

FISCAL YEAR 2020

Annual Report

Carmelyn P. Malalis, Chair and Commissioner

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CARMELYN P. MALALIS, Chair and Commissioner



Message From Mayor Bill de Blasio

Dear Friends:

Today, we find ourselves in a far different world than the one we inhabited in 2014 when I was sworn in as mayor. Six years ago, we had a federal administration that was committed to providing bold, progressive, and effective leadership across a range of challenging issues and was invested in building a more equitable, inclusive future for all people. Leaders in Washington no longer share this vision, and this divergence in opinion about the best path forward for our nation could not come at a worse time.

In 2020, New York City is confronting unprecedented challenges. We face a perfect storm that combines a once-in-a-lifetime health crisis with an economic downturn, the likes of which we have not seen since the Great Depression. The COVID-19 pandemic has also exposed the deep inequalities that exist in our society and showed how our communities of color have borne the brunt of these inequities.

This crisis has made it urgently clear that all levels of government – city, state, and federal – must confront our nation’s shameful history of racism. Months of sustained protests and advocacy in support of the movement for Black lives have shown that people are demanding change. We are at a transformative moment in our history and we have an opportunity to rebuild a more just and fair New York City. That starts with speaking out and standing up to the continued hatred and bigotry we see from our current federal administration. In this critical work, we are grateful for the leadership of the New York City Commission on Human Rights, which has been essential in fighting back against the abhorrent hate that is being used to divide us.

CCHR’s dedication to this mission has never been more important, and their work in recent months has proved invaluable. The Commission has used creative and highly-effective community outreach strategies to educate our residents about anti-Semitism and anti-Asian discrimination and harassment. It has released a powerful report on Black New Yorkers’ experiences of anti-Black racism. CCHR has also pioneered new approaches to holding those who violate human rights laws accountable by blending traditional methods, such as paying damages and civil penalties, with restorative justice measures. And it has promulgated policies that help New Yorkers better understand how the City Human Rights Law applies to their day-to-day lives.

I want to thank Commissioner Malalis and her team for the exceptional work they are doing to protect the people of New York City and to fight for the justice all our residents deserve. Years in the future, we will look back upon this time as a turning point in our city’s history. We will be able to say that when times were darkest, New Yorkers came together as one city to overcome adversity and heartbreak and to forge a stronger, more equitable, and more just community. New York City remains – and will always be – a beacon of hope for all.

Sincerely,

A handwritten signature in black ink that reads "Bill de Blasio". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bill de Blasio
Mayor



Message From Chair and Commissioner Carmelyn P. Malalis

We had reason to expect that this year, coming as it did on the heels of several difficult years for human rights and in the lead up to a presidential election, would be tough. But even with the multiple bans of Muslim people, erasure of lesbian, gay, bisexual, transgender, queer, and intersex people, demonization of immigrants, and multiple racist epithets uttered by federal officials, we still could not have anticipated the challenges—chiefly among them, the COVID-19 pandemic—that have been visited upon us this past year. At the Commission, we have worked hard in the last year to use our platform and our resources to model a way of exercising governmental power that stands in sharp contrast to what we have seen at the federal level. We have embodied this commitment by standing up for the dignity of all New Yorkers, particularly those who have been subjected to oppression and exclusion. It has meant working in partnership with community and faith leaders, building a workforce that mirrors the diversity of the city we serve, understanding the many ways in which New Yorkers experience discrimination and harassment and using the outreach, policy and enforcement tools at our disposal to help solve those problems.

In particular, over the course of the last year, we have used our resources both to confront long-standing problems and new challenges that have surfaced. For example, the Commission issued precedent-setting legal enforcement guidance on discrimination on the basis of immigration status and national origin in employment, housing, and public accommodations. The document names as discriminatory a set of behaviors that have become all too common in our current climate, such as threatening to call Immigration and Customs Enforcement with the intent to harass or intimidate tenants or workers, or using the term “illegal alien” with the intent to demean, humiliate or offend. In

early winter, following a series of anti-Semitic incidents across the city and the troubling increase of such incidents in recent years, the Commission ran a campaign rejecting anti-Semitism as inconsistent with the values of the city and encouraging those affected by it to report to the agency.

In the last year, the agency has also continued its focus on combating anti-Black racism. In October 2019, the Commission commemorated the 400th anniversary of 1619—the year in which British traders first brought enslaved Africans to what is now the United States—at an event featuring artists, educators, and contemporary racial justice advocates. In November, we announced a landmark settlement with an upscale salon involving claims of race discrimination based on hair. The agreement included novel restorative justice remedies, such as requiring the salon to work with a racial justice organization to fight race discrimination in the hairstyling industry, and to create new internship opportunities for stylists of color, as well as general deterrence measures including the imposition of a significant civil penalty. This settlement came just months after the agency issued precedent-setting legal enforcement guidance on the topic.

In June 2020, as nationwide uprisings demanding an end to police violence and structural anti-Black racism more broadly were erupting, the Commission released a new report, entitled “Black New Yorkers on Their Experiences with Anti-Black Racism.” The report detailed the experiences of African-American, Afro-Caribbean, African and Afro-Latinx New Yorkers and others who identified as Black people across the five boroughs who participated in Commission focus groups and roundtables in 2018. In the report, Black New Yorkers share their

experiences with interpersonal, institutional and structural racism in law enforcement, housing, education, health and other areas. Though the Commission conducted these interviews in spring 2018—well in advance of the summer 2020 uprisings—the experiences shared in this report echo the demands by protestors.

As COVID-19 gripped our city, we braced for both the stigmatization and discriminatory scapegoating that sadly and—as history shows us—expectedly follows the onset of pandemics, as well as the multiple crises that would beset the city’s Black and Latinx communities, which were disproportionately impacted by hardships wrought by the pandemic as a result of historical disparities in healthcare and other resources. The Commission took a range of steps to deal with discrimination and harassment linked to the COVID-19 pandemic, including by launching the COVID-19 Response Team, tasked with handling discrimination and harassment related to the virus. The unit provided rapid support for those experiencing anti-Asian bias related to the disease along with the concerns of Black New Yorkers and others who reported discrimination and harassment in housing, employment and public accommodations due to actual or perceived exposure to COVID-19. As we are charter mandated to do, the agency has pushed back against anti-Asian harassment, discrimination and intimidation through community outreach and education and civil law enforcement efforts across the five boroughs, and has done so in several different languages. The Community Relations Bureau coordinated and hosted a series of community forums in partnership with government and community partners to share information on how to report bias incidents and how to safely intervene in instances of discrimination and harassment. These sessions targeted specific Asian and Pacific Islander communities with several offered primarily in relevant languages. In the spring, the agency ran a campaign across community and ethnic media, social media, and in targeted placements affirming the rights of New Yorkers to be free of discrimination in medical settings as well as discrimination, harassment and intimidation based on actual or perceived exposure to COVID-19 in housing, employment or public accommodations.

And just as the Commission has focused its resources on addressing long-standing human rights challenges and new, unforeseen issues, it has also experimented with new approaches to law enforcement and community outreach alongside more traditional strategies. Over the last

year, the Commission has worked to center restorative justice principles and practices. With this in mind, the agency has sought guidance from restorative justice experts in the field and is developing a range of options for deployment where interpersonal and community-level harms need to be repaired and relationships restored.

We are proud of the work we have done over the course of the last year, and as we face another year that will no doubt bring new difficulties, the Commission will continue to fight and to uphold the dignity and respect of all New Yorkers. In the last presidential election cycle, inquiries at the agency rose by over 60% from the preceding year amidst the hateful rhetoric regarding women, Muslims, immigrants, and others. Four years later, the rhetoric has not abated and the hateful words are now also accompanied by horrible acts, often violent, emboldened by messaging and policies coming from the federal government. We will not allow the racism, anti-Semitism, misogyny, misogynoir, transphobia, homophobia, ableism, and xenophobia that have been licensed at the federal level to prevail in New York City—no matter what this year brings. We will continue to fight for the cultural change, policy change, and accountability that this moment demands.



Carmelyn P. Malalis

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**400 YEARS LATER:
RECKONING WITH
OUR LEGACY OF
SLAVERY AND
CHARTING AN ANTI-
RACIST FUTURE
IN NYC**



NYC Commission on
Human Rights

NYC.gov/HumanRights
@NYCCHR

Combating Anti-Black Racism

NYC™

HUMAN RIGHTS

If you feel you've been a victim
of discrimination, we can help.



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The history of the enslavement of Black people in the United States—followed by generations of structural inequality born from this oppression—has made anti-Black racism among the nation’s most intractable injustices. Racism has limited access to employment, housing, healthcare, and food for Black and Latinx communities, resulting in disproportionate rates of COVID-19 infection and death. Amid this new crisis, millions of people nationwide rose up to protest the brutal killings of Black people by police. These demonstrations presented local governments with a demand: invest in the social and economic well-being of Black people—a call that the Commission has strived to meet through policy, enforcement, and community relations.

In a new report released in June this year, “Black New Yorkers on Their Experiences with Anti-Black Racism,” the Commission documented the impact of social and structural racism across nearly every aspect of Black New Yorkers’ lives. The report offers the personal testimony of African-American, Afro-Caribbean, African, and Afro-Latinx New Yorkers. The report also includes a set of policy, community engagement, and civil law enforcement actions for the Commission to take to address anti-Black racism. The Commission will continue to refine these proposals in partnership with leaders who are grounded in the city’s Black communities.

Following the Commission’s groundbreaking 2019 legal enforcement guidance on race discrimination on the basis of hair, the Law Enforcement Bureau settled its first case on this issue. Celebrity hair styling studios Sally Hershberger Salon and Sharon Dorrain Color agreed to pay a civil penalty of \$70,000 for grooming policies that deemed natural and protective hairstyles

“unprofessional.” Consistent with the Commission’s restorative justice priorities, the settlement required the salon to establish an internship program, intended to be a new pipeline to employment for stylists of color.

Racist caricatures have a long history in American culture, reinforcing damaging stereotypes and justifying discriminatory policies. When these images are displayed or sold in public places, they send an unmistakable message that Black people are not welcome or respected. In February 2020, following a complainant-filed action and subsequent Commission investigation, the Commission settled race discrimination claims against retailer Prada regarding the release of its “Pradamalia” line. As part of the settlement, Prada agreed to significant restorative justice measures, including, among other provisions, improving the workplace culture for Black employees through racial equity training, creating a scholarship program to help diversify the fashion industry, and investing in a new position, a high-level diversity and inclusion officer.

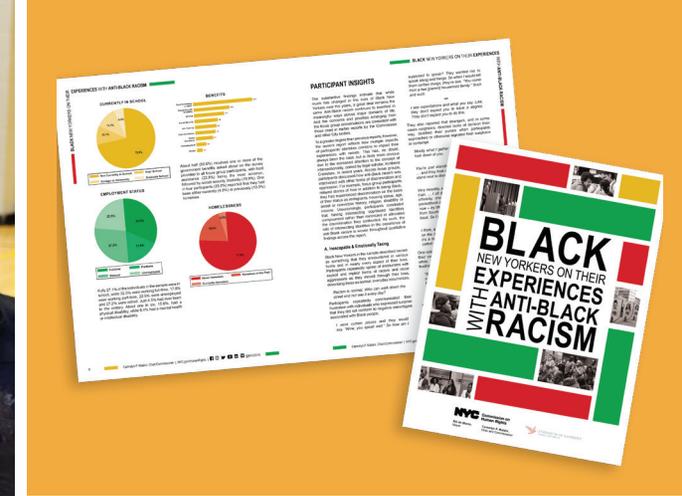
As made widely known by Nikole Hannah-Jones’ Pulitzer Prize-winning 1619 Project, 2019 marked the 400th year anniversary of the first recorded arrival of enslaved Africans to North America. To commemorate this moment in history, the Commission hosted “Reckoning with our Legacy of Slavery and Charting an Anti-Racist Future,” a panel discussion and cultural event that brought together artists, activists, educators, and advocates to explore New York City’s history of slavery and ways communities are coming together to fight anti-Blackness. This event was just one example of the rich and timely discussions the Community Relation’s Bureau hosted throughout the year on anti-Black racism.

\$997,416

Damages and penalties assessed in cases that included claims of race and/or color discrimination.



PC | Isseu Diouf Campbell for Afrikanspot LLC



PC | Kelly Williams



PC | Commission Staff



Media Highlights

PC | Isseu Diouf Campbell for Afrikanspot LLC

Glamour: [Employers Have Policed Black Hair for Decades. These Four Women Have Had Enough](#) – Lindsay Schallon (August 13, 2019)

Staten Island Advance: [Community commemorates the anniversary of first slave voyage to S.I.](#) – Rebeka Humbrecht (November 3, 2019)

New York Times: [Salon Accused of Bias Will Be Taught to Style Black Hair](#) – Ed Shannahan (November 12, 2019)

The Root: [CROWning Glory: New York City Just Resolved Its First Hair Discrimination Case—and a Celebrity Stylist Is Going to Pay](#) – Maiysha Kai (November 12, 2019)

Essence: [New York City Salon Will Learn How To Style Black Hair After Once Barring Braids And Afros](#) – Tanya A. Christian (November 13, 2019)

New York Times: [Miuccia Prada Will Be Getting Sensitivity Training](#) – Vanessa Friedman (February 4, 2020)



Responding to a Rise in Anti-Asian Discrimination During COVID-19

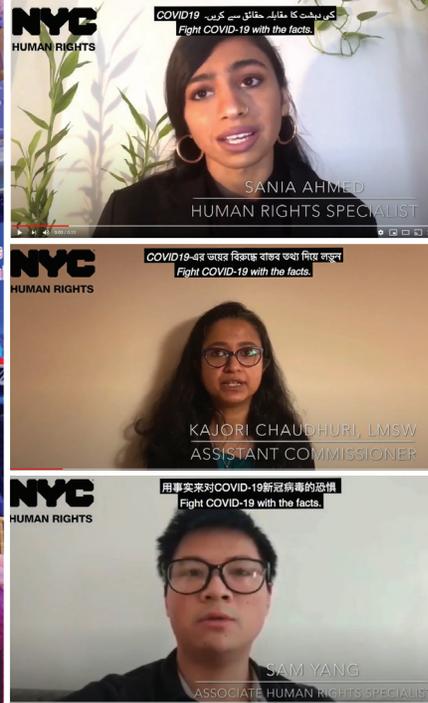
COVID-19 incited unprecedented levels of anti-Asian bias and discrimination in New York City, and around the country, as evidenced by the dramatic increase in anti-Asian street discrimination, harassment, and violence, and the economic impact on Asian-owned businesses. Between February and June 2020, the Commission saw over 160 incidents of COVID-19-related discrimination targeting Asian New Yorkers, compared to just 22 anti-Asian reports of such incidents during the same period in 2019.

In the face of this growing crisis, the Commission acted quickly. It launched the COVID-19 Response Team to address anti-Asian bias incidents, and to also provide emergency interventions and rapid response where COVID-19-related issues intersected with New Yorkers' rights under the City Human Rights Law. For example, the team called housing providers to explain tenants' rights during the pandemic, helped people with disabilities navigate additional barriers to access essential services, and addressed the needs of pregnant essential workers to continue to work by helping them obtain accommodations. The COVID-19 Response Team took nearly 200 actions on COVID-19-related incidents of discrimination and harassment, including closing 83 rapid response inquiries, providing 58 referrals to other enforcement agencies and community partners, conducting 18 successful emergency interventions, and filing six cases.

Throughout the crisis, the Commission's Community Relations Bureau maintained open lines of communication with Asian and Pacific Islander community members, leaders, and business owners providing resources and information about citywide

programs and services. In partnership with the Mayor's Office of Immigrant Affairs, the Mayor's Office for the Prevention of Hate Crimes, NYC Small Business Services, NYC Department of Consumer and Worker Protection, and the New York City Police Department, the Commission coordinated and led virtual forums and town halls with organizations that work with and represent Asian communities to provide information on workplace and housing rights during COVID-19, and the critical need to report hate crimes to law enforcement authorities. These town halls were conducted in English, Japanese, Chinese, Tagalog, and Korean. Additionally, with key Asian community groups and in different languages, the Commission led bystander intervention trainings to give members of the public the skills to safely intervene and de-escalate bias incidents in real time. The Community Relations Bureau's COVID-19 programming reached over 6,500 people.

This effort was further supported by a multi-platform, multi-lingual public awareness campaign regarding New Yorkers' rights to be free from discrimination and harassment related to COVID-19, which was placed in pharmacies and convenience stores in targeted neighborhoods, social media platforms including WeChat, and community and ethnic media.



COVID-19 Discrimination and Harassment Campaign Statistics

1.306M

social media impressions

11.7K

clicks driven to the Commission's COVID-19 resources page

20.1K

social media engagements

594K

estimated impressions for community/ethnic media advertising

57.6M

estimated impressions for outdoor advertising



¹ Campaign statistics reflect campaign run time through the end of Fiscal Year 2020 and into Fiscal Year 2021.



Media Highlights

PC | Commission Staff

Wall Street Journal: [New York City Has Logged 248 Complaints of Coronavirus Discrimination](#) – Stephanie Yang (April 19, 2020)

1010WINS: [NYC commission receives 248 COVID-19 discrimination complaints; 42% anti-Asian incidents](#) – Stephanie Yang (April 19, 2020)

World Journal: 紐約市2-4月收308個新冠騷擾歧視案 40%為反亞裔案件 _– Yan Jiaying (May 15, 2020)

ABC News: [NYC launches \\$100,000 effort to combat anti-Asian discrimination in COVID-19 era](#) – Catherine Thorbecke (May 26, 2020)

City and State: [Coronavirus pandemic drives a new wave of hate crimes](#) – Kay Dervishi (July 27, 2020)



Affirming Jewish New Yorkers in the Face of Anti-Semitism

In the first six months of Fiscal Year 2020, the Community Relations Bureau's Bias Response Team responded to 18 anti-Semitic incidents, up 39% from 2019. Violent attacks on neighboring Jewish communities in Jersey City, New Jersey and Monsey, New York, and an uptick in anti-Semitic incidents in New York City were cause for significant alarm—and Jewish New Yorkers of all denominations and boroughs were impacted.

Throughout Fiscal Year 2020, the Community Relations Bureau, with the Jewish Communities Liaison, responded to an increasing number of bias incidents. These responses focused on building community solidarity and stability in the aftermath of a bias incident. For example, Commission staff canvassed Borough Park, Brooklyn after Hasidic Jewish community members were being targeted. The Commission, along with Jews for Racial & Economic Justice and Desis Rising Up & Moving, distributed materials and educated community members about religious protections under the City Human Rights Law. When activist Adam Eli faced anti-Semitic and homophobic harassment in a Manhattan subway station, the Commission, along with the Anti-Violence Project, the LGBT Center, Jews for Racial & Economic Justice, and Congregation Beit Simchat Torah led a bystander intervention training on de-escalating bias incidents.

The Commission also launched a public education campaign affirming the rights of Jewish New Yorkers to be free from religious discrimination and harassment. The campaign, which launched on multiple social media platforms, sought to appeal to all New Yorkers in standing against anti-Semitism. Additionally, campaign creative to reach Orthodox and Hasidic Jewish

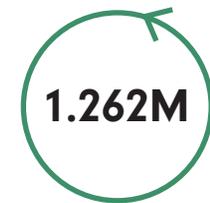
communities—communities facing the brunt of the attacks—highlighted protections under the City Human Rights Law. These full-page ads appeared in Orthodox and Hasidic Jewish print outlets such as Hamodia, Jewish Press, and Mishpacha. The campaign also directed paid digital advertising to Jewish communities and in Jewish Week.



PC | Nancy Siesel Photography

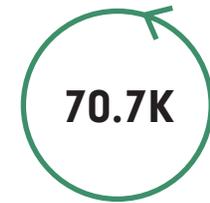
Affirming Jewish New Yorkers

Campaign Statistics



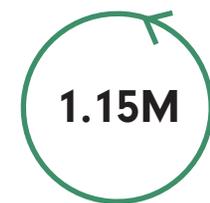
1.262M

social media impressions



70.7K

social media engagements



1.15M

estimated impressions for community/ethnic media advertising



PC | Commission Staff





PC | Nancy Siesel Photography

Media Highlights

Fox News: [New York City aims to fight anti-Semitism with ad campaign highlighting Jewish community](#) – Frank Miles (February 19, 2020)

Hadassah Magazine: [New York City Ads Will Feature Diverse Jewish New Yorkers](#) – Josefin Dolsten (February 19, 2020)

Jewish Telegraphic Agency: [New York City’s latest tactic to combat anti-Semitism: An ad campaign featuring diverse Jewish New Yorkers](#) – Josefin Dolsten (February 19, 2020)

Algemeiner Journal: [New York City Commission on Human Rights Launches Campaign Against Antisemitism](#) – Benjamin Kerstein (February 19, 2020)

The Jewish Voice: [NY Fights Anti-Semitism with Ads Featuring Diverse Jews](#) – Josefin Dolsten (February 20, 2020)



Deepening the Commissison's Investment in Youth Leadership

New York City is home to the largest and most condensed youth population in the United States and the biggest public school system in the country. Given their diversity of backgrounds and experiences, young New Yorkers have much to teach the Commission, other young people, and the world. The goal of the Commission's youth initiatives is to cultivate an environment that educates and empowers young people to have tough conversations about human rights issues impacting their communities and become engaged civic leaders.

This year, the Commission announced the formation of its first-ever youth advisory group, called the YES Council, standing for Youth for Equity and Solidarity. The Commission received hundreds of applications—evidence of the hunger young people have in taking ownership of social justice issues in their communities. The YES Council will inform how the Commission can better serve young people and will train youth to organize their schools and communities.

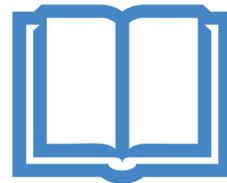
The Commission expanded its multi-pronged approach to working with schools and other academic institutions to both prevent discriminatory incidents from occurring, and to support and empower students and teachers in the wake of a discriminatory event. In particular, the Commission's Community Relations Bureau unveiled comprehensive new workshops and trainings geared towards young audiences. Over Fiscal Year 2020, staff presented approximately 300 youth programs reaching over 5,000 young people, including speaking at school assemblies, providing programming to afterschool groups, and leading workshops for both specific classes and entire school communities.

The Commission's youth programs leverage different skills and modalities to reach new audiences. The Commission's peer mediation program gives young people the tools to resolve conflict. The Commission organized its first-ever Netflix watch parties to show and discuss films with social justice themes that included powerful conversations about how the Commission was addressing these issues locally. Using arts as activism, through initiatives with the NYC Department of Youth & Community Development and the NYC Housing Authority Cornerstone Programs, the Commission created new ways to inspire and mobilize, reaching out to the city's youth for artistic expressions of human rights issues. Stories for All is a reading list curated by the Commission that includes over 200 titles, categorized by age, grade level (Pre-K-12), and topic. The list was created as a resource for parents and educators seeking to have a diversity of voices and experiences reflected in literature for all ages. Stories for All also includes several video read alouds posted to the Commission's social media channels, which feature different Commission staff reading books from the curated list.

The Commission's youth engagement is driven by the need for a new generation of diverse leaders who are confident in their voices and eager to take ownership over the issues that young New Yorkers face.

Stories for All: A Human Rights Reading List

COVID-19 forced parents and educators to quickly develop educational tools for remote learning environments. To add to their toolbox, the Commission launched Stories For All, a reading list highlighting authors, characters, and stories that tackle the issues and experiences diverse communities face. Featuring books by authors and illustrators from different racial, ethnic, religious, LGBTQI, and disability communities, the books in this list explore topics ranging from loving your hair and skin, to gender transition, to immigrant and refugee experiences, and more.



STORIES FOR ALL

NYC Commission on
Human Rights
Carmelyn P. Malalis, Chair and Commissioner



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PC | Neha Gautam Photography



PC | Commission Staff



PC | Neha Gautam Photography

New Youth Workshops and Trainings

In Fiscal Year 2020, the Commission's Community Relations Bureau unveiled comprehensive new workshops and trainings geared toward young audiences. They presented approximately 300 youth programs reaching over 5,000 young people at workshops, trainings, school assemblies, and presentations to classes and entire school communities. To learn more about these programs, visit [NYC.gov/HumanRights](https://nyc.gov/humanrights).

- **Be Loud, Be Proud: Gender, Gender Identity, and Sexual Orientation**
- **Bystander Intervention Training**
- **Human Rights Law 101**
- **Know Your Rights**
- **No Hate, No Fear: Understanding Muslim Experiences**
- **Peer Mediation**
- **Resisting Oppression and Racism (ROAR)**
- **Students for Human Rights**
- **Teaching Hard History**
- **We Speak: Young Women Rising Experiences**



A Commitment to Immigrants' Rights

With over 3 million immigrants making up more than one quarter of New Yorkers and speaking over 200 languages, New York City is, proudly, the most diverse city in the world. Despite our unique diversity, immigrants continue to face discrimination, harassment, and xenophobic hate, emboldened by xenophobic and racist rhetoric coming from the federal government.

In recognition of this, in September 2019, the Commission issued legal enforcement guidance on discrimination based on immigration status and national origin. Crucial to this guidance was the Commission's awareness of the evolving way epithets like "illegal alien" have been used to demean, humiliate, and harass immigrants and people perceived to be immigrants. This type of harassment sometimes includes threats to report a person to immigration authorities. Under the new legal guidance, the Commission clarified that such epithets and demeaning language, similar to epithets and demeaning language regarding gender, race, and other categories of protections, are illegal in New York City, no matter where they occur—in the workplace, in housing, and in public places. The guidance made national headlines for its bold recognition of the daily injustices immigrant communities face in all aspects of their lives.

Under the City Human Rights Law, threats to call immigration authorities on someone based on their perceived immigration status come with consequences. The Law Enforcement Bureau settled a matter with a tenant whose landlord repeatedly threatened to report him to Immigration and Customs Enforcement as a means to collect overdue rent. As a result of violating immigration status protections, the landlord agreed to waive

the tenant's \$9,000 in overdue rent, pay \$1,000 in penalties, and attend anti-discrimination training.

The Commission's Community Relations Bureau worked hard to touch on a diversity of the city's different immigrant communities with events that were at different points celebratory, educational, and somber, but always with the aim of creating more visibility for immigrant communities. Events to celebrate and honor communities included a Diwali event with South Asian communities in Brooklyn, and a virtual forum to celebrate Afro-Caribbean communities across the city during Caribbean Heritage Month. Events with an educational focus included know-your-rights forums for Asian communities during Asian and Pacific Islander Heritage Month with different government partners, and an African communities symposium. Events that confronted challenging topics included an event that tackled the legacy of slavery and its impact in Afro-Caribbean, African immigrants, and Afro-Latinx communities and an event addressing colorism and hair discrimination in Latinx communities.

The Commission is not just a civil rights law enforcement agency—it is a government body rooted in and representative of the communities it serves. The Commission is staffed by people from immigrant backgrounds, with ties to immigrant communities throughout New York City, and speaking over 30 languages. As a mirror of this global city, the Commission's success is rooted in the connections staff have to each other and will continue to drive the Commission's commitment to immigrant New Yorkers.

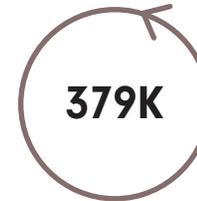
\$1,269,984.25

Damages and penalties assessed for cases that included claims of citizenship status, immigration status, and/or national origin discrimination.

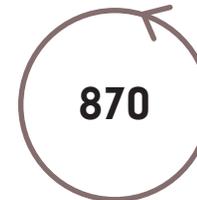


Immigration Status and National Origin Discrimination

Campaign Statistics



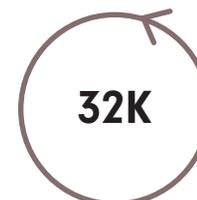
social media impressions



clicks driven to immigration guidance



social media engagements



video views of Univision content partnership





Media Highlights



PC | Kelly Williams

- Bklyner:** [‘What Is That Rag On Your Head,’ Lady On B6 Says To Muslim Girl Before Spitting On Her](#) – Zainab Iqbal (August 26, 2019)
- Wall Street Journal:** [New York City Employers Who Say ‘Go Back to Your Country’ Could Face Fines](#) – Tyler Blint-Welsh (September 25, 2019)
- Telemundo 47:** [Multa de \\$250,000 a quien llame ‘ilegal’ a inmigrantes](#) – newsroom (September 27, 2019)
- CNN:** [NYC bans use of the term ‘illegal alien’](#) – Michael Smerconish Show (October 5, 2019)
- Univision 41:** [Entendiendo la nueva guía que castiga a quienes llamen ‘extranjero ilegal’ a alguien en Nueva York](#) – En Tu Comunidad (October 5, 2019)
- Univision 41:** [New discrimination against immigrants in New York denounced in times of coronavirus](#) – (July 29, 2020)
- Noticia El Correo:** [Determinan discriminación de NYPD hacia miembros hispanohablantes de Make the Road NY](#) – Angélica Acevedo (July 29, 2020)



Supporting LGBTQI Communities

In a landmark year for lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI) rights, in which the United States Supreme Court finally affirmed that federal anti-discrimination protections based on sex prohibit discrimination on the basis of sexual orientation and gender identity, the Commission has maintained its steadfast support of LGBTQI communities; most notably, the Commission's Law Enforcement Bureau used its enforcement powers to repair harm for discrimination and uplift all LGBTQI people seeking a life lived with dignity.

Following an investigation of a tip, the Commission found that the YMCA of Greater New York's health care plans excluded gender-affirming care, possibly in violation of transgender employment protections under the City Human Rights Law. The Law Enforcement Bureau brought the respondents to the table to design an inclusive health care plan. These plans were subsequently adopted nationally and made accessible to YMCA employees and dependents nationwide, an example of the Commission's fearlessness in fighting for change that benefits vulnerable communities beyond the five boroughs.

A local homeless shelter's treatment of Stevin Bonifacio, outing him as a transgender man, violated his privacy and put him at risk of violence. The shelter's decision to then transfer Stevin to a less desirable shelter, the Commission found, was a clear example of illegal gender discrimination. On top of assessing \$65,000 in damages and penalties, the Commission mandated citywide policy change and training at the shelter where the incident occurred and, importantly, in all shelters managed by this provider.

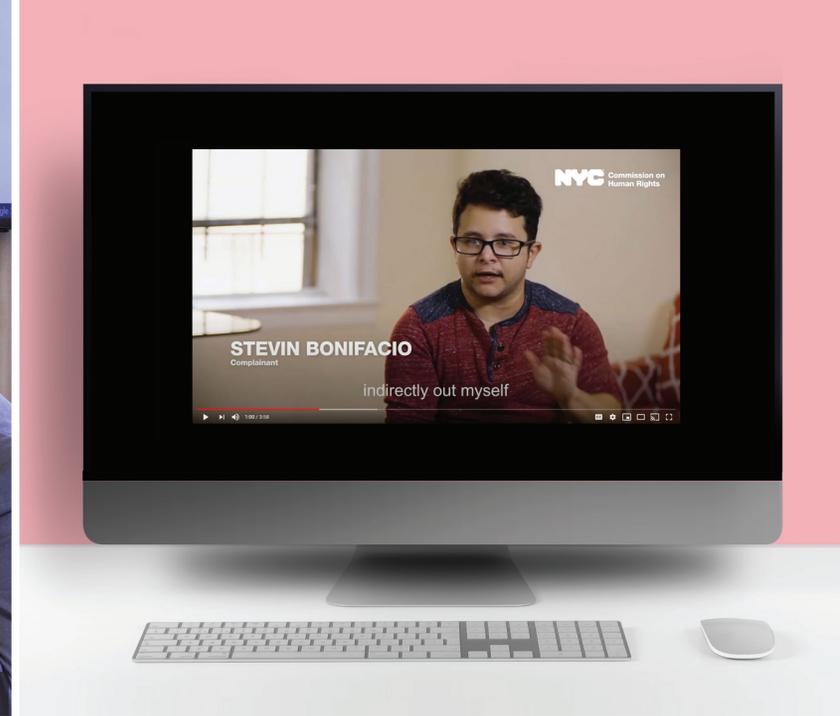
While searching for new housing, Giana Desir experienced appalling sexual harassment and gender discrimination from a broker who, after learning Ms. Desir is transgender, told her that he could not rent a unit to her "around people and children" and sexually harassed and objectified her. In the first Decision & Order since the Commission codified rules on its protections against discrimination on the basis of gender identity, the Commission assessed \$75,000 in damages and civil penalties.

A server at a large restaurant faced sexual orientation discrimination from coworkers and was later fired because he is bisexual, in violation of the City Human Rights Law. The server was harassed and groped by coworkers in front of the restaurant owner who did not intervene to stop the harassment. After the Law Enforcement Bureau found probable cause for discrimination, the parties entered into a private settlement agreeing to resolve the case for \$30,000 in damages.

Throughout Fiscal Year 2020, the Commission assessed over \$600,000 in damages and penalties for claims involving sexual orientation or gender identity discrimination. These cases together underscore a fundamental New York City value: that LGBTQI people deserve be treated with dignity and respect, and that the Commission is unafraid to use its enforcement authority to meet this need. The Commission's work supporting LGBTQI communities represents its ethos in addressing the immediate harm and seeking resolutions that also address underlying systemic problems.

\$601,600

Damages and penalties assessed for cases that included claims of gender identity or sexual orientation.





Media Highlights

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Gay City News: [City Leaders Decry Infant Intersex Surgeries](#) – Matt Tracy (July 14, 2019)

New Now Next: [NYC Homeless Shelters Are Much Safer for Queer People, Thanks to This Trans Man](#) – Nico Lang and Kate Sosin (August 12, 2019)

Gothamist: [Transgender Tenant Who Was Sexually Harassed By Real Estate Broker Will Get \\$50K In Damages In Human Rights Commission Order](#) – Sydney Pereira (March 10, 2020)

Pink News: [Zara reaches \\$30,000 settlement with non-binary transgender shopper over alleged discrimination](#) – Emma Powys Maurice (May 2, 2020)

Our Town: [COVID and AIDS: An Intimate Connection](#) – Ahad Sanwari (June 11, 2020)



PC | Commission Staff

Advancing Human Rights Through Policy

The Commission's Office of the Chair serves as the agency's policy, legislative, rulemaking, and adjudicatory hub and implements major Commission projects. The Office serves as the point of contact for the Commission's inter-agency and external partnerships; it negotiates legislation and promulgates rules, legal enforcement guidance, and other outward-facing materials providing clarity and interpretation of the City Human Rights Law; it convenes our appointed Commissioners on a quarterly basis; and it serves the Commission's adjudicatory functions, including ruling on appeals of decisions from the Law Enforcement Bureau and issuing final Decisions & Orders in Commission cases.

The Office also regularly engages with members of the public, including business interests and advocates alike, on the implementation of new laws. In Fiscal Year 2020, the Office of the Chair implemented three major changes to the City Human Rights Law: expanding retaliation protections; creating explicit protections for independent contractors; and prohibiting marijuana testing as a pre-condition of employment. The Office testified or helped prepare testimony on behalf of the Commission for nine City Council hearings on human rights-related issues. It issued two Decisions & Orders and published groundbreaking legal enforcement guidance on immigration status and national origin discrimination, and it published legal guidance on COVID-19 and its intersections with the City Human Rights Law, which is regularly updated to reflect the changing dynamics of the pandemic.

Enforcement of the City Human Rights Law

The Commission's Law Enforcement Bureau (LEB) implements and enforces the City Human Rights Law. Through its enforcement of one of the most comprehensive civil rights laws in the nation, the LEB addresses discrimination in employment, housing, and public accommodations in New York City, as well as discriminatory harassment and bias-based profiling by law enforcement. The attorneys in the Commission's LEB evaluate allegations of discrimination brought to the Commission by members of the public

and utilize the agency's investigatory and prosecutorial powers to root out pattern-or-practice discrimination through Commission-initiated investigations. The LEB offers complainants the option of resolving matters only in appropriate circumstances and in those cases where harm to complainants requires expedited resolutions. Even as the LEB's investigation and litigation efforts continue, resolutions through pre-complaint intervention have significantly increased over the past several years, giving New

Yorkers access to justice and streamlining responsiveness to urgent concerns that may warrant immediate action or that can be resolved without filing a complaint. At the end of Fiscal Year 2020, the LEB had an active caseload of over 1,165 cases, comprised of matters at the pre-complaint intervention, investigation, and litigation stages, significantly down from Fiscal Year 2019, as the LEB succeeded in taking cases to resolution more quickly.



Inquiries

Allegations of discrimination are brought to the Commission's attention in a variety of ways. The most common way is when a member of the public contacts the agency directly. LEB's Human Rights Specialists fielded 10,015 inquiries from members of the public in Fiscal Year 2020 in the form of phone calls, emails, social media messages, letters, visits to Commission offices, and queries to mobile intake units dispatched to community sites or Commission events. Human Rights Specialists who answer the Commission's Infoline, the most common way members of the public access LEB, speak six languages other than English and regularly use telephonic interpretation services if another language is required. Infoline staff assess each person's situation and route them for pre-complaint intervention, for further assessment by an attorney, and/or connect them to another City agency or community resource.

The chart on the following pages provides further information about these inquiries. Because many individuals alleged more than one jurisdiction and/or protected class, the total below (10,884) exceeds the number of inquiries addressed by LEB (10,015). Since 2015, the number of inquiries the agency receives has nearly doubled from 5,296 in calendar year 2015, to 10,015 in Fiscal Year 2020.² The increase can be attributed, in part, to the contraction of human rights protections at the federal level, as well as the Commission's efforts to raise its visibility and inform communities about the broad protections afforded by the City Human Rights Law; results from complaints filed administratively with the Commission mirroring or exceeding expected results from civil actions filed in court proceedings; replacing the practice of levying rote fines with individualized meaningful remedies designed to have wide impact; increased transparency regarding the Commission's processes and implementation of the law; improved access to the Commission's services to New Yorkers with limited English proficiency; prioritizing cultural competency and sensitivity in the delivery of services; maintaining flexibility in staffing and readjusting work priorities consistent with real-time human rights developments; responsiveness to the concerns, challenges, and actual human rights challenges faced by housing providers, employers, businesses, and vulnerable communities; and information shared through campaigns launched by the Commission to affirm all New Yorkers' right to live free from discrimination and harassment.

²The New York City Charter was amended in January 2018 to change the Commission's statutory reporting period from calendar year to fiscal year (i.e., July 1- June 30). See Charter § 905(e)(8). Consequently, this report covers Fiscal Year 2020 (July 1, 2019 - June 30, 2020). References to data or statistics from years prior to the above-referenced Charter amendment reflect information compiled over a 12-month calendar year.

Inquiries by Protected Class and Jurisdiction

July 1, 2019 - June 30, 2020

Protected Class	Bias-Based Profiling	Discriminatory Harassment	Employment	Housing	Public Accommodations	Jurisdiction Not Stated	Grand Total
Age	0	0	92	18	15		125
Aiding/Abetting	0	0	1	0	1		2
Alienage Status (Immigration Status)	2	1	6	9	2		20
Arrest Record (Employment only)			20				20
Caregiver Status (Employment only)			21				21
Citizenship Status	0	5	15	43	19		82
Color	0	1	48	15	24		88
Conviction Record (Employment only)			78				78
Credit History (Employment only)			2				2
Creed	0	7	47	22	30		106
Disability	1	3	287	404	173		868
Domestic Partnership Status	0	0	1	1	0		2
Gender ³	1	16	339	62	85		503
Interference with Protected Rights	0	0	1	4	2		7

³ Includes Gender Identity and Gender Expression

Inquiries by Protected Class and Jurisdiction

July 1, 2019 - June 30, 2020

Protected Class	Bias-Based Profiling	Discriminatory Harassment	Employment	Housing	Public Accommodations	Jurisdiction Not Stated	Grand Total
Lawful Occupation (Housing only)	0	0	0	9	0		9
Lawful Source of Income (Housing only)				493			493
Marital Status	0	0	4	6	6		16
National Origin	4	9	102	43	53		211
Pregnancy (Housing, Employment, and Public Accommodations only)			64	2	4		70
Presence of Children (Housing only) ⁴				22			22
Race	6	50	244	103	159		562
Retaliation	0	0	194	29	16		239
Salary History (Employment only)			12				12
Sexual Orientation	0	4	56	39	51		150
Uniformed Services Member	0	0	2	14	2		18
Victims of Domestic Violence (Housing and Employment only)			12	8			20
Protected Class Not Stated						7,098	7,098
Grand Total	14	96	1,648	1,346	642	7,098⁵	10,844

⁴ Includes children that are, may be, or would be residing there.

⁵ These are inquiries that, at the time of the inquiry, the individual could not provide a jurisdiction or the protected class; or the incident is non-jurisdictional and referred to another enforcement body.

Inquiries by Protected Class and Jurisdiction

July 1, 2019 - June 30, 2020

Non-English Language Inquiries

The Commission takes pride in maintaining a staff that reflects the diversity of New York City and the individuals who seek help from the Commission. The Commission's Infoline staff answering calls are fluent in Arabic, Spanish, Haitian Creole, Hindi, Urdu, and Nepali. Across the agency, Commission staff speak more than 30 languages. When there is a need for a language other than those spoken by available staff, the LEB uses a telephonic interpretation service. In Fiscal Year 2020, staff fielded 866 such inquiries in 20 languages. The chart here shows which languages, other than English, were spoken by members of the public who made inquiries to the Commission.

	Inquiries
Albanian	3
American Sign Language	1
Arabic	5
Bengali	1
Chinese - Cantonese	11
Chinese - Mandarin	18
French	1
Haitian Creole	1
Hebrew	1
Hindi	1
Korean	2
Nepali	1
Polish	2
Portuguese	1
Punjabi	1
Russian	22
Spanish	790
Thai	1
Ukrainian	1
Urdu	2
Grand Total	866

Pre-Complaint Interventions

The Commission intervenes, when appropriate, before or in lieu of filing a complaint in order to provide immediate relief from on-going harm. In 2018, the Law Enforcement Bureau launched the Early Intervention (“EI”) Unit and the Source of Income Unit (“SOI”). The EI Unit primarily assists members of the public with issues that may be resolved quickly without filing a complaint.

The EI Unit intervenes in a range of situations, including:

- Negotiating for disability-related accommodations in housing, such as installation of grab bars, roll-in showers, ramps, or moving to more accessible housing.
- Informing an employer of its obligation to provide a reasonable accommodation to an employee who needs one to continue working.
- Identifying matters in which there might be an immediate non-monetary resolution, such as a patron who alleges she was denied service by a business because she has a service animal. In such situations, the EI Unit works with the business owner to allow the patron to obtain services, understand the requirements of the City Human Rights Law, change policies, and train staff to comply with the law going forward.

The SOI unit provides rapid response advocacy and interventions for people experiencing discrimination while seeking housing using vouchers. The unit undertakes emergency interventions to stop discrimination in its tracks: SOI unit staff contact the landlords or brokers who are in danger of violating City Human Rights Law directly to educate them and advocate for the rights of tenants. Pre-complaint

interventions significantly reduce the time it takes to investigate and then possibly litigate and obtain a resolution for the complainant. In the last two fiscal years, the SOI Unit has completed 400 emergency interventions on behalf of New Yorkers with housing vouchers, which includes getting them into housing they had been denied.

If early intervention efforts do not succeed, LEB will often file a complaint and proceed with investigating the allegations of discrimination. In addition, the Commission itself may determine that a pre-complaint intervention is necessary when a clear pattern or practice violation comes to its attention. LEB may send a cease-and-desist letter or otherwise contact the discriminating entity to demand that it immediately stop the illegal practice, and among other actions, attend a training on the City Human Rights Law. Often, the LEB does not need to file a complaint and initiate a formal investigation because the LEB is able to obtain a full resolution through pre-complaint intervention when the entity responds and complies with the Law.

In Fiscal Year 2020, the Law Enforcement Bureau resolved 403 cases without filing a complaint, more than double the 141 successful interventions in Fiscal Year 2018. Of these 403 interventions, 70 were the result of Commission-initiated investigations. The chart on the following pages lists the area of jurisdiction and the protected classes involved in the successful interventions. Some interventions involved claims under more than one jurisdiction and many involved more than one protected class, which explains why the total in the following chart is higher than 403.

Resolved Pre-Complaint Interventions

Protected Class	Employment	Housing	Public Accommodations	Grand Total
Age	1	2	2	5
Alienage Status (Immigration Status)	0	1	2	3
Arrest Record (Employment only)	19			19
Citizenship Status	1	5	2	8
Color	2	1	2	5
Conviction Record (Employment only)	21			21
Credit History (Employment only)	5			5
Creed	0	1	0	1
Disability	10	118	35	188
Domestic Partnership Status	0	1	0	1
Gender ⁶	9	6	12	27
Interference with Protected Rights	0	1	0	1

⁶ Includes Gender Identity and Gender Expression.

Resolved Pre-Complaint Interventions

Protected Class	Employment	Housing	Public Accommodations	Grand Total
Lawful Occupation (Housing only)	0	2	0	2
Lawful Source of Income (Housing only)		177		177
Marital Status	0	1	0	1
National Origin	19	7	2	28
Pregnancy	2	0	0	2
Presence of Children (Housing only) ⁷		6		6
Race	23	3	6	32
Retaliation	1	4	0	5
Salary History (Employment only)	4			4
Sexual Orientation	0	4	5	9
Uniformed Services Member	0	10	0	10
Victims of Domestic Violence (Employment only)		4		4
Grand Total	117	354	68	539

⁷ Includes children that are, may be, or would be residing there.

Commission-Initiated Pre-Complaint Interventions



The Commission has the power to initiate its own investigations when entities are suspected of having discriminatory policies or are engaging in discriminatory practices. In addition to testing and filing Commission-initiated complaints, both of which are further described below, the Commission sends cease-and-desist letters and also uses a range of investigative methods, such as requests for information on policies and practices, demands for documents, and interviews of key witnesses. These are equivalent to the fact-gathering mechanisms available to attorneys litigating in state and federal courts. These investigations often result in enforcement actions.

In Fiscal Year 2020, the 70 Commission-initiated pre-complaint investigations covered 16 protected categories.

The chart below provides a breakdown of resolved Commission-initiated pre-complaint investigations according to the area of jurisdiction and protected class of the alleged violations. Most investigations involve more than one protected class, and several involve claims under more than one jurisdiction.

Resolved Commission-Initiated Pre-Complaint Interventions by Jurisdiction and by Protected Class

Protected Class	Employment	Housing	Public Accommodations	Grand Total
Age	1	0	0	1
Alienage Status (Immigration Status)	0	1	2	3
Arrest Record (Employment only)	19			19
Citizenship Status	0	2	2	4
Color	1	0	2	3
Conviction Record (Employment only)	20			20
Credit History (Employment only)	5			5
Disability	0	8	11	19
Gender ⁸	6	2	9	17
Lawful Source of Income (Housing only)		2		2
National Origin	18	2	1	21
Pregnancy	1	0	0	1
Race	22	0	4	26
Retaliation	0	2	0	2
Salary History (Employment only)	3			3
Sexual Orientation	0	1	4	5
Grand Total	96	20	35	151

⁸ Includes Gender Identity and Gender Expression.

Testing



The Commission uses testing, a historically effective and recognized investigative tool used in civil rights enforcement, to determine whether there is discrimination in housing, employment, or public accommodations. The Commission’s testing program is unusual—it spans over two dozen protected categories and is used to root out discrimination across the Commission’s three major areas of jurisdiction: housing, employment, and public accommodations. As part of an investigation, the agency may send testers to perform in-person testing or have testers conduct telephone testing of potential employers, employment agencies, landlords/real estate brokers, or public accommodations like restaurants, hospitals, gyms, and stores to see if the testers are treated differently or are given different information because they belong to a protected class. In Fiscal Year 2020, Commission tested 1,422 entities, an increase over Fiscal Year 2019 (899 entities tested) and over twice as many entities tested as compared to Fiscal Year 2018 (691 entities tested). An entity may be tested for violations in multiple jurisdictions and/or multiple protected classes.

Tests by Jurisdiction and by Protected Class

Protected Class	Employment	Housing	Public Accommodations	Grand Total
Alienage Status (Immigration Status)	1	25	0	26
Arrest Record (Employment only)	579			579
Citizenship Status	1	25	0	26
Conviction Record (Employment only)	579			579
Credit History (Employment only)	580			580
Disability	0	24	425	449
Gender ⁹	15	0	241	256
Lawful Source of Income (Housing only)		136		136
National Origin	3	7	13	23
Pregnancy	15	0	0	15
Presence of Children (Housing only) ¹⁰		5		5
Race	3	4	13	20
Salary History (Employment only)	580			580
Sexual Orientation	0	0	1	1
Grand Total	2,356	226	693	3,275

⁹ Includes Gender Identity and Gender Expression.

¹⁰ Includes children that are, may be, or would be residing there.

Commission-Initiated Complaints



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Some Commission-initiated investigations lead to the filing of a Commission-initiated complaint alleging pattern or practice violations. In Fiscal Year 2020, the Bureau filed 17 Commission-initiated complaints, with one complaint including claims in two areas of jurisdiction. The chart on the next page lists the number of claims in Commission-initiated complaints according to the jurisdiction and protected class of the alleged violation. Most complaints allege discrimination based on more than one protected class.¹¹

Commission-Initiated Filed Complaints by Jurisdiction

Jurisdiction	Count
Employment	14
Housing	2
Public Accommodations	2
Grand Total	18

¹¹ In Fiscal Year 2020, the Commission did not refer any cases to the Corporation Counsel for the purpose of commencing a civil action pursuant to chapter 4 of title 8 of the administrative code.

Commission-Initiated Claims Filed by Jurisdiction and Protected Class

Protected Class	Employment	Housing	Public Accommodations	Grand Total
Arrest Record (Employment only)	12			12
Citizenship Status	0	1	0	1
Color	1	0	1	2
Conviction Record (Employment only)	12			12
Credit History (Employment only)	1			1
Disability	0	2	1	3
Gender ¹²	1	1	0	2
Lawful Source of Income (Housing only)		3		3
Marital Status	0	1	0	1
National Origin	14	0	0	14
Pregnancy	0	1	0	1
Presence of Children (Housing only) ¹³		1		1
Race	15	1	1	17
Salary History (Employment only)	2			2
Grand Total	58	11	3	72

¹² Includes Gender Identity and Gender Expression.

¹³ Includes children that are, may be, or would be residing there.

Total Complaints Filed in Fiscal Year 2020

The Commission filed 503 public-initiated complaints of discrimination in Fiscal Year 2020. 66% of those cases were in employment and 20% were in housing. Disability-related claims were the most common across all areas of jurisdiction at 18%. Gender (16%), race (11%), and national origin (8%) were the other highest trending claims. The types of discrimination claims filed with and by the Commission during Fiscal Year 2020 are below—first, the number of claims filed in each jurisdiction, and second, the number of claims in each protected class. Most complaints allege more than one violation, sometimes under more than one jurisdiction and, more commonly, under more than one protected class. Complaints filed by members of the public and Commission-initiated complaints are included. Therefore, the numbers in the table on the following pages overlap with the Commission-initiated complaints in the chart on the previous page. Note that the graphic shows only categories with one or more claims.

Total Claims Filed by Jurisdiction

Jurisdiction	Count
Bias-Based Profiling	2
Discriminatory Harassment	8
Employment	343
Housing	102
Public Accommodations	74
Grand Total	529

Total Claims by Protected Class and Jurisdiction

Protected Class	Bias-Based Profiling	Discriminatory Harassment	Employment	Housing	Public Accommodations	Grand Total
Age	0	1	40	6	2	49
Aiding/Abetting	0	0	1	0	0	1
Alienage Status (Immigration Status)	1	0	1	3	2	7
Arrest Record (Employment only)			14			14
Caregiver Status (Employment only)			9			9
Citizenship Status	0	1	5	12	12	30
Color	0	0	26	2	2	30
Conviction Record (Employment only)			44			44
Credit History (Employment only)			1			1
Creed	0	1	13	2	16	32
Disability	0	0	133	41	25	199
Gender ¹⁴	0	4	142	11	17	174
Interference with Protected Rights	0	0	1	0	0	1

¹⁴Includes Gender Identity and Gender Expression.

Total Claims by Protected Class and Jurisdiction

Protected Class	Bias-Based Profiling	Discriminatory Harassment	Employment	Housing	Public Accommodations	Grand Total
Lawful Source of Income (Housing only)				47		47
Marital Status	0	0	2	2	3	7
National Origin	0	0	56	8	20	84
Pregnancy	0	0	24	2	0	26
Presence of Children (Housing only) ¹⁵				3		3
Race	1	1	98	6	12	118
Retaliation	0	0	136	9	5	150
Salary History (Employment only)			2			2
Sexual Orientation	0	1	16	7	10	34
Uniformed Services Member	0	0	2	1	0	3
Victims of Domestic Violence (Housing and Employment only)			6	1		7
Grand Total	2	9	772	163	126	1,072

¹⁵ Includes children that are, may be, or would be residing there.



Case Determinations and Resolutions

In Fiscal Year 2020, the Law Enforcement Bureau prioritized closing cases that were initiated at the Commission prior to 2018, resolving 1,066 cases. The result of this effort is reflected in a significant improvement on its case closure numbers over previous years: 986 in Fiscal Year 2019 and 730 in Fiscal Year 2018. The possible case outcomes are a determination of either Probable Cause or No Probable Cause, settlement, administrative closure, or withdrawal.

Probable Cause or No Probable Cause

After the Law Enforcement Bureau has undertaken a full investigation, a determination of either Probable Cause or No Probable Cause is issued. The following is the Commission’s standard in making a determination: 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, could reach the conclusion that it is more likely than not that the unlawful discriminatory practice was committed.

No Probable Cause Determination	6	<1%
Probable Cause Determination	252	24%

Settlements

The Law Enforcement Bureau resolved a quarter of cases closed in Fiscal Year 2020 through settlement.¹⁶ In most cases, the parties and the Commission enter into a conciliation agreement, which is an enforceable Commission order. Some cases also resolve through a private settlement agreement and then withdraw the Commission. Finally, cases resolved through the Commission’s Office of Mediation and Conflict Resolution are also included in these totals.

Nearly all settlements include some form of affirmative relief, which may include training on the City Human Rights Law or a policy audit. Additionally, in cases involving complainants with claims for back pay, settlements may include full back pay damages. This year, the Commission increased its use of restorative remedies in settlements ordering, for instance, housing providers to set aside units for voucher holders, or negotiating new partnerships and programs between respondents and racial justice organizations. In Commission-initiated cases involving smaller businesses with first-time violations, the Commission often orders affirmative relief in lieu of civil penalties in order to have a greater impact.

Settlements	264	25%
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¹⁶ Several cases had both a determination of Probable Cause and then a successful settlement in the same reporting period of Fiscal Year 2020.



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Administrative Closures

An administrative closure may be issued in several circumstances, including, but not limited to: at the complainant’s request; when a complaint is deemed non-jurisdictional after investigation; when the LEB is unable to locate the complainant after diligent efforts; and when the bureau has determined a case is unlikely to lead to probable cause. Notably, an administrative closure preserves a complainant’s right to bring the same claim in another forum.

Administrative Closures	538	50%
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Withdrawals

Some complainants request to withdraw because they have decided not to pursue the matter at the Commission.

Withdrawals	7	<1%
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As noted above, the Commission has significantly increased its pre-complaint intervention work. The average time to process pre-complaint interventions was approximately 98 days in Fiscal Year 2020. These cases do not involve full, longer investigations and possible litigation that are characteristic of filed complaints. The average time that cases involving filed complaints were pending while moving to a resolution was 905 days. The longer processing time for filed cases is influenced, in part, by the fact that the City Human Rights Law has been amended to include more protected categories (27), expanding the LEB’s mandate. Additionally, the Law Enforcement Bureau dedicated a significant effort in Fiscal Year 2020 closing a backlog of cases. The increase in average days to resolution accounts for those cases with a longer lifespan. These changes in the law combined with the Commission’s efforts to increase awareness through publicized legal enforcement guidance and media campaigns have contributed to both the increasing number of matters handled by the LEB across all protected classifications and to an increasing number of inquiries from the public. Thorough in-depth and wide-ranging investigations of publicly-filed complaints and investigating and prosecuting Commission-initiated actions to address systemic issues have lengthened the LEB’s investigation time and increased the time to resolve complaint-filed cases. The LEB’s focus remains on balancing the need to conduct thorough and comprehensive investigations, working towards results comparable to cases filed as civil actions, creating alternative pathways to resolution through pre-complaint intervention to resolve matters more expeditiously where appropriate, and ensuring that the LEB’s resources are utilized most effectively and efficiently.

Enforcement Action Highlights in Fiscal Year 2020

Type	Jurisdiction	Protected Class	Training	Policy Review	Restorative Justice	Summary
Decision and Order	Housing	Gender Identity				In Commission's first Decision & Order on a transgender rights case, Giana Desir was awarded \$50,000 in damages after facing sexual harassment and gender discrimination from her broker.
Decision and Order	Public Accommodations	Disability				Chain restaurant Limon Jungle ordered to pay \$50,000 in civil penalties for systematically denying access to customers with service animals.
Settlement	Employment	Sexual Harassment				Legal recruiting firm Wegman and Partners pays \$155,000 in civil penalties for permitting rampant sexual harassment—the second highest civil penalty for sexual harassment to date.
Settlement	Employment	Disability				Memorial Sloan Kettering Cancer Center pays \$100,000 in damages and penalties for refusing an employee's request for a reasonable accommodation for their disability.
Settlement	Employment	Race, Retaliation				Investment bank HSBC and Geneva Consulting Group assessed \$99,500 in damages and penalties for retaliation against an employee who submitted a complaint about anti-Black racism.
Settlement	Employment	Race				Celebrity styling studios Sharon Dorram Color and Sally Hershberger Salon agree to pay \$70,000 in civil penalties and establish a multicultural internship program following a Commission-initiated investigation into racist grooming policies targeting Black employees with natural hair.
Settlement	Public Accommodations	Race				Drawing universal criticism for its sale of merchandise with racist Sambo-like iconography, luxury fashion brand Prada commits to establishing scholarship program, hiring a diversity and inclusion officer, and training.
Settlement	Public Accommodations	Gender Identity				International clothing retailer Zara pays \$30,000 to complainant for gender-based discrimination and commits to establishing an employment pipeline program for transgender and gender conforming communities.

Enforcement Action Highlights in Fiscal Year 2020

Type	Jurisdiction	Protected Class	Training	Policy Review	Restorative Justice	Summary
Settlement	Employment	Gender Identity				A Commission investigation into the YMCA of Greater New York found their health care plans excluded gender-affirming care. They updated their plans to include comprehensive coverage , which were then made available to YMCA employees and dependents nationwide.
Settlement	Housing	Source of Income				Prominent NYC housing provider Pinnacle Management pays \$50,000 in damages for denying an apartment to a tenant using rental assistance, in violation of lawful source of income protections. Pinnacle also agreed to allocate four apartments to voucher-holding tenants.
Settlement	Employment	Criminal History				Crunch Fitness assessed \$60,000 in damages and penalties for violating criminal history protections in hiring process.
Settlement	Employment	Criminal History				Commission testing of national lease-to-own retailer Aaron's, Inc. found their job ads required criminal background checks in violation of the Fair Chance Act. They agreed to pay \$40,000 in civil penalties and "banned the box" in hiring nationwide.
Emergency Intervention	Public Accommodations	Disability				Commission secures access to a store for a person with a disability, which prevents them from wearing a mask.
Emergency Intervention	Housing	Disability				Commission intervention ensures accommodations for tenant with a disability after an elevator modernization project deprived tenants their mobility.
Emergency Intervention	Housing	Race, Sexual Orientation				Commission intervention assists an African-American man living in a transitional shelter and is facing anti-gay and racial slurs from his roommate. Commission successfully secures the transfer of the roommate .
Emergency Intervention	Housing	Source of Income				Commission intervention on behalf of a voucher-holding prospective tenant secured the complainant housing and preferential rent after initially being denied a viewing based on her source of income.

Office of Mediation and Conflict Resolution

The Commission's Office of Mediation and Conflict Resolution (OMCR), transformed in early 2017, is a voluntary mediation program that provides a neutral and empowering process for all parties to facilitate a quick, efficient, and mutually acceptable resolution of claims. The OMCR assists in facilitating resolutions at various stages of the process, including pre-investigation, mid-investigation, conciliation and/or after a finding of probable cause. OMCR provides these mediation services at no cost.

OMCR is staffed by a Mediation Director and Mediation Program Attorney. In Fiscal Year 2020, the Mediation Director successfully mediated 43 cases to resolution—the highest in this category since 2009 and establishing a third year in a row of year-over-year growth—representing, in the aggregate, damages for complainants totaling a record \$2,609,600, excluding non-economic terms and affirmative relief such as agreements to provide reference letters and conduct trainings. The average time from the acceptance of a case in mediation to its closure was 183 days.



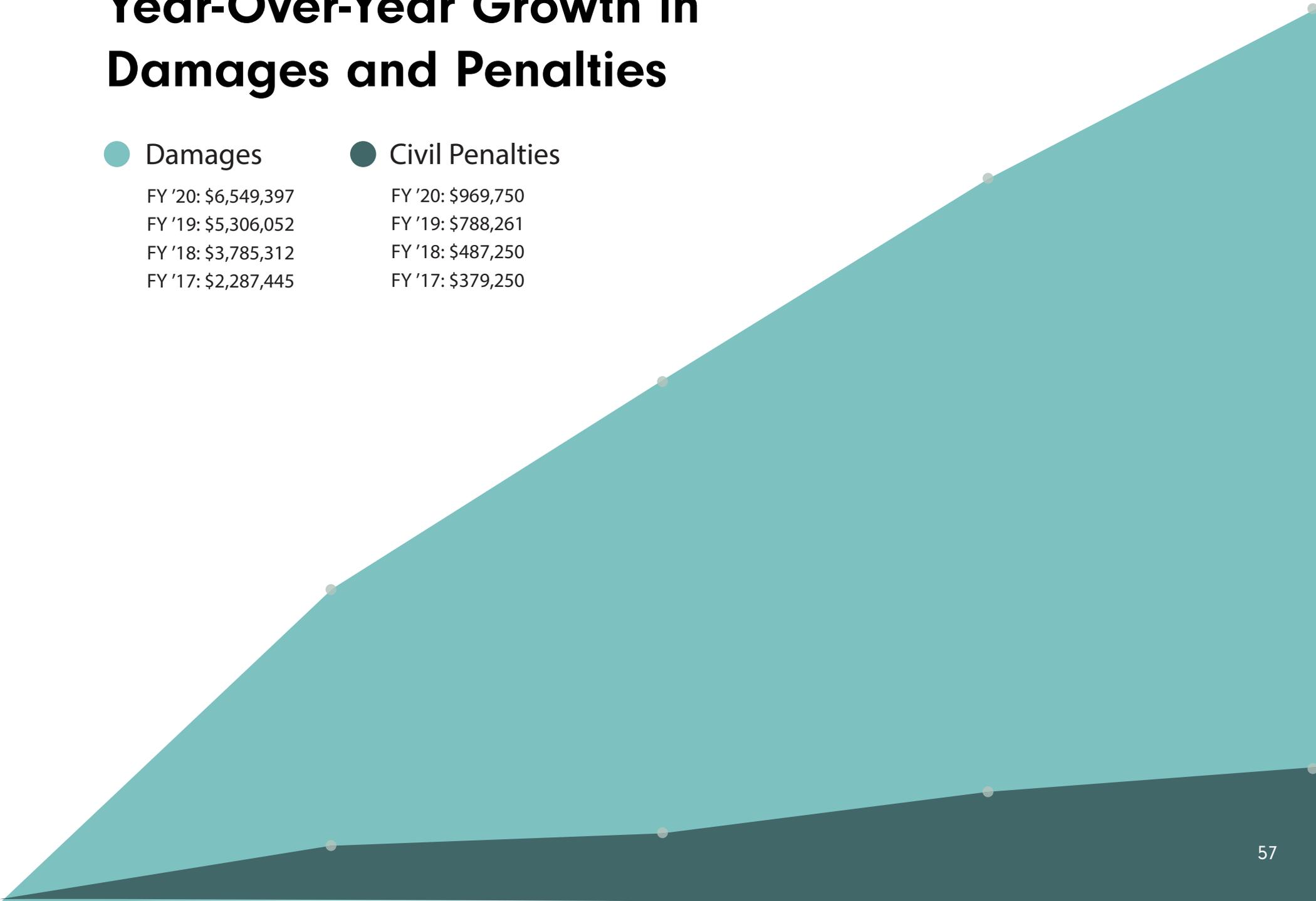
Damages Awards and Civil Penalties

In Fiscal Year 2020, the Commission, through Decisions & Orders, conciliations, mediated settlements, and withdrawals with benefits, assessed \$7,519,147 in compensatory damages and civil penalties the highest in Commission history, and up significantly from Fiscal Year 2019 (\$6,094,313) which was the previous highest total.

Year-Over-Year Growth in Damages and Penalties

● Damages ● Civil Penalties

FY '20: \$6,549,397	FY '20: \$969,750
FY '19: \$5,306,052	FY '19: \$788,261
FY '18: \$3,785,312	FY '18: \$487,250
FY '17: \$2,287,445	FY '17: \$379,250



Investing in Minority & Women-Owned Business Enterprises

The Commission is committed to ensuring diversity and inclusion in all areas including small businesses by creating and implementing strategies to increase our utilization of minority and women-owned business enterprises (M/WBE) through the development of goals, initiatives and action steps to ensure economic opportunities for minority and women vendors.

In Fiscal Year 2020, 48% of the Commission’s eligible budget was used to contract with M/WBEs. This investment is ingrained in our human rights mission to promote racial and gender equity in critical areas of the public sector including in government contracting.

The city’s M/WBE program is designed to promote economic inclusivity in government contracting opportunities in four main areas: professional services, standard services, construction, and goods. Since Fiscal Year 2018, the Commission has spent more than 30% of its eligible funding with M/WBEs by ensuring staff are trained annually on procurement processes and policy changes in the law, and how changes affect the Commission’s use of M/WBE vendors.

	FY '17	FY '18	FY '19	FY '20
Overall % of Agency Contracting with M/WBEs	23%	35%	57%	48%

Fiscal Year 2020 Budget

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

City Tax Levy	\$12,855,742
Additional Program Grant Funding	
- EEOC Contract (Workshare Agreement)	\$266,400
Total	\$13,122,142

Office of Communications and Marketing



Public education on the City Human Rights Law and the Commission’s efforts to promote intergroup understanding has remained a priority for the Commission. From local outlets like Amsterdam News to national outlets like the New York Times, the Commission was mentioned in nearly 2,000 outlets in Fiscal Year 2020. The Office of Communications and Marketing has made a concerted effort to bring more attention to the Commission’s enforcement actions such as its investigation into the widely publicized incident between Amy Cooper and Christian Cooper in the Central Park Ramble and the Commission’s settlement with luxury fashion brand Prada for the sale of its “Pradamalia” merchandise referencing Sambo-like iconography. In Fiscal Year 2020, the Commission also led a number of public education campaigns on discrimination facing Asian New Yorkers due to COVID-19-related bias, anti-Semitism, and discrimination based on immigration status and national origin. Throughout these campaigns, the Commission has maintained a 100% investment in community and ethnic media print advertising.

Website Traffic Statistics

Growth From 2017-2020

● Page Views

FY '20: 5,350,000

FY '19: 1,460,000

FY '18: 840,000

FY '17: 731,000

● Visits

FY '20: 2,120,000

FY '19: 561,000

FY '18: 377,000

FY '17: 334,000

● New Website Visitors

FY '20: 774,000

FY '19: 221,000

FY '18: 158,000

FY '17: 146,000

● Average Visits Per Week

FY '20: 28,070

FY '19: 8,960

FY '18: 7,200

FY '17: 5,600

Social Media

Follower Growth From 2017-2020

● Facebook

FY '20: 27,580
FY '19: 25,440
FY '18: 22,240
FY '17: 14,140

● Twitter

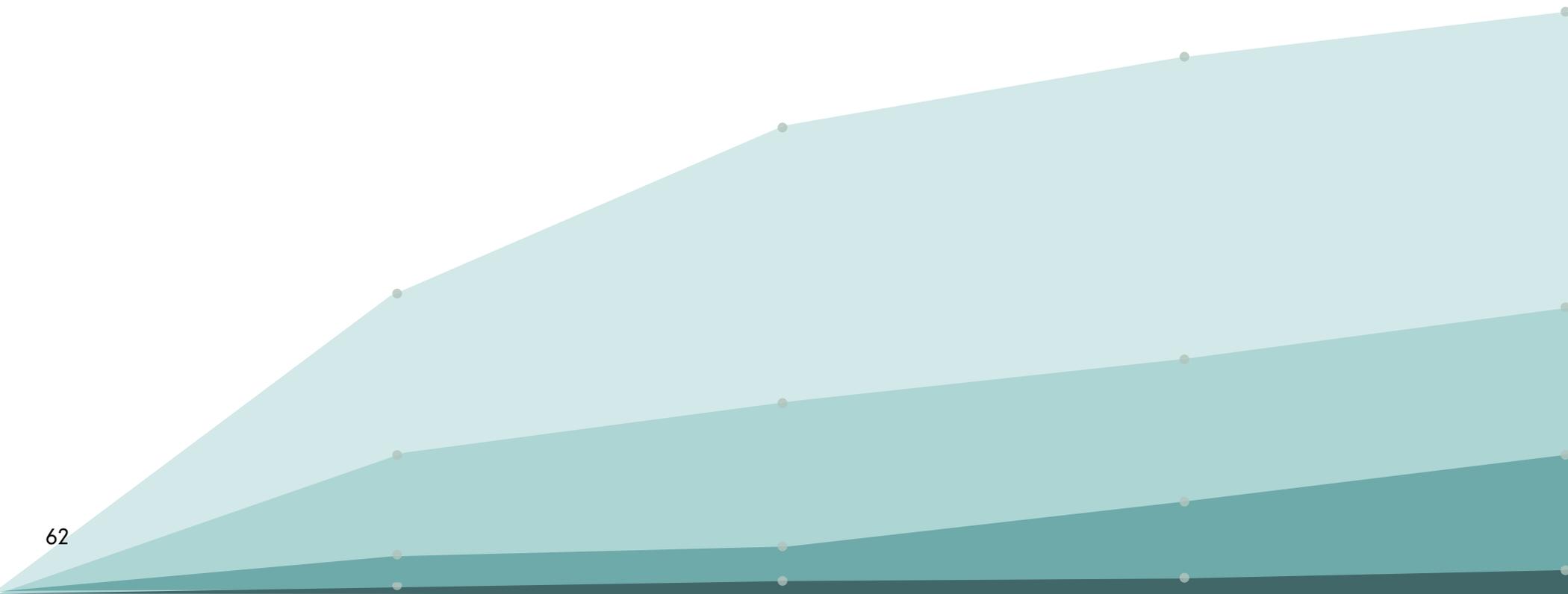
FY '20: 13,531
FY '19: 11,117
FY '18: 9,053
FY '17: 6,550

● Instagram

FY '20: 6,453
FY '19: 4,182
FY '18: 2,080
FY '17: 1,620

● LinkedIn

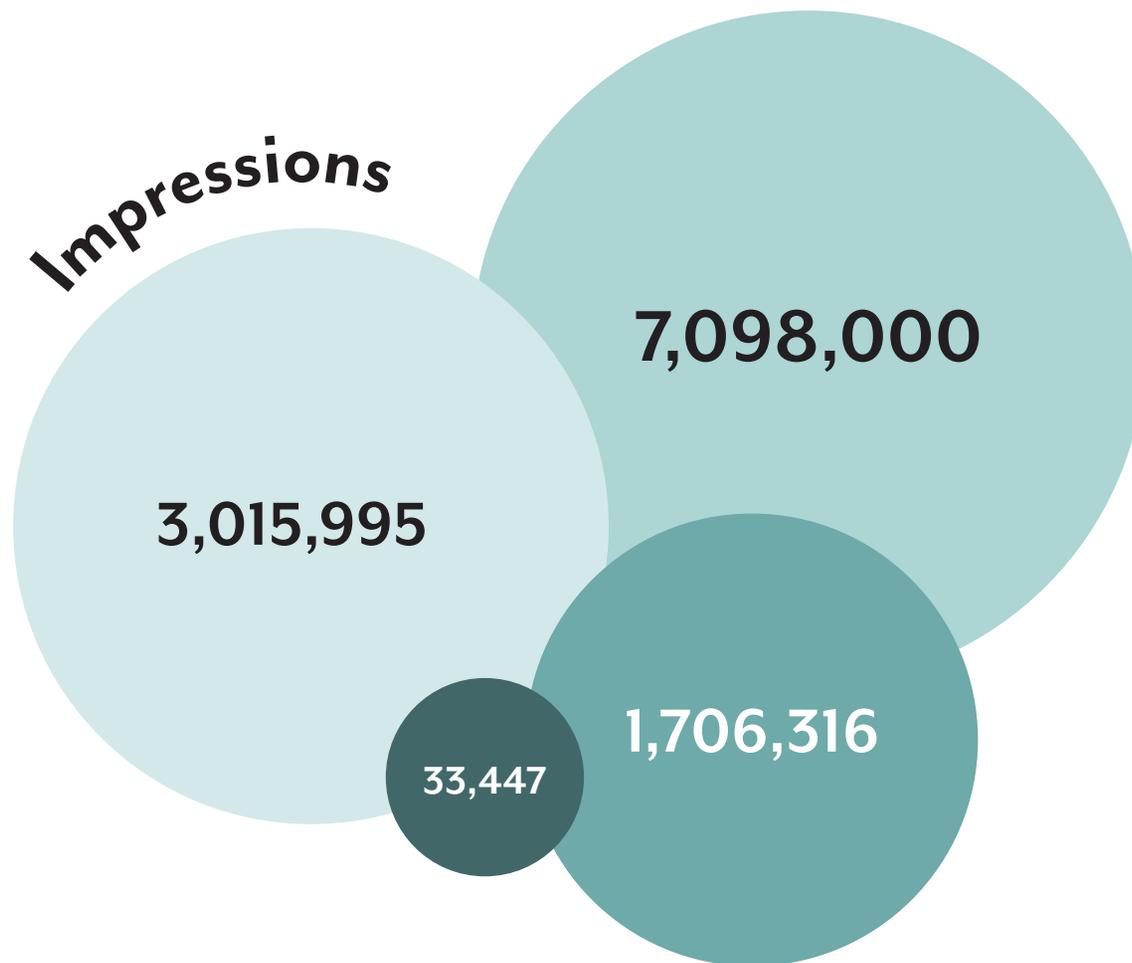
FY '20: 887
FY '19: 435
FY '18: 396



Social Media

Cumulative Statistics For FY '20

● Facebook ● Twitter ● Instagram ● LinkedIn



Facebook:

Impressions: 3,015,995

Engagements: 173,234

New Followers: 2,140

Twitter:

Impressions: 7,098,000

Engagements: 205,882

New Followers: 2,414

Profile Visits: 48,241

Instagram:

Impressions: 1,706,316

New Followers: 2,271

LinkedIn

Impressions: 33,447

New Followers: 452

Office Locations and Contact Information

To file a complaint or learn more about the Commission, dial (212) 416-0197.

MAIN OFFICE

22 Reade Street
New York, NY 10007
Dial 311 and say "human rights" or (212) 306-7450

NY RELAY SERVICES

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

WEBSITE

[NYC.gov/HumanRights](https://nyc.gov/humanrights)





Community Service Centers

MANHATTAN

22 Reade Street
New York, NY 10007
(212) 306-7450

QUEENS

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

BRONX

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

STATEN ISLAND

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

BROOKLYN

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

[NYC.gov/HumanRights](https://nyc.gov/HumanRights)



@NYCCHR