



Commission on Human Rights

2016 ANNUAL REPORT

LOOK PAST PINK AND BLUE
IN NYC, YOU CAN USE THE RESTROOM CONSISTENT WITH WHO YOU ARE.

Alisha, The Bronx

New York City Human Rights
Protections Base Sexual Orientat

CAREGIVER
Discrimination

A victim of abuse should never be
a victim of discrim
in housing or employmen

THERE'S NO ROOM FOR HOUSING DISCRIMINATION IN NYC

I AM MUSLIM.
New Yorkers of all faiths and free from discrim

DISCRIMINATORY HARASSMENT
Under the NYC HUMAN RIGHTS LAW

BILL DE BLASIO, Mayor

CARMELYN P. MALALIS, Commissioner/Chair

Commission's staff and various media campaigns illustrate our cover.

Cover photo credit: Nancy Siegel Photography, Adrienne Nicole Productions, Kirsten Luce, Fluent 360, Anita Abedin, and Steve McFarland.



**Commission on
Human Rights**

2016

ANNUAL REPORT

Message from the Mayor



The work of the City Commission on Human Rights is as urgent today as ever. New Yorkers are deeply concerned about what changing federal policies may mean for them, their families, and their communities. And we have seen a troubling uptick in bias attacks in recent months here and across the country.

As mayor, I want every New Yorker to know – whatever your background, your faith, or whom you love – this is your city. Our administration is dedicated to protecting New Yorkers and our shared values. We will oppose any policies that target people on the basis of their religion. We will not allow the NYPD to jeopardize public safety by acting as immigration enforcement officers. We will never return to the era of stop and frisk.

The City Commission on Human Rights and its Commissioner and Chair, Carmelyn P. Malalis, are on the front lines of this fight. In the two years since Commissioner Malalis' appointment, the Commission has shown a focus and vigor unsurpassed in its history. I urge you to read this report to learn more about the Commission's vital work and what you can do to help ensure that New York City remains true to its values.

Bill de Blasio

Bill de Blasio
Mayor

Message from the Commissioner



As we look back on the accomplishments of the Commission over the course of the previous year, I am tremendously proud of all we have achieved. Through our continued efforts to energize this historic agency, the Commission has emerged as a leader in human and civil rights enforcement and has built relationships with advocates across the City's diverse communities. The demand for our work is clear. For example, the Commission saw race, religion, alienage, and citizenship status claims rise 46% in 2016. We also saw increases with respect to pregnancy discrimination investigations and investigations in the areas of disability discrimination, source of income discrimination, and gender identity discrimination. The Commission also maintained its average monetary recovery – over \$21,000 per case – which in 2015 had doubled over 2014. This is in line with a priority I laid out for our work since coming to the Commission two years ago – strengthening the Commission as a venue for justice, so that recoveries at the Commission are consistent with recoveries in court.

A review of the year reveals a number of major accomplishments. For example, in March, the Mayor signed Executive Order 16, directing all agencies to provide supervisory and frontline staff training on transgender diversity and inclusion, and to publicly post the City's policy that people must be allowed to use the single-sex facility that most closely aligns with their gender identity or expression without being required to show proof of gender. This was followed by the Commission's highly successful and groundbreaking "Look Past Pink and Blue" campaign, a citywide public education effort launched across City transit stations, kiosks, and social media that affirmed New Yorkers' right to use restrooms consistent with their gender identity. It garnered over 62 million impressions across various media platforms. As Alisha King, a New Yorker featured in the ads noted "Bathroom discrimination is a regular occurrence for the transgender community...I sincerely hope these ads help people understand that transgender people are people just like you. We just want to use the restroom safely and be treated with respect."¹

In April 2016, in our continuing effort to promote transparency and clarity in the Commission's enforcement and interpretation of the law, the Commission published its fourth legal enforcement guidance, following the three released in 2015. This guidance, focusing on pregnancy discrimination, is a comprehensive document that clearly articulates the rights of pregnant workers and the obligations of employers to provide accommodations to such workers. The guidance has been well-received by attorneys who represent both employers, who appreciate the transparency, and workers, who are gratified to have guidance that so clearly articulates their rights.

The Commission also launched its new website in August 2016, which features user-friendly functionality and a newly-designed feature that allows users to report discrimination directly to the Commission. The public can now access information available in multiple languages across the Commission's different offices more easily and more readily connect with the Commission to report discrimination or make an inquiry directly to Commission staff.


In September 2016, with Islamophobic rhetoric and incidents trending upward, the Commission launched its "I Am Muslim NYC" campaign, promoting respect, understanding, and support for the City's diverse Muslim communities. The campaign resulted in 5.5 million impressions across Facebook, Twitter, and Instagram and was well-received by advocates and diverse Muslims across the City's five boroughs.

Now, as bias-based incidents have become increasingly common and New Yorkers have become more concerned about the impact of new leadership at the federal level, the Commission is responding in kind. We have expanded our Infoline, adding additional operators who can help victims of discrimination

¹ Slate: New York City Unveils Nation's First Citywide Trans Bathroom Access Ad Campaign – J. Bryan Lowder (June 2016)

file claims, inform them of protections under the law, and answer and refer questions on immigration matters. The Commission has also created a Bias Response Team that is reaching out to victims of bias-based incidents to address instances of harassment and intimidation, inform them of their rights, and furnish affected communities with know-your-rights information and resources. In addition, our staff has regularly presented at meetings and forums throughout the City in partnership with other agencies, elected officials, and community-based organizations.

Across the agency – in law enforcement, community relations, policy, and communications – the Commission has been working to let vulnerable communities across the City know that it is fighting discrimination and hatred in their many forms. This leadership will continue. In the coming year, we will be rolling out a campaign combating xenophobia, a workshop focused on race and color discrimination, and a training titled “Understanding Muslim Experiences and Combating Islamophobia” among other initiatives. This represents only a fraction of what we aim to do in the months and years to come. We look forward to partnering with you and the communities with which you work to ensure that New York City remains a welcoming environment for residents and visitors of all backgrounds and a champion for equity and inclusion. No one should be treated differently because of who they are, the color of their skin, where they are from, who they love, the faith they believe, or any number of factors that go into making New York City the diverse city that it is and a mecca for people rejecting hate. That belief is a core value in New York City, and the Commission on Human Rights will fight to protect it.

A handwritten signature in black ink, appearing to read 'C.P. Malalis', with a stylized flourish at the end.

Carmelyn P. Malalis
Commissioner and Chair

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Introduction

The New York City Commission on Human Rights (the “Commission”) is the agency responsible for 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; credit history; and 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. The law further requires employers to make reasonable accommodations for 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 has three primary divisions – the Law Enforcement Bureau (“LEB”), Community Relations Bureau (“CRB”), and the Office of the Chairperson. LEB is responsible for the intake, investigation, and prosecution of NYCHRL violations, including those that raise systemic violations. CRB, through borough-based Community Service Centers, 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.

In 2016, every department at the Commission expanded. LEB added seven attorneys, four attorney internes, one Assistant Commissioner, one Supervising Attorney, three Human Rights Specialists, one Infoline Director, one Testing Coordinator, two part-time testers and three administrative. CRB added a Managing Director for Bronx, Manhattan, and Staten Island; a Lead Advisor on Muslim, Arab, and South Asian Communities; two Community Service Center Directors; three Human Rights Specialists; and three Associate Human Rights Specialists. The Office of the Chairperson added an Associate Policy Counsel and Policy Analyst; and the General Counsel’s office added a Director of Mediation and Conflict Resolution, two Assistant General Counsels, a Budget Analyst, a Chief of Information Technology, and three information technology support staff. The Office of Communications and Marketing added a Communications and Marketing Coordinator as well as a Deputy Press Secretary.

This past year, the Commission became the first local anti-discrimination agency in the nation to issue U visa certifications and T visa declarations for individuals who have experienced violations of the NYCHRL and where the Commission detects that they are victims of qualifying criminal activities that are connected to the NYCHRL violation. U visas offer immigration protection to individuals who have been victims of certain crimes and who have been or will be helpful to law enforcement investigation and prosecution efforts. T visas offer similar protection to individuals who have been victims of trafficking. This year we reviewed a number of certification requests from individuals who filed Complaints with the Commission and/or aided in the investigation or prosecution of cases and issued a number of certifications.

With the enactment of local legislation, Intro. 108-A, this year also saw an expansion of the NYCHRL to establish protections for workers with caregiving responsibilities. The measure went into effect on May 4, 2016. The new protections apply to a wide range of individuals, including those who are caring for children under the age of 18 and those caring for parents, children, siblings, spouses, grandparents, or grandchildren with a disability as well as people with disabilities who live with them. The law, signed by

Mayor de Blasio in January 2016, protects employees from termination, demotion, or denial of promotion because of their status as a caregiver. These new protections apply to employers with four or more employees and protect job applicants as well as current employees.

In 2016, the Commission also issued new legal enforcement guidance concerning the treatment of pregnant workers. Through its prohibitions on discrimination based on gender, the NYCHRL prohibits unlawful discrimination in employment, public accommodations, and housing, based on pregnancy or perceived pregnancy. It also requires employers to reasonably accommodate the “needs of an employee for her pregnancy, childbirth, or related medical condition that will allow the employee to perform the essential requisites of the job, provided that such employee’s pregnancy, childbirth, or related medical condition is known or should have been known by the employer.”² This document functions as the Commission’s legal enforcement guidance on the NYCHRL’s protections as they apply to discrimination and reasonable accommodations based on pregnancy, childbirth, or related medical conditions. The guidance was widely lauded for, among other things, clarifying the rights of pregnant employees so they can continue to work without compromising the safety of their pregnancy.

² The guidance is available at http://www1.nyc.gov/assets/cchr/downloads/pdf/publications/Pregnancy_InterpretiveGuide_2016.pdf.

Agency-Wide Highlights



Photo credit: Harry Copson.

The Commission continued to vigorously enforce the New York City Human Rights Law (“NYCHRL”), deepen its relationships with communities across the five boroughs, strengthen its media outreach, and strengthen its media outreach educating millions in NYC and beyond on the NYCHRL. In addition, it also marshaled resources to respond to national shifts with serious implications for New Yorkers.

Commission Launches New Initiatives to Respond to Post-Election Climate

The Commission shifted priorities in the wake of the post-election climate in which the City and community-based organizations saw an increase in bias incidents and hate crimes.

- In December 2016, the Commission announced an expansion of its Infoline, adding additional operators who can help victims of discrimination file claims, inform them of protections under the NYCHRL, and answer and refer questions on immigration matters.
- The Commission also launched a Bias Response Team in December 2016 which consists of a team of multilingual staff members from the Community Relation’s Bureau (“CRB”) responsible for reaching out to victims of bias-based incidents to address the incidents, inform them of their rights, and provide affected communities with know-your-rights information and resources.
- Because many reports of discrimination and hate have occurred in or near transit stations, the Commission, with support from the Mayor’s Office of Immigrant Affairs, Community Affairs Unit, Public Engagement Unit, and the Department of Consumer Affairs, conducted a subway outreach and visibility day on December 20, 2016, at eight major transit hubs in the five boroughs. Participants distributed multilingual information on religious protections under the NYCHRL as well as a new bilingual English-Spanish fact sheet on discriminatory harassment.
- To support these efforts, the Commission launched a landing page at NYC.gov/NYCValues as a one-stop venue for information and resources for concerned communities along with a 30-day Google, Facebook, mobile apps, and ethnic media ad campaign promoting protections against discriminatory harassment which garnered almost three million impressions.

Commission Partners with Community-Based Organizations To Organize Transgender Week of Remembrance and Resilience

In 2016, approximately 27 people were murdered throughout the country because of transphobic violence and countless others experienced different forms of violence. In recognition, the Commission worked with trans-rights advocates and organizations from across the five boroughs to expand what had been Transgender Day of Remembrance to an entire week, dubbed Transgender Week of Remembrance and Resilience.

- The Transgender Week of Remembrance and Resilience ran from November 15, 2016, until November 20, 2016. This collaborative week of events aimed to raise awareness of the murders of transgender people, particularly trans women of color who are disproportionately affected by violence.
- Vigils, dinners, events, and marches were organized to highlight the lives and resilience of trans people, while bringing attention to the violence that they experience.

Seven New Amendments Added to New York City Human Rights Law

In 2016, the Commission worked with community advocates, City Council Legislative staff, and representatives from the administration to add seven important amendments to the NYCHRL that clarified and expanded its protections. These protections include:

- Prohibitions on employment discrimination based on an individual's actual or perceived status as a caregiver. The change ensures that workers will be able to provide necessary care for their family members without fear of being penalized in the workplace.
- Prohibitions on housing discrimination because of an individual's status as a victim of domestic violence or stalking.

Commission's Continued Growth and Impact

The Commission continued to grow in 2016, hiring a Chief Information Officer, Director of Mediation and Conflict Resolution, as well as new attorneys and human rights specialists, communications experts, policy specialists, and technological and operations support staff. With the increase in personnel, the Commission has strengthened and broadened the impact of its enforcement and outreach efforts and engaged in new and innovative strategies to promote the mission of the agency.

- The number of cases filed with the Law Enforcement Bureau ("LEB") in 2016 (883) continued to rise, following a two-year trend. In 2015, cases filed (824) rose 33% over 2014 (663).
- The Commission also continued to greatly expand its grassroots public outreach, educating more than 43,961 New Yorkers and businesses on the NYCHRL through 2,138 workshops, presentations, and trainings in 2016, nearly double the number provided in 2015. Additionally, the Commission provided 33,184 instances of technical assistance to the public and distributed 221,542 pieces of literature, including posters from its different citywide campaigns.
- The Commission also revamped its testing program to root out violations that disproportionately impact vulnerable communities. The program supports the Commission in initiating its own investigations without relying on individual Complainants who may be hesitant to come forward and report such violations. Under the leadership of the Assistant Commissioner for Commission-Initiated Investigations, the revamped program conducted a wide variety of types of tests, including

sending matched pair testers to assess whether stores were discriminating against patrons on the basis of race, evaluating employment applications for unlawful discrimination based on conviction history or credit history, calling medical facilities to ascertain whether they discriminated against transgender patients in their provision of services, and contacting landlords to assess whether they are in compliance with source of income protections.

Commission Expands Language Access

The Commission recognizes that the key to building trust in historically underserved communities, such as immigrant and non-English speaking communities, begins with communication and accessibility. To that end, the Commission continues to prioritize increasing its internal language capacity and has updated its language access plan to be reflective of the needs of communities that rely on the vital services the Commission provides.

- The Commission currently provides interpretation services in all available languages through its in-house Language Bank, the Citywide Volunteer Language Bank, and phone interpretation through its contract with Voiance.
- The Commission continues to build on its internal language capacity and currently offers 27 languages across Commission staff, including American Sign Language. In addition, the Commission expanded language access by creating a 23-language insert advising parties of their rights and the process to obtain written translation or verbal interpretation of documents submitted to them during the Commission's investigative and administrative appeal process.
- In 2016, the Commission placed nearly 60 ethnic media articles and op-eds in languages other than English such as Spanish, French, Turkish, Urdu, Bengali, and Arabic. Additionally, the Commission spent close to \$90,000 in ethnic and social media advertisements in languages other than English including Chinese, Bengali, Korean, Russian and Arabic. The Commission also invested close to \$50,000 in advertisements in diverse community media and news websites serving people of color and LGBTQ communities. In 2016, the Commission spent close to 80% of its newspaper and radio advertisement budget in ethnic and community media.
- All the Commission's public outreach materials available on its website are provided in multiple languages. In 2016, translations into Turkish, Hebrew, and Punjabi were added to the set of existing languages that included Spanish, Bengali, Urdu, Korean, Chinese, French, Haitian Creole, and Russian.
- All the Commissions' out of home and social media advertisements are alwa

- ys released in Spanish in addition to English. In 2016, we re-promoted on Facebook our 2015 video in Spanish featuring Commission services. This promotion garnered over 20,000 views of Facebook users who speak Spanish.
- The Commission launched a new website in July 2016 that includes a user-friendly Google Translate feature providing access to 103 languages.

Commission Garners over 84 Million Views on Its Media Campaign Messages and over 500 Story Placements Across Media Platforms in New York City and Beyond

Building on last year’s successful citywide credit and criminal history integrated media and marketing campaigns, the Commission’s Communications and Marketing team executed a number of highly successful media campaigns.

- The Commission launched “Look Past Pink and Blue,” the nation’s first government-led citywide ad campaign aimed at reinforcing safe and equal bathroom access for transgender individuals, and “I am Muslim, I am NYC,” a campaign aimed at promoting solidarity and protecting Muslim communities in New York City.³ Look Past Pink and Blue earned top accolades in the 2016 Shorty for Social Good and MarCom Awards.
- The Commission also planned and coordinated paid outreach on a variety of human rights-related issues, including, but not limited to: Mayor de Blasio’s Executive Order on Single Sex Facilities; fair housing protections in NYC; domestic violence protections in housing and employment; reaching Spanish-speaking New Yorkers; protections and accommodations for people with disabilities; and discriminatory harassment across a variety of platforms that include digital and mobile; traditional; emergent; ethnic and community media; and public transportation and neighborhood store front ads.
- These efforts all together generated over 84 million views in 2016 on Commission messages in New York City and beyond.
- The Commission also expanded its press outreach to ensure over 500 story placements across traditional, ethnic, and community media, as well as print, broadcast, and digital news platforms. This includes over 56 story placements in ethnic media.

Law Enforcement Bureau Trains Private Attorneys to Expand Impact

Throughout 2016, LEB conducted regular trainings for attorneys representing either Complainants or Respondents, explaining the unique aspects of the NYCHRL and the procedures of the Commission to help facilitate representation before the Commission.

Since Commissioner Malalis began her tenure, the number of attorneys representing Complainants at the Commission has increased. LEB created a simplified filing process for legal advocates to file Complaints on behalf of Complainants. Attorneys’ fees also became available for attorneys representing Complainants at the Commission, making it a more attractive venue.

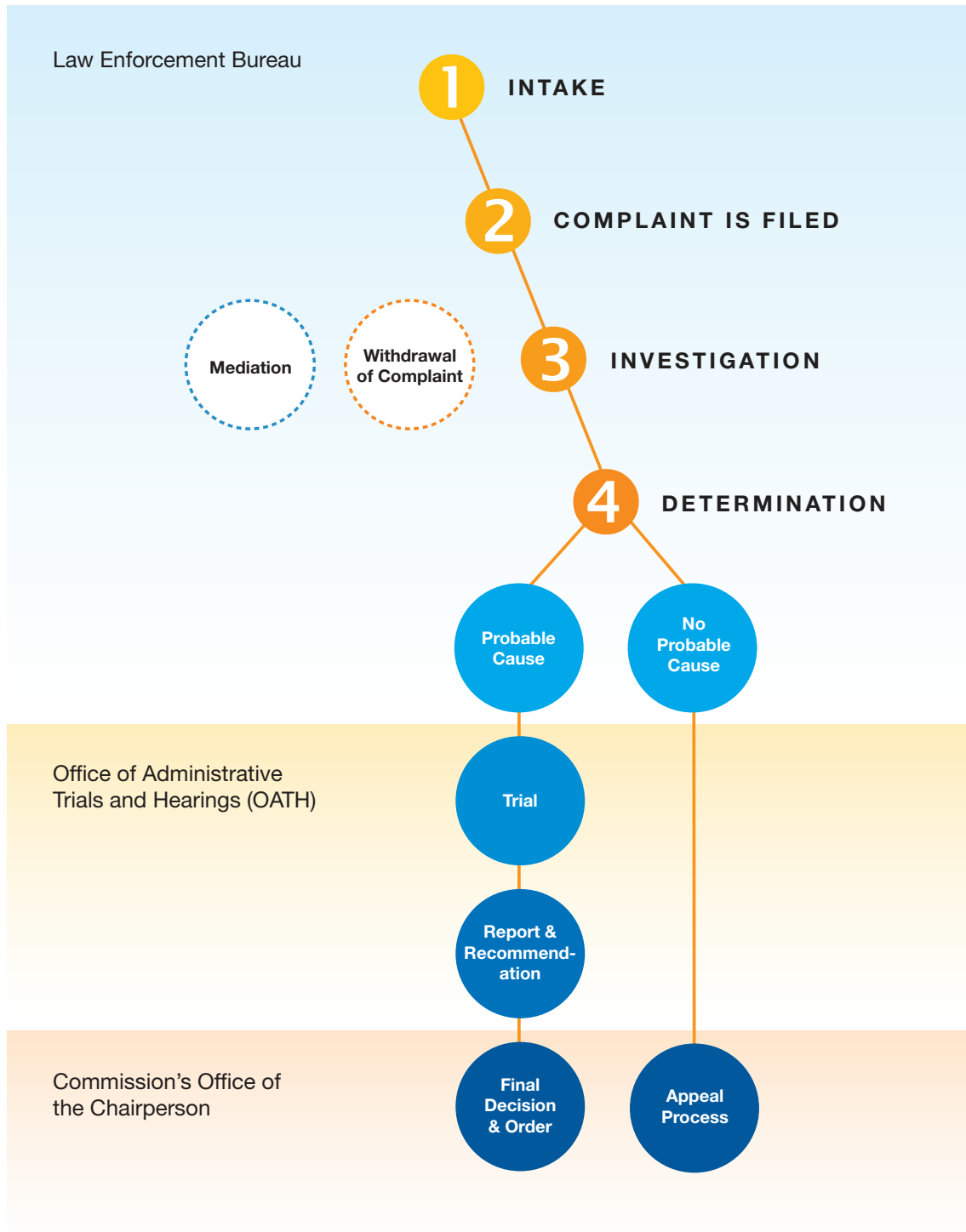
3 See Media Outreach, page 44.

LAW ENFORCEMENT BUREAU

The Law Enforcement Bureau (“LEB”) enforces the New York City Human Rights Law (“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, members of faith communities, elected officials, or any other individual may bring specific incidents or potential patterns of discrimination to LEB’s attention, and LEB can initiate its own investigation.

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 the reported activities are covered by the NYCHRL, the attorney will draft a “Complaint.”⁴ 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 Complainant reviews the Complaint and signs it. The Complaint is then sent to the Respondent. The Respondent has 30 days to respond by filing an “Answer.”

Investigation: After the Respondent answers the Complaint and provides a Position Statement, LEB may investigate further. The Complainant may be asked to respond to the Respondent’s position, called a “Rebuttal.” The investigation may also include interviewing the parties and their witnesses, requesting documents from the parties, or other actions.

Withdrawal of Complaint: The Complainant can ask to withdraw their Complaint for any reason, for example, if they no longer wish to pursue their claim.

Mediation: Once the Rebuttal is received, LEB may offer the parties the opportunity to participate in a mediation through our Office of Mediation and Conflict Resolution, where both sides would be offered the opportunity to meet in person and discuss a private resolution of the case. Both parties must agree to participate before a mediation can occur.

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. After the Chairperson of the Commission signs the agreement, the agreement becomes an enforceable order of the Commission.

Determination: LEB may issue three types of determinations:

1. Probable Cause Determination

LEB shall find probable cause to credit the allegations of a Complaint 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. If LEB finds probable cause, the parties receive a notice and the case is referred to the Office of Administrative Trials and Hearings (“OATH”), a separate city agency, for a hearing before an administrative law judge (“ALJ”).

2. No Probable Cause Determination

If LEB determines that there is no probable cause to believe that the Respondent has engaged or is engaging in an unlawful discriminatory practice, LEB sends all parties a document called a “Notice of Determination,” which explains LEB’s decision. The parties can ask the Office of the Chairperson to review the determination by sending a letter to the Office of the General Counsel within thirty days of service of the notice. If, after review, the Office of the Chairperson does not change the determination and issues a final order of the Commission dismissing the case, the parties may appeal to the New York Supreme Court within 30 days of service of the final order.

3. Dismissal for Administrative Convenience

If LEB issues a notice dismissing a case for administrative convenience this means that LEB has done some investigation but has decided not to continue, its investigation for one of a variety of reasons. In most instances, this kind of dismissal allows Complainant

⁴ Where Complainant is represented by an attorney, the attorney can file a complaint on the Complainant’s behalf.

to bring their claim in court. The parties can ask the Office of the Chairperson to review LEB’s determination to dismiss the case by sending a letter to the Office of the General Counsel within 30 days of service of the notice of dismissal.

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 their attorney may “intervene” in the case at or before the first conference with the ALJ is held.

Report & Recommendation: The ALJ’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 30 days of service of the Decision and Order.

Inquiries



Left photo credit: Nancy Siesel Photography. Center and right photo credit: Steve McFarland.

Most Complaints filed with LEB begin with a phone call to the Commission’s Infoline through 311 or by calling (718) 722-3131. Infoline staff members assess the caller’s situation and schedule the caller for an intake appointment with one of LEB’s attorneys, route the caller to the Commission’s CRB for other intervention, and/or make a referral to another city agency or community resource.

The chart on next page provides information on the communications (*i.e.*, telephone calls, emails, and letters) the Commission received from the public inquiring about the NYCHRL in 2016. 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	137	83	44	9	2	15	290	
Religion/Creed	51	33	33	12	5	13	147	
Disability	210	627	356	15	3	70	1281	
Alienage (Immigration Status)/ Citizenship Status	32	26	9	2	1	3	74	
Color	96	74	94	15	9	16	304	
National Origin	177	94	117	30	12	18	448	
Sexual Orientation	47	42	33	19	6	15	162	
Race	264	177	229	38	22	28	758	
Gender*	162	52	77	24	9	24	328	
Arrest Record	57	8	●	●	●	2	67	
Conviction Record	143	19	●	●	●	8	170	
Domestic Violence (Employment & Housing only)	10	6	●	●	●	1	17	
Partnership Status	2	7	0	0	●	0	9	
Marital Status	8	17	4	4	●	2	35	
Lawful Source of Income (Housing only)	●	367	●	●	●	8	375	
Lawful Occupation (Housing only)	●	17	●	●	●	1	18	
Presence of Children (Housing only)**	●	30	●	●	●	1	31	
Unemployment Status (Employment only)	3	●	●	●	●	0	3	
Credit History (Employment only)	12	●	●	●	●	1	13	
Retaliation	90	20	1	11	2	8	132	
Caregiver (Employment only)	16	●	●	●	●	2	18	
Housing Status (Bias-Based Profiling only)	●	●	●	●	0	0	0	
Pregnancy Accommodation (Employment only)	54	●	●	●	●	3	57	
Protected Class Not Stated	325	398	160	17	10	3989	4899	
Other***	6	16	28	7	2	0	59	
Total Inquiries							8330	

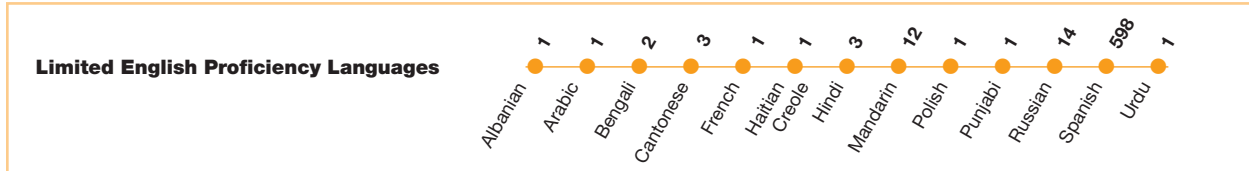
* Includes Gender Identity and Gender Expression.

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

*** Inquiries not related to a specific jurisdiction.

Inquiries by Members of the Public Who Speak a Language Other Than English

Several of the Commission’s Infoline staff members speak languages other than English: currently Spanish, French, Hindi, Urdu, and Nepali. In addition, staff members use Voiance to connect with an interpreter for other language needs. The chart below provides information on the languages used to respond to inquiries by members of the public who speak a language other than English.



Pre-Complaint Interventions

In some situations, the Commission intervenes in a situation before the filing of a Complaint, resulting in a resolution of all or part of the issue presented even before a Complaint is filed. CRB performs most of the Commission’s pre-Complaint interventions.⁵ However, in 2016, LEB also resolved 30 cases in this way. Some examples are provided below.

Source of Income Discrimination in Housing

Under the NYCHRL, landlords and brokers are prohibited from discriminating against tenants based on their source of income, for example, refusing to accept a tenant’s public assistance to pay the rent. In certain situations, LEB intervenes with the landlord immediately to ascertain whether negotiation could lead to the tenant obtaining the apartment. For example, in a recent situation, a Complainant’s Section 8 voucher was due to expire at the end of December 2016, but her landlord refused to accept it. When LEB contacted the landlord, he agreed to accept the voucher and the Complainant was able to remain in her apartment. In many cases, LEB still files a Complaint to ensure that the landlord changes its policies and complies with the law going forward. LEB may also monitor the landlord’s compliance with the law in the future through the Commission’s testing program⁶ for a description of the testing program).

Illegal Ads and Applications

LEB may also intervene prior to the filing of a Complaint when it finds that a small business has committed a violation of the NYCHRL that is clearly stated in a document, such as, when a small business is using a job application that requires a criminal background check in violation of the Fair Chance Act, a job application that requires a credit history check in violation of the Stop Credit Discrimination in Employment Act, or an ad for a “delivery boy,” which is an illegal gender-based limitation. In such cases, LEB may, for example, issue a cease-and-desist letter warning the business of its obligations under the law, order

⁵ See page 33.

⁶ See page 15.

the business to attend a free training on the NYCHRL provided by the Commission, and/or require the business to respond with a corrected application or ad in lieu of seeking monetary penalties, among other possible actions.

Accommodations

Pre-Complaint intervention is particularly effective when a person with a disability or a pregnant person has been denied an accommodation. For example, LEB intervened on behalf of a mother and daughter when their landlord, a small housing provider, denied them the accommodation of keeping an emotional support animal. After LEB intervened, the tenants could keep the support animal without filing a Complaint.

Commission-Initiated Investigations

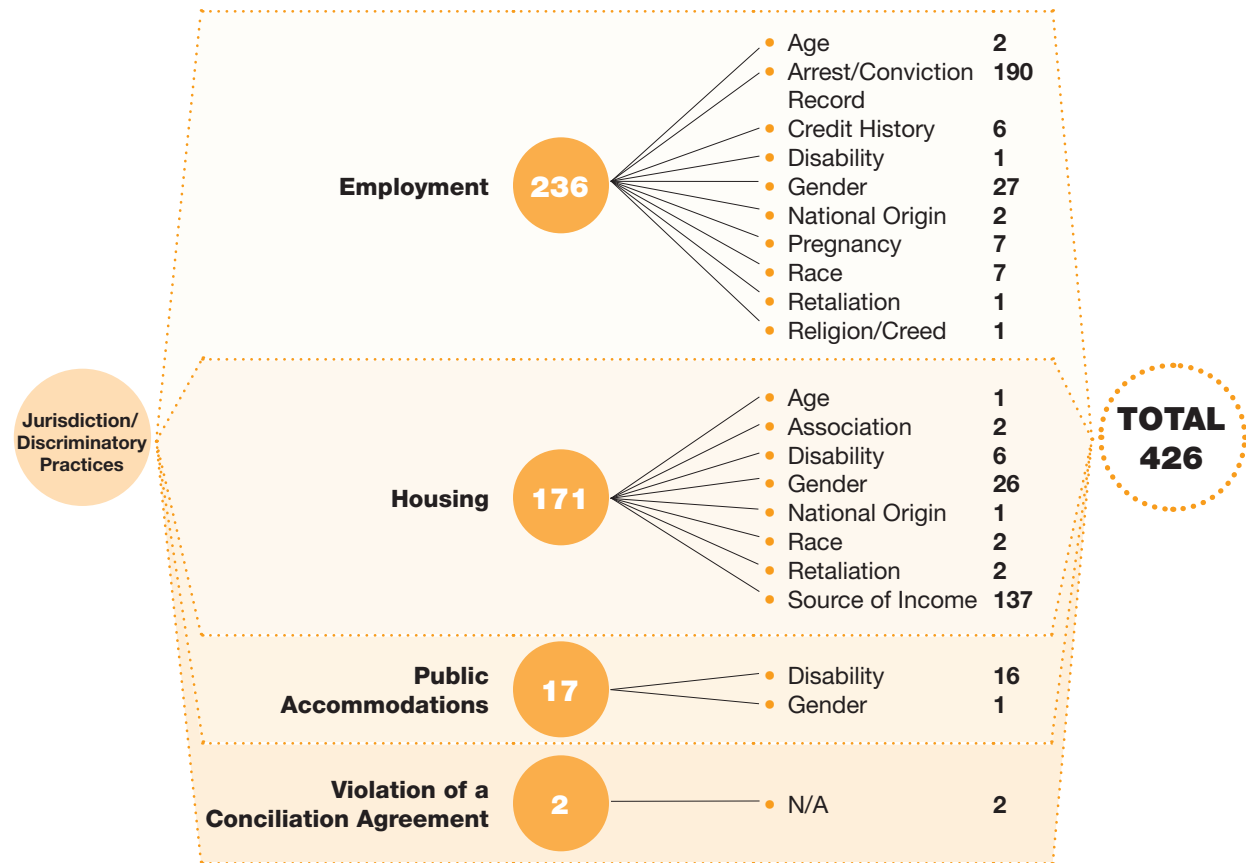
The Commission has the power to initiate its own investigations into violations of the NYCHRL. This allows LEB to investigate and prosecute allegations of discrimination when affected parties are too fearful to file a Complaint, when the media or community stakeholders report information about general trends of discrimination, or when LEB, through testing or other methods, identifies violations.

Since Commissioner Malalis began her tenure in 2015, LEB expanded Commission-initiated investigations into new areas of the NYCHRL. In 2016, LEB further expanded the types of discriminatory practices it targets with Commission-initiated investigations, including gender discrimination in employment and public accommodations and source of income discrimination in housing. In addition to testing, which is further described below, LEB uses other investigative methods for Commission-initiated investigations such as demands for documents to entities suspected of maintaining discriminatory policies or practices.

Commission-Initiated Investigations Across All Investigative Methods

The chart below reflects all Commission-initiated investigations started in 2016, including those that led to the filing of a Complaint and those that led to a successful intervention that did not require the filing of a Complaint.⁷ The majority of the investigations are ongoing.

Because an investigation can cover more than one protected class, the numbers of protected classes involved is more than the number of investigations.



⁷ The information provided here overlaps with the chart on page 14 listing Commission-initiated Complaints, the chart reporting on testing on page 16, and the information on page 12 listing LEB’s pre-Complaint interventions.

Testing

Starting in 2015, and expanding significantly during 2016, LEB used various forms of testing used to determine whether there is discrimination in housing, employment, and public accommodations. As part of an investigation, testers are sent to potential employers, landlords/real estate brokers, restaurants, hospitals, stores, or other public accommodations to see if they are treated differently or are given different information because they belong to a protected class. The testers are trained to objectively record in detail everything that happened during the test. The testing coordinator, who reports directly to the Assistant Commissioner for Commission-Initiated Investigations, evaluates the test results to determine if the actions of the provider of employment, housing or public accommodations were discriminatory. Different types of testing can be used.

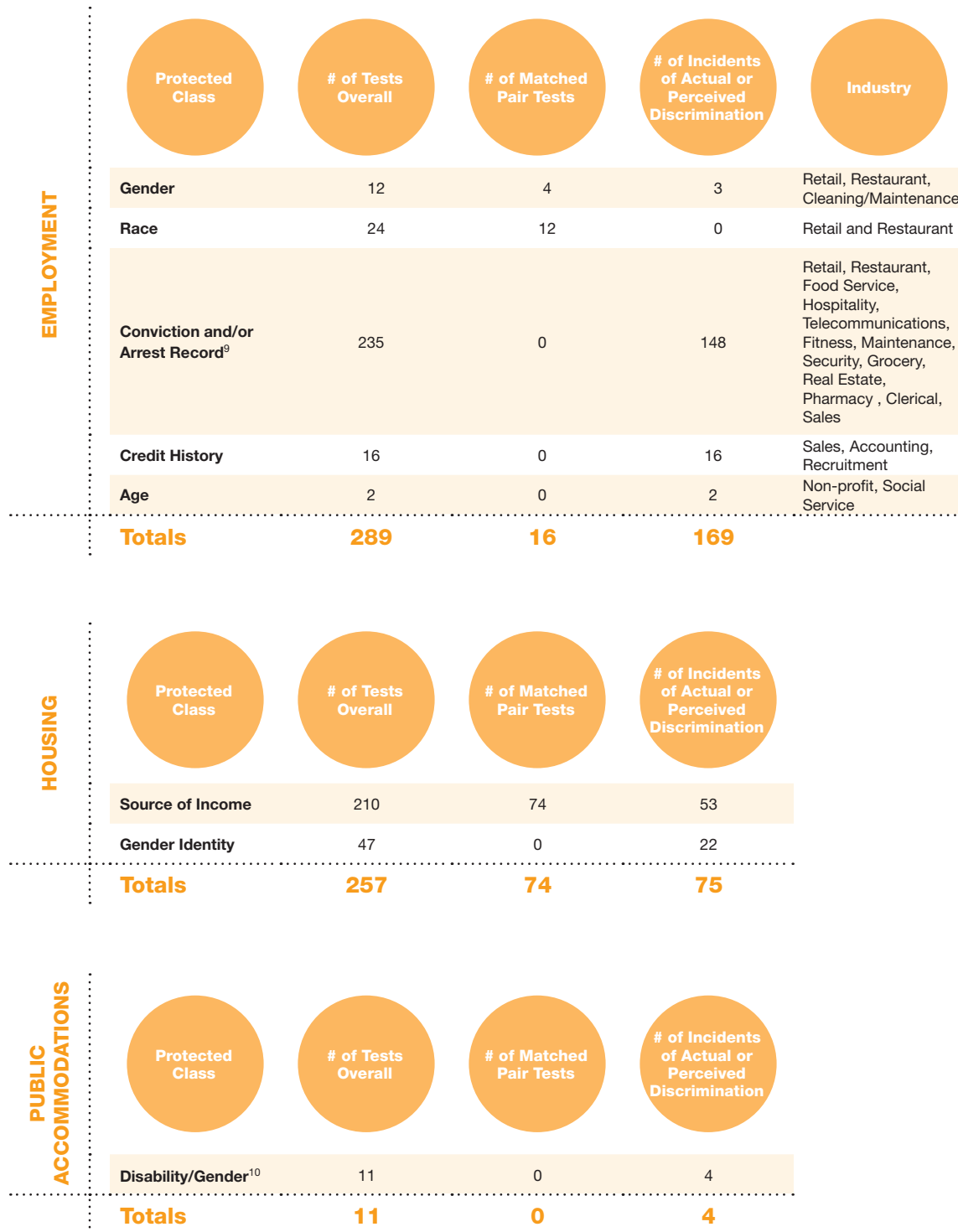
Some examples are provided here:

- Matched pairs of testers who differed only in that one of them indicated he would pay the rent with a rental assistance voucher while the other indicated he would pay the rent with working income. Both testers applied for the same rental unit to evaluate whether the housing provider discriminated based on a tenant’s source of income.
- Matched pairs of testers who differed only by gender applied for the same job to evaluate whether the employer discriminated based on the gender of the applicant. The same type of test was used to determine whether applicants were discriminated against based on their race, pregnancy status, or conviction history.
- Testers called substance abuse centers and attempted to place a transgender client to determine whether the center discriminated based on gender identity.
- Testers called hospitals to inquire whether the hospital could accommodate female patients with disabilities for a mammogram.
- Testers searched job applications online and identified if the application required a criminal background check in violation of the Fair Chance Act.

In addition to using Commission testers, the Commission partnered with the Fair Housing Justice Center (“FHJC”) on testing. FHJC focused on testing for source of income discrimination in housing. The Commission and FHJC worked with the Mayor’s Office of Data Analytics to identify neighborhoods in which to focus testing for greatest impact, with the goal of using enforcement to open up housing in neighborhoods virtually closed to voucher holders because of discrimination.

The following is a breakdown, by jurisdiction, of the number of tests LEB performed in calendar year 2016 indicating how many were matched pair tests, the protected class involved, the number of incidents of actual or perceived discrimination uncovered, and for employment tests, the industry involved.⁸

⁸ As noted above, there is some overlap between the chart reporting Commission-initiated investigations and the chart reporting tests. For test reporting purposes, LEB counts each fruitful contact with a target as one test, meaning that the target being tested provided a response sufficient to evaluate whether there may be discrimination. Commission-initiated investigations, on the other hand, are counted by target (i.e., one investigation for each employer, housing provider, or provider of public accommodation that is the subject of the investigation). A testing investigation of a particular target usually involves multiple tests.



9 Nine tests involved both criminal/arrest record and credit history.

10 LEB tested whether hospitals had chairs to accommodate women with disabilities who needed mammograms. Thus, these tests touched on both gender and disability protections under the NYCHRL.

Referrals to Corporation Counsel for Civil Action

The NYCHRL empowers the Commission to refer cases to the Corporation Counsel of the City of New York for the purpose of commencing a civil action in court. LEB, the Commission's General Counsel, and Corporation Counsel's Affirmative Litigation Division have been regularly discussing potential civil actions. LEB initially considered five investigations for referral (one in employment and four in housing), but together with Corporation Counsel decided these situations were ripe for LEB's intervention instead of a civil action. LEB filed Commission-initiated Complaints against two of those Respondents within the administrative process and is currently negotiating with another, which had begun with a tenant's Complaint, to attempt to resolve the issue through settlement. One of the remaining situations ultimately resolved among the parties without the need for LEB intervention, and the final in this group resolved with the assistance of another law enforcement agency.

LEB then referred to Corporation Counsel an investigation of a large landlord for which testing and multiple Complaints by tenants had revealed repeated violations of the source of income discrimination prohibition of the NYCHRL. Corporation Counsel declined to file a civil action but offered pre-Complaint intervention. LEB decided to instead proceed with a Commission-initiated Complaint against that Respondent within the administrative process.

LEB referred to Corporation Counsel 18 investigations of employers who published ads or applications that contain facial violations of the Fair Chance Act and/or Stop Credit Discrimination in Employment Act and 11 investigations of housing providers for whom, through testing and reports by tenants, LEB had collected evidence of repeated violations of the prohibition on discrimination based on source of income in housing. Decisions on the possibility of civil actions in these cases are still pending.

LEB requested Corporation Counsel's representation in filing three amicus briefs. To date, Corporation Counsel agreed to proceed in two of these cases and a decision on the remaining request is still pending.

LEB requested that Corporation Counsel file three special proceedings seeking injunctive relief under Section 8-122 of the NYCHRL to restrain landlords from continuing discriminatory and retaliatory acts in violation of the NYCHRL. Corporation Counsel declined to file those proceedings.

Complaints Filed in 2016

Across all Complaint-filing methods, LEB opened investigations in 883 cases in 2016 alleging a range of discriminatory practices, compared to 824 in 2015. Fifty-four percent (54%) of those cases were in employment and thirty-one percent (31%) were in housing.

Disability-related claims were the most common at twenty percent (20%) of claims. Race discrimination was the next most common claim at fourteen percent (14%) of claims with gender following at twelve percent (12%).

The types of discrimination claims filed with and by the Commission during 2016 can be found below – first, the number of Complaints filed in each jurisdiction, and second, the number of claims in each protected class. Since many Complaints allege more than one claim (or protected class), the total amount of claims listed by protected class exceed the number of Complaints filed. Both Complaints filed by members of the public and Commission-initiated Complaints are included.

Complaints by Jurisdiction



¹¹ 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.



Commission-Initiated Complaints

After an initial Commission-initiated investigation, if LEB finds a possible pattern or practice of discrimination, LEB may file a Complaint on behalf of the Commission. The chart below provides a separate breakdown of the discriminatory practice and protected categories involved in Commission-initiated Complaints filed by LEB in 2016.¹² Since many Complaints allege more than one protected class, the totals listed under protected classes exceed the number of Complaints filed.

JURISDICTION	PROTECTED CLASSES
Employment 33	<ul style="list-style-type: none"> 25 Arrest record 5 Conviction record 1 Credit history 4 Disability 3 Gender (including Gender identity) 1 National Origin 7 Race
Housing 17	<ul style="list-style-type: none"> 1 Age 1 Association 7 Disability 1 National origin 2 Race 1 Retaliation 10 Source of income
Public Accommodations 2	<ul style="list-style-type: none"> 2 Disability
Violation of a Conciliation Agreement 2	<ul style="list-style-type: none"> 2 N/A
<div style="background-color: #f4a460; border-radius: 50%; width: 60px; height: 60px; display: flex; align-items: center; justify-content: center; margin: 0 auto;"> <div style="text-align: center;"> <p>TOTAL</p> <p>54</p> </div> </div>	

¹² This section complies with the new reporting requirements established by Local Law 29.

Notable Areas of Increased Investigation

Source of Income Discrimination in Housing

Claims of source of income discrimination in housing continued to rise in 2016, following a two-year trend. In 2015, LEB filed 90 source of income cases, up from 22 in 2014. In 2016, there were 129 source of income Complaints filed, 10 of which were Commission-initiated. In addition, LEB conducted 137 Commission-initiated investigations in this area, focusing particularly on identifying larger landlords committing pattern and practice violations.

Employers' Refusal to Provide Pregnancy Accommodations

Claims of violations of the NYCHRL's requirement that employers provide accommodations to pregnant employees almost tripled in 2016, from 11 Complaints filed in 2015 to 31 in 2016. In addition, LEB conducted seven Commission-initiated investigations into employers' practices related to pregnancy accommodation, using testing and document demands for information on policies and practices.

Discrimination Based on Gender Identity or Expression in all Jurisdictional Areas

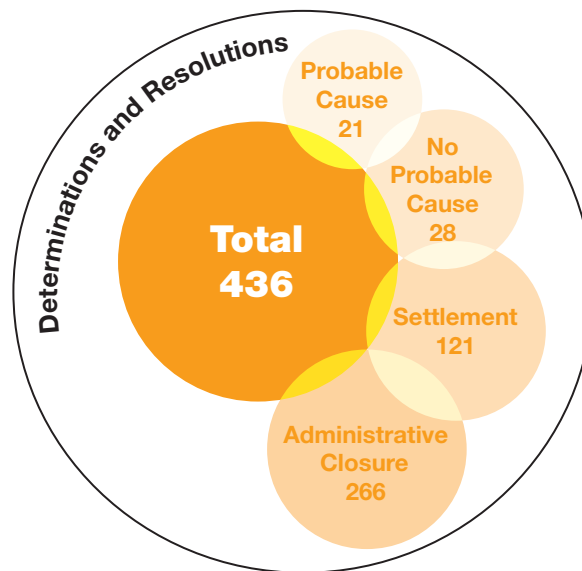
Claims of discrimination based on gender identity or expression continued to rise in 2016, following a two-year trend. In 2014, only one such claim was filed at LEB; in 2015, 18 cases were filed, and in 2016, 29 cases were filed (including three Commission-initiated Complaints in the employment context), across all jurisdictional areas. In addition, LEB conducted 47 Commission-initiated investigations into gender identity and expression discrimination by providers of housing and public accommodations, using testing and document demands for information on policies and practices.

Determinations in 2016

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 § 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 that 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 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 436 cases in 2016, up from 354 in 2015, in the following categories:



The average time to resolve these cases was 536 days, or just under 18 months. This time period is longer than the same metric in 2015, in which the average days pending for closed cases was 420 days (or about 14 months). This year’s average time reflects the fact that in 2016, LEB focused on addressing cases filed prior to the start of Commissioner Malalis’ tenure and successfully brought many long-pending cases to resolution. Of the cases closed, 42% were already one to four years old when the Commission’s new leadership began in early 2015.

As an initial matter, even though LEB increased case closures this year (436 cases closed in 2016 compared to 354 in 2015), LEB’s overall docket continued to grow because of increased attention on the Commission and the success of our Communications and Community Relations campaigns. The number of cases filed with LEB in 2016 (883) continued to rise, following a two-year trend. In 2015, cases filed (824) rose 33% over 2014 (663).

In addition, since Commissioner Malalis’ tenure began, the Commission implemented a new structure for LEB designed to make it an aggressive investigative and prosecutorial unit in order to identify and address systemic discrimination and affirmatively prevent discrimination. To that end, LEB raised the standard for investigations, requiring in-depth investigations to identify pattern and practice violations and obtain Respondents’ full compliance with all areas of the NYCHRL. LEB may now choose to hold investigations open longer so they ultimately have a larger impact, as demonstrated by the increase in damages recovered and civil penalties levied in 2016.¹³ These increases send a strong message of deterrence as the Commission works to eliminate discrimination in the City. LEB also maintained a high level of resolutions through settlement – this year, 28% of cases closed.

Damages Awards and Civil Penalties

In 2016, the Commission ordered the collection of \$1,452,136 in combined civil penalties and economic or compensatory damages in discrimination cases. There were 79 cases in which there was a monetary resolution of an award of economic and compensatory damages and/or a civil penalty (ten cases had both). The monetary resolutions averaged \$21,826.95 per case in 2016, consistent with the average recovery in 2015, which had doubled over 2014. The Commission continued a trend of increasing economic and compensatory damages awarded to Complainants, this year awarding \$1,244,136, as compared to \$991,984.00 in 2015.

Type of Monetary Recovery	Number of Cases	Total Recovered	Average per Case
Economic and Compensatory Damages	57	\$1,244,136	\$21,826.95
Civil Penalties	22	\$208,000	\$9,454.00

Case Examples

The following examples illustrate the 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 increased economic and compensatory damages and civil penalties, LEB seeks measures to prevent discrimination citywide, such as policy changes, anti-discrimination training, monitoring, and postings notifying the public about their rights under the NYCHRL.

Employment

Nationwide Employer Settles Criminal Record Discrimination Case for \$50,000 in Damages for the Complainant, \$15,000 in Civil Penalties, and Training for 10,000 Employees on the New York City Human Rights Law

An employee filed a Complaint against his employer after he was denied a position in the financial industry because of his conviction record. The convictions consisted of four minor traffic violations and a misdemeanor in 2000. After investigation, LEB issued a determination of probable cause and referred the case to OATH. Respondents, the Complainant, and the Commission entered into a conciliation agreement requiring the employer to pay \$50,000 in damages to the Complainant and a \$15,000 civil penalty to the

¹³ See page 23.

City of New York, and to train managerial, supervisory, and personnel staff regarding the NYCHRL generally, and the Fair Chance Act specifically. In total, training will be provided for nearly 10,000 employees.

Design Company Pays \$85,000 to Employee and \$15,000 in Civil Penalties in Pregnancy Discrimination Case

A former designer filed a Complaint against her employer and its owners alleging discrimination on the basis of gender and disability because she had been treated adversely and ultimately terminated because she was pregnant. LEB determined that the Respondents had discriminated against Complainant because she was pregnant by removing her from most of her job duties, forcing her to take leave, changing her pay to an hourly rate rather than a salary, and ultimately terminating her. The Commission, Complainant, and Respondents entered into a conciliation agreement requiring Respondents to pay the Complainant \$85,000 in back pay and emotional distress damages; pay a civil penalty of \$15,000 to the City of New York; and attend a training on their obligations under the NYCHRL.

Medical Practice Pays \$95,000 for Refusing to Accommodate Employee Healing from Surgery

A former employee filed a Complaint against a doctor's office, alleging marital status, disability, and associational discrimination, because the practice's president and manager repeatedly refused to give the employee time off to recover from surgery, ultimately demoted her to part-time hours, and then fired her when she asked for another disability-related accommodation. The employee also alleged that the president and manager made disparaging remarks about her marital status and refused to let her take her son to the doctor. LEB conducted an investigation and found probable cause to believe discrimination occurred. The medical practice and the Commission entered into a conciliation agreement requiring that the practice pay \$70,000 to the Complainant in back pay and emotional distress damages; pay a civil penalty of \$25,000 to the City of New York; provide anti-discrimination training to all personnel; update its employment policies and procedures to comply with the NYCHRL; and display copies of the Commission's "Notice of Rights" and "Pregnancy and Employment Rights" posters in prominent areas at its place of business.

Public Accommodations

Store Settles Disability Accommodation Case Involving Service Dog for \$55,000

A member of the public who has disabilities and uses a service dog filed a claim against a public accommodation because staff of the store refused to allow her to shop in the store with her dog. LEB conducted an investigation and issued a finding of probable cause. The Respondent, Complainant, and the Commission entered into a conciliation agreement requiring the Respondent to pay \$27,500 in damages to the Complainant, pay \$27,500 in civil penalties to the City of New York, attend anti-discrimination training, create a store policy ensuring compliance with the NYCHRL, and post the policy.

Housing

Brokerage Firm Settles Source of Income Discrimination Case by Instituting Companywide Policy Reforms and Compensating the Complainant.

A prospective tenant who received housing assistance through the HIV/AIDS Services Administration ("HASA") filed a claim against a real estate brokerage firm, alleging source of income discrimination. LEB conducted an investigation and found that a broker had informed the Complainant that an apartment was unavailable because the landlord would not accept his HASA voucher. LEB facilitated a conciliation agreement between the parties which required the brokerage firm to make companywide reforms, including revamping their employment, housing and public accommodations policies, training all employees on the

NYCHRL, and informing the public about their rights under the NYCHRL, including adding a webpage to their company website listing their policies concerning the NYCHRL. In addition, Complainant received \$5,000 compensation for emotional distress damages.

Law Enforcement Bureau Staff



Left and right photo credit: Nancy Siesel Photography.

LEB expanded significantly throughout 2016. Seven attorneys, one Assistant Commissioner, one Supervising Attorney, three Human Rights Specialists, one Infoline Director, one Testing Coordinator, two part-time testers and three administrative staff members joined the staff in 2016. By the end of 2016, LEB had a total staff count of 50, including the Deputy Commissioner, Assistant Commissioner and Managing Attorney for the bureau; 4 Supervising Attorneys; 25 Agency Attorneys; 4 Attorney Internes, 7 Administrative Staff; 1 Testing Coordinator; 2 Testers; and 5 Infoline Staff.

OFFICE OF THE CHAIRPERSON

The Office of the Chairperson (“OC”) at the Commission is responsible for directing the management of the agency; convening the members of the Commission (also referred to as “Commissioners”); setting the general policy direction for the agency; addressing intergovernmental affairs; engaging with other City agencies on human rights-related issues; responding to inquiries from the public regarding the Commission’s work; developing, reviewing, and negotiating legislation; promulgating legal enforcement guidance and rules; drafting and submitting comments to state and federal agencies during their rulemaking processes; and identifying new opportunities to advance the Commission’s mission. In addition, the OC has a significant adjudicatory role to play in the law enforcement process, including issuing Decisions and Orders in cases filed at the Law Enforcement Bureau. In 2016, the OC held its first public hearing on proposed substantive rules in the Commission’s history, relating to protections under the Fair Chance Act; reviewed and consulted on over a dozen pieces of legislation impacting the scope and protections of the NYCHRL; published legal enforcement guidance on pregnancy accommodations; testified on three bills; implemented Executive Order 16 on access to single-sex facilities for transgender and gender non-conforming City employees and members of the public using City facilities; and issued four Decisions and Orders.

Amendments to the New York City Human Rights Law



Left photo credit: Mariela Lombard. Right photo credit: Seth Hoy.

This year saw multiple amendments to the New York City Human Rights Law (“NYCHRL”). In January 2016, protections were added to prevent employment discrimination based on an individual’s actual or perceived status as a caregiver, supporting workers’ ability to provide necessary care for their family members without fear of negative repercussions at work. The NYCHRL was also amended to allow for an award of attorney’s fees in administrative proceedings before the Commission and for the recovery of expert fees and other costs in civil actions. The City Council also repealed antiquated language regarding protections against discrimination on the basis of sexual orientation, and clarified the strong, liberal standard under which the NYCHRL should be applied.

The NYCHRL was also amended to bolster protections in the public accommodations context by expanding coverage to the acts of franchisors, franchisees, and lessors of public accommodations. New protections were also added to make housing discrimination based on an individual’s status as a victim of domestic violence or stalking unlawful. In addition, measures were passed that expanded the circumstances in which it is considered unlawful discrimination to misrepresent the availability of a job, housing accommodation, or other benefit for discriminatory reasons. Finally, the law was amended to create an express cause of action for employers and principals whose employees or agents are subjected to unlawful discriminatory practices.

Decisions and Orders

The Commission published four Decisions and Orders in 2016, which are viewable on the agency’s website.

- In *Commission on Human Rights ex rel. Howe v. Best Apartments*, a large real estate broker was found to have discriminated against a prospective tenant on the basis of his lawful source of income when, in violation of the New York City Human Rights Law (“NYCHRL”), the broker refused to show apartments to the prospective tenant because he sought to use a Section 8 housing voucher. Here, the Commission awarded \$2,500 in emotional distress damages to the Complainant and ordered a civil penalty of \$100,000, taking into account the Respondents’ size, sophistication, refusal to participate in the administrative process, and need for future deterrence. In addition, the Commission required the Respondents to post a Notice of Rights under the NYCHRL and undergo training on the law.
- In *Commission on Human Rights ex rel. Stamm v. E&E Bagels, Inc.*, a restaurant was found to have denied services to a patron because she was accompanied by a service dog which, under the NYCHRL, constitutes an unlawful failure to accommodate a disability in a place of public

accommodation. Here, the Commission awarded \$7,000 in emotional distress damages to the Complainant and imposed a civil penalty of \$7,000. In addition, the Commission required the Respondents to post a Notice of Rights under the NYCHRL and undergo training on the law.

- In *Commission on Human Rights ex rel. Jordan v. Raza*, a taxi driver was found to have refused service to a black woman and her two daughters, which constitutes unlawful discrimination on the basis of race and color in a place of public accommodation, in violation of the NYCHRL. Drawing on principles of restorative justice, recognizing the limitation of monetary awards in addressing the harm caused by discrimination, and consistent with its discretion under Section 8-120 of the Administrative Code to “require the Respondent to take such affirmative action as, in the judgment of the commission, will effectuate the purposes of this chapter,” the Commission ordered that the Complainant consider the possibility of a mediated apology or other form of alternative resolution in lieu of an award of \$7,000 in emotional distress damages. The Commission further ordered that the Respondent perform 229 hours of community service or pay civil penalties of \$7,000. In addition, the Commission required the Respondent to undergo training on the NYCHRL. Following issuance of the Decision and Order, the Complainant opted to receive a monetary award and Respondent failed to report for community service. The Commission therefore issued a supplemental order directing Respondent to pay the previously assessed damages and fine.
- In *Commission on Human Rights ex rel. Spitzer v. Dahbi*, a taxi driver was found to have chastised two lesbian passengers and told them that he would not transport them if they kissed in his cab. Such conduct was held to violate the NYCHRL’s prohibition on discrimination on the basis of sexual orientation in a place of public accommodation. Drawing once again on principles of restorative justice, the Commission ordered that the Complainants consider the possibility of a mediated apology or other form of alternative resolution in lieu of an award of \$7,000 in emotional distress damages. The Commission further ordered that the Respondent perform 164 hours of community service or pay civil penalties of \$5,000. In addition, the Commission required the Respondent undergo training on the NYCHRL. Following issuance of the Decision and Order, the Complainants opted for a restorative justice remedy in lieu of the payment of damages, and Respondent agreed to perform community service in lieu of payment of a fine.

Commission’s Comments to Food and Drug Administration with NYC Department of Health and Mental Hygiene and Department of Citywide Administrative Services Regarding its Discriminatory Blood Donor Deferral Policy

In November of 2016, in collaboration with the NYC Department of Health and Mental Hygiene and the Department of Citywide Administrative Services (“DCAS”), the Commission submitted comments to the Food and Drug Administration (“FDA”), calling on the FDA to eliminate its discriminatory blood donor deferral policy that prohibits men who have had sex with men in the past 12 months from donating blood. The comments note that the current FDA restrictions do not comport with current science, serves to stigmatize all sexually active gay men, and ultimately prevents many potential donors from giving blood.

Commission’s Development and Implementation of Executive Order 16



The Commission, in collaboration with sister agencies, City Hall, and the Corporation Counsel, developed Executive Order 16, which was signed by Mayor de Blasio in March 2016, which ensures that all city employees and members of the public have access to the single-sex facility that corresponds with their gender identity and/or gender expression with having to show proof of gender. The Executive Order requires that all city agencies train frontline and supervisory staff on the policy and transgender diversity and inclusion and post the policy visibly. The Commission worked with DCAS to develop trainings for city employees and a poster for agencies to use. The Commission continues to work with DCAS and sister agencies to ensure compliance with the Executive Order.

COMMUNITY RELATIONS BUREAU

The Community Relations Bureau (“CRB”) promotes understanding and respect among New Yorkers. Its five borough-based Community Service Centers provide resources to help New Yorkers understand their rights and obligations under the New York City Human Rights Law (“NYCHRL”).

Education and Training About the New York City Human Rights Law



Left photo credit: Steve McFarland. Right photo credit: Community Relations Bureau staff.

To further our mission and better serve New York City’s diverse communities, the Commission strengthened and increased its robust education and training programs by offering a variety of workshops to the public, including small businesses, City agencies, and faith-based and community-based organizations, as well as building capacity for managers and staff internally at the Commission. The Commission developed new workshops addressing specific areas of the NYCHRL and its protections for community education. Commission workshops include:

- An overview of the NYCHRL, which focuses on the rights and obligations under the law in employment, housing, public accommodations, and prohibitions against discriminatory harassment and bias-based profiling by law enforcement
- The Fair Chance Act, which focuses on prohibitions on the use of criminal history in the hiring process for most job applicants
- The Stop Credit Discrimination in Employment Act, which focuses on prohibitions on the use of credit history in the hiring process for most job applicants
- Protections for Victims of Domestic Violence in Employment and Housing
- Discrimination in Housing
- Protections against Sexual Harassment in the Workplace
- Protections against Sexual Harassment in Schools
- Cyberbullying and Protections under the Human Rights Law: A Workshop for Parents
- Working with Transgender Persons
- Protections Against Discrimination Based on Religion or Creed

The Commission continues to strengthen internal capacity and professional development for Commission staff through regular and required trainings in all the topics listed above, as well as the following areas: language access and working with immigrant populations; working with persons with disabilities and equal access for persons with disabilities; working with victims of domestic violence; U and T visa certification; and rapid response to bias and hate incidents.

In addition, by the end of December 2016, comprehensive drafts of workshop modules, which will become available in 2017, were developed in the following areas:

- The Rights of People with Disabilities in Housing and Public Accommodations Under the NYCHRL
- Discrimination based on Race and Color
- Discrimination based on National Origin and Immigrant Status
- Understanding Muslim Experiences and Combating Islamophobia
- Discriminatory Harassment

In January 2016, the Commission launched several trainings in Spanish, including The Fair Chance Act and Stop Credit Discrimination in Employment Act, Discrimination in Housing, and Working with Transgender People. In addition, by leveraging staff language capacity – which has expanded from six to 27 languages in the last two years – the Commission is also able to provide trainings and workshops in other languages where needed.

CRB continued to expand its reach through trainings and partnerships with City agencies and other government partners. For example, CRB trained staff at New York City Housing Authority; New York City Department of Parks; New York City Department of Youth and Community Development; New York City Department of Small Business Services; the Mayor’s Office on Veterans’ Affairs; New York City Department of Consumer Affairs; the New York Board of Elections; Borough of Manhattan Community College; The City University of New York; the Equal Employment Opportunity Commission; United States Health and Human Services; United States Department of Justice; United States Attorney’s Office for the Southern District of New York; United States Department of Labor Office of Federal Contracts; United States Housing and Urban Development; United States Department of Education; New York City Council; New Jersey Division of Human Rights; New York State Division of Human Rights; New York Attorney General; and Battery Park City Authority.

CRB established new relationships with community-based organizations to foster trust, community empowerment, and education. Among the organizations that CRB added to its outreach efforts are: the YWCA Brooklyn; Coalición Mexicana; Latino Commission on AIDS; Hispanic Federation; National Domestic Workers Alliance; Violence Intervention Program; Harlem Children’s Zone; Henry Street Settlement; Ackerman Institute for the Family; New York Asian Women’s Center; Bangladeshi Community Empowerment; New Immigrant Community Empowerment; Hour Working Women Re-Entry Program; Sapna New York City; and Chhaya CDC.

To continue fulfilling our commitment to language access, diversity, and inclusion, CRB will continue to expand the number of workshops in various languages for the benefit of New York City’s diverse communities in calendar year 2017.

Equal Access for People with Disabilities



Left photo credit: Nancy Siesel Photography. Right photo credit: Anita Abedin.

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 and public accommodations, and resolving them prior to the Commission’s Law Enforcement Bureau’s (“LEB”) intervention. Individuals, housing providers, disability rights organizations, and social service providers 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 2016, CRB successfully negotiated 265 modifications. This is a substantial increase of 117 modifications, or an almost 79% increase from 2015. Some 2016 results include policy changes, such as permitting a washing machine and dryer in the apartment of a resident with disabilities, and permitting service dogs and companion animals into housing where pets are not permitted. Examples of physical modifications that CRB’s Project Equal Access negotiated on behalf of people with disabilities include: the installation of ramps, chairlifts, handrails, wider doors and hallways, grab bars, and roll-in showers. In addition, a variety of accommodations were attained to help individuals with disabilities living in buildings where elevators were out of order while they were being renovated. Accommodations include: placing chairs on each landing of stairs; rent abatements; getting building staff to shop for residents; having ambulette drivers carry people down stairs; and moving residents to lower floors or into hotels.

Often, the negotiated accommodations have a broad public benefit beyond the original Complaint. Highlights of such accommodations attained in 2016 include:

- TD Bank installed 60 accessible teller stations and are working on 50 more in 2017
- Citibank will remove glare from their ATMs to make it easier for customers with low vision to use – one location remedied the glare already, and there is a plan for a systemic improvement for hundreds of others in 2017
- Ikea installed accessible lifts on their shuttle service
- An elected official supplied accessible buses for a lobbying day in Albany
- A Starbucks location installed electronic doors at the Empire State Building and provided clear 36 inch aisles in another location
- The New York City Bar Association made substantive changes in their facility to help people with mobility impairments including: making the lift into the building independently accessible, supplying signage to an accessible route into the building, and providing an accessible bathroom in their building with an automatic door opener

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 affiliated with prominent institutions and City agencies, including:

- Mount Sinai Hospital
- New York City Bar Association
- New York City Office of Emergency Management
- New York City Department of Parks and Recreation

CRB led new trainings for major partners in 2016, including:

- Initiatives for Women with Disabilities
- Rusk Institute
- Housing Court Answers
- United Cerebral Palsy
- Saint Mary's Hospital
- Fordham-Bedford Housing Coalition
- Bronx Veteran Center
- Bronx Veterans Administration Hospital
- Queens Council on Developmental Disabilities
- The Actors Fund Senior Advisory Committee
- Disability Housing Coalition

Finally, the Commission has worked with property management companies and trained them on their responsibilities and legal obligations with respect to disability access, such as the staff of Residential Management and HUBNYC, as well as numerous co-op boards.

The Commission also participated in the City's second Disability Pride Parade on July 10, 2016. In addition, the Commission continues its close partnership with the Mayor's Office for People with Disabilities on collaborative efforts, trainings, and workshops. The Commission also conducted a large-scale Continuing Legal Education training at the New York Association on Disability and Housing Discrimination.

Working with Incarcerated and Formerly Incarcerated Individuals



Left and right photo credit: Adrienne Nicole Productions.

The Commission continued its far-reaching work with incarcerated and formerly incarcerated individuals. To educate New Yorkers about the Fair Chance Act, which provides protections in employment for individuals with criminal histories, CRB conducted 250 outreach and educational activities for 9,383 individuals while providing technical assistance to 1,066 people.

Partnership with the New York City Department of Probation continued to be a major part of our outreach and education efforts. We are currently providing workshops at reentry programs that service New York City Department of Probation clients where probation clients are required to report monthly. The Commission will continue to provide workshops at office sites where probation clients are mandated to report monthly. CRB also provides workshops and educational information to the New York State Department of Corrections and Community Services in Brooklyn, Queens, and Manhattan, with additional programming slated to begin in 2017 in the Bronx and Staten Island. Additionally, the Commission currently conducts workshops at the Queens and Brooklyn New York State Division of Parole orientation sessions twice monthly.

The Commission joined the Queens Reentry Consortium, which consists of 41 other major reentry service providers from all five boroughs as well as the Bronx Reentry Consortium, a group of legal/reentry and social services agencies. All new Commission staff members are trained to work closely with this population in their borough.

In the fall of 2016, the Commission held several events commemorating the anniversary of the Fair Chance Act, which went into effect in October 2015. On October 27, 2016, the Commission sponsored a Fair Chance Act event in Jamaica, Queens in partnership with New York City Department of Probation, New York State Correctional Services and Community/Parole, Legal Hand, and the Fortune Society. In November, the Commission hosted a reentry event at Brooklyn Borough Hall, featuring State Senator Velmanette Montgomery and State Senator Jesse Hamilton, with an attendance of 130 community members comprising a mix of practitioners and formerly incarcerated individuals. On December 2, 2016, the Commission partnered with four other major reentry agencies for the first reentry forum ever held in the Bronx called “Reclaim the Hope: How the Fair Chance Act Can Help” with a panel discussion that included members from the Brooklyn District Attorney’s Office, Fedcap, and the Osborne Association and an attendance of 50 community members.

Serving the City’s Immigrant Communities



Photo credit: Carmen Boon.

All immigrants in New York City, regardless of their citizenship or alienage status, are protected under the NYCHRL. Immigrants are a particularly vulnerable population due to language access, immigration status issues, and other challenges. To ensure meaningful outreach to these diverse communities, CRB used a multifaceted approach that included more than 147 outreach efforts. Highlights include:

- 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. CRB partnered with several New York public libraries; community-based organizations such as the New York Immigration Coalition; The Center for Integration of New Americans; the YMCA’s New Americans Welcome Center; Make the Road New York; Sapna New York City; National Domestic Workers Alliance; La Colmena; and El Centro del Inmigrante among other immigrants’ rights advocates to educate immigrant New Yorkers about their rights under the NYCHRL and utilizing the Commission as a resource. Some of the highlights are as follows:
 - The Commission joined the Bronx Immigration Partnership – a partnership comprised of several Bronx community-based organizations and various City agencies – to provide a coordinated safety net of immigration services for new and newly eligible populations in the Bronx who are the most vulnerable to immigration fraud.
 - CRB co-organized workshops and listening sessions for immigrants’ groups such as La Colmena and Centro del Inmigrante in Staten Island as a way of providing a community response to denouncing recent discriminatory harassment incidents reported and educating the public about their rights.
 - The Commission brought together the National Domestic Workers Alliance (“NDWA”) and other City agencies to create an interagency working group to address the needs of domestic workers, a population that often faces employment discrimination based on immigrant status. As part of this developed partnership, the Commission and NDWA plan to conduct various domestic workers and immigrants’ rights programs in 2017.
- Providing 902 units of technical assistance and referrals to 2,860 members of different immigrant communities at naturalization swearing-in ceremonies including: information on the NYCHRL to new citizens and personnel and on-site support to immigrant families with questions about their rights.

- Translating the NYCHRL, Discrimination in Housing, and Working with Transgender People workshops and /trainings into Spanish.
- Distributing informational materials in English, Spanish, Chinese, Bengali, Korean, Haitian Creole, Russian, French, Arabic, and Urdu.
- Partnering with New York City Department of Consumer Affairs to inform immigrants about their rights, warn them against “notario” fraud, and direct them where to go for assistance and resources.

Fair Housing Services and Program



Left and right photo credit: Nancy Siesel Photography.

In 2016, the Commission’s Fair Housing Program continued to build on its work to promote equal opportunity for housing under the NYCHRL. These activities included: providing training for housing providers and community groups, including 207 fair housing workshops and presentations to 3,574 attendees; facilitating problem-solving discussions with housing providers to resolve housing Complaints; assisting the LEB in investigations of unlawful real estate practices; providing technical assistance to tenants as part of the Citywide Task Force in Housing Court; and participating in community activities which encouraged harmonious intergroup relations and neighborhood stability.

On June 15, 2016, in collaboration with New York City Housing Preservation and Development, the Commission’s annual Fair Housing Symposium took place at CUNY Law School in Queens. The symposium was attended by 150 tenant advocates, attorneys, service providers, and tenant organizations. The symposium included two tracks, one for tenants and tenant organizers focusing on know your rights information, and one for advocates, attorneys, and service providers focusing on litigating claims under the NYCHRL, in two specific areas, tenant harassment and source of income discrimination.¹⁴

2016 also marked the birth of the Commission’s Fair Housing Pilot Project, a collaboration between CRB and LEB to respond to source of income discrimination Complaints. This work will expand in 2017.

¹⁴ See page 50 for media campaign and publications developed as part of this partnership.

Advancing Gender Equity



Photo credit: Carmen Boon.

In 2016, CRB organized over 87 events and educational activities for 1,860 attendees, in partnership with various gender equity advocates to raise awareness and promote gender equity through the NYCHRL's provisions prohibiting discrimination based on gender, pregnancy status, and status as a victim of domestic violence, stalking, and sexual violence. During the aforementioned events, CRB provided technical assistance in 239 instances to attendees through information, referrals, and preliminary intake assessments.

Timed with the effective date of new provisions in the NYCHRL prohibiting discrimination on the basis of caregiver status, on May 18, 2016, at the Manhattan Family Justice Center, the Commission hosted an event with the Mayor's Office to Combat Domestic Violence, to recognize the central role of mothers and others caring for family members, and to discuss the legal protections for mothers, pregnant individuals, and other family caregivers under the NYCHRL. The event was attended by over 30 service providers, and included a panel with Commissioner Malalis, Commissioner Cecile Noel of the Mayor's Office to Combat Domestic Violence, and Executive Director of the Commission on Gender Equity, Azadeh Khalili.

On July 26, 2016, the Commission led a citywide transit outreach event at major transit hubs in each borough to educate the public about new protections for survivors of domestic violence in housing. This outreach was done in partnership with the Mayor's Office to Combat Domestic Violence; the Dominican Women's Development Center; Violence Intervention Program; Northern Manhattan Improvement Corporation; Safest.org; New York Asian Women's Center; Sanctuary for Families; and the northern Manhattan satellite office of the Manhattan District Attorney's Office.

For the first time, the Commission participated in the Annual Brides' March Against Domestic Violence, held on September 26, 2016. The Brides' March was created to honor a woman who was murdered by her abusive former boyfriend the day she was to wed her fiancé. The Commission was joined by more than 350 attendees including the First Lady of New York City, Chirlane McCray; the Commission on Gender Equity Executive Director, Azadeh Khalili; State Senator Adriano Espaillat; Public Advocate Letitia James; City Council Speaker Melissa Mark-Viverito; Council Member Ydanis Rodriguez; and New York City Mayor's Office to Combat Domestic Violence Commissioner, Cecile Noel, to disseminate information on the new protections for domestic violence survivors in housing under the NYCHRL.

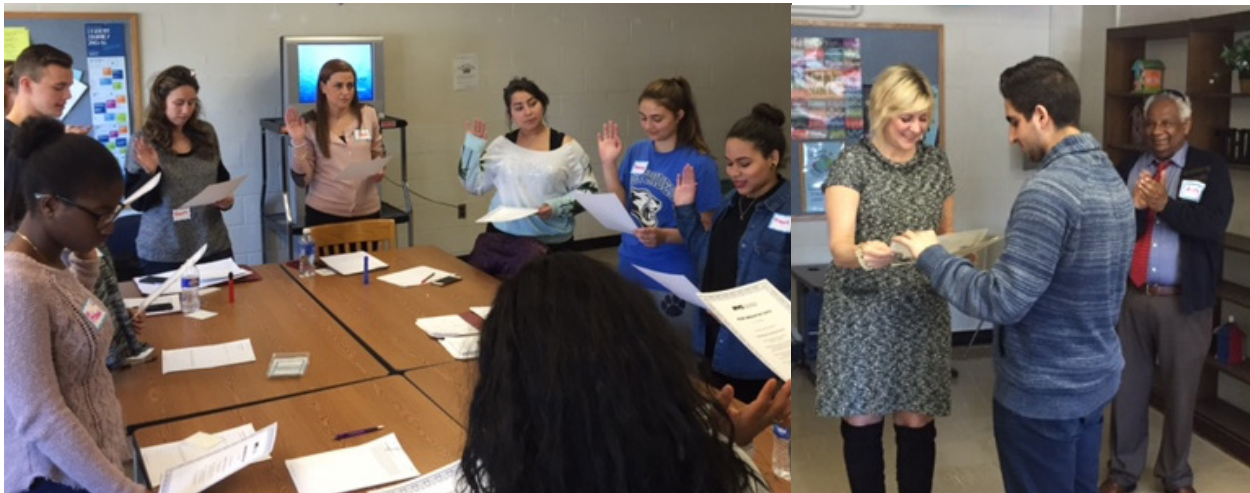
The Commission participated in the "16 Days of Activism against Gender-Based Violence," sponsored by United Nations Women, from November 25 (International Day for the Elimination of Violence Against Women) until December 10 (International Human Rights Day). The Commission supported the campaign through daily social media outreach developed by the Communications and Marketing Office,

thematic workshops, speaking events, and teach-ins to bring awareness on and combat discrimination against women and girls.

Outreach to Schools, Educators, and Educational Institutions

In 2016, the Commission conducted over 98 educational activities to 2,117 middle- and high-school students, parents, educators, universities, and educational institutions across the City. In addition, CRB provided technical assistance and information referrals to students, parents, and educators about our NYCHRL and other City resources.

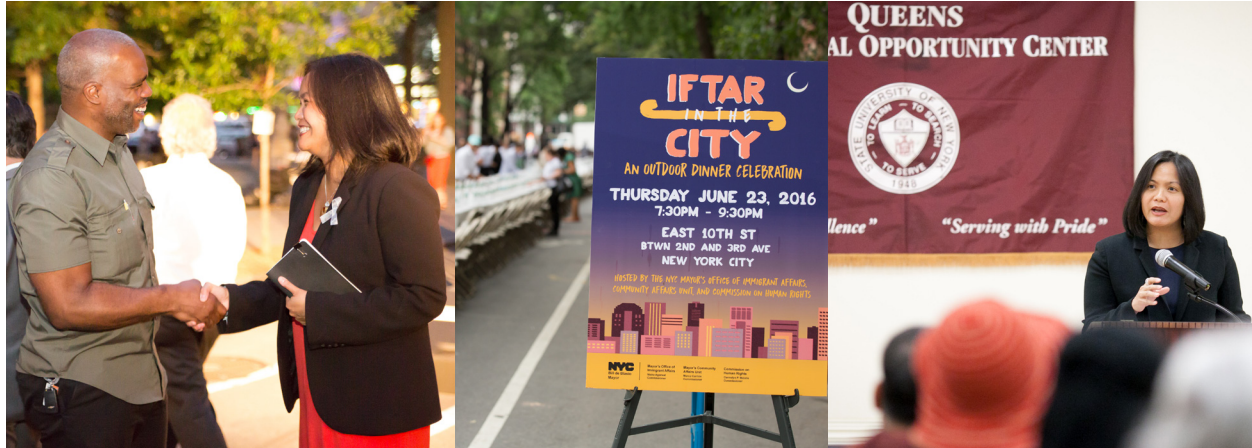
Peer Mediation



Left and right photo credit: Community Relations Bureau staff.

This innovative program helps students develop communication skills, solve problems, and work with teachers to resolve conflict among their classmates. As peer mediators, students learn to listen without taking sides and to help their classmates look for a solution and reach agreement. In late 2016, CRB completed its overhaul of the Commission's school-based peer mediation curriculum, and staff will be engaging further with public schools to offer the peer mediation program and other school-focused programming such as sexual harassment in schools, conflict resolution, and cyberbullying in 2017.

Muslim, South Asian, and Arab Communities Outreach and Activities



Left and center photo credit: Adrienne Nicole Productions. Right photo credit: Steve McFarland.

New York City is one of the most diverse and welcoming cities in the world. With more than 8.4 million residents, people of every faith, race, and ethnicity live and work side by side. More than 6 million people adhering to some religion or faith call New York City home, including roughly 800,000 to 1 million Muslims. In New York City, we pride ourselves on that diversity and strive to make sure that people of every faith and religious expression is treated with the dignity and respect they deserve.

In light of the current political climate and xenophobic rhetoric targeting Muslim communities, the Commission has taken swift action to address this uptick in harassment and discrimination of Muslim New Yorkers. In 2016, for the first time in its history, the Commission created a full-time agency-wide role of a Lead Advisor to specifically serve the Arab, Muslim, and South Asian communities in New York City and to work closely with the Commission’s CRB, LEB, policy team within the Office of the Chairperson, and the Office of Communications and Marketing to ensure that we are reaching out and engaging with the diverse Muslim communities in the city.

This year, the Commission deepened its work with such communities. We prioritized outreach to mosques in order to engage Imams and community leaders in discussions about the needs of the City’s Arab and Muslim communities. Agency staff partnered with community-based organizations to share information about the Commission and the NYCHRL with community members, often in their native languages. The Commission also held “listening sessions” with community leaders in their respective boroughs to better understand the challenges their communities are facing. Staff discussed common discriminatory practices impacting particular communities, how to report them, and resources available to fight discrimination. Commission staff attended press conferences and vigils with members of Muslim communities to mourn people lost at the Pulse nightclub in Orlando on June 12, 2016. In addition to attending multiple community Iftar dinners, the Commission co-hosted “Iftar in the City” on June 23, 2016, together with the Mayor’s Office of Immigrant Affairs (“MOIA”) and the Community Affairs Unit (“CAU”). With over 400 people in attendance, the event was the largest outdoor Iftar held in New York City. Commission staff also attended Eid Al-Adha celebrations in all five boroughs on September 12, 2016.

In August and September 2016, Commission staff attended funerals of prominent members of the community who were violently murdered. Staff from the Commission joined staff from the Mayor’s Office for services honoring Imam Maulama Akonjee and Thara Uddin as well as services honoring Nazma Khanama. The Commission co-hosted forums across the City with District Attorney’s offices, MOIA, CAU, the Department of Education, the NYPD Hate Crimes Unit, and several community-based organizations to talk about the uptick in violence against the Muslim community, and the Commission’s role in supporting vulnerable communities.

In September, the Commission, together with MOIA and CAU, convened a meeting with leaders in the Muslim community as well as immigrant and refugee advocates to discuss how to address Islamophobia in a nuanced way. Soon thereafter, the Commission launched its “I Am Muslim NYC” social media campaign.¹⁵ The Commission also partnered with the Islamic Center at New York University to develop a new workshop called “Understanding Muslim Experiences and Combating Islamophobia” to help City employees better understand the repercussions of Islamophobia and dispel common myths about Islam. In addition, the Commission created a multilingual fact sheet explaining protections against religious discrimination with a focus on Muslim communities and a new multilingual brochure on religious protections under the NYCHRL with practical examples to identify discrimination in the workplace, housing, and public accommodations.

Serving the City’s LGBTQ Communities



Left photo credit: Teri Bloom. Right photo credit: Nancy Siesel Photography.

2016 was another active year with the Commission’s efforts to reach lesbian, gay, bisexual, transgender, and queer communities. In March, Commissioner Malalis and Commission staff stood with Mayor de Blasio at the Irish Consulate as organizers of the St. Patrick’s Day Parade announced an end to the ban on LGBT marchers in the parade. In June, the Commission hosted its second annual roundtable with transgender community leaders and activists to reflect on the work of the Commission over the past year and to discuss new challenges and partnerships. The Commission also furthered its established partnerships with many of these groups. For example, the Commission worked with the Anti-Violence Project to raise awareness of and combat bias-based harassment and violence in LGBTQ communities and collaborated with Make the Road New York and the TransLatinas Network on public safety efforts to protect transgender and gender non-conforming people in Jackson Heights. In addition, in the wake of the Pulse nightclub massacre in Orlando, the Commission worked with CAU to provide support to the LGBT community.

Throughout the month of June, dozens of Commission staff participated in LGBTQ Pride activities in all five boroughs, including the annual New York City Pride March along Fifth Avenue, where the Commission highlighted its bathroom access campaign for transgender and gender non-conforming New Yorkers. On June 27, 2016, Commissioner Malalis and CRB staff joined other City officials and representatives of the Obama administration to celebrate the dedication of the Stonewall National Monument.

This year, CRB, in partnership with the LGBT Community Center, conducted over fifty “Working with Transgender People” trainings for staff of Battery Park City Authority; Center for Urban Community Services; Committee for Hispanic Children and Families; the Equal Employment Opportunity Commission; New York State Division of Human Rights; Harlem Children’s Zone; New York City Council; New York City

¹⁵ See “Media Outreach” page 46 for further discussion.

Department of Parks and Recreation; New York City Housing Authority; Queens Family Justice Center; and others. Through these efforts, the Commission educated thousands of people working throughout the City. The Commission also co-organized the Transgender Week of Remembrance and Resilience in 2016.

Through the CRB's training events, tabling opportunities, and speaking engagements, the Commission reached over 5,300 individuals throughout the five boroughs. The goodwill and trust created with various constituencies will allow the Commission to increase awareness about protections under the NYCHRL based on sexual orientation and gender identity and expression.

Community Relations Bureau Staff



Top left, center, and right photo credit: Community Relations Bureau Staff.
 Bottom left photo credit: Nancy Siesel Photography.
 Bottom right photo credit: Steve McFarland.

CRB expanded its staff throughout 2016 to include a Managing Director for Bronx, Manhattan, and Staten Island; a Lead Advisor on Muslim, Arab, and South Asian Communities; two Community Service Center Directors; three Human Rights Specialists; and three Associate Human Rights Specialists.



**OFFICE OF COMMUNICATIONS
AND MARKETING**

Media Outreach



Left photo credit: BRIC Arts and Media. Right photo credit: Seth Hoy.

In 2016, the Office of Communications and Marketing ("OCM") continued to grow by adding a Communications and Marketing Coordinator and a Deputy Press Secretary becomes a six full-time staff members team that plans and executes day-to-day and long-term operations in the areas of press relations, media event planning, digital and graphic design, marketing and media campaign design and production, social media management, and photography and video production. This team strategically communicates the policies, positions and goals of the Commission on a variety of issues and through diverse strategies, methods and platforms.

Among some relevant activities and achievements this year, OCM:

- Assembled and implemented citywide media outreach campaigns and other smaller media outreach resulting in over 84 million views of Commission messages across many media platforms.
- Redesigned and re-launched the agency website. By implementing traffic and user engagement strategies, increased new visitors by 123 percent, new visits by 89 percent, and page views by 57 percent compared to 2015.
- Increased Facebook reach by over 400 percent and unique users by over 600 percent, Twitter followers by 50 percent and impressions by almost 400 percent and Instagram followers by over 300 percent compared to 2015.
- Secured over 500 news media story placements. Significant press moments include coverage on the Commission's transgender rights/bathroom access ad campaign and Mayor de Blasio's executive order on single-sex facilities, legal guidance on gender identity/expression as well as pregnancy discrimination and accommodations, outreach campaign on Human Rights protections for Muslims and all faith-based communities, the announcement on the Commission issuing certifications for U/T visas, and the Commission granting an exemption to the Parks Department on separate-gender swimming hours at two Brooklyn swimming pools, among others. This includes close to 60 stories and op-ed placements in ethnic media.
- Executed ethnic and community radio and newspaper ad investment of almost 80 percent of total annual radio and newspaper ad investment. Ads have appeared in outlets serving communities who speak English, Spanish, Russian, Haitian Creole, Bengali, Korean, and Chinese as primary languages.

- Implemented a rebranding process and launched a user group and issue-centered publications plan that has so far produced approximately 10 new multilingual brochures, fact sheets, flyers and posters.
- Continued to successfully manage and execute the annual communications budget of the agency, including overseeing a demanding procurement process connecting annually with at least 50 diverse vendors (including a variety of talented Minority and Women Business Enterprise vendors which helps keep the Commission's MWBE participation goals set by the Mayor's Office) and supervised relationships with those vendors across the entire project cycle, from pre-procurement and bid assessment to service delivery and reporting.

Campaigns



#BeYouNYC: Commission Takes a Stand with Nation’s First Government-led Bathroom Rights Media Campaign

In celebration of LGBTQ Pride Month, on June 6, 2016, the Commission launched the nation's first citywide government-led, large-scale digital and outdoor advertising integrated media campaign affirming every New Yorkers' right to use the bathroom consistent with their gender identity and expression.¹⁶ This integrated public education campaign increased awareness of the protections and rights offered to transgender and gender non-conforming people in New York City, and provided information on what steps individuals can take should they feel they have been discriminated against.

The campaign asked New Yorkers to “Look Past Pink and Blue,” telling citizens to “Use the restroom consistent with who you are.” An associative hashtag, #BeYouNYC, became a rallying cry for the campaign and LGBTQ communities and their allies during Pride Month. The advertisements featured real New Yorkers of transgender experience and were featured on subway cars, bus shelters, phone booths, ethnic and community newspapers, social media across various platforms, and digital banner advertisements in targeted media. Two online videos (produced jointly with the Mayor's Office on Media and Entertainment) featuring transgender adult and youth narratives by real New Yorkers were launched in mid-June.

As the first campaign of its kind, the Commission’s “Look Past Pink and Blue” was honored with a Gold Award at the 2016 MarCom Awards for Bus Shelter/Mass Transit advertising and won top prize in Government/Politics at the 2016 Shorty Social Good Awards.

¹⁶ Since 2002, it has been illegal in New York City to discriminate against an individual based on gender identity or expression, including denying access to bathrooms.

Campaign Analytics

>2M

Day of launch statistics show more than **2 million** impressions served of the #BeYouNYC hashtag – with influencers sharing tweets, including Mayor de Blasio, actress Laverne Cox, TV personality and author Janet Mock, and the Transgender Legal Defense & Education Fund

1M

Approximately **1 million** cumulative video views on Facebook, YouTube, Instagram, and Twitter

9M

Nearly **9 million** paid digital impressions which indicates the number of times a message is seen on people’s screens

2M+

More than **2 million** digital impressions on LGBTQ-specialized media, with more than **30,000** in-unit video plays on Queerty.com

>40M

More than **40 million** out-of-home impressions generated through bus, subway, and urban panel advertising

40+

More than **40** press hits in local, national, and international media on the advertising campaign

>60M

More than **60 million** total campaign paid impressions

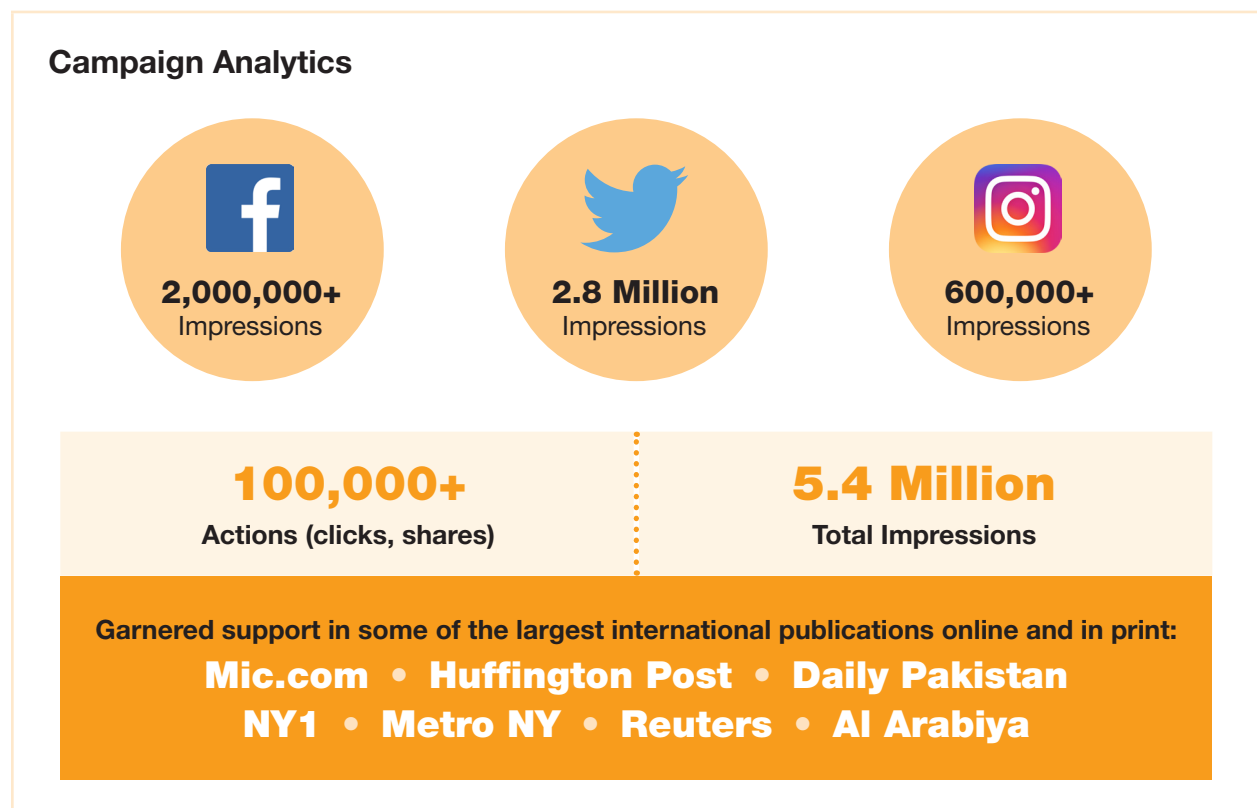


#IAmMuslimNYC: Supporting and Strengthening New York City Muslim Communities

Considering the climate tied to the 2016 presidential election and associated negative rhetoric surrounding people of faith, immigrants, and refugees, the Commission launched a fully-integrated

marketing and press outreach campaign. The “I Am Muslim. I Am NYC” campaign, which ran for one week, launched September 26, 2016 to coincide with the first presidential debate on Long Island, New York. Mayor’s Community Affairs Unit and Office of Immigrant Affairs partnered with the Commission to amplify the campaign. Designed to inform Muslim and other New Yorkers of faith that they are protected against discrimination or harassment under the NYCHRL, this campaign generated significant local, national, and international attention and support from community, advocacy, government, and media stakeholders.

The Commission was also responsible for the conceptualization, creation, and dissemination of new outreach materials regarding the NYCHRL protections to Muslim and other New Yorkers of faith in 11 languages. An online public education campaign was executed across Facebook, Twitter, and Instagram. The advertisements featured real New Yorkers and generated millions of impressions on social media, dozens of stories in print and online news outlets, and ethnic and community media.



#NYCValues: Media Outreach Post-Presidential Election

Following the 2016 presidential election, the Commission’s Communications and Marketing team operationalized a media-based action plan to provide key information to and address questions from concerned communities who had been the target of hateful speech during the presidential campaign.

- **Developed and implemented an emergency press plan that entailed:**

- o Collecting daily clips about bias-based related incidents across the City for internal assessment and following up with potential victims by LEB and CRB.

- o Conducting special press outreach with Commission staff to address common questions from the media and the public. This resulted in over 40 story placements in media outlets since Election Day on November 8, 2016, such as Hot 97, Metrofocus, Univision, El Diario, WNYC, Channel News Asia.
- o Published special post-election press releases that were distributed to over 2000 media contacts citywide.

- **Co-organized a 3-day phone-a-thon with Univision, El Diario, the New York Immigration Coalition, Catholic Charities, and others.**

The phone-a-thon, which took place from December 6, 2016 until December 8, 2016 was designed to answer questions and inform New Yorkers about their rights under the NYCHRL. The Commission provided Spanish-speaking volunteers who answered almost 1000 calls during the phone-a-thon.

- **Established NYC.gov/NYCVValues as central hub for information where New Yorkers can seek out assistance or information.**

The page currently lists resources from MOIA and additional information from the Commission for vulnerable communities to find information.

- **Partnered with community groups on social media amplification, the Commission deployed promotional/marketing emails to targeted community-based organizations who have shown an affinity to human rights and social justice in New York City and beyond.**

The Commission distributed outreach emails to more than 300 representatives from community-based organizations with information on the City’s efforts post-election and the new NYC.gov/NYCVValues and continues to do so on an ongoing basis.

- **Coordinated and launched a digital, mobile, and ethnic media Discriminatory Harassment outreach campaign.**



The Communications and Marketing Department launched a 30-day transit apps, AdWords (Google), Facebook, and ethnic newspapers ad campaign to promote protections against discriminatory harassment under the NYCHRL. The campaign generated 2.5 million impressions and over 53 thousand actions (e.g., clicks and shares).

- **Monitored and analyzed post-election social trends to build future strategy.**

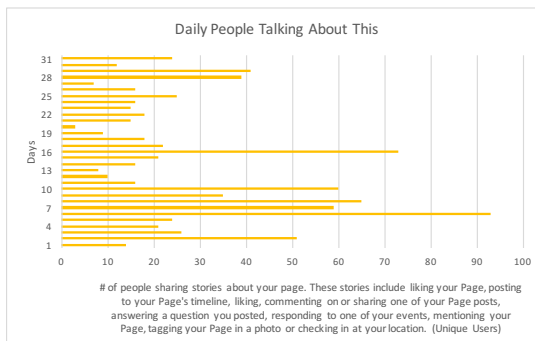
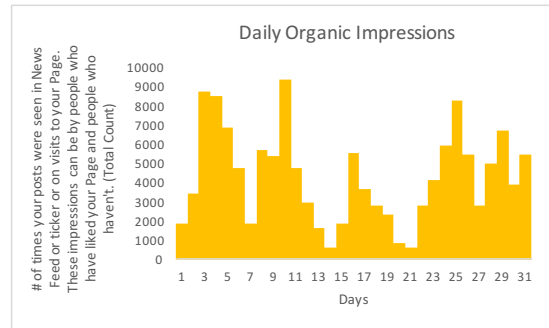
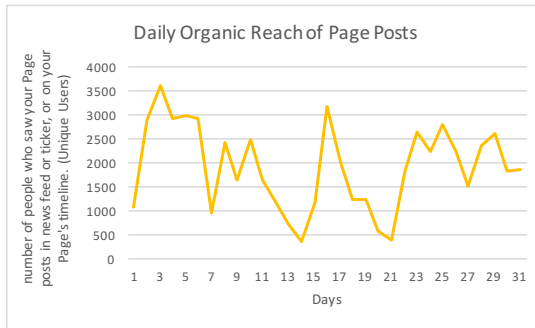
The Commission’s Twitter activity increased by at least 18% after the presidential election on November 8, 2016 compared to the prior month.

o Twitter stats from Thursday, November 10 to Thursday, December 8.

28 day summary with change over previous period

Tweets	Tweet impressions	Profile views	Mentions	Followers
118 ↑20.4%	248K ↑85.3%	7,759 ↑18.4%	294 ↑30.1%	4,723 ↑293

o Facebook stats from November 8 to December 8.



Other Media Campaign Outreach

Executive Order 16 on New York City Government Single-Sex Facilities

As part of the Mayoral Press Conference to announce Mayor de Blasio’s Executive Order 16 regarding the use of single-sex facilities in New York City agencies’ facilities, the Communications and Marketing team coordinated a bilingual English-Spanish outreach on Facebook, Twitter, and Google (Ad Words) generating over 7 million impressions.



Fair Housing New York City

In collaboration with the New York City Department of Housing Preservation and Development, the Commission designed a bilingual English-Spanish fair housing campaign. The campaign included new multilingual brochure to inform New Yorkers that "There's No Room for Housing Discrimination in NYC;" posters for display by businesses in neighborhoods in the five boroughs; Facebook and Twitter posts; and a redesigned joint microsite at NYC.gov/FairHousingNYC generating about 11.5 million impressions.

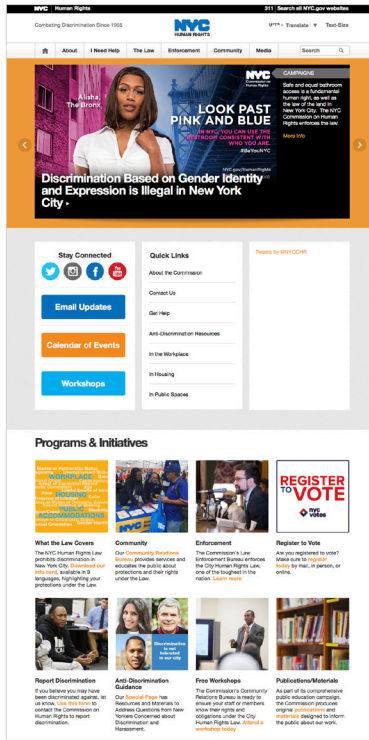


Domestic Violence in Housing and Employment

To promote a new amendment of the law that went into effect July 26, 2016, which prohibits discrimination in housing against victims of domestic violence, stalking, and sex offenses, the Commission’s Communications and Marketing team launched a Domestic Violence Awareness Month (October) campaign, including four weeks of bilingual English-Spanish Facebook ads and on-location ads (e.g., physicians’ offices, laundromats, and salons) generating over 3 million impressions.

Digital Media

The Commission’s digital presence in 2016 saw an overall increase in follower activity and engagement driven by small-to-large-sized social media campaigns and the launch of the Commission’s new website.



New Website

In August 2016, the Commission launched a new, enhanced version of its flagship website NYC.gov/HumanRights. The updated website includes a design that allows for more natural navigation throughout the site; responsive design for consistency across desktop and mobile devices; a newly-designed Report Discrimination online form; and an easy-to-use Google translation tool that allows users to change the text and content across the site to one of 103 language options.

Digital Content Accessibility

The redesigned website follows New York City’s Department of Information Technology and Telecommunications’ guidelines and protocols on web accessibility for all NYC.gov domain, such as font resizing and Google translate features. Additionally, alternate text is implemented throughout the site for all images and graphics to assist people with disabilities. In conjunction with the Mayor’s Digital Team and Office for People with Disabilities, the Commission has also implemented the use of alternative text in all social media posts on Twitter, Facebook, and Instagram.

Identifying Real Life Conversations in Connection to Digital Outreach

Digital campaigns were developed with notable news and cultural trends in mind to trigger local and national conversation and allowed the Commission to join in the online dialogue.

Greater Focus on Video Promotion in Digital Campaigns

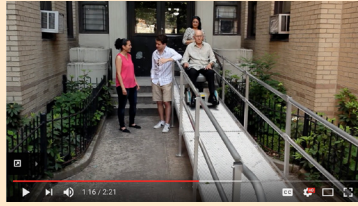
In 2016, the Commission added five promotional and educational videos on gender identification, disability, and housing discrimination protections across Twitter, Facebook, Instagram, and YouTube. We also re-promoted on Facebook our 2015 video in Spanish featuring Commission services. Throughout the year, there were more than 1.4 million total views on Commission video content on Facebook and more than 220,000 video views on YouTube.

Video Views Analytics
(Facebook Only)



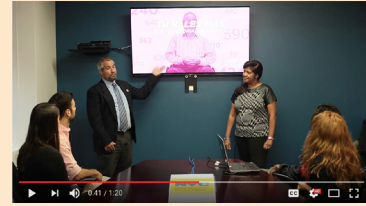
Ordinary People, Ordinary Lives
(Look Past Pink & Blue promotional video)

369,614



No Longer Trapped at Home
(Fair Housing NYC promotional video)

220,012



Derechos Humanos
(Spanish-language promotional video)

20,301



Transgender Girls Are Girls
(Look Past Pink & Blue promotional video)

343,654



My Dignity Restored
(Fair Housing NYC promotional video)

21,545



Wheelchair Tennis Player
(Project Equal Access)

2,418

977,544
Total video views

Integrating Live Video

For the first time, the Commission’s Communications and Marketing Department began to use live video streaming as part of its communications strategy. As members of the staff participated in events throughout the year, the Commission streamed the event, speech, or ceremony live via Facebook Live.

Inter-Agency Collaboration

By using the New York City’s Digital Strategy Team, the Commission has consistently partnered with City agencies such as the Mayor’s Office of Immigrant Affairs and Community Affairs Unit to expand the reach of our services and those of New York City generally.

Website & Social Media Analytics



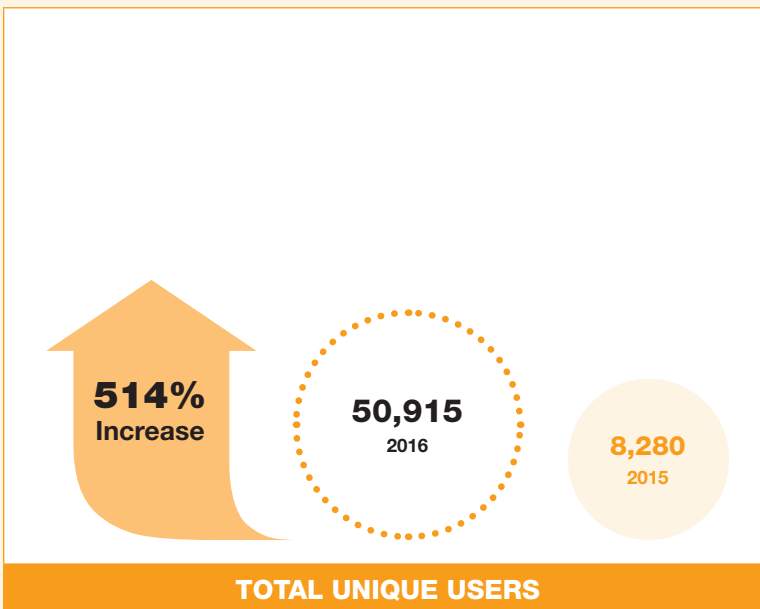
Facebook



In December 2016, the Commission had 11,600 likes on its Facebook page, compared to 2,500 in 2015, a 364% increase.



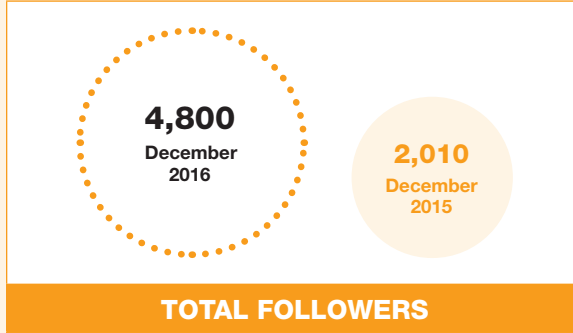
In 2016, the Commission reached 13.4 million people through its Facebook page compared to 3.1 million in 2015, an increase of 328%.



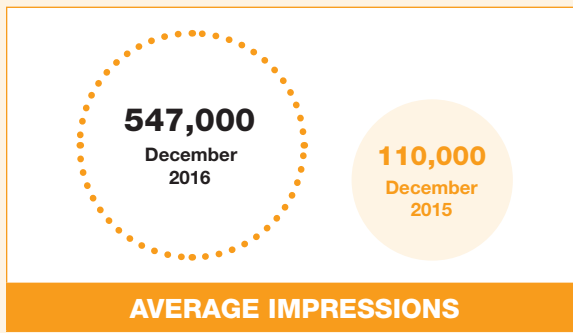
In 2016, almost 51,000 individuals actively engaged with the Commission’s Facebook page compared to a little over 8,000 in 2015, an increase of 514%. The users shared and linked stories; posted those stories to their page’s timeline; commented on them; answered questions; responded to Facebook events; mentioned the Commission’s page on their feed; tagged the page in a photo; or checked in at one the Commission’s locations.



Twitter



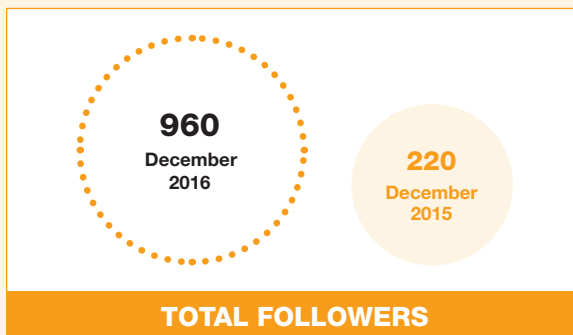
In 2016, the Commission's Twitter page increased its number of followers by over 100%.



In 2016, the Commission's tweets were seen 437,000 more times than in 2015.



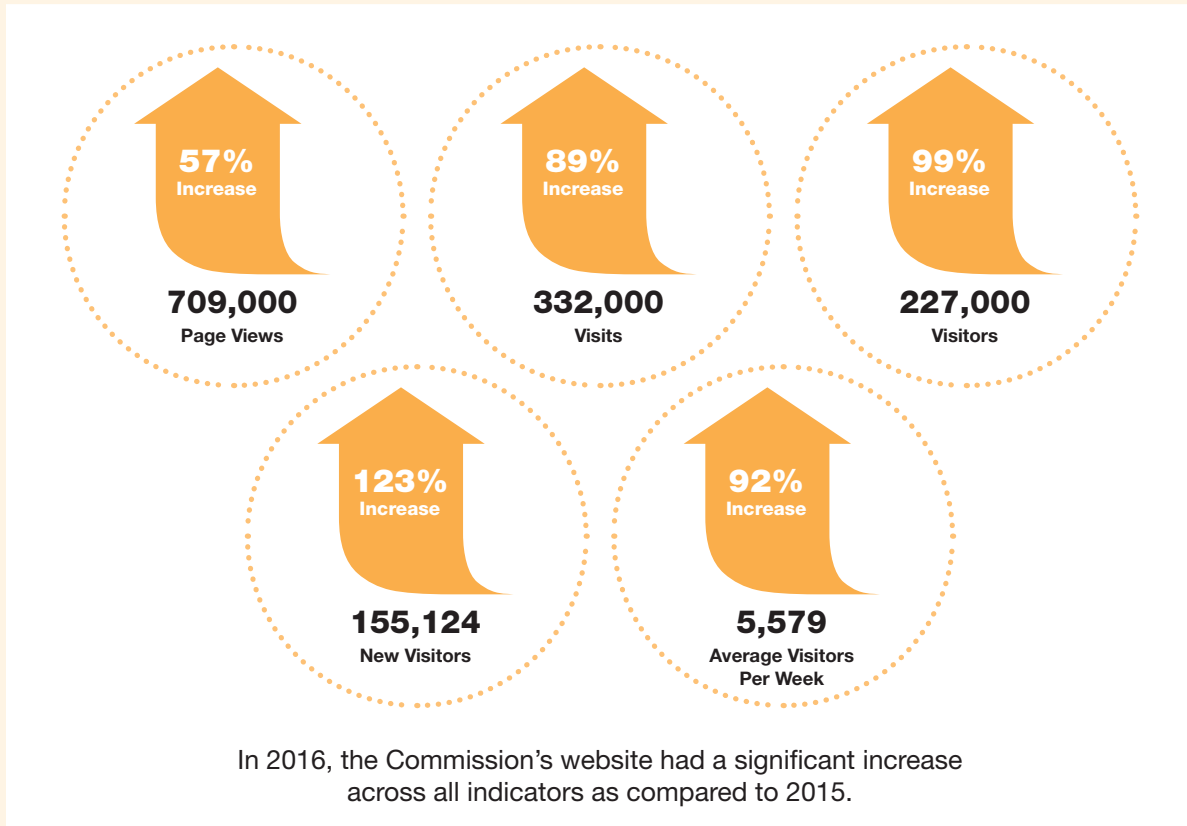
Instagram



In 2016, the Commission's Instagram page increased its number of followers to 960 from 220 in 2015.



NYC.gov/HumanRights



Visual Design, Publications, and Materials

The Commission continued to disseminate publications and materials to reach broader populations of New York City and increase the language capacity of its printed materials. These materials were designed to visually convey the Commission's messages and simplify recently passed laws to the public.

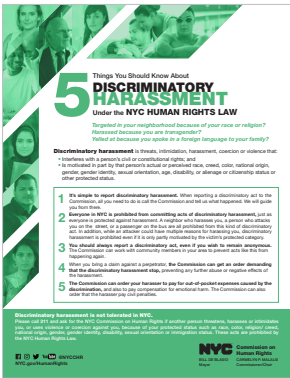
Branding

The Commission's Communications and Marketing team implemented redesigned brand guidelines and specific logos for legal and marketing purposes. For consistency, the Commission assigned colors to represent specific areas of focus (housing, employment, etc.) in publications, and used photographs and images with a color overlay. The new brand is applied to all our publications, correspondence, campaigns, media, promotional items, and signage.

Revamping Publications

The Commission's Communications and Marketing team worked with CRB, LEB, and the Office of the Chairperson to review and update existing publications and to create new publications.

Description of Publications and Materials in Stock



Discriminatory Harassment¹⁷

Defines the Law and provides FAQs as well as examples to assist with identifying discrimination.

Available as:

- Fact sheet in English and Spanish
- Brochure in English (additional languages forthcoming)

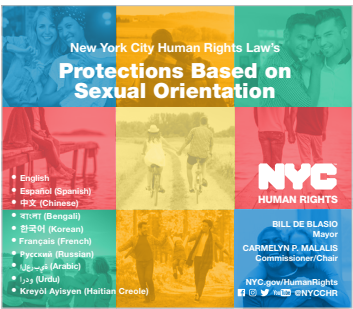


Strengthening and Supporting Faith-Based Communities in NYC

Lists ten things to know about the Commission's protections against discrimination based on religion/creed and provides real-life scenarios to help people identify discrimination in housing and employment.

Available as:

- Fact Sheet "Protections for Muslims & Those Perceived as Such" in English, Spanish, Urdu, Turkish, Arabic, French and Punjabi
- Brochure on Protections Against Religious Discrimination brochure in English, Spanish, Urdu, Turkish, Arabic, French and Punjabi



Protections Based on Sexual Orientation

Defines sexual orientation discrimination under the NYCHRL and provides scenarios to help people identify discrimination.

Available as:

- Brochure in English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, and Korean and Haitian Creole

¹⁷ Discriminatory harassment is any threat, intimidation, harassment, coercion, or violence that interferes with a person's civil or constitutional rights; and is motivated in part by that person's actual or perceived race, creed, color, national origin, gender, sexual orientation, age, disability, alienage or citizenship status, or other protected status.

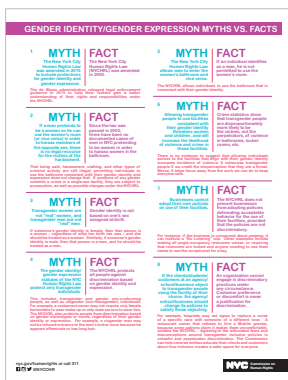


There's NO ROOM for Housing Discrimination in NYC

Describes the rights of tenants and prospective home buyers; outlines the responsibilities of landlords and housing providers; and includes FAQs and real life scenarios to help identify discrimination.

Available as:

- Brochure in English, Spanish, Bengali, Traditional Chinese, French, Russian, Korean, and Haitian Creole
- Poster available in English and Spanish



Bathroom Access for Transgender and Gender Non-Conforming People

Describes anti-discrimination protections for transgender and gender non-conforming people with regard to bathroom access in New York City.

Available as:

- Posters and flyers in English and Spanish
- Fact Sheet "Gender Identity Truth vs Myth"



Poster on NYC Single-Sex Facilities Policy

As part of Executive Order 16, signed by Mayor de Blasio on March 7, 2016, City agencies are required to display this posting in conspicuous locations for employees and members of the public.

Available as:

- Posters in English



Criminal Record? You Can Work with That

States the rights and responsibilities for employers and employees; steps to avoid discriminatory actions, and how to file a Complaint under the Fair Chance Act which makes it illegal for most employers in New York City to ask about the criminal record of job applicants before making a conditional job offer.

Available as:

- Brochure in English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, and Korean, and Haitian Creole
- Posters in English and Spanish
- FAQs
- One pagers for employees and employers in English, Spanish, Bengali, Traditional Chinese, Haitian Creole, Korean, Russian



You Are More Than Your Credit Score

States the rights and responsibilities for each party, steps to avoid discriminatory actions, and how to file a Complaint pursuant to the Stop Credit Discrimination in Employment Act which prohibits most employers in New York City from making employment decisions by checking applicants' credit history.

Available as:

- One brochure with English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, and Korean, and Haitian Creole content
- Poster in English and Spanish
- One pagers for employees and employers in English, Spanish, Bengali, Traditional Chinese, Haitian Creole, Korean, Russian)



Immigrants & Human Rights

Describes immigrant discrimination practices in the workplace and housing; and includes the Commission's contact information.

Available as:

- One brochure with English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, Korean, and Haitian Creole content

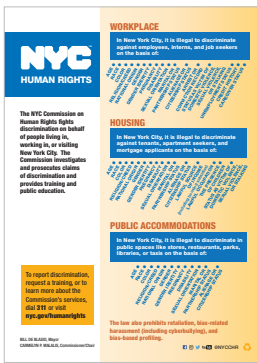


Mediation Questions & Answers

Includes FAQs about the Commission’s Office of Mediation and Conflict Resolution and the Commission’s contact information.

Available as:

- Brochure in English



Commission Law/General Info

Provides information on protections under the NYCHRL.

Available as:

- Info card in English, Spanish, Arabic, Bengali, Traditional Chinese, French, Russian, Urdu, and Korean
- Notice of Rights in English



Domestic Violence/Sexual Violence/Stalking and Employment Rights

Provides information on employment rights for victims of these crimes under the NYCHRL.

Available as:

- Info card in English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, and Korean
- Posters and flyers in English and Spanish

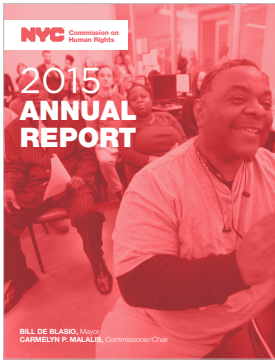


Pregnancy and Employment Rights

Provides a concise summary of protections for pregnant employees under the NYCHRL. Also, contains examples of reasonable accommodations that a pregnant employee can request from an employer during the course of a pregnancy.

Available as:

- Notice of Rights in English, Spanish, Arabic, Traditional Chinese, French, Russian, Urdu, and Korean

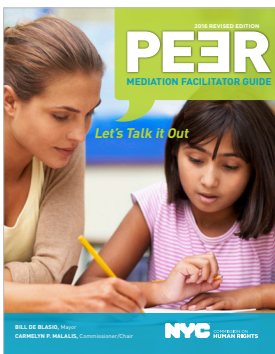


Annual Reports 2002-2015

Annual reporting of the Commission's work.

Available as:

- Report in English



Peer Mediation Program

Each year, the Commission works with middle- and high-school students across New York City to train them as peer mediators. The goal of the Peer Mediation Program is to help students develop relationships and communication skills in school and other areas of their lives. This is a great opportunity for students to develop their leadership skills, design their own solution to conflicts, and learn to express their concerns in a constructive and peaceful manner.

Available as:

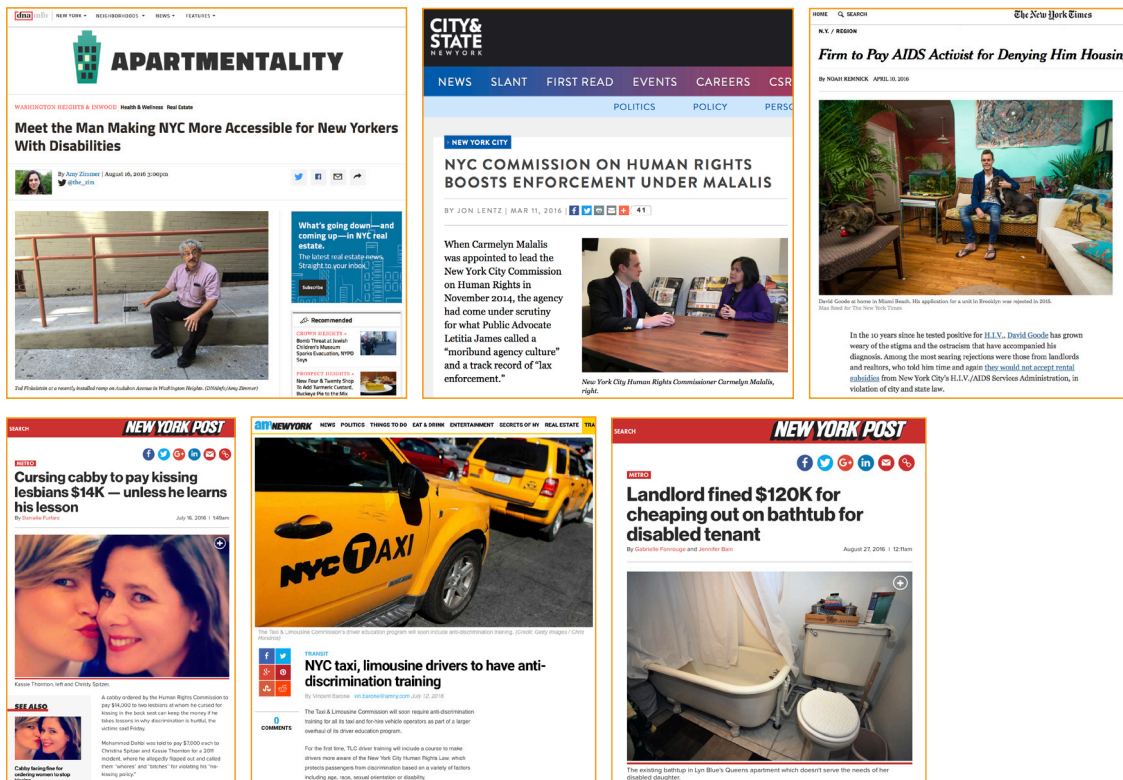
- Guide for Students
- Guide for Facilitators

Press

Increased media coverage is central to the Commission’s mission to educate New Yorkers about their rights under NYCHRL, and ensures that everyone in New York City recognizes the Commission as a venue for justice for victims of discrimination. Additionally, this year, the Communications team prioritized ethnic and community media engagement to make sure that every community in New York City understands their rights.

The Commission’s Communications team significantly increased media attention on enforcement efforts, community engagement, public campaigns, and additions to the NYCHRL with more than 500 earned media hits in 2016 across print, online, TV, and radio.

Sample of Enforcement Focused Coverage



NYC Commission on Human Rights Boosts Enforcement Under Malalis (City & State, March 2016)

“When Carmelyn Malalis was appointed to lead the New York City Commission on Human Rights in November 2014, the agency had come under scrutiny for what Public Advocate Letitia James called a ‘moribund agency culture’ and a track record of ‘lax enforcement.’ Sixteen months later, Malalis can point to evidence of a revamped office, from a growing number of investigations to higher penalties to enforcement efforts on a number of new fronts.”

Firm to Pay AIDS Activist for Denying Him Housing

(New York Times, April 2016)

“Mr. Goode earned a measure of recompense when a real estate brokerage firm that had denied him housing agreed to pay him \$5,000 in damages and to overhaul its business practices to curb such cases in the future. ‘The Commission is aggressively prosecuting and punishing landlords and brokers who violate the law by issuing fines to deter future violations,’ said Carmelyn P. Malalis, the Commissioner of the agency. ‘It is also requiring training for landlords and brokers who quickly cooperate with the commission and work to get tenants into housing.’”

Cursing Cabby to Pay Kissing Lesbians \$14K

(New York Post, July 2016)

“A cabby ordered by the Human Rights Commission to pay \$14,000 to two lesbians at whom he cursed for kissing in the back seat can keep the money if he takes lessons in why discrimination is hurtful, the victims said. ‘We never wanted to financially ruin him,’ said Thornton. ‘We want him to acknowledge what he did, say he’s wrong, do the training, and be a better human.’”

NYC Taxi, Limousine Drivers to Have Anti-Discrimination Training

(amNY, July 2016)

“For the first time, TLC driver training will include a course to make drivers more aware of the New York City Human Rights Law, which protects passengers from discrimination based on a variety of factors including age, race, sexual orientation or disability. The city says the new anti-discrimination module is mostly a proactive measure. It follows two cases within the last five years where yellow cab drivers were found to have violated the Human Rights Law.”

Meet the Man Who Makes the City More Accessible for Disabled New Yorkers

(DNAinfo, August 2016)

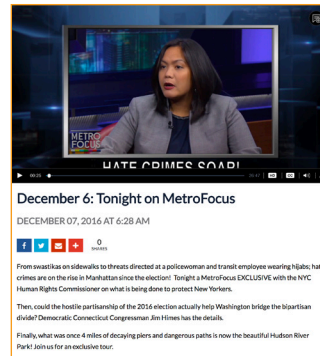
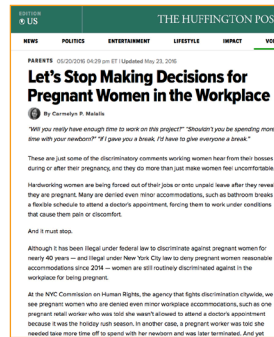
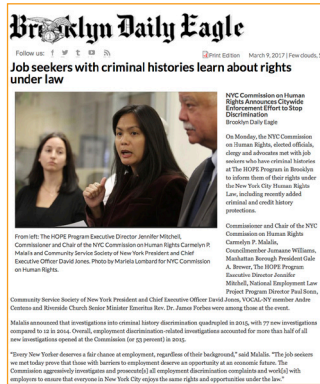
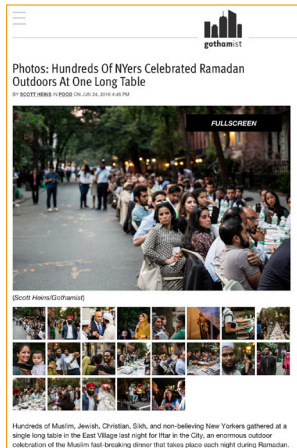
“Ted Finkelstein, the head of the Equal Access Program for the New York City Commission on Human Rights, has been working quietly behind the scenes for the past 36 years to help thousands of New Yorkers with disabilities get what they need to enjoy their apartments, offices and public spaces. Finkelstein has helped mobility-impaired residents get grab bars in their bathrooms to help them get into the tub or on the toilet safely. He’s gotten doorknobs replaced with lever handles for people with impaired dexterity. When a rent-stabilized tenant can no longer walk up to their top-floor walk-up, he’s worked with their landlords to move them into first-floor units – at the same rate.”

Landlord Fined \$120K for Cheaping Out on Bathtub for Disabled Tenant

(New York Post, August 2016)

“Milena Jovic refused multiple requests to install an accessible bathtub in Lynn Blue’s third-floor apartment for her 17-year-old daughter, Bianca Torres, who suffers from serious disabilities that include autism, seizure disorders, a cleft palate and vision problems. Blue complained that the tub is too high and it’s nearly impossible for her to get Bianca – who wears a leg brace and often crawls to get around the apartment – inside. Jovic, who wouldn’t spend \$10,000 on a new bathtub to accommodate a severely disabled tenant has been hit with \$120,000 in penalties and damages by the city’s Human Rights Commission.”

Sample of Community Engagement Focused Coverage



Job Seekers with Criminal Histories Learn About Rights Under Law (Brooklyn Daily Eagle, January 2016)

"The NYC Commission on Human Rights, elected officials, clergy and advocates met with job seekers who have criminal histories at The HOPE Program in Brooklyn to inform them of their rights under the New York City Human Rights Law, including recently added criminal and credit history protections. 'Every New Yorker deserves a fair chance at employment, regardless of their background,' said Malalis. 'The job seekers we met today prove that those with barriers to employment deserve an opportunity at an economic future.'"

Let's Stop Making Decisions for Pregnant Women in the Workplace (Huffington Post, May 2016)

"All too often, employers make assumptions about what pregnant women can or should be doing in the workplace — the meetings they should attend, the projects they can handle, the hours she should be working," wrote Commissioner Carmelyn P. Malalis. "Although some of these assumptions may be well intended, they take away a woman's right to make those decisions for herself, limiting employment opportunities. It is imperative that pregnant women everywhere understand their rights in the workplace and that employers know their responsibilities under the law."

Hundreds of New Yorkers Celebrated Ramadan Outdoors at One Long Table

(Gothamist, June 2016)

“Hundreds of Muslim, Jewish, Christian, Sikh, and non-believing New Yorkers gathered at a single long table in the East Village last night for Iftar in the City, an enormous outdoor celebration of the Muslim fast-breaking dinner that takes place each night during Ramadan. ‘We wanted to take a stand as a city and make the message clear that this is a city for all,’ Malalis said.”

Public Forum Empowers Bronx Muslims

(Bronx Times, August 2016)

“A public forum was held to empower Bronx Muslims to persevere against fear and discrimination. Panelists included Dr. Sarah Sayeed, Mayor Bill de Blasio’s senior Muslim advisor; Sapna Raj from NYC Commission on Human Rights; sergeant Loneragan from NYPD Hate Crimes Unit; inspector Fausto Pichardo, 43rd Precinct commanding officer and Marian Taylor-Martinez, NYC Department of Education family leadership coordinator.”

Elmhurst Vigil Remembers Transgender Victims Lost to Violence and Hate

(Queens Times Ledger, November 2016)

“More than 150 LGBT advocates and local faith leaders joined city Commission on Human Rights Commissioner Carmelyn P. Malalis for a vigil last week to remember the 26 transgender individuals murdered in 2016, the most violent year on record in the city for the transgender community. ‘Violence and hate have no place in New York City,’ Malalis said. ‘This week as we remember the 26 transgender individuals we have lost this year, I call on every New Yorker to stand up against hatred, fear, discrimination and do their part to protect the most vulnerable amongst us.’”

NYC Commission on Human Rights Educates Former Inmates About Fair Chance Act

(News 12 The Bronx, December 2016)

“The NYC Commission on Human Rights’ hosted the ‘Reclaim the Hope’ event this week to educate men and women about the Fair Chance Act, a law that prohibits questions about criminal history until a conditional offer of employment has been made. The Fair Chance Act was passed last October, but William Whitaker, a Human Rights Specialist, says there are many people who still don’t know their rights.”

NY Hate Crimes Rise—How the NYC Commission on Human Rights is Protecting New Yorkers Post Election

(MetroFocus, December 2016)

“From swastikas on sidewalks to threats directed at a policewoman and transit employee wearing hijabs; hate crimes are on the rise in Manhattan since the election. MetroFocus interviews NYC Human Rights Commissioner Carmelyn P. Malalis on what is being done to protect New Yorkers. ‘If folks now think that they have been the victim or the target of any sort of discrimination or harassment in employment ... they should absolutely contact the Commission on Human Rights.’”

Sample of Expanded Anti-Discrimination Protections Coverage

Labor & Employment Law Perspectives
Timely insight on emerging legal and business developments

Home » Discrimination, Retaliation and Harassment » NYC Lays Down Law (And The Wave Of The Future?) On Gender Identity Discrimination

NYC Lays Down Law (And The Wave Of The Future?) On Gender Identity Discrimination

POSTED BY ANNE B. SEKEL ON 23 MAY 2016
POSTED IN DISCRIMINATION, RETALIATION AND HARASSMENT

We have seen a veritable maelstrom of controversy surrounding transgender rights and other gender identity issues in the past year, and especially in the last several weeks, with everyone weighing in on the subject from Donald Trump to President Obama. While in some ways it is difficult to predict precisely how federal, state and local laws will all shake out on the issue – particularly in the context of employer/employee relations – the New York City Commission on Human Rights has taken this potential problem of uncertainty head-on in recently published enforcement guidance on gender identity discrimination that is so comprehensive in scope that it seems destined to serve as a model for other jurisdictions. Therefore, all employers, whether or not they are in New York City, can benefit from reviewing the guidance – including the eight categories of violations identified by the Commission – to better understand how to safeguard against gender identity based discrimination.

3 | EL BARRIO DOMINGO 22 MAYO 2016

#Metro #DerechosLaborales

No es la día "No es la día" "No es la día" "No es la día" Carmelyn Malalis

LA CIUDAD DE NUEVA YORK es conocida por ser una emblemática ciudad y por haber sido cuna de muchos de los avances que hoy en día nos permiten vivir en un mundo más justo. La Ciudadidad y la ley se unen para proteger a los trabajadores.

La Ley de Derechos Laborales de la Ciudad requiere que los empleadores otorguen igualdad de oportunidades a los empleados durante su contratación, por lo que se prohíben las prácticas discriminatorias. Esta ley protege a los empleados que trabajan en condiciones inseguras o que no reciben el pago adecuado por el trabajo que realizan.

EMPLEADORES	EMPLEADAS
Los empleadores no deben discriminar a los empleados en función de su raza, origen étnico, edad, sexo, orientación sexual, estado civil, embarazo, o cualquier otra característica protegida por la ley.	Las empleadas no deben ser discriminadas en función de su raza, origen étnico, edad, sexo, orientación sexual, estado civil, embarazo, o cualquier otra característica protegida por la ley.

Nueva guía municipal protege derechos de las embarazadas

El Day de derechos reconocidos para un embarazo debe estar relacionado a los recortes de su

NEWS 12

New law protects victims of domestic violence

A new law that protects housing rights for victims of domestic violence went into effect Tuesday.

The New York City Commission on Human Rights issued the new law that says victims of domestic violence, sex offenses or stalking cannot be denied housing.

AP THE BIG STORY

NYC workplace protections take effect for family caregivers

May 5, 2016 5:56 AM EDT

NEW YORK (AP) — Workplace protections are now in place for New York City residents who also have caregiving responsibilities at home.

The law, signed by Mayor Bill de Blasio in January, took effect Wednesday. It protects employees from termination, demotion, or denial of promotion because of their status as a family caregiver. If the law is broken, the worker could recover lost wages or damages. The Mayor calls family caregivers "unsung heroes."

The city's human rights commissioner, Carmelyn Malalis (KAHR-meh-lee-muh-LAH-lee), says parents and people caring for sick or disabled loved ones are among the hardest workers in the city.

ACCESO

Victimas de acoso laboral podrán pedir "Visa U"

CERTIFICACIÓN PARA "VISA U"

- VÍCTIMAS DE ACOSO SEXUAL EN SU EMPLEO
- EXPLOTADOS Y AMENAZADOS CON LA DEPORTACIÓN EN EL TRABAJO
- ACOSADOS POR LOS PROPIETARIOS, CON LA AMENAZA DE DEPORTACIÓN

LES OTORGUE UNA VISA U.

COR DEERECS HUMANOS NYC

DELEGADO: PUBLISHED: 02/16/2016 10:17 PM EST

ACCESO LABORAL

DESCRIPCION DE LA NOTICIA: SACADO Y PUESTO EN "GRANDO" + VISAS

Visas for Undocumented Crime Victims

(Univision NY and National, Telemundo, CNN en Español, February 2016)

“New York City will be the first major city to provide visa certifications (that's the first step of the visa process) to undocumented immigrants who are victims of crimes like torture, rape, domestic abuse or trafficking.”

NYC Workplace Protections Take Effect for Family Caregivers

(Associated Press, May 2016)

“Workplace protections are now in place for New York City residents who also have caregiving responsibilities at home. The law, signed by Mayor Bill de Blasio in January, took effect Wednesday. It protects employees from termination, demotion, or denial of promotion because of their status as a family caregiver. If the law is broken, the worker could recover lost wages or damages. The Mayor calls family caregivers ‘unsung heroes.’”

NYC Lays Down Law (and The Wave of the Future?) on Gender Identity Discrimination

(National Law Review, May 2016)

“The New York City Commission on Human Rights has taken uncertainty [about gender identity employment issues] head-on in recently published enforcement guidance on gender identity discrimination that is so comprehensive in scope that it seems destined to serve as a model for other jurisdictions. The Commission’s guidance contains many detailed examples of what these violations might look like in reality, so employers in New York City and beyond would be wise to review the full guidance and consider how their employee policies stack up.”


New Municipal Guide Protects Rights of Pregnant
(El Diario, May 2016)

“Mayor Bill de Blasio and Human Rights Commissioner P. Malalis Carmelyn recently presented a guide that clearly defines the rights to a woman in order to avoid discrimination related to pregnancy, childbirth, or other medical condition. Both in their workplace and in access to housing and public housing. ‘No one deserves to be treated unfairly for being pregnant. It is discriminatory and illegal,’ said Commissioner Malalis.”

New Law Protects Victims of Domestic Violence
(News 12 The Bronx, July 2016)

“A new law that protects housing rights for victims of domestic violence went into effect Tuesday. The New York City Commission on Human Rights issued the new law that says victims of domestic violence, sex offenses or stalking cannot be denied housing, evicted from their apartment or treated differently by landlords or brokers. The city says victims of domestic violence often face discrimination from landlords.”

Sample of Media Campaign Coverage




Starting Monday, ads like this will begin appearing around New York City promoting transgender people's right to use restrooms that match their gender identity.

#BeYouNYC

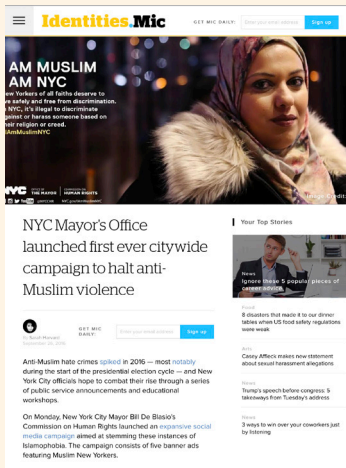
These New NYC Subway Ads Will Promote Transgender People's Right to Use Restrooms
(Buzzfeed, June 2016)

“‘Use the restroom consistent with who you are,’ say the ads, sponsored by the New York City Commission on Human Rights. They will appear in subway cars, bus shelters, phone booths, newspapers, and more. The ads will also run in ethnic newspapers in Spanish, Korean, Chinese, Russian, and Bengali. ‘While other cities and states are legislating intolerance and taking away individuals’ right to use bathrooms consistent with their gender identity, we are proudly standing with our transgender and gender nonconforming New Yorkers,’ the Mayor said in a statement. ‘Every New Yorker has the legal right to use the bathroom consistent with their gender identity, no questions asked.’”



Selection of additional media coverage includes:

- **Metro:** NYC becomes first city to launch transgender bathroom campaign – Angy Altamirano (June 2016)
- **amNY:** Mayor Bill de Blasio launches transgender rights advertising campaign – Ivan Pereira (June 2016)
- **Reuters:** New York City ad campaign supports transgender bathroom rights – Reuters (June 2016)
- **Daily News:** City launches transgender bathroom ad campaign telling New Yorkers to 'look past pink and blue' – Jennifer Fermino (June 2016)
- **New York Post:** New city ad blitz tells people to use bathroom 'consistent with who you are' – Michael Gartland (June 2016)
- **Buzzfeed:** These New Subway Ads Will Promote Transgender People's Right To Use Restrooms – Dominic Holden (June 2016)
- **New York Magazine:** New York City Launches Ad Campaign for Transgender Bathroom Rights – Gabrielle Noone (June 2016)
- **Slate:** New York City Unveils Nation's First Citywide Trans Bathroom Access Ad Campaign – J. Bryan Lowder (June 2016)
- **HuffPost:** Hey NC! Check Out The Awesome Move NYC Just Made For Trans People – Curtis Wong (June 2016)
- **Gothamist:** NYC Bringing Transgender Bathroom PSA Campaign To Subways, Streets – Scott Heins (June 2016)
- **NBC News:** NYC Launches Ad Campaign Affirming Trans Bathroom Rights - Brooke Spelsa (June 2016)
- **ABC7:** New York City launches transgender bathroom campaign – Staff (June 2016)
- **CBS2:** New York City Launches Nation's First Government-Led Citywide Transgender Bathroom Ad Campaign – Staff (June 2016)
- **Brooklyn News 12:** Citywide campaign fights against gender identity discrimination – staff (June 2016)
- **NY1:** City to Circulate Ads to Reaffirm Transgender New Yorkers' Rights – Staff (June 2016)
- **PIX11:** Interview with Commissioner Malalis (Aired June 2016)
- **WNYC:** Interview with Commissioner Malalis (Aired June 2016)
- **1010WINS:** Interview with Commissioner Malalis (Aired June 2016)
- **The Advocate:** New York City Launches Nation's First Pro-Trans Bathroom Rights Ads – Elizabeth Daley (June 2016)
- **LGBTQ Nation:** New NYC subway ads promote transgender restroom rights – Bill



#IAMuslimNYC

New York City Mayor's Office Launched First Ever Citywide Campaign to Halt Anti-Muslim Violence

(Mic.com, September 2016)

“The Commission launched an expansive social media campaign aimed at stemming these instances of Islamophobia. ‘These bold new ads affirm every Muslim New Yorker’s right to live safely and free from discrimination,’ Carmelyn P. Malalis, Chair and Commissioner of the NYC Commission on Human Rights, said in an email. ‘They also show that Muslims are hardworking New Yorkers just like you and me. They are our police, our teachers, our small business owners and our neighbors and they deserve the same respect as everyone else.’”

Additional media coverage includes:

- **amNY:** City combats Islamophobia with social media campaign – Ivan Pereira (September 2016)
- **Metro:** City launches first campaign promoting Muslim human rights – Amanda Mikelberg (September 2016)
- **Reuters:** New York launches ad campaign to fight anti-Muslim rhetoric, violence – Ellen Wulforth (September 2016)
- **NY1:** After Queens Violence, City Launches 'I Am Muslim' Campaign – Van Tieu (September 2016)
- **Huffington Post:** New York City Is Taking Aim At Islamophobia – Reuters (September 2016)
- **The Nation:** NY launches campaign to fight Islamophobia – AFP (September 2016)
- **Yahoo News:** New York launches ad campaign to fight anti-Muslim rhetoric, violence (September 2016)
- **Revelist:** NYC just launched its first-ever anti-Muslim discrimination campaign — and it's awesome – Emily Shugman (September 2016)
- **IBTimes:** Muslim Hate Crimes: New York City Launches Ad Campaign In Response To Surge In Attacks – Jason Le Miere (September 2016)
- **Patch:** City Launches Advertising Campaign to Combat Islamophobia - Mark Osborne (September 2016).

New York City Creates Bias Response Team in Wake of Hate Incidents (Metro, December 2016)

“Alarmed by a surge in reported incidents of hate at subway stations and bus stops, the city is creating a Bias Response Team to help victims report harassment and assaults to police, officials announced Tuesday. The Commission also said it is launching anti-discrimination ads on transit apps, as well as on Google and Facebook. The ads urge people to report to the commission any incidents of hate on subways, buses or other public places. ‘We are using every resource at our disposal to inform

people of their rights and encourage them to report acts of bias and discrimination,’ said Commission Chairwoman Carmelyn P. Malalis.

Additional media coverage includes:

- **amNY:** Reported hate crimes prompt NYC to launch ‘bias response team’ – Ivan Pereira (December 2016)
- **Metro:** NYC creates Bias Response Team in wake of hate incidents – Gary Kane (December 2016)
- **Associated Press:** New York City increases anti-bias efforts – Kiley Armstrong (December 2016)
- **AFP:** NYC tackles discrimination after hate crimes spike – staff (December 2016)
- **Salon:** The tail wagging the dog? NYPD’s long history chronicling hate crimes – Jessica Huseman (December 2016)
- **QNS:** More action is being taken against bias acts and reports of discrimination in NYC – Emily Davenport (December 2016)
- **CBS 880:** New York City Responds To Recent Surge In Bias Incidents – Peter Haskell (December 2016)
- **101WINS:** NYC steps up against biased attacks – Staff (December 2016)
- **PIX11:** NYC Launches Bias Response Team – Myles Miller (December 2016)
- **FOX 5:** NYC is increasing efforts to combat bias and discrimination – Staff (December 2016)
- **News 12 The Bronx:** NYC human rights advocates launch anti-discrimination campaign – Staff (December 2016)

Sample of Community and Ethnic Media Engagement Coverage



Right photo credit: Morgan Rubin.



The Commission’s Communications team increased engagement of ethnic and community media to ensure that every community understands their rights and protections under the NYCHRL. In 2016, the Commission placed close to 60 ethnic media articles and op-eds in languages other than English such as Spanish, French, Turkish, Urdu, Bengali, and Arabic.

Atención jefes: hay que aprender a no juzgar al contratar**(El Diario, January 2016)**

“The Commission launched seminars in Spanish to guide entrepreneurs and avoid discrimination that contravene New York law. The agency, responsible for enforcing the NYC Human Rights Law have long been doing seminars in English about discrimination at work, in public places and housing but yesterday Commissioner Carmelyn P. Malalis explained in the launch event of the first workshop held in Spanish that her agency is making an effort to carry the message in other languages. Spanish, because of its influence in the city and the number of Latino businesses is the first to develop its program.”

Twenty-Five Years After Crown Heights Riots**(Caribbean Life News, August 2016)**

“Twenty-five years ago, I watched as the streets of Crown Heights erupted in unrest — cars flipped, businesses burned, rocks thrown, and voices raised in anger following the tragic deaths of seven-year-old Gavin Cato, hit and killed by a car, and the stabbing death of college student Yankel Rosenbaum,” Paula L. Sanders wrote for the Caribbean Life News. “Twenty-five years later, the NYC Commission on Human Rights is still a part of those communities, working in Crown Heights and across Brooklyn to ensure that people feel safe, respected, and empowered to live and work free from discrimination.”

Take Care of Sick Family Members Against Workplace Discrimination**(Chinese World Journal, May 2016)**

“NYCHRL comes into effect on April 4, including employers with employers of four or more employees, who are not allowed to take care of family members who are sick or disabled at home on the grounds that the employment discrimination and differential treatment. Unlike the Family Leave, the law will provide a legal basis for a legitimate workplace interest in the Caregiver family, which advocates the family tradition of ‘respecting and caring for the young.’”

New York, Müslüman New Yorkluların Haklarına Sahip Çıkıyor**(TurkishNY, October 2016)**

“Xenophobic rhetoric has reached a fever pitch in recent months. In New York City, we do not and will not accept hatred, violence, or discrimination of any kind. Now more than ever, we stand united as one City and reject hate and fear in all its forms. To the Muslim, immigrant, and refugee communities living in every borough of this great city — we see you, we affirm your dignity, and we will not allow you, your families, or your communities to be harmed or targeted in any way,” Commissioner Carmelyn P. Malalis, Nisha Agarwal, and Marco Carrion wrote in this opinion piece.

Commissioner Malalis Talks Anti-Discrimination Protections Post-Election**(HOT97, November 2016)**

Commissioner Malalis joined HOT97’s Lisa Evers to discuss the Commission and its response to a recent wave of hate crimes and bias-based incidents, specifically protections against race and religious discrimination as well as discriminatory harassment, which is considered a civil form of a hate crime.

Additional ethnic and community media coverage includes:

- **Amsterdam News:** City council passes two new bills – Shanice Lewis (March 2016)
- **Times Ledger:** LGBT community on edge after another Jackson Heights attack – Bill Parry (February 2016)
- **Allewaa Alarabi Newspaper:** Don't Give in to Any Persecution or Discrimination Forced on You - Angie Damlakhi (April 2016)
- **El Diario:** Uniting creeds and religions, NYC leads fight against Islamophobia – Carmelyn P. Malalis, Nisha Agarwal, and Sussie Lozada (June 2016)
- **Manhattan Times:** A home free from harm – James Clark (August 2016)
- **El Diario:** Hundreds march against domestic violence – Camille Padilla Dalmau (September 2016)
- **The Chief:** City Campaign Meant To Promote Tolerance For Muslim Residents – Mark Toor (October 2016)
- **Queens Times Ledger:** All New Yorkers deserve to be respected – Carmelyn P. Malalis, Nisha Agarwal, Marco Carrion (October 2016)
- **CUNY TV:** I am Muslim, I am NYC – Zyphus LeBron (October 2016)
- **TurkishNY:** New York, Müslüman New Yorkluların Haklarına Sahip Çıkıyor – Malalis, Agarwal, Carrion (October 2016)
- **Haiti Observateur:** La ville de New York vole a la defense des Musulmans new-yorkais – Leo Joseph (October 2016)
- **Weekly Bangalee:** New York City Stands Up for Muslim New Yorkers – Malalis, Agarwal, Carrion (October 2016)
- **Allewaa Alarabi:** New York City Stands Up for Muslim New Yorkers – Malalis, Agarwal, Carrion (Oct. 31, 2016)
- **Queens Latino:** Historial criminal no debe ser impedimento para trabajar – Javier Castano (October 2016)
- **Bronx.net:** Assistance For Immigrants in the Bronx - Eileen Newman (November 2016)
- **El Diario:** Ahora más que nunca, NYC no tolerará ataques y discriminación contra mujeres trángenero – Carmelyn P. Malalis (November 2016)
- **El Diario:** Transgender people fear more attacks for Trump triumph – Camille Padilla (November 2016)
- **HOT 97:** Lisa Evers interviews Commissioner Malalis, advocates about hate crimes post-election – Lisa Evers (November 2016)
- **El Diario:** El Diario promotes day for immigrants to know their rights – Edwin Martínez (December 2016)
- **Univision:** Abren la línea 'Conozca sus derechos' para ayudar a inmigrantes – staff (December 2016)

FY 2017 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 that the Commission resolves that also could have been filed under federal law at the EEOC.

City Tax Levy	\$12,123,998.00
Additional Program Grant Funding	
EEOC Contract (Workshare Agreement)	\$170,750.00
DORIS Grant (OTPS)	\$24,996.00
Total	\$12,319,744.00

Office Locations & Contact Information



Photo credit: Franck D. Joseph II.

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

Main Office

22 Reade Street
 New York, NY 10007
 Dial 311 or (212) 306-7450
 Fax: (212) 306-7658

NY Relay Services

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

Website

www.nyc.gov/humanrights

Community Service Centers



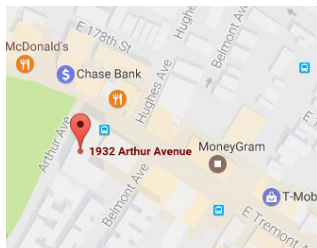
Manhattan

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 (212) 306-7450



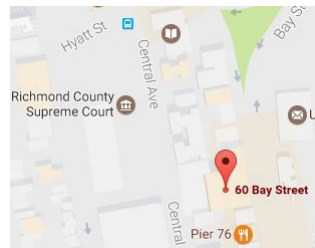
Queens

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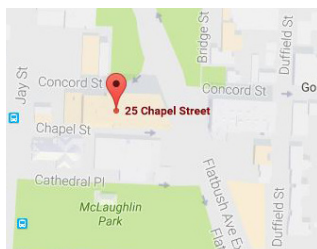
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