

2006 New York City Commission on Human Rights Annual Report



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New York City Ad Firms Agree To Hire More Black Managers

By DIANE CARDWELL and STUART ELLIOTT

Finding that just 2 percent of the upper echelon of the advertising industry in New York City had agreed to submit to their creative and managerial staffs and to report on progress each year. Under the agreements, the agencies had agreed to submit to three by the city, an

Lawmakers rip Madison Ave. of lack of diversity

By MICHAEL SAUL
- BUREAU
to get a message to
ive with

Still so white; still no one really wants to discuss it

Ad-world culture and pa hurt minority recruitment

Tranny sues

A TRANSGENDERED woman told to use the men's room in a complaint filed Dec. 1 with the city Commission on Human Rights and announced yesterday that she was demanding access to the Chelsea store's rooms and rest rooms. "I felt humiliated when told to use the men's room in April, the woman said."

Free to choose

MTA settlement will allow transgender patrons to use either men's or women's public rest rooms
SARA STEFANINI
NEW YORK

Stone, who began hormone replacement therapy 11 years ago. "It's like the world was lifted off my shoulders after a few months of hell."
Transit police charged with disorderly conduct said the woman had abused her rights.

NY. ad agencies vow to address

The commission this summer subpoenaed the agencies to explain at hearings that were set for Monday the start of the Advertising Week annual industry gathering. He got a phone call from Warren Mich., agency Campbell-Ewald and wanted to be across from him. He realized

Transgender New Yorkers in the right to use any rest-

and DraftFCB. Now, the suits signed by

men's room and transgender woman sues

color

The seal of the City of New York is centered in the background. It features an eagle with wings spread, perched atop a shield. The shield is supported by two figures: a Native American on the left and a Dutchman on the right. Below the shield is a banner with the date '1625'. The entire seal is encircled by a wreath and the Latin motto 'EUREKA CIVITATIS NOVI EBORACI'.

2006 Annual Report

NEW YORK CITY COMMISSION ON HUMAN RIGHTS

MICHAEL R. BLOOMBERG, MAYOR
PATRICIA L. GATLING, COMMISSIONER/CHAIR
NEW YORK CITY COMMISSION ON HUMAN RIGHTS

Message from the Mayor



New York City's future is bright and full of promise. Our streets are cleaner and safer, our schools are better, and everywhere you look, you can see a renewed sense of hope that our initiatives will transform our City in the future. People from all over the world want to come here to live, work and visit. Our City's great strength comes from our diversity.

Our Human Rights Law is one of the strongest in the nation and protects New Yorkers from discrimination in employment, housing, and public accommodations. The City's Human Rights Commission plays a vital role in protecting New Yorkers from all forms of discrimination, vigorously enforcing the law and underscoring our Administration's commitment to human rights.

Building on the past five years of innovation and accountability, the hard working staff of the Human Rights Commission have protected and advanced the civil rights of New Yorkers by negotiating historic diversity agreements with the largest advertising agencies in the City and conducting public awareness campaigns such as the multi-lingual *One City* campaign. The Commission's proven track record in resolving discrimination complaints, rooting out systemic violations of the law, and providing educational programs is illustrated in this 2006 Annual Report.

Now, we must take the next steps and continue on our path to a brighter future. I commend Commissioner Gatling and her staff and thank them for being an integral part of this Administration's effort to make our magnificent City one of limitless promise.



Michael R. Bloomberg

Message from the Commissioner



In one of my proudest moments as NYC Human Rights Commissioner, the Commission successfully obtained commitments from the leaders of a high-profile industry to boost their minority ranks and make their firms more reflective of the City's rich diversity.

Under groundbreaking agreements negotiated in September 2006, the CEOs of 16 of the City's largest advertising agencies agreed to diversify their workforce, particularly in the creative and managerial positions. The agreements require the agencies to establish recruitment and retention goals and to report to the Commission annually whether they have met their goals. The agreements also require that each agency issue an annual report specifying the race, title, and salary of each employee hired and promoted.

These groundbreaking agreements underscore the Commission's commitment to ensuring a diverse NYC workforce—agreements that are good for the industry, the City, and the nation.

I commend these 16 industry leaders for committing themselves to an enhanced equal employment program that will yield lasting results. The transparency created in the agreements will also help ensure their success.

In addition to taking on larger issues that have a far-reaching effect, the Commission also continues to assist individuals with issues of discrimination. Our focus on pre-complaint intervention has proven highly successful and the number of complaints we resolved with this process dramatically increased during 2006. Such pre-complaint interventions assure a speedy resolution without the need to file a complaint, thus avoiding lengthy and costly litigation.

Today, approximately 90% of the Commission's total caseload is less than one year old. At the beginning of Mayor Bloomberg's administration, only 14% of the total cases were under a year.

As part of our aggressive equal access and disability efforts, we surveyed Brighton Beach, an area with a large number of elderly and disabled individuals, and found that a high percentage of the old residential

buildings are inaccessible to those with disabilities. We met many individuals who have been prisoners in their own apartments for years because of a few steps at their building entrance or in their lobby. In the last few months of 2006, the Commission successfully negotiated modifications for 23 buildings, making those locations accessible to over 3,500 residents. We will maintain our presence in that community until all the multiple-dwelling buildings are made accessible under the Human Rights Law.

With a continued focus on education, our Human Rights Specialists teach students about the Human Rights Law, Sexual Harassment, and Conflict Resolution. We are now in our fourth year training high school students to become peer mediators. This program provides students with a way to address and resolve their disputes before they escalate. The program has proven to be highly effective in reducing violence in the schools. In December, we held a unique conference at the downtown offices of JPMorgan Chase for 200 New York City high school students who are practicing peer mediators in their schools. The conference, *Are We Cool?*, built upon their mediation and conflict resolution skills.

Throughout most of 2006, we reached millions of New Yorkers and visitors daily with a message of welcome and unity through our multi-lingual *One City* poster campaign. The posters were displayed at City bus shelters, phone kiosks, and on NYC sanitation trucks and street sweepers—taking our message to all 6,300 “curb miles” of City streets.

We also worked closely with the media, frequently highlighting the Commission’s high profile cases. Additionally, the relationships we have built with a number of ethnic and community press members helped us reach many of the City’s diverse communities.

I am proud of what we have been able to accomplish this year. Our plans for 2007 include a new testing program in employment for race discrimination that is already underway. Based on a Princeton University study that the Commission assisted with as reported in the *2005 Annual Report*, we are measuring the role that race plays in obtaining entry-level employment in the City. Unlike the previous study where no formal complaints were filed, the Commission is filing charges against any employer found discriminating. We are also stepping up our proactive testing in housing to uncover discriminatory practices by real estate agents, building owners, and managers.

I am grateful to Mayor Bloomberg for the opportunity to continue to promote and protect the civil rights of all New Yorkers.

A handwritten signature in black ink that reads "Patricia L. Gatling". The signature is written in a cursive, flowing style.

Patricia L. Gatling

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Introduction

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

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

Law Enforcement Bureau

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

The number of new cases the Commission filed in 2006 was 316, bringing the total caseload to approximately 550. In addition, the Commission successfully resolved 215 allegations of discrimination through pre-complaint intervention. Pre-complaint intervention assures a speedy resolution without the necessity of filing a complaint, avoiding costly and lengthy litigation.

An example of a pre-complaint intervention involved a disabled individual who had her blood drawn on the street because the Staten Island medical facility was inaccessible on account of a few steps at the building entrance. The Commission intervened on behalf of the disabled individual and successfully negotiated a ramp at the entrance as well as the widening of hallways and aisles, and the installation of an accessible restroom.

LEB also successfully intervened on behalf of an employee who was denied an accommodation based upon her disability. The employee was pregnant and requested a six-week leave of absence after her baby was born. The employer summarily fired her after the request was made. The Commission immediately intervened on the complainant's behalf, and she was given the six-week leave.

In addition to the 215 allegations resolved through pre-complaint intervention, the Commission resolved 410 filed cases in 2006. The Commission's two-pronged approach of an intensive initial interview of the complainant with an immediate investigation of

the facts alleged provides investigators with a greater ability to gather evidence, identify witnesses, and build the strongest case. This successful approach is responsible for a significant increase in Probable Cause Determinations and Settlements.

Currently, approximately 90% of the Commission's caseload is under one year old as compared to 14% at the beginning of this administration. At the start of 2002, there were 1,500 cases at the Commission that were seven years or older. That number dropped dramatically to 255 by the end of 2002 and declined again to 44 cases by the end of 2003. By December 2006, there were no cases that were seven years or older and only 8 cases older than three years. The overall reduction in cases since 2002 has given investigators the ability to focus on current cases and not be burdened with overwhelming caseloads.

Orders

In 2006, the Commission issued four post-trial orders. The cases were tried before an Administrative Law Judge and culminated with the Commission issuing a Final Decision and Order.

On December 5, 2006, the Commission ordered a former owner of a Manhattan building to pay a \$25,000 fine to the City after attempting to evict one of his tenants who is elderly and disabled in retaliation for a previous complaint brought by the tenant. In that case, the Commission ordered the former owner in March 2005 to install a building entrance ramp, pay a fine of \$10,000 to the City and \$15,000 in compensatory damages to the complainant.

On September 29, 2006, as the result of facts adduced at a trial before an Administrative

Law Judge, the Commission held that a hospital employee was not subjected to discriminatory animus. The Commission further held that the decision not to promote the complainant was based on the complainant's behavior and work ethic.

On May 10, 2006, the Commission ordered a medical facility to pay a disabled employee \$43,333. The Commission held that the employer wrongly forced the complainant to work in a mobile facility during a period of time when her disability required her to remain in an office position.

On April 13, 2006, the Commission ordered the owner of a modeling agency to pay a \$15,000 fine to the City and \$10,000 in compensatory damages to the complainant, an aspiring model, who was refused employment based solely on her race. The business owner was also ordered to

institute an anti-discrimination policy and attend sensitivity training.

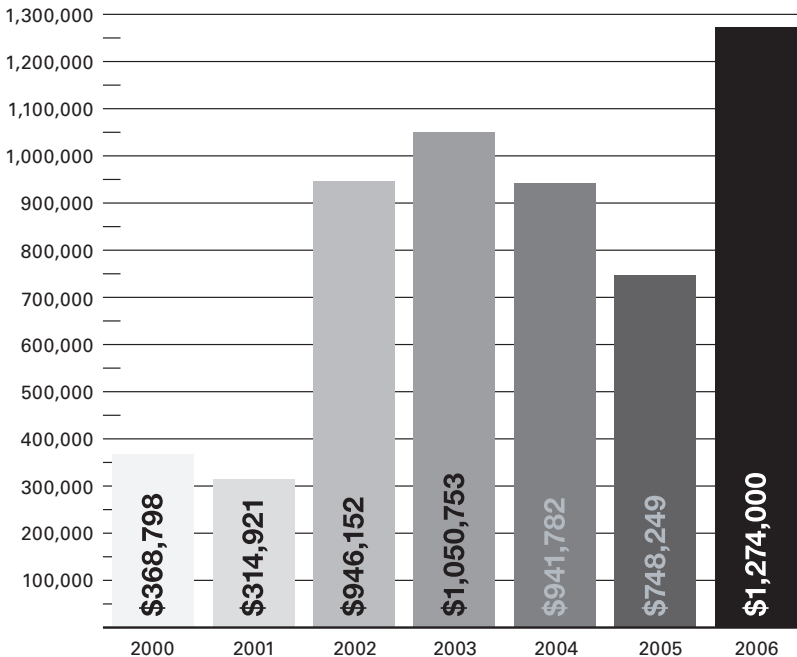
Fines

In 2006, the Commission assessed fines totaling \$48,000.

Settlements

The Commission has the authority to obtain cash settlements for those aggrieved by violations of the Human Rights Law. In 2006, the total dollar value of settlements increased to \$1,274,000, more than the total amount collected during a 20-year period prior to 2002. Complainants received an average cash settlement of \$15,000. Additional settlements and provisions successfully negotiated by the Commission include rehiring, policy changes and modifications for accessibility.

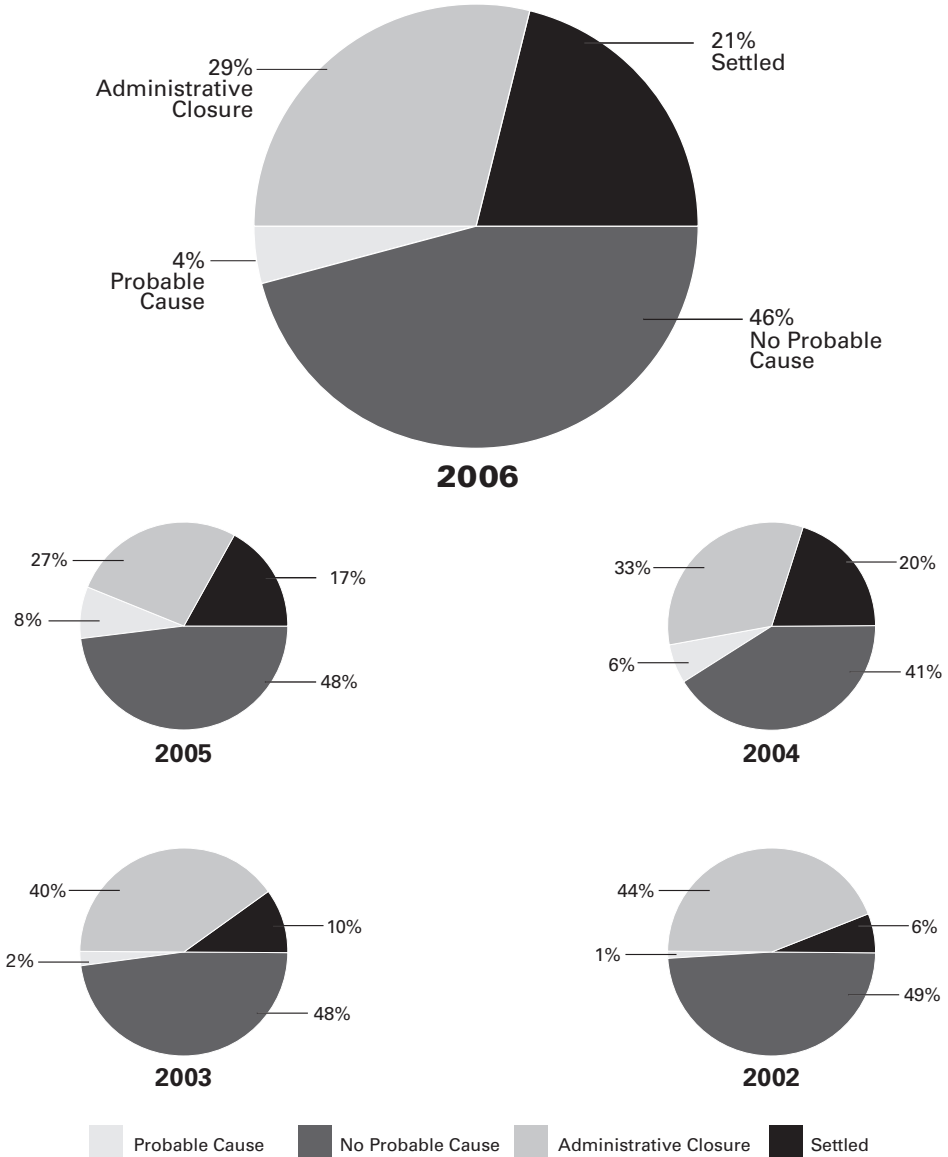
SETTLEMENTS



Determinations and Resolutions

The 2006 Determinations and Resolutions chart illustrates a steady increase in the Settlements of filed complaints. Since 2002, Settlements have nearly quadrupled.

DETERMINATIONS AND RESOLUTIONS



Disability Access

Many of New York’s buildings, stores and other public accommodations are not accessible to people with disabilities. As a result of its aggressive efforts in 2006, the Commission successfully negotiated 192 modifications for individuals with disabilities, more than double the amount in 2002. 163 of these modifications were accomplished through pre-complaint intervention. *(See page 8)*

The Equal Access Program assists the disabled community by identifying architectural and financial resources that are available, advocating for the disabled when dealing with landlords and/or service providers, and assisting with legal actions if intervention fails. Community Relations staff members, trained in conducting investigations

at various sites requiring disability access, have coordinated their efforts with the Law Enforcement Bureau. Most individuals choose the Commission’s pre-complaint process to resolve their issues rather than face litigation.

Modifications secured through the Commission include: installing permanent and portable ramps; bell and buzzer systems for entry to stores, offices, and apartment buildings; making parking spaces available; and permitting guide dogs in public accommodations.

LEB Staff

The Law Enforcement Bureau consists of 13 attorneys, 9 Human Rights Specialists, including one retired NYPD officer, and 4 support staff members.

COMPLAINT PROCESS

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

Community Relations Bureau

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

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

Each field office, or Community Service Center, offers the Commission's many services including: Immigrant Employment Rights training; Equal Access (disability access) investigations, workshops, and interventions; School Program sessions with three separate curricula (NYC Human Rights Law, Sexual Harassment, and Conflict Resolution); Peer Mediation Training in high and middle schools; and Mortgage Counseling and Predatory Loan Prevention to reduce predatory lending practices. Dedicated teams of Human Rights Specialists staff each borough office.

As part of a comprehensive public education campaign, the Commission published its informational booklet in several languages, including English, French, Korean, Mandarin, Russian, and Spanish. The contents of these books appear on the Commission's website: www.nyc.gov/cchr.

The Commission maintains its aggressive outreach campaign to the public through the programs it provides.

Immigrant Employment Rights

The Commission conducted 102 workshops and other outreach events during 2006 to inform immigrant workers, employers and immigrant advocacy organizations about their rights and obligations under Federal and City Laws. The discussions, literature and PowerPoint presentations explained discrimination based on national origin and citizenship or alienage status. The citywide presentations were conducted in English, Spanish, Creole, and Russian.

This program was developed with the New York Immigration Coalition and supported in its first two years by funding from the U.S. Department of Justice's Civil Rights Division, Office of Special Counsel for Immigrant Related Unfair Employment Practices.

Equal Access

The Commission continues to expand its Equal Access Program. In conjunction with LEB, CRB staff regularly conducts investigations and provides pre-complaint intervention when individuals experience accessibility problems. As a result, CRB staff successfully negotiated 163 modifications during 2006 through pre-complaint intervention, including: installing permanent and portable ramps at building entrances; lifts; curb cuts; bell and buzzer systems for entry to stores, offices, and apartment buildings; creating accessible restrooms and widening aisles in stores; and unlocking access

gates. The Equal Access Program also provides extensive public education to senior citizens, the disabled community and advocates, healthcare and housing providers, and community leaders.

School Program

Commission staff members visited 54 City schools and 14 youth centers, conducting 431 sessions and teaching over 7,500 students in grades 6-12 three basic curricula: the Human Rights Law, Sexual Harassment and Conflict Resolution. The Conflict Resolution workshops are the most requested and often lead to the schools' interest in the Commission's Peer Mediation Training Program.

The Commission's Peer Mediation Training program prepares middle and high school students to become Peer Mediators. These students then assist their peers in resolving differences before they escalate into violence. CRB's approach to teaching young students how to be peer mediators is grounded in the principles that underlie the Human Rights Law—tolerance, human dignity, and respect. The 10-week after-school program also teaches these young students valuable life skills such as patience, persistence, active listening, and problem solving while presenting alternatives to threats and violence. Students, faculty, and staff experience benefits from the program as well.

Approximately 20 students per school participate in the voluntary program. The Commission published *Talk It Over: A Peer Mediator's Guide* to assist the student mediators with the mediation process.

During the 2005 – 2006 school year, 176 high school students from 11 schools throughout the City graduated from the Peer Mediation Training Program. JPMorgan Chase renewed their impact grant awarded to the Commission to continue this work, bringing the four-year total to \$127,000.

Mortgage Counseling and Predatory Loan Prevention

CRB staff members track possible discriminatory and predatory lending practices and conduct outreach and counseling services to address the community instability created by these practices. These lending practices include excessively high fees and commissions, misrepresentation of the mortgage's terms and conditions, high interest rates, repeated financing of loans, balloon payments and the financing of high-cost credit insurance. CRB staff provided 339 counseling sessions for 140 homeowners facing foreclosure and also conducted 6 workshops.

The Commission continued its aggressive outreach campaign to complement its counseling services. The campaign targets immigrants and seniors who comprise 95% of the counseling clients and alerts them to predatory lending practices and the discrimination often associated with those practices. The Commission distributes information which contains helpful resources, including consumer and banking information. The Commission also participates in homeownership seminars and predatory lending workshops in areas prone to this type of discrimination.

Other CRB Activities

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

ethnic change. In 2006, CRB delivered 131 Fair Housing workshops.

CRB expanded its comprehensive database to include the Commission’s Equal Access Program and its Mortgage Counseling and Predatory Loan Prevention Program. The new software enables the Commission to track all CRB’s activities more efficiently and comprehensively. A Planning Grant from the U.S. Department of Housing and Urban Development funded the database application.

By year end, CRB staff delivered 54,352 units of service to individuals throughout the five boroughs.

Most of the Commission’s educational programs and services were supplemented in 2006 with funding from JPMorgan Chase, the Tiger Baron Foundation, and the Christopher Reeve Foundation from previous years’ budgets.

CRB Staff

The Community Relations Bureau consists of 31 program and field staff and 5 support staff members.

COMMUNITY PROGRAMS

IMMIGRANT EMPLOYMENT RIGHTS	Presentations and materials on employment protection for immigrants (City law and Federal law) for: 1) immigrant workers; 2) employers; 3) immigrant advocacy organizations.
MORTGAGE COUNSELING & PREDATORY LOAN PREVENTION	HUD-referred counseling for individuals facing the loss of their homes that includes: 1) reviewing in person their financial and mortgage status; 2) writing letters to creditors or banks to negotiate payment; 3) exploring alternatives to foreclosure with individuals and lending institutions; 4) referring cases of suspected predatory lending; 5) distributing literature and participating in housing coalitions; 6) community presentations on predatory lending and foreclosure prevention.
EQUAL ACCESS	The Program provides: 1) investigation of individual inquiries (interviews, space assessment, code assessment, analyzing possibilities of code compliance, discussion of the law); 2) intervention, i.e. educating and negotiating with owners (calls, letters, visits); 3) group presentations to consumers, business people, social service agencies, hospitals re: disability rights; 4) drafting complaints and follow-up investigations.
SCHOOL PROGRAM	Present three basic curricula, the “NYC Human Rights Law,” “Sexual Harassment,” and “Resolving Conflict”: 1) to school classes (grades 6-12); 2) to parent groups.
PEER MEDIATION & COMMUNITY MEDIATION	The Mediation Program: 1) responds to requests to mediate bias and other community disputes; 2) sets up peer mediation groups in schools (grades 6-12); 3) delivers conflict resolution training to community groups as well as not-for-profit and school personnel.

Commission in the News

The Commission's Communications Division worked closely with both the Law Enforcement and Community Relations Bureaus to develop a media strategy that would maximize the number of people the Commission reaches, informing them of the Commission's work and the NYC Human Rights Law. Part of this aggressive anti-discrimination campaign included highlighting the Commission's high-profile investigation and successful resolution—the historical diversity agreements with the City's largest ad firms—and developing the multi-lingual *One City* poster campaign displayed throughout the City. The Commission also focused on reaching the City's diverse communities by working closely with the ethnic and community press.

During 2006, the Commission appeared 250 times in the media, with the majority prominently featuring the Commission. These numbers do not include each media outlet's online version of the

story or the multiple times a story was broadcast. They also do not include marketing estimates of over four million people exposed to the Commission's *One City* campaign on a daily basis.

Significant placements in both New York's print and electronic media during 2006 included: The Associated Press, NY 1, WCBS-TV, WNBC-TV, WABC-TV, WNYW, WSYR-TV, WPIX-TV, *The New York Times*, *The Wall Street Journal*, *NY Daily News*, *NY Newsday*, *NY Post*, *NY Sun*, *Staten Island Advance*, *USA Today*, *Boston Globe*, *Boston Herald*, *The Amsterdam News*, *Gay City News*, *The Blade*, *Hoy*, *Advertising Age*, *Ad Week*, *Crain's NY Business*, *Diversity Inc.*, *Black Enterprise*, 1010 WINS Radio, WNYC 820 AM - 93.9 FM, WWRL 1600 AM, WRKS 98.7 FM, WBAI 99.5 FM, as well as numerous local and ethnic media outlets. The following two pages provide a small sampling of the Commission's 2006 highlights in the media.

NYC slaps subpoena on ad chiefs

DIVERSITY DEBATE: Hearings on hiring practices 'coincide' with Advertising Week

By LISA SANDERS

THERE WILL BE TWO PARADES taking place during Advertising Week: a march of ad icons at Madison Avenue's leading executives to testify at hearings on the issue of their agencies' poor records in hiring black employees.

The Human Rights Commission last week sent subpoenas to 16 chief executives of large New York City-based agencies, including such adland luminaries as DDB's recently-appointed Advertising Age 6/12/06 Page 1

Tranny sues Loehmann's for bias

A TRANSGENDERED woman who was told to use the men's room at Loehmann's has filed a complaint alleging discrimination by the discount retail chain.

Jane Galla, who describes herself as a regular Loehmann's shopper, says in a complaint filed Dec. 1 with the city Commission on Human Rights and announced yesterday that she was denied access to the Chelsea store's fitting rooms and rest rooms.

"I felt humiliated when I was publicly told to use the men's fitting room" in April, the woman said through a statement from the Transgender Legal De-

fense and Education Fund. "I've been living as a woman for 3 1/2 years and can no longer use a men's fitting room."

A commission official noted the city's human rights law was amended in 2002 to cover individuals in a "gender identity class" but had no comment on the complaint.

Loehmann's was founded in Brooklyn in 1921 by Freida Loehmann, a legendary figure in retailing who bought from Seventh Ave. designers, paying below wholesale prices in cash.

The store's corporate offices in the Bronx had no comment on the complaint.

Owen Moritz

NY Daily News 12/19/06 Page 45

宣传多元移民文化 市人权委员会活动延至月底

【本报记者曹明峰纽约报道】市人权委员会(NYC Human Rights Commission)主席17日宣布,第一阶段开展的多元文化及多元移民文化,之后还将在今年晚些时候分阶段开展。人权委员会于十月下旬在全市范围内展开了一场宣传活动,提醒人们纽约的多元移民文化,呼吁市民团结、尊重和包容,反对种族歧视。这次宣传活动的主题是“许多国家,一个城市”(From Many Countries, One City),印有这一宣传口号的海报将送到全市140个公共汽车站和41个电话亭。该宣传活动的启动将持续到一月或二月中,市人权委员会主席 Patricia Gattling 昨天宣布,整个宣传活动将持续到二月底。另外,在晚些时候,活动将继续开展。第一阶段的活动将集中在市中心的几个公共汽车站和41个电话亭为中午班车。委员会主席 Patricia Gattling 表示,纽约的多元文化及团结精神,而这次的宣传活动旨在强化这一信息;如果这一团结精神受到威胁,委员会将立即采取措施进行干预或调解。

China Press 2/18/06 Page 3

The New York Blade

LOCAL NEWS

MTA Settles Case of Trans Rest Rooms
Trans Worker at Grand Central 'thrilled' with outcome
Monday, October 30, 2006

NEW YORK (AP) — Transgender people won the right to use any rest room operated by the Metropolitan Transportation Authority in railroad and subway stations in an agreement reached with a woman who had sued the agency for the right.

Under the agreement, reached last Monday, the MTA also agreed to pay Helena Stone, formerly known as Henry McGuinness, \$2,000 in damages to pay for her legal fees, according to the Transgender Legal Defense and Education Fund, which represented Stone. New York Blade 10/30/06

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

People of color hold few top jobs

By Theresa Howard USA TODAY

NEW YORK — Jimmy Smith is at the top of his game. His work as executive creative director at ad agency BBDO includes the launch ad for Motorola's USA Today 9/27/06 Page B3

The commission this summer subpoenaed the agencies to explain at hearings that were set for Monday, the start of the Advertising Week annual industry gathering here.

The potentially embarrassing hearings were called off only after the agencies signed agreements in recent weeks to boost minority hiring over three years. One company, Omnicom, also committed \$2.5 million over five years to a plan of

got a phone call from Warren, Mich., agency Campbell-Ewald. He says the agency "loved" his portfolio and wanted him to interview the next day for a creative position. He got up at 4 a.m. to drive across the state to meet his would-be boss. He never got past the human resources office — he believes because they weren't expecting him to be black. "That's when I realized this was going to be a little more difficult than I thought."

Ore.-based Wieden & Ken he says that in 1994, prin Wieden pulled back on his Smith wrote Wieden a five-page letter questioning whether the reason was that he'd have been the agency's first black copy writer.

"I hesitated about hiring him, but not because he was black," Wieden says. "I wasn't

Ad giant settles diversity complaint

Advertising holding company Omnicom reached a settlement with the New York City Commission on Human Rights just days before it was set to participate in hearings on minority hiring practices. The hearings were scheduled to take place starting Sept. 25. In June, the commission subpoenaed more than a dozen ad agencies for hearings on minority hiring. Over recent weeks, most of those agencies reached a three-year agreement with the city. The Omnicom agreement follows its own plan with the city council to put more than \$2 million toward diversity.

USA Today 9/21/06

6 September 14-September 20, 2006

THE NEW YORK AMSTERDAM NEWS

Ad firms sign agreement to employ more Blacks

By HERB BOYD Special to the AmNews "The more things change, the more they remain the same,"

mission, in a recent telephone interview: "Having the CEOs of these agencies sign on means that we firmly believe the

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

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

a program devised to assist minorities interested in obtaining an MBA," said Mason, currently the executive director of the Fund for Community Leadership Development, Inc. "While it wasn't said to us directly, the

The NY Amsterdam News 9/14/06 Page 6

Human Rights Commissioner Honored by U.S. Army



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

Our Times 3/8/06 Page 11

MTA Abused Transgendered Woman at Grand Central

BY ANDY HUMM

When Helena Stone, 70 years old and a 37-year telephone company employee, was assigned to repair phones

Gay City News 3/2/06 Page 1

Jesteli uwazasz, iz jesteli ofiarą dyskryminacji - złóż skazanie do wojewódzkiej Komisji Praw Człowieka, NYC Commission on Human Rights, tel. 311, www.nyc.gov/chr

Tytuł

- Wiele kultur oraz duch jedności czynią Nowy Jork wspaniałym miastem. Nasza kampania ma służyć wzmocnieniu tej świadomości - powiedziała Patricia L. Gattling na otwarciu najnowszej kampanii wojewódzkiej komisji do spraw człowieka.

W całym mieście, na 100 przystankach autobusowych i 40 niudach telefonem, w nowym sie plikaty z symbolem Wielkiego Jabłka jako dami całego świata.

Kampania ma służyć przede wszystkim informowaniu mieszkańców Nowego Jorku o prawach, które im przysługują. Nowy Jork ma jedną z najlepszych praw chroniących i wspierających mniejszości seksualne, ale jest dyskryminacja i podważa zatrudnianie, w mniejszych pracy przy wyznajowaniu mieszkańcy pokój w hotelu. Nie można wybierać ludzi według

Super Express USA 1/28/06

New York City Ad Firms Agree To Hire More Black Managers

By DIANE CARDWELL and STUART ELLIOTT

Finding that just 2 percent of the upper echelon of the advertising industry is black, New York City officials said yesterday that they had reached agreements with several of the nation's biggest ad firms forcing them to bring more black managers into this crucial sector of the city's economy.

The city's Human Rights Commission found that hiring of black workers had barely improved since an inquiry found similar problems 40 years ago. Of 8,000 employees work-

tation on their creative and managerial staffs and to report on their progress each year.

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

At the same time the companies have agreed to set up diversity

NY Times 9/8/06 Page A1

Free to choose

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

BY SARA STEFANINI
@NEWYORK

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

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

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

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

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

Both Silverman and Stone said they were satisfied with



Helena Stone, at home with cats Frick and Frack, won \$2,000 in damages in the rest-room settlement with the MTA.

and 22 were arrested at the wife in there with you thines,'
Newsday 10/24/06 Page 8

N.Y. Shops Pledge New Devotion to Diversity

Omnicom agencies take own path, 11 others sign agreement

BY WENDY MELILLO

WASHINGTON The ongoing issue of the ad industry's lack of diversity made headlines again last week, but with a fresh twist. For the first time, 11 agencies signed binding agreements, punishable by fines, to increase the number of minorities in their management ranks.

Though few doubt the sincerity of ad shops that say they will benefit from greater diversity, an immediate legal and public relations benefit was clear. The agencies that signed agreements will not have to testify at hearings before the New York City Human Rights Commission during Advertising Week Sept. 25-29.

AdWeek 9/11/06 Page 8

Lawmakers rip Madison Ave. on lack of diversity

BY MICHAEL SAUL
DAILY NEWS CITY HALL BUREAU

CITY LAWMAKERS WANT to get a message to the masses about Madison Ave., with a series of hearings on a perceived lack of diversity in the advertising world.

City Councilman Larry Seabrook, chairman of the City Council's Civil Rights Committee, vowed yesterday to haul marketing bigwigs in for a grilling on what he called "very deplorable" hiring patterns at city ad agencies.

"Based on those who are in the industry, I was told that the lack of diversity is unbelievable," said Seabrook, a Bronx Democrat. "A secretary or custodian job is basically the limits of what African-Americans and Latinos have as employment."

Seabrook's call for a public hearing comes during an ongoing probe by the city's Human Rights Commission into the employment practices of more than a dozen ad agencies in the city.

NY Daily News 3/7/06

Still so white; still no one really wants to discuss it

Ad-world culture and pay hurt minority recruitment

By LISA SANDERS

WANT TO KNOW WHY there are so few black employees in the ad business? Look to its roots, culture and compensation practices.

The New York City Commission on Human Rights investigation into Madison Avenue's hiring practices has stirred a maelstrom of emotional discussion around that one big question—and this time around, industry leaders hope that the discussion might just last long enough to yield some solutions.

"Curiously, while we operate in an industry that prides itself on participating in the cultural zeitgeist, if you will,

Advertising Age 6/19/06 Page 4

POLONIA | WEEKEND 5

FROM MANY COUNTRIES
one city

Jeżeli uwazasz, że jesteś ofiarą dyskryminacji - złóż заявление do nowojorskiej Komisji Praw Człowieka, NYC Commission on Human Rights, tel. 311, www.nyc.gov/chr

NYC COMMISSION ON HUMAN RIGHTS
Education, Prevention & Protection of Civil Rights
605 West 42nd Street, New York, NY 10018-3000
50th Anniversary

Super Express USA 1/28/06

Biggest stories the year

1
THE WAL-MART SAGA

A \$580 million review for the world's largest retailer would have made the list on its own merits. Dumping 3ernstein-Rein and 3SD&M for DraftFCB made it a four-mer

2
LACK OF DIVERSITY IN THE AD INDUSTRY

In 2004, more than 25 years after New York first looked into the lack of diversity in the advertising industry, the city's Commission on Human Rights decided to follow it up with a fact-

Advertising Age 12/18/06 Page 4

Major Highlights

Ad Agency Diversity Agreements

In September 2006, the Commission reached agreements with the CEOs of 16 of the City's largest advertising agencies that had been under investigation for their lack of diversity in managerial, professional, and creative positions. These groundbreaking agreements provide the framework for the hiring, retention and promotion of minorities by requiring the agencies to establish recruitment goals and report those goals at the beginning of each year to the Commission.

Additionally, the agencies are required to report their overall demographics, providing the Commission with information regarding promotions and separations each year. Should the agencies fail to achieve their goals in any year, they will hire consultants to assist them in meeting and/or surpassing the goals in the following year.

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

Conference for Peer Mediators

On December 1, 2006, the Commission held a unique one-day conference for 200 New York City high school students, who are practicing peer mediators in their schools, and their faculty advisors. The conference, *Are We Cool? A Conference for Peer Mediators*, built on the mediation and conflict resolution skills that head off serious conflict in the schools. It also gave the students the opportunity to meet other student mediators to share some of their experiences and success stories. The Commission joined with six professional mediation organizations to staff the 18 workshops. JPMorgan Chase provided supportive funding for the program, as well as space in their lower Manhattan offices for the conference.

One City Public Awareness Campaign Seen by Millions

Throughout most of 2006, the Commission reached millions of New Yorkers and visitors with a message of welcome and unity through its multi-lingual *One City* poster campaign displayed at hundreds of City bus shelters and phone kiosks. The Commission also covered all 6,300 "curb miles" of City streets when posters were displayed on 3,000 NYC Sanitation trucks and street sweepers. Commission staff hung thousands of smaller multi-lingual *One City* posters at City schools, offices, stores and government offices. The campaign was another key element in the Commission's intense efforts to alert those who live in, work in, and visit NYC to the Commission's work, the Human Rights Law and how to file a discrimination complaint.

Making Brighton Beach Accessible to its Residents

The Commission continued its aggressive equal access efforts under the Human Rights Law, targeting Brighton Beach because of its large number of elderly and disabled individuals and its high percentage of residential multiple-dwelling buildings. Of the 83 buildings the Commission surveyed, 56 were found to be inaccessible due to a few steps at the entrances or in the lobbies. Underscoring the severity of the situation, Commission staff interviewed residents who had been unable to leave their apartments for years. During the latter part of 2006, Commission staff successfully negotiated modifications for 23 buildings with 1,696 units, making those buildings accessible to over 3,500 tenants. The Commission achieved the modifications primarily through pre-complaint intervention and will continue to work in that community until the remainder of the buildings the Commission identified are made accessible to its residents.

Bilingual Agency Booklets and Postcards Produced and Distributed

The Commission produced and distributed two bilingual booklets: *Equal Access: It's the Law* and *Fair Housing: It's the Law*; and a new bilingual info card: *Pregnancy and Employment Rights*. The Commission also produced booklets containing the NYC Human Rights Law which incorporates all amendments to the Law since 1991 and translated its *Sexual Harassment* info card into Spanish. Tens of thousands of these new publications and info cards have been widely distributed at meetings, fairs, events, schools, government offices and businesses.

2006 Budget

The Commission's funding comes primarily from City tax-levy monies and the Federal Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD). A contract with the Equal Employment Opportunity Commission and supplemental grants from the U.S. Department of Housing and Urban Development and from JPMorgan Chase provided additional funding.

City Tax-Levy	\$2,837,162
Federal Community Development Block Grant	\$4,327,793
TOTAL	\$7,164,955

Additional Program Grant Funding

EEOC Contract (Workshare agreement)	\$54,000
HUD CDBG (supplemental funds)	\$42,940
JPMorgan Chase Grant	\$25,000
TOTAL	\$121,940

Commissioners

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

Reverend Dr. Calvin O. Butts III

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

Jonathan Capehart

Senior Vice President and Senior Counselor of Public Affairs at Hill & Knowlton; Pulitzer Prize and George Polk Award recipient.

Matt Foreman

Esq., Executive Director of the National Gay and Lesbian Task Force.

Dr. Eda F. Harris-Hastick

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

Dr. Edison O. Jackson

President of Medgar Evers College in Brooklyn.

Rabbi Haskel Lookstein

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

Grace Lyu-Volckhausen

President of the Tiger Baron Foundation.

William Malpica

Esq., Mayer, Brown, Rowe & Maw, specializing in corporate and securities law.

Omar T. Mohammedi

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

Derek Bryson Park

Ph.D., Investment banker; Vice-Chair of the NYC Industrial Development Agency; Vice-Chair of the NYC Capital Resource Corporation; and Anglican Priest-in-Charge of a Brooklyn parish.

Lisa Quiroz

Senior Vice President of Corporate Responsibility for Time Warner Inc.

Jenny Rivera

Esq., Professor of Law at the CUNY School of Law and lecturer at the New York County Lawyers Association Continuing Legal Education Institute.

Publications

Booklets:

NYC Commission on Human Rights

English/French
English/Korean
English/Mandarin
English/Russian
English/Spanish

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

Equal Access: It's the Law (English/Spanish)

Fair Housing: It's the Law (English/Spanish)

Guidelines Regarding Gender Identity Discrimination

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

Race At Work: Realities of Race and Criminal Record in the NYC Job Market by Dr. Devah Pager and Dr. Bruce Western
Report on the impact of race, ethnicity and criminal records on securing entry-level positions

Talk It Over—A Peer Mediator's Guide *

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

Cards:

Commission Offices

Gender Identity

Immigrant Employment Rights
(English/Spanish)

Peer Mediation

Pregnancy and Employment Rights
(English/Spanish)

School Program

Sexual Harassment
(English/Spanish)

Brochure:

Mediation Questions and Answers *

CCHR Newsletters:

Winter 2003

Spring 2003

Summer/Fall 2003

Winter/Spring 2004

Summer/Fall 2004

Summer/Fall 2005

Summer/Fall 2006

Annual Reports:

2002 – 2006 Available online: www.nyc.gov/cchr

Posters:

Fair Housing

English
Spanish

From Many Countries, One City
Multi-lingual

CD-ROM:

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

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

*Currently not available online

**Only table of contents available online

Office Locations

Main Office

Dial 311 or Tel: (212) 306-7500

Fax: (212) 306-7658

NY Relay Services:

(800) 421-1220 English

(877) 662-4886 Spanish

Website

www.nyc.gov/cchr

For Mortgage Counseling Services, call
(718) 886-6162.

Community Service Centers

Manhattan

40 Rector Street, 10th Floor

New York, NY 10006

Queens

136-56 39th Avenue, Room 305

Flushing, NY 11354

Bronx

1932 Arthur Avenue, Room 203A

Bronx, NY 10457

Staten Island

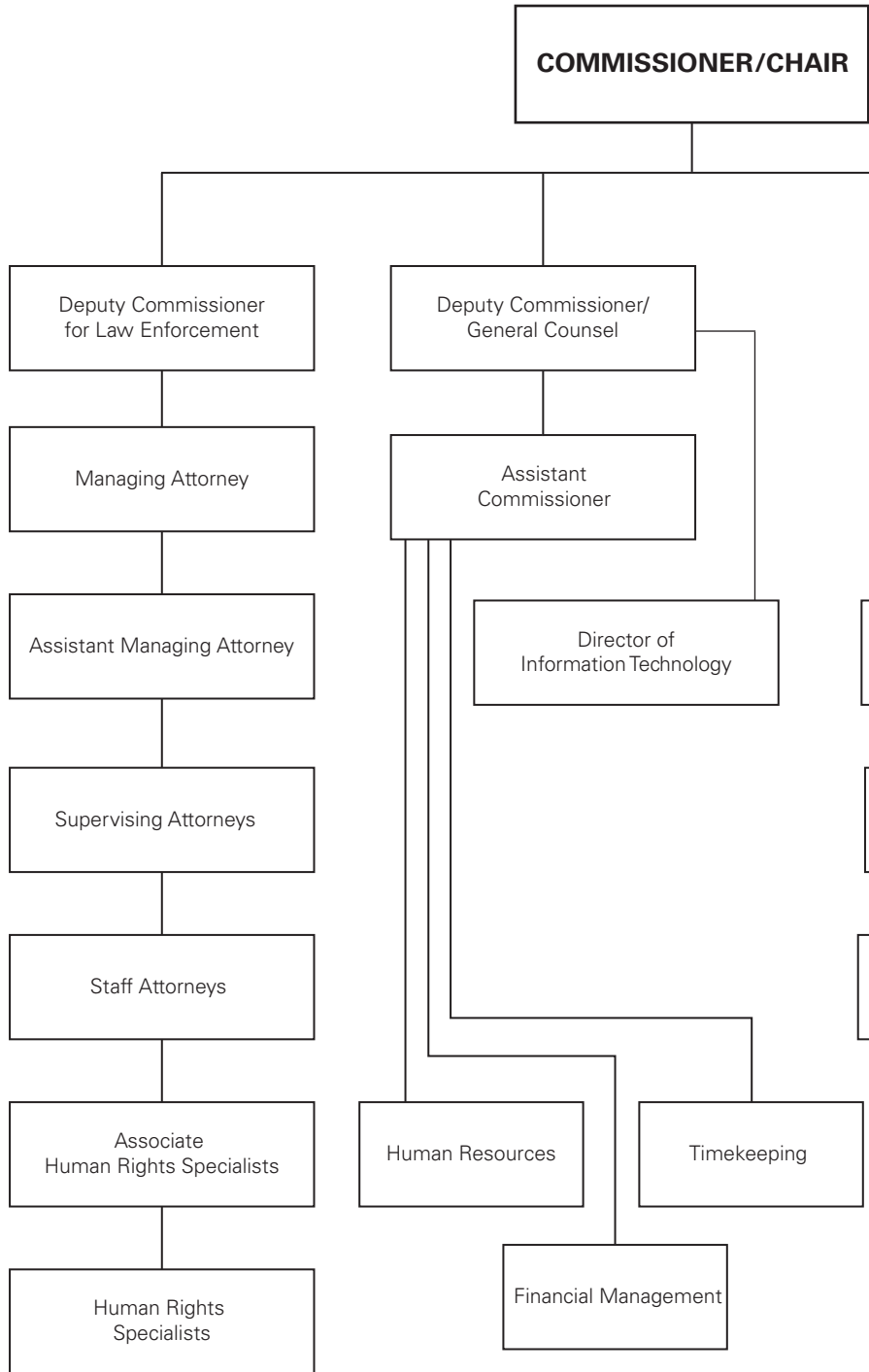
60 Bay Street, 7th Floor

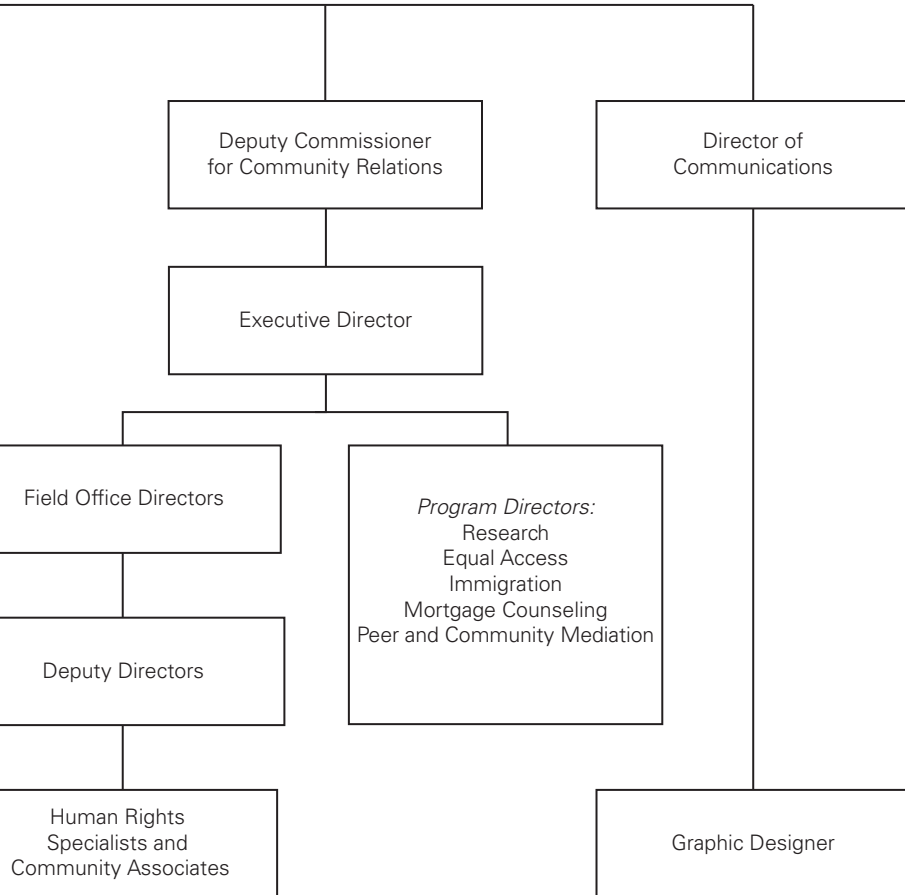
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Executive Staff

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Commissioner/Chair

Cliff Mulqueen

Deputy Commissioner/General Counsel

Avery Mehlman

Deputy Commissioner for Law Enforcement

Lee Hudson

Deputy Commissioner for Community Relations

Nimer Basha

Assistant Commissioner for Human Resources

Betsy Herzog

Director of Communications

Michael R. Bloomberg, Mayor



Patricia L. Gatling, Commissioner

