



City Council Hearing
General Welfare Committee
“Oversight: DHS and the Adult Homeless LGBT Population”
Monday, June 10, 2013

INTRODUCTION

Good morning Chair Palma and members of the Committee on General Welfare. I’m Douglas James, Deputy Commissioner of Adult Services at the Department of Homeless Services (DHS) and I’m pleased to be joining you today with Mark Neal, the agency’s EEO Officer and Executive Director of our office of Diversity and Equal Opportunity Affairs (DEOA).

Thank you for providing the agency the opportunity to discuss the adult homeless LGBT population and the respective programmatic successes of our Adult Services Division. The City of New York has proudly emerged as a world class leader in diversity and inclusion and DHS is pleased to be at the forefront of those efforts.

HISTORY

In 2006, DHS piloted a policy allowing transgender and gender nonconforming clients to stay in shelters based on the gender with which they identify, rather than their biological sex. This pioneering policy, based on best practices from national LGBT advocates, had one overarching goal - to treat all homeless clients with understanding, dignity and respect. In carrying out that objective, DHS has provided diversity, transgender and intersex training and guidance to all intake, assessment and shelter staff members in an effort to prohibit discrimination, related to gender identity or expression.

In 2010, based on sound principles developed throughout the pilot including tolerance, respect, privacy and safety, DHS committed to the policy and applied the guidelines system-wide. This was the right thing to do in order to welcome all people in need of emergency shelter services into a safe and respectful environment. Despite early controversy and predictions of failure, our policy was implemented throughout the shelter system successfully and without incident.

Today, agency and provider staff address individuals by their names, titles and other terms consistent with their gender identity. Supporting the integrity of all individuals was an important step forward for the City of New York. It’s because of those efforts, and the inclusion of gender identity in the City’s human rights law, that the Department of Homeless Services is considered to have one of the most LGBT-inclusive shelter systems in the country. We are proud to have set an example for states like Massachusetts, who in 2011 through Executive Order, implemented gender-identity inclusive practices in their homeless shelters as well. These great achievements help to advance the LGBT movement.

DHS also has a long history of providing temporary emergency shelter to couples, including LGBT families through our Adult Family Intake Center (AFIC). Well before marriage equality was passed in New York State, our system defined an adult family as any family without minor children, including household compositions with a valid marriage, civil union or domestic partnership

certificate. This definition entitles all couples, regardless of sexual orientation or gender expression, to receive shelter services with tolerance and respect in our adult family system. AFIC also allows presenting couples who have lived with each other for at least six months prior and are medically dependent on one another to apply for shelter as an adult family unit.

DIVERSITY AND EQUAL OPPORTUNITY AFFAIRS

In order to assist our Commissioner in implementing citywide EEO policies, the agency's DEOA Office is responsible for reviewing requests for reasonable accommodations and complaints of discrimination by all DHS employees, job applicants and clients. Furthermore, the Office incorporates diversity into the agency's day-to-day endeavors, as it delivers sound, culturally sensitive and relevant services to New Yorkers.

DEOA is tasked with counseling and advising agency staff, including front-line intake and shelter employees on equal employment opportunity, program access, disability services, and diversity issues. The Office also provides year round equal employment opportunity trainings which are mandatory for every employee to complete on a bi-annual basis. Last year for example, our DEOA office conducted over 40 trainings and instructed 637 employees. Additionally, as part of our new employee orientation training, staff receive a full day training which includes segments on appropriate conduct, diversity and inclusion. Last year 129 staff attended such trainings.

If any shelter client or applicant believes he or she is being discriminated against by agency staff due to sexual orientation or gender expression, he or she is encouraged to file complaints and grievances with both DHS' DEOA and Client Advocacy offices. Clients may also, of course, file a claim with the City Commission on Human Rights and the State Division of Human Rights. If there is alleged discrimination by a City employee, clients may file a grievance with the Federal Equal Opportunity Employment Commission (EEOC).

Inclusion is also making progress on a national scale. The Obama Administration has identified the transgender homeless issue as a priority and recently launched the Housing Discrimination Complaint Application App for mobile phone users. Yet another way to file grievances, the App allows users to submit a claim of housing discrimination for review by the U.S. Department of Housing and Urban Development's (HUD) Office of Fair Housing and Equal Opportunity.

In 2012, the National Gay and Lesbian Task Force estimated that there were 15 states that have laws banning discrimination based on sexual orientation and gender identity or expression. While New York State does have laws banning discrimination based on sexual orientation, the State as a whole currently does not prohibit discrimination based on gender identity. New York City however supports legislation that passed in the Assembly earlier this year that would add New York State to the nondiscrimination map.

CONCLUSION

DHS is fortunate to have a wealth of tools and educated providers who enable the agency to better serve homeless clients of all sexual orientations and gender expressions. People are who they say they are. DHS supports an individual's freedom to define his or her self through self-identification and expression. We honor that right in every way and will continue to ensure that our shelters are prepared and able to treat all LGBT clients respectfully.