservation and Development. A highlight of our 2015 collaborations was the annual Fair Housing Symposium at Brooklyn Law School. This year’s focus included topics such as Housing Rights for People with Disabilities, Housing Discrimination Issues Involving Lesbian, Gay, Bisexual, and Transgender individuals, and Fair Housing Issues for Immigrants and Immigrant Communities.

## Mortgage Counseling and Predatory Loan Prevention

Since 2004, the Commission has been a HUD-certified Housing Counseling Agency and has provided mortgage counseling services to the public in each CSC. CRB staff members engage in outreach efforts and provide 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. In 2015, CRB staff provided 216 counseling sessions for 37 homeowners facing foreclosure. Partly due to HUD’s funding to non-profits for foreclosure-prevention and mortgage counseling, the Commission terminated its foreclosure mortgage counseling program to focus CRB activities in other areas.

## Overall Assistance by CRB

In 2015, CRB assisted 84,894 members of the public through more than 1,200 workshops, tabling opportunities, speaking engagements, and direct outreach efforts.

## COMMUNITY PROGRAMS

Immigrant Employment Rights

**Program provides presentations and materials on workplace protections for:**

- immigrant workers, employers, and immigrant advocacy organizations;
- ESOL adult literacy students at all learning levels; and
- ESOL, ESL, GRE, and ABE instructors.

Workforce Development Programming

**Program provides presentations on employment rights for:**

- clients in workforce development agencies and other back-to-work programs;
- individuals with disabilities;
- individuals with arrest and/or conviction records; and
- victims of domestic violence.

Re-Entry Programs

**Program provides presentations and materials regarding employment rights for previously incarcerated individuals in:**

- re-entry community organizations;
- correctional institutions; and
- parole and probation orientations.

Equal Access For People with Disabilities

**Program provides:**

- investigation of individual inquiries (interviews, space assessment, code assessment, analyzing code compliance issues, discussion of the law);
- intervention, i.e. educating and negotiating with owners and residents;
- workshops regarding disability rights to consumers, businesses, social service agencies, and hospitals; and
- drafting complaints and follow-up investigations in collaboration with LEB.

School Programs

**Program provides several curricula including the “NYC Human Rights Law,” “Sexual Harassment,” “Cyberbullying,” and “Resolving Conflict” to:**

- school classes (grades 6-12) or youth programs; and
- teachers, counselors, and parent groups.

Peer Mediation & Community Mediation

**Program provides:**

- how to mediate bias and other community disputes;
- peer mediation programs in schools; and
- conflict resolution training to personnel from community groups, not-for-profit organizations and schools.

Fair Housing, Mortgage Counseling & Predatory Loan Prevention

**Program provides:**

- fair housing training with HPD to contractors and developers;
- community and parent group presentations on fair housing provisions of the NYCHRL;
- weekly assistance in Housing Courts with the Citywide Task Force on Housing Court; and
- annual fair housing symposium.
- HUD-referred counseling for individuals facing the loss of their homes, including:
  - reviewing in person their financial and mortgage status;
  - writing letters to creditors or banks to negotiate payment;
  - exploring alternatives to foreclosure with individuals and lending institutions;
  - referring cases of suspected predatory lending;
  - distributing literature and participating in housing coalitions; and
  - delivering community presentations on predatory lending and foreclosure prevention.

Fair Business Practice

**Program provides:**

- presentations and materials on the NYCHRL covering employment rights and public accommodation issues like accessibility, refusal of services based on a protected class, Fair Chance Act (English, Spanish) workshops, Stop Credit Discrimination in Employment Act (English, Spanish) workshops, and discriminatory advertising for:
  - Business Improvement Districts;
  - chambers of commerce; and
  - business organizations.

## CRB Staff

In 2015, the Commission redesigned CRB’s structure and staff roles in order to expand CRB’s language abilities and outreach in immigrant communities, ensure better coordination of proactive education campaigns citywide, and strengthen the Commission’s role as a trusted resource in vulnerable populations across the City. This restructuring included the addition of Zone Directors, who lead strategic planning in a sub-section of the City, and concerted efforts to expand the number of experienced Human Rights Specialists who speak languages in addition to English and Spanish.

In keeping with the Commission’s revised and expanded agency Language Access Plan, CRB staff made strides in expanding our workshop materials and staff capacity to provide technical assistance to a growing number of Limited English Proficient (“LEP”) New Yorkers. In addition, CRB staff worked in conjunction with community partners to provide services for a total of 1,184 LEP New Yorkers. Services were provided by CRB staff in: Spanish (for 883 participants); Russian (192); Mandarin/Chinese (68); French (40); Haitian Creole (8); and Urdu (1).

## Agency-Wide Highlights

### Commission Greatly Expands Size and Reach

The Commission grew significantly in 2015, hiring nearly 50 percent more staff including new attorneys, communications experts, and community outreach specialists. With additional staff and infrastructure, the Commission was able to increase enforcement and public outreach. For example, LEB doubled the average amount of damages and civil penalties ordered per case in 2015, \$21,806 per case, up from \$9,725 per case in 2014. The Commission also increased the number of cases it opened in 2015 by 31%, opening 824 new investigations, up from 628 in 2014. Additionally, the Commission greatly expanded its grassroots public outreach, educating more than 80,000 New Yorkers and businesses on the NYCHRL through 1,271 workshops, presentations, and trainings in 2015. The Commission also hosted 225 sessions in middle and high schools and youth centers attended by more than 4,000 youth. These sessions focused on conflict resolution, preventing bias, cyberbullying, and sexual harassment. Lastly, the Commission reached millions of people, in New York and beyond, through citywide public information campaigns composed of both earned and owned media, the latter in the form of multilingual subway, newspaper, social media, and radio ads. As part of those campaigns, approximately 47 percent of all radio and newspaper ad investment was on ethnic and community media, fulfilling the Commission's renewed commitment to increase outreach and engagement with the immigrant, multilingual, and multicultural communities that make up our City.

### Commission Prioritizes Transparency and Community Engagement



Scenes from outreach events with the Commission's staff. Credit: Mariela Lombard and Commission staff

More than any other previous administration in recent history, this Commission is prioritizing transparency and community engagement. For the first time in Commission history, the Commission published legal enforcement guidance in several areas of the law, including the SCDEA and FCA, and protections against discrimination on the basis of gender identity and expression. The guidance provides concrete, real world examples of what the Commission considers violations of the NYCHRL to educate and inform individuals and entities who have rights and responsibilities under the law. The Commission also engaged the business and housing provider communities, establishing new relationships with the Partnership for New York, the Brooklyn Chamber of Commerce, and the New York City Department of Small Business Services, among many others, to ensure they have the tools necessary to help businesses in New York City comply with the NYCHRL. To further its goal of increasing transparency and being responsive to



the needs of the City’s diverse communities, the Commission hosted roundtable discussions with several different communities and constituencies, inviting community leaders and advocates to discuss issues facing their communities and partnering with the Commission as a resource, including transgender rights community advocates, Muslim community leaders, immigrants’ rights advocates, disability rights legal advocates, advocates working with individuals with criminal histories, domestic worker organizers, the credit check coalition, anti-discrimination legal advocates, and others.

## Commission Expands Language Access



Screenshots of video to commemorate International Human Rights Day with the Commission’s multilingual staff.

The Commission also updated and greatly expanded its language access plan by making agency services more accessible to LEP New Yorkers and standardizing the use of language access practices and training staff. The Commission provides interpretation services in all available languages through its in-house Language Bank, the Citywide Volunteer Language Bank (“VLB”), and phone interpretation through its contract with Voiance. The Commission also expanded its outreach events with community-based organizations that work with immigrant communities to share its work and encourage collaborations amongst the Commission and these communities. And, when making hiring decisions, the Commission has prioritized, amongst other factors, individuals who would increase the Commission’s language capacity and have relationships with communities that have not historically been served by the Commission, including certain LEP communities. To that end, the Commission’s language capacity has grown to thirteen languages among the LEB staff, from six languages one year ago, and nine languages among the CRB staff, from five languages one year ago.

The Commission has also made available all of its most recent agency publications, including materials on the SCDEA and FCA, in nine languages other than English, and is redesigning its website in coordination with the Department of Information and Technology and Telecommunications to ensure it integrates user-friendly translation features. The Commission has been releasing content in Spanish on its website and, in close coordination with the Spanish Content Manager of the Mayor’s Office, its social media has featured content in Spanish for the first time ever. Lastly, the Commission’s large-scale public information campaigns included newspaper, subway and radio ads in Spanish, Bengali, Mandarin, Russian, Haitian Creole, among other languages.

## Two New Protections Added to the NYCHRL



Media campaigns posters.

Two new protections were added to the NYCHRL in 2015. In September, the SCDEA went into effect, making it illegal for an employer to discriminate against current or prospective employees based on credit history. The law ensures that job applicants are judged on their merits and ability, not their credit score. In October, the FCA went into effect making it illegal in New York City for employers or employment agencies to inquire about a job applicant’s criminal history until a conditional job offer of employment has been made, ensuring that all New Yorkers get a fair chance at gainful employment. As a result of these new laws, both outreach (e.g. public awareness campaigns, know

your rights trainings, know your obligations trainings, visibility events, and the like) on and investigations into criminal and credit history discrimination increased significantly in 2015.

## Commission Launches Cultural Competency Trainings for Staff

Since September 2015, the Commission has implemented cultural competency training for its managers and staff. These trainings have included: “Working with People with Disabilities” which was conducted by the Mayor’s Office for People with Disabilities, “Working with Limited English Proficient Individuals and Undocumented Individuals” which was conducted by the Mayor’s Office of Immigrant Affairs, and “Working with Members of the Transgender Community” which was conducted jointly by the Anti-Violence Project and Commission staff. The Commission is committed to increasing the breadth of cultural competency trainings in the future to ensure that the Commission is an accessible resource for all New Yorkers.

## Commission in the News

In 2015, the Commission created a Communications and Marketing Department with the addition of four new full time staff members, including an Executive Director, a Digital Communications Manager, a Press Secretary, and a Graphic Designer. With new staff, the Communications and Marketing Department significantly amplified the Commission's work in traditional and emergent media, reaching more New Yorkers than ever before and encouraging them to inquire about the Commission's services and activities.

The Commission expanded relationships with the media by holding informal meet-and-greets and backgrounders to educate reporters and editors on the work of the Commission. For example, the Commission co-organized a first-ever Q&A featuring Commissioner Malalis with the CUNY Journalism School's Center for Ethnic and Community Media attended by over 25 members of community and ethnic media including Bangla Patrika (Bangladeshi), The China Press, SinoVision TV and Multicultural Radio Broadcasting Inc. (Chinese), Queens Latino and La Invasora 1600 (Latino), Allewa Alarabi newspaper (Arabic), White Himal TV (Nepali TV), and Community News (Turkish), among others.

In addition, the Commission made digital communications and social media a top priority in 2015 by actively researching and implementing tools and techniques to increase online visibility and engagement, and expanding relationships with digital strategy teams at the Mayor's Office, sister agencies, offices of elected officials, and community partners. As a result, the Commission has seen a significant rise in its social media following and engagement – increasing its Twitter followers ten-fold; nearly quadrupling its Facebook following; and, creating new Instagram and YouTube pages. Not only have the number of followers increased, but more importantly, the rate of engagement has risen exponentially. The Commission's average number of Tweet impressions rose from 2014 to 2015 by a staggering 14,000%.

The Commission also made strides with its online, Taxi TV, and NYC TV video presence by producing features on two new amendments to the law, SCDEA and FCA, and a piece on services offered by the Commission entirely in Spanish which was launched during Hispanic Heritage Month.

The Commission launched robust citywide public education campaigns on new protections under the NYCHRL featuring ads on public transportation (subway stations, subway cars, and bus shelters), in newspapers, on the radio, and on social media, reaching millions in the five boroughs and beyond. As part of those campaigns, approximately 47 percent of all the Commission radio and newspaper ad investment was on ethnic and community media, fulfilling the Commission's renewed commitment to increase outreach and engagement with the City's immigrant, multilingual, and multicultural communities.

The Commission also appeared in major national and local media outlets, including The New York Times, Politico, The Nation, The Associated Press, Reuters, The Guardian, New York Daily News, New York Post, City & State, Metro, AM New York, DNAinfo, El Diario, Brooklyn Daily Eagle, Staten Island Advance, Gay City News, The Advocate, Cosmopolitan Magazine, Details Magazine, Gothamist, BuzzFeed, Mic.com, Queens Latino, Sing Tao Daily, NY1, NBC 4, ABC 7, Univision, WNYC, 1010WINS, and WBAI.

Some highlights of the Commission's work featured in 2015 media outlets include:

- NYTimes: New Commissioner Vows to Revitalize Agency That Fights Discrimination in New York – Rachel Swarns (March 8, 2015)
- NY1: City Human Rights Commissioner Talks Efforts to Fight Discrimination in NYC – Errol Louis (March 23, 2015).
- NY1: City Human Rights Commissioner Discusses City's Protections of Transgender New Yorkers – Errol Louis (June 12, 2015)

- WNYC: Human Rights in New York City – Brian Lehrer (August 21, 2015)
- El Diario: Trabajadores enfrentan discriminación por historial de crédito – Zaira Cortés (October 18, 2015)
- NYTimes: Carmelyn P. Malalis: Leading Through Praise, Not Fear – Blaine Novak (November 5, 2015)
- National Law Review: New York City Commission On Human Rights Clarifies Which Positions Are Exempt From Newly Effective Credit Check Law - Kristine M. Woliver (October 6, 2015)
- Gotham Gazette: City Council Takes Aggressive Role in Workplace Issues - Samar Khurshid (October 8, 2015)
- Source: New York City Officially ‘Banned The Box’ For Job Applicants, Increases Chance Of Hiring - Sherley Boursiquot (Oct. 29, 2015)
- DNAinfo: Building That Banned Rent-Regulated Tenants From Gym Will Now Let Them in - Emily Frost (Oct. 26, 2015)
- City and State: OPINION: Employment discrimination in New York City must end – Carmelyn P. Malalis (November 16, 2015)
- NY Daily News: Businessman slapped with record \$250K fine for making sexual comments, groping long-time female employee – Jennifer Fermino (November 2, 2015)
- Demos: Why New Yorkers Know Their Rights—and We All Should – Amy Traub (November 5, 2015)
- Voices of NY: Newsmakers 2015: Q&A with NYC HR Commissioner Carmelyn Malalis – Editorial staff (November 16, 2015)
- OSM Blog: Malalis: Bullying May be Addressed in City’s Human Rights Office – Marivir Montebon (November, 2015)
- Associated Press: New York City unveils new rules on gender discrimination – Jennifer Peltz and Michael Balsamo (December 21, 2015)
- BuzzFeed: New York City Now Requires Employers To Use Trans People’s Pronouns Of Choice - Nicolás Medina Mora (December 23, 2015)



## FY 2016 Budget

The Commission’s funding comes primarily from City tax-levy monies. Additional funding has also been provided through a contract with the Equal Employment Opportunity Commission (“EEOC”) for cases the Commission resolves that also could have been filed under federal law at the EEOC.

City Tax-Levy	\$10,816,637
<b>Additional Program Grant Funding</b>	
EEOC Contract (Workshare Agreement)	\$163,800
<b>TOTAL</b>	<b>\$10,980,437</b>

# Commissioners

The Human Rights Commissioners are appointed by the Mayor to serve in non-salaried positions, meeting with and assisting Commissioner and Chair Malalis, in addressing issues of discrimination. The current Commissioners represent a diverse, qualified group of individuals who share an unwavering commitment to safeguarding the rights and dignity of all the people of New York City. A maximum of 15 members, including the Commissioner and Chair, can be appointed to the Commission.

## **Catherine Albisa**

Co-founder and Director of the National Economic and Social Rights Initiative (“NESRI”).

## **Reverend Dr. Demetrius Carolina**

Pastor of the First Central Baptist Church on Staten Island and civil rights advocate; Executive Director of Central Life Family Center; and Professor of Educational Administration.

## **Steven Choi**

Executive Director for the New York Immigration Coalition.

## **Jonathan Greenspun**

Political consultant and a Managing Director at Mercury Public Affairs; Board Member of the New York League of Conservation Voters and Board Member of the Jewish Community Relations Council of New York.

## **Rabbi Sharon Kleinbaum**

Senior Rabbi at Congregation Beit Simchat Torah (“CBST”) and human rights activist.

## **Khary Lazarre-White**

Social entrepreneur, educator, non-profit executive, writer and attorney; Co-Founder and Executive Director of The Brotherhood/Sister Sol.

## **Regina Martinez-Estela**

Chief Operating Officer for Independence Care System, Inc., a Medicaid Managed Long-Term Care program serving people with disabilities and senior adults in NYC.

## **Ana Oliveira**

President and Chief Executive Officer of The New York Women's Foundation, devoting over 25 years in public health for under-served populations.

## **Arnaldo Segarra**

Lifelong organizer and activist who has served in federal and local government positions.

## **Domna Stanton**

A distinguished professor at CUNY Graduate Center with over 10 years of experience as a Human Rights Watch Board Member or Committee Member.

# Publications and Materials

In 2015, the Commission created new educational materials keeping in mind expansion of language access as well as reaching out to populations which have received little to no attention in the past such as immigrant and transgender communities. The Commission also initiated a major rebranding process that will lead to the assessment and revamping of its entire publication stock in 2016.

## Brochures



- Fair Chance Act (*Multilingual*)
- Credit History Law (*Multilingual*)
- Immigrants & Human Rights (*Multilingual*)
- Mediation Questions and Answers (*English*)

## Cards



- Commission Law/General Info Card (*English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, Korean*)
- Domestic Violence/Sexual Violence/Stalking and Employment Rights (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)



- Fair Housing (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)
- Lawful Source of Income (*English*)
- Gender Identity (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)
- Pregnancy and Employment Rights (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)
- Sexual Orientation (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)
- Unemployment Status (*English, Spanish, Traditional Chinese, Russian, Korean, Haitian Creole, Italian*)

### Posters

- Pregnancy & Employment Rights (*English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, Korean*)
- Fair Chance Act (*English, Spanish*)
- Credit History Law (*English: Purple, Blue Spanish: Red, Orange*)
- Fair Housing (*English*)

### One Pagers

- Fair Chance Act (*English, Bengali, Chinese, Haitian Creole, Korean, Russian, Spanish*)
- Credit History Law (*English, Bengali, Chinese, Haitian Creole, Korean, Russian, Spanish*)

### Legal Enforcement Guidance

- Legal Enforcement Guidance on the Fair Chance Act, Local Law No. 63 (2015)
- Legal Enforcement Guidance on the Stop Credit Discrimination in Employment Act, N.Y.C. Admin. Code §§ 8-102(29), 8-107(9)(d), (24); Local Law No. 37 (2015)
- Legal Enforcement Guidance on Discrimination on the basis of Gender Identity or Expression: Local Law No. 3 (2002); N.Y.C. Admin. Code § 8-102(23)

### Reports

- Annual Report 2014 (*English*)

### Digital Media

In Calendar Year 2015, the Commission credits its digital and social media awakening to a number of factors, including, but not limited to the following strategies:

- *Identifying Trends*
  - The Communications team keeps an eye on hashtags and trending topics - which are huge drivers of social media - and piggybacks off of them whenever there is a link between the trend and the agency (for example, #WorldDayOfSocialJustice, #RosaParks, etc.) This results in more than just our followers seeing our posts.

- *Creating Videos*



- Setting itself apart from most other agencies, the Commission creates informative and effective short films as part of its campaign messaging. The videos yield a great deal of activity on the agency’s Facebook page with users “sharing” the clips with their friends.
- *Developing Graphics*
  - The Communications team has created a wide array of exciting, eye-catching graphics content to highlight the different areas of the Commission’s work and maximize engagement.
- *Live-tweeting*
  - For major events, Communications staff is always on-hand to tweet as-it-happens content, so that our followers can stay engaged in our work on a real-time basis.
- *Promotion*
  - Our social media handles were promoted extensively for the first time in 2015, including being listed on all our publications and literature, which are handed out to stakeholders in the community on a daily basis, and being listed on the Mayor’s Office’s list of social media handles.
- *Inter-Unit Collaboration*
  - To keep New Yorkers abreast of our work, the Communications team works with staff from other units (i.e., LEB, CRB, Office of the Chair) to compile photos and descriptions of work they are involved in so we can promote those activities on our social media channels.
- *Tagging*
  - Tagging on social media all entities working with the Commission has allowed them to see our posts and share them with their followers.
- *Setting up large ad campaigns*
  - For certain items (e.g. a new law), the Communications team has put together extensive promoted ad campaigns specific to that item, including a detailed social media calendar and usage of Facebook and Twitter promotional tools.
- *Leveraging the City’s Digital Strategy Team*
  - The Communications team maintains constant contact with the City’s Digital Strategy team for assistance with inter-agency promotion of the Commission’s work.

## 2015 Website and Social Media Analytics

### Social Media



**Jan 2015    Dec 2015    Increase**

LIKES	790	2,500	215%
AVERAGE ENGAGEMENT	25	150	550%
AVERAGE REACH	220	2,500	1040%



**Jan 2015    Dec 2015    Increase**

FOLLOWERS	175	2,010	1050%
AVERAGE IMPRESSIONS	770	110,000	14,000%



**Jan 2015    Dec 2015**

FOLLOWERS	0	220
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**NYC.gov/HumanRights  
Jan - Dec 2015**

Average **Page Views** per week rose from about 5,000 to almost 10,000.

Average **Visits** per week rose from about 1,500 to almost 4,000.

Average **NEW** Visitors per week rose from about 550 to almost 1,400.

## Office Locations/Contact Information

To file a complaint or learn more about the Commission, dial 311 and ask for Human Rights.

### Main Office

100 Gold Street, Suite 4600  
New York, NY 10038  
Dial 311 or (212) 306-7450  
Fax: (212) 306-7658

### NY Relay Services:

(800) 421-1220 English  
(877) 662-4886 Spanish  
711

### Website

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

## Community Service Centers



Facade of Queens Community Service Center. Credit: Franck D. Joseph II

### Manhattan

100 Gold Street, Suite 4600  
New York, NY 10038  
(212) 306-7450

### Queens

153-01 Jamaica Avenue, 2nd Floor  
Jamaica, NY 11432  
(718) 657-2465

### Bronx

1932 Arthur Avenue, Room 203A  
Bronx, NY 10457  
(718) 579-6900

### Staten Island

60 Bay Street, 7th Floor  
Staten Island, NY 10301  
(718) 390-8506

### Brooklyn

25 Chapel Street, Suite 1001  
Brooklyn, NY 11201  
(718) 722-3130



