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NEW YORK CITY COMMISSION ON HUMAN RIGHTS

# 2004 ANNUAL REPORT

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Michael R. Bloomberg, Mayor  
**New York City Commission on Human Rights**  
Patricia L. Gatling, Commissioner/Chair

NEW YORK CITY  
COMMISSION ON  
HUMAN RIGHTS

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, or marital 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 or 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.





Our City's vibrancy comes from our diversity and continues to thrive because of the culture of acceptance found throughout New York. However, when discrimination or intolerance appears, we must act quickly. The NYC Commission on Human Rights enforces the

City's Human Rights Law to protect the civil rights of our residents, workers and visitors and it ensures that they are treated fairly and equally - whether it's for a job, an apartment lease, or a seat at the ballgame.

Over the last 50 years, our City's Human Rights Law has become one of the most comprehensive civil rights laws in the nation, affording all New Yorkers protection from discrimination. When I became Mayor, I appointed Patricia Gatling to lead our Administration's efforts to protect and advance the rights of all New Yorkers. Since then we have produced a track record of success and accountability that includes resolving the backlog of cases which previously undermined the credibility of the Commission. We are investigating and prosecuting discrimination complaints and we are rooting out systemic violations of the Law. We are aggressively enforcing the Human Rights law and teaching New Yorkers about their rights and responsibilities. Under Commissioner Gatling's leadership, her commission has delivered clear results and is illustrated in this annual report.

We live in a "City of Opportunity," and with the hard work and dedication of the Commission, we will ensure that there are endless opportunities for all New Yorkers.

  
Michael R. Bloomberg



Over the past year, the Commission has assisted many individuals with issues that were very important in that person's life. It's rare that the Commission is able to work on a case with a wide-reaching effect that impacts an entire community. 2004 provided us with just such an opportunity.

Last year, in a landmark case, a Sikh traffic enforcement agent was told that the turban he wore for religious purposes conflicted with the NYC Police Department's uniform code. Facing the loss of his career, he filed a complaint with us. The Commission ordered the NYPD to grant the Sikh employee a religious accommodation. It was the first such order in the nation issued to a

law enforcement agency. And, with the resolution of this groundbreaking case, the NYPD settled a similar case that had been filed in federal court.

Our Law Enforcement Bureau continued to focus on pre-complaint interventions – resolving issues before a complaint is filed – thus avoiding the cost and delay of lengthy litigation.

Additionally, we issued guidelines regarding gender identity discrimination to both educate the public that an individual's gender identity is now an area of protection under a 2002 amendment to the Human Rights Law and to assist employers, housing providers, organizations and service providers in understanding their responsibilities under the Law.

With a special focus on youth, our Community Relations Bureau increased the number of schools in our Peer Mediation Training Program. In this program, Commission staff members train students to mediate their peers' problems before they escalate. And we published a guide for the young mediators called *Talk It Over*.

Our other highlights this year have been many.

The 50th anniversary of *Brown v. Board of Education* gave us a wonderful opportunity to teach a diverse group of high school students about the historic 1954 Supreme Court case. With our partner the Brooklyn Children's Museum, the students created a huge mural and performance piece reflecting how the *Brown* decision still impacts their lives today.

We coordinated five forums for the Muslim community to familiarize them with the Human Rights Law, reporting bias, employment discrimination protections and government services. And to address the growing

diversity on Staten Island, we co-sponsored a picnic and soccer game between Mexican and Liberian young people to help them learn more about one another and build friendships.

We are well underway with an investigation into the hiring practices of New York City's larger advertising agencies. An early assessment revealed a disappointing number of minorities typically holding lower level positions. We expect to complete our investigation in 2005.

In another area of employment discrimination, we are assisting Princeton University with their audit study measuring the impact of race and criminal records on securing entry-level positions. When completed, the study will identify various discriminatory practices that employers use, measure to what extent discrimination exists, and point to employment areas most receptive to the previously incarcerated.

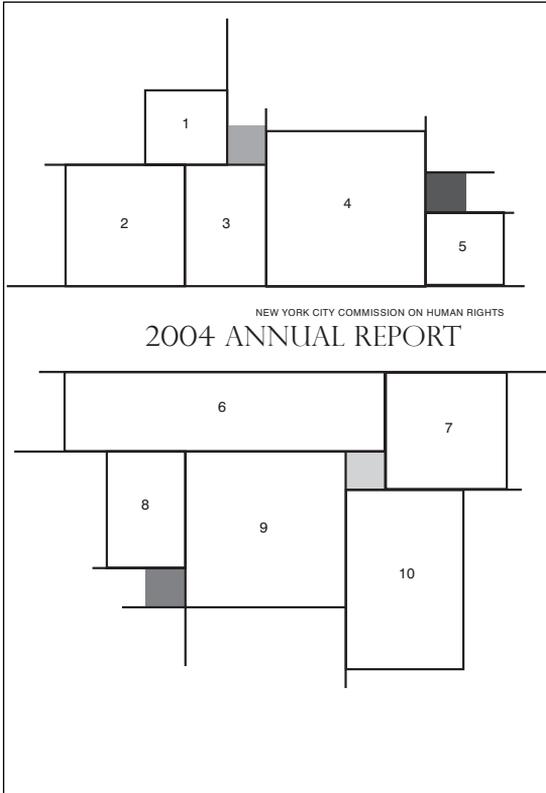
As an additional response to the discrimination often faced by the previously incarcerated, we published 100,000 copies of *Making It Happen & Staying Home*, our bilingual services guide for prisoners and the formerly incarcerated. We distributed the pocket-booklet throughout the state to correctional facilities and organizations serving this population.

Because a more informed public is often a less discriminatory one, we also increased our visibility through the media. Throughout 2004, many of our cases, events, and programs were featured in the City's daily papers and weekly periodicals, television, and radio, including community and ethnic press.

My own personal highlight was meeting South African civil rights leader Archbishop Desmond Tutu. It was humbling and inspiring to speak with a man who played such a prominent role in freeing South Africa from apartheid. He is an ordinary man who acted in an extraordinary manner.

In 2005, the Commission will mark its 50th anniversary. We have come a long way since our precursor, the Commission on Intergroup Relations, was established by law in 1955. Today, our Law is much stronger as is the Commission charged with its enforcement. With the fortitude and compassion of Mayor Bloomberg, the Commission continues to promote and protect the civil rights of all New Yorkers.

  
Patricia L. Gatling



**On the Cover:**

**1.** South African civil rights leader and nobel laureate Archbishop Desmond Tutu, Commissioner Patricia L. Gatling, and Mayor Michael R. Bloomberg at Gracie Mansion. Photo: Edward Reed - Mayor's Office

**2.** This Washington Heights veteran wheels himself into his building after the Commission successfully negotiated the installation of a ramp with the building owner.

**3.** The Commission's *Guidelines Regarding Gender Identity Discrimination* informs individuals of their rights under the Law and assists employers, housing providers, organizations and service providers in understanding their responsibilities under the Law.

**4.** Jasjit Singh Jaggi is back on the streets directing traffic after the Commission ordered his reinstatement with a religious accommodation. The NYPD Sikh Traffic Enforcement Agent is now permitted to wear his turban while in uniform and on duty. Photo: Todd Maisel - Daily News

**5.** Two youngsters race for the ball during a Staten Island soccer match between Mexican and Liberian teams. The Commission co-sponsored event

brought young people together to build friendships. Photo: Joel Wintermantle - Staten Island Advance

**6.** Brooklyn high school students created this mural from old photographs, legal documents and newspaper clips that reflected the importance of the historic 1954 Supreme Court case *Brown v. Board of Education*.

**7.** Shalimar Yamin-Khan moderates one of five Muslim Unity Forums the Commission co-sponsored during 2004.

**8.** *Making It Happen & Staying Home* is a bilingual pocket-sized booklet for the incarcerated or formerly incarcerated to assist them in a successful transition back into society.

**9.** Participants in the Commission's Peer Mediation Training Program pause for a team photo. The trainings prepare middle and high school students to negotiate non-violent resolutions for problems among their peers before they escalate.

**10.** The displaying of this anti-discrimination fair housing poster is now part of the Commission's case settlements with housing providers and real estate agents.

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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, and marital 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 protection 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 Title 8 of the Administrative Code of the City of New York and 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 2004 rose to 450, a notable increase from the previous year, bringing the total case inventory to 554. In addition, the Commission successfully resolved 159 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 several disabled tenants and one disabled visitor who were trapped in their Harlem building for months as the result of a broken elevator. Once the Commission was made aware of their situation, LEB placed one call to the building owner instructing the owner to repair the elevator or face prosecution under the New York City Human Rights Law. The elevator was repaired the next day, bringing needed relief to the tenants.

In another early intervention, a prospective buyer of an Upper West Side co-op contacted the Commission after the interview with the co-op board was abruptly cancelled when the board was made aware that the prospective buyer used a wheelchair. LEB immediately intervened explaining to the co-op board that their conduct was discriminatory and unlawful under the City's Human Rights Law. Within a week of the Commission's phone call, the interview was rescheduled and the co-op board approved the sale of the apartment.

In addition to the 159 allegations resolved through pre-complaint intervention, the Commission resolved 481 cases in 2004. 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 findings and Settlements.

Currently, over 75% of the Commission's case inventory 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. At the end of 2004, there were 8 cases remaining that were seven years or older. 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 2004, the Commission issued a landmark ruling in the area of religious discrimination. The Commission ordered the New York City Police Department to allow a Sikh Traffic Enforcement Agent to wear his turban while on duty in uniform. It was the first such order in the nation requiring a law enforcement agency to accommodate an officer's religious beliefs by modifying its uniform requirements.

#### FINES

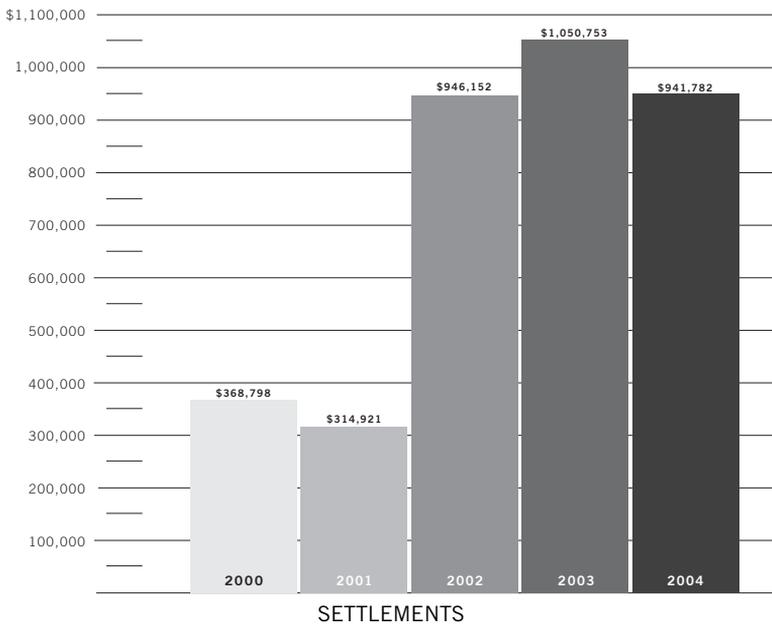
In 2004, the Commission assessed and collected fines totaling \$88,000. Of that amount, \$50,000 in fines came from Commission-initiated complaints through its proactive undercover testing. Although fines had been assessed prior to 2002, they were never collected.

#### ONE-YEAR POLICY

The Commission's One-Year Policy for resolving new cases, initiated during the Commissioner's first year, continues to ensure New Yorkers a timely resolution to their complaints and has prevented a return to the serious backlog of cases that existed at the Commission prior to this administration.

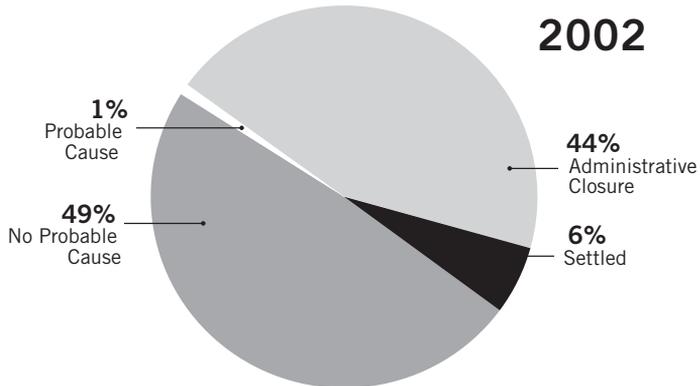
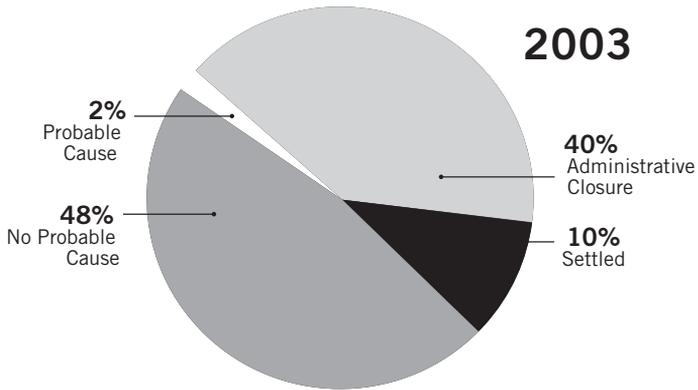
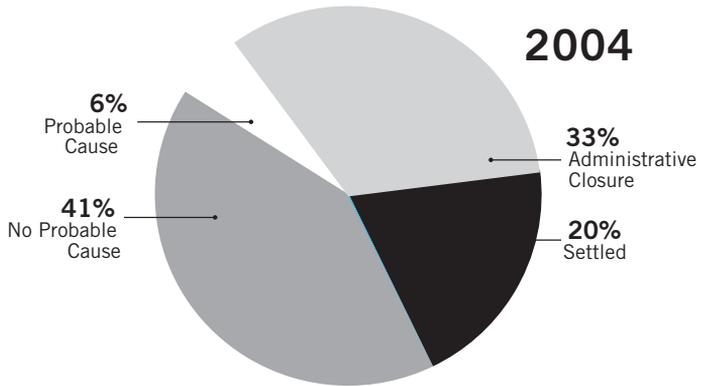
### SETTLEMENTS

The Commission has the authority to obtain cash settlements for those aggrieved by violations of the Human Rights Law. In 2004, the dollar value of those settlements totaled \$941,782 for an average cash settlement of \$11,346. Additional settlements and provisions successfully negotiated by the Commission included rehiring, policy changes and modifications for accessibility.



### DETERMINATIONS AND RESOLUTIONS

The 2004 Determinations and Resolutions chart illustrates the significant increase of Probable Cause findings and the number of cases Settled. Since 2002, Probable Cause determinations have risen 500 percent and Settlements have risen over 300 percent.



DETERMINATIONS AND RESOLUTIONS

## EQUAL ACCESS

Many of New York's buildings, stores and other public accommodations are not accessible to people with disabilities. The Commission's Project Equal Access continues to provide disability access assistance and education to senior citizens and the disabled community. As a result of its aggressive efforts in 2004, the Commission successfully negotiated 150 modifications for individuals with disabilities, more than double the amount in 2002. Nearly 100 of these modifications were accomplished through pre-complaint intervention.

Project Equal Access 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.

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 12 attorneys, 12 Human Rights Specialists, including two retired NYPD officers and 5 support staff members.

## PROCESSING THE COMPLAINT

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 compose 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.

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. A dedicated team of Human Rights Specialists staffs each borough office.

As part of a comprehensive public education campaign, the Commission published its informational booklet in several additional languages, including French, Korean, and Russian. The information is also available in English, Mandarin and Spanish. The contents of these books appear on the Commission's website at [www.nyc.gov/cchr](http://www.nyc.gov/cchr).

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

### IMMIGRANT EMPLOYMENT RIGHTS

The Commission and its partner, the New York Immigration Coalition, conducted 114 workshops and other outreach events during 2004, to inform immigrant workers, employers and immigrant advocacy organizations about their rights and obligations under Federal and City Laws. The discussions, literature and Power Point presentations explain discrimination based on national origin, citizenship status or alienage. The citywide presentations are conducted in English, Spanish, Chinese, Creole, and Russian.

This program is supported by the U.S. Department of Justice's Civil Rights Division Office of Special Counsel for Immigrant Related Unfair Employment Practices. OSC awarded the Commission grants in 2003 and 2004 to fund the program, bringing the two-year total to over \$140,000.

### 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, the Commission has successfully negotiated 150 modifications during 2004 including 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. The program also provides extensive public education.

### SCHOOL PROGRAM

Commission staff members taught approximately 10,000 students in grades 6-12 citywide three basic curricula; the Human Rights Law, Sexual Harassment and Conflict Resolution. The Conflict Resolution workshops are the most requested of the three provided by the Commission and often lead to the school's interest in the Commission's Peer Mediation Training Program. CRB staff conducted 456 sessions in 45 schools citywide during 2004.

Another part of the Commission's School Program is the Peer Mediation Training program. This program prepares middle and high school students to mediate non-violent resolutions for problems among their peers that could escalate. CRB's approach to teaching young students how to be peer mediators is grounded in the principles that

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

Over 200 students citywide graduated from the Peer Mediation Training during the 2003 - 2004 school year. The Commission expanded the program for the 2004 - 2005 school year increasing the number of schools from 12 to 15. In mid 2004, the JPMorgan Chase Foundation once again awarded the Commission a grant to continue its work, bringing the two-year total to \$102,000.

#### 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 391 counseling sessions for homeowners facing foreclosure and also conducted 5 large workshops.

The Commission began an aggressive outreach campaign to complement its counseling services. The campaign targets women who comprise nearly 95% of the counseling clients and alerts them to predatory lending practices and the discrimination often associated with those practices. The Commission has identified beauty parlors, nail salons, laundromats and other locations frequented by women for distributing written materials that summarize these illegal practices. The information will also contain 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 is also involved in activities that 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.

The Commission is providing assistance to two Princeton University professors with their study of the impact of race and criminal records on securing entry-level positions. The study identifies various discriminatory practices that employers use and measures to what extent discrimination exists. The project uses matched pairs of testers (Whites and African-Americans or Latinos) who apply for the same job with the same resumes and tracks call-backs, interviews, and job offers. The Commission received \$12,000 in a grant from the JEHT Foundation to support the project's focus group research and public education activities.

CRB has rolled out its new comprehensive database. The program will now enable the Commission to track CRB's activities more efficiently and comprehensively. The Commission received a \$13,650 Planning Grant from the U.S. Department of Housing and Urban Development to fund this project.

By year end, CRB staff delivered 42,410 units of service to individuals throughout the five boroughs.

#### CRB STAFF

The Community Relations Bureau consists of 34 Human Rights Specialists assigned to the Commission's Community Service Centers, and Program staff. In addition, CRB has 6 support staff members.

## COMMUNITY PROGRAMS

<p>IMMIGRANT EMPLOYMENT RIGHTS</p>	<p>Presentations and materials on employment protection for immigrants (City law and Federal law) in cooperation with NY Immigration Coalition for:</p> <ol style="list-style-type: none"> <li>1) immigrant workers;</li> <li>2) employers;</li> <li>3) immigrant advocacy organizations.</li> </ol>
<p>MORTGAGE COUNSELING &amp; PREDATORY LOAN PREVENTION</p>	<p>HUD-referred counseling for individuals facing the loss of their homes that includes:</p> <ol style="list-style-type: none"> <li>1) reviewing in person their financial and mortgage status;</li> <li>2) writing letters to creditors or banks to negotiate payment;</li> <li>3) exploring alternatives to foreclosure with individuals and lending institutions;</li> <li>4) referring cases of suspected predatory lending;</li> <li>5) distributing literature and participating in housing coalitions;</li> <li>6) community presentations on predatory lending and foreclosure prevention.</li> </ol>
<p>EQUAL ACCESS</p>	<p>The Program provides:</p> <ol style="list-style-type: none"> <li>1) investigation of individual inquiries (interviews, space assessment, code assessment, analyze possibilities of code compliance, discussion of the law);</li> <li>2) intervention, i.e. negotiation and education with owners (calls, letters, visits);</li> <li>3) group presentations to consumers, business people, social service agencies, hospitals re: disability rights;</li> <li>4) drafting complaints and follow-up investigations.</li> </ol>
<p>SCHOOL PROGRAM</p>	<p>Present three basic curricula, the "NYC Human Rights Law," "Sexual Harassment," and "Resolving Conflicts":</p> <ol style="list-style-type: none"> <li>1) to school classes (grades 6-12);</li> <li>2) to community groups.</li> </ol>
<p>PEER MEDIATION &amp; COMMUNITY MEDIATION</p>	<p>The Mediation Program:</p> <ol style="list-style-type: none"> <li>1) responds to requests to mediate bias and other community disputes;</li> <li>2) sets up peer mediation groups in schools (grades 6-12);</li> <li>3) delivers conflict resolution training to community groups as well as not-for-profit and school personnel.</li> </ol>

## Budget

■ The Commission's funding comes primarily from City tax-levy monies and the Federal Community Development Block Grant. A contract with the Equal Employment Opportunity Commission and grants from the U.S. Department of Justice, the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services and the NYC Department of Health and Mental Hygiene, the JEHT Foundation, the JPMorgan Chase Foundation, and the Tiger Baron Foundation provided additional funding. Like most other City agencies, the Commission was subjected to additional budget-balancing reductions in 2004.

City Tax-Levy	\$2,871,141
Federal Community Development Block Grant	\$4,002,179
<b>TOTAL</b>	<b>\$6,873,320</b>
<b>Additional Program Grant Funding</b>	
EEOC Contract (Workshare agreement)	\$135,100*
Alternative Funding Sources	\$168,650
<b>TOTAL</b>	<b>\$303,750*</b>

\* Estimated, based on Federal Fiscal Year.

## Commission in the News

■ During 2004, the Commission significantly increased its aggressive anti-discrimination campaign by highlighting its cases, programs and events in the media. The Commission more than doubled its exposure, appearing 205 times in the press as compared to the previous year when it appeared only 90 times. The majority of these media appearances prominently featured the Commission. These numbers do not include each media outlet's on-line version of the story.

Significant placements in both New York's print and electronic media during 2004 included: The Associated Press, the BBC, Reuters, CNN, NY 1, Ch 2, Ch 4, Ch 5, Ch 7, Ch 9, Ch 11, Ch 41, Ch 47, The New York Times, The New York Law Journal, NY Daily News, NY Newsday, NY Post, NY Sun, Staten Island Advance, El Diario, Gay City News, Crain's NY Business, Advertising Age, Adweek, CBS Radio, 1010 WINS Radio, as well as numerous local and ethnic media outlets.

The Commission also hosted two community press breakfast meetings to increase awareness that discrimination is against the law. Commission members encouraged local, ethnic and daily press to reach out to their readers and inform them of the Commission's mission and the City's Human Rights Law. Following the events, the Commission received extensive media coverage in some of the City's daily newspapers, local Brooklyn and Queens community newspapers, and various Arab, Caribbean, Chinese, Korean, Muslim, Polish, Russian, South Asian, and Spanish publications, as well as ethnic television.

The following two pages provide a small sampling of the Commission's 2004 highlights in the media.

# Agencies face scrutiny on race

## Commission looks at employment figures

By LISA SANDERS

THE NEW YORK City Commission on Human Rights is gathering data from some of Manhattan's largest advertising agencies regarding

query asked for the number of agency employees; a breakdown of those employees by job categories; and an analysis of employee race and ethnicity within each job category.

Advertising Age 1/19/04 Page 3

# Traffic cop's victory caps turban tussle

BY FERNANDA SANTOS

DAILY NEWS POLICE BUREAU

THE CITY'S HUMAN RIGHTS Commission has ordered the NYPD to reinstate a Sikh traffic agent and let him wear his turban on the job.

"Mission accomplished!" an ecstatic Jasjit Singh Jaggi told the Daily News yesterday from his home in Killington, Vt.

"I'm very excited, very happy," Jaggi said. "I can't wait to get my job back." Jaggi, who quit rather than violate the

NYPD did not prove its chief argument that failure to wear the regulation white, eight-point cap would make Jaggi unrecognizable as a traffic agent and might subject him to racist remarks.

"We are disappointed that the city commission did not recognize that the Police Department's enforcement of its uniform requirements for its traffic enforcement agents is necessary to maintain the safety of the public... and to encourage the neutrality, recognizability, morale, safety and esprit de corps of the traffic agents."

NY Daily News 7/01/04 Page 33

# Ignorancia genera víctimas de discriminación

## Conferencia legal destaca que desconocer derechos perjudica a los inmigrantes

GLORIA MEDINA

NEW YORK — ¿Sabes usted cuáles son sus derechos en cualquier caso de discriminación? Antes de saber las leyes de discriminación, debería saber cuáles son las diferentes clases de discriminación.

sayuno comunitario en el condado de Queens.

Desde su creación en 1944, la comisión se ha dedicado a ayudar a los habitantes a que entiendan las áreas jurisdiccionales que la ley cubre y cuales grupos específicos están protegidos bajo la ley, según explicó.

De acuerdo a Gatling, la ley de los derechos humanos de la ciudad de Nueva York es una de las leyes de derechos civiles más comprensivas en la nación. Esta ley



La ley de los derechos humanos de la ciudad de

las leyes de derechos civiles más comprensivas en la nación. Esta ley

vivienda, la ley provee protección adicional basada en ocupación legal y estado familiar la ley de los derechos.

"Ofrecemos un servicio gratis, rápido y hemos resuelto el 95 por ciento de los casos en un año, si no en-

manera de solucionar el caso.

La oficina de archivos inicia y entrega la queja e invita a ambas partes a participar del programa de mediación para llegar a una conciliación.

Después de hacer una queja, el investigador o abogado entrevistará a las partes y testigos, revisará las respuestas y solicitará documentos, conducirá exámenes cuando sea necesario para poder tomar la decisión si hay "causa probable" o "sin causa probable".

En caso que se encuentre una "causa probable" se asigna un abogado para que realice la acusación y proceda en-

El Diario 9/28/04 Page 32

# Nielegalni nie są bezradni

"Nielegalni imigranci nie powinni się obawiać zgłaszania skarg, na nieuczynnych pracodawców do komisji praw człowieka" - mówi jej komisarz Patricia L. Gatling. Padający ofiarą dyskryminacji mieszkańcy Nowego Jorku mogą też bezpłatnie załatwić tam wiele spraw wymagających interwencji prawnika i innych specjalistów.

Gatling i jej zastępcy zachęcają społeczność imigracyjną do zgłaszania wszelkich przypadków dyskryminacji, na jakie natrafiają w zakładach pracy, u właścicieli mieszkań bądź w sklepach, instytucjach publicznych i urzędach.

Wypowiadając się na temat nieuczynnych pracodawców, którzy wykorzystują nieregulowany sta-



Nowy Dziennik 9/23/04 Page 6

44 星島日報 2004年9月23日 星期三 SINGTAO Features Chinese

# 涉百萬元汽車保險騙案 法拉盛兩華裔針灸師被控

【本報訊】一名華裔針灸師與一名華裔保險經紀人，涉嫌在紐約市法拉盛區，共同經營一個價值百萬元汽車保險騙案。據悉，該名針灸師在騙案中扮演了重要角色，利用其專業知識和信譽，誘騙受害者購買高價保險。目前，兩名涉案人員已被警方逮捕，並面臨多項指控。

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Sing Tao 9/23/04 Page B4

# Sikh finds hope in turban ruling

BY FERNANDA SANTOS

DAILY NEWS POLICE BUREAU

JASJIT SINGH Jaggi made history — and now he wants to get back to work.

A day after becoming the country's first law enforcement officer allowed to wear a Sikh turban on the job, Jaggi said, "I had to fight, but to the end, I'm taking home the big prize."

The city's Human Rights Commission ordered the NYPD last month to reinstate Jaggi to his traffic agent job and let him wear a religious turban while on duty.

The NYPD did not appeal.

"We were able to resolve this matter in a just fashion," said

Human Rights Deputy Commissioner Avery Mehlman, who represented Jaggi.

Two years ago, Jaggi, 36, told his New York City taxi mediator for \$180,000 and went to the Police Academy.

He graduated first in his class but resigned after 10 months because his supervisors refused to let him wear his turban and beard on duty.

"That was the saddest day in my life," Jaggi said. "Now, I can finally serve the people of New York City."

Jaggi has immediate plans to leave his motel manager gig in Vermont and move his wife and two sons to Richmond Hill, Queens.



Jasjit Singh Jaggi (l) and Amric Singh Rathour talk to media after ruling that they can wear turbans on traffic agent jobs.

He'll be back at work on Aug. 6, a police official said. "It is my sincere hope that New York and America will take my turban for what it is a symbol of piety, respect, hope and courage," Jaggi said.

Another Sikh traffic agent, Amric Singh Rathour, 27, dropped a federal civil rights lawsuit against the NYPD on Wednesday after the commission's ruling. Rathour lost his job in 2001.

NY Daily News 7/30/04 Page 42

# Two Sikhs Win Back Jobs Lost by Wearing Turbans

By JAMES BARRON

Two Sikhs who were told they could not wear turbans on the job as traffic enforcement agents will be reinstated and allowed to wear their turbans, their advisers said yesterday.

The two unrelated cases followed different routes through the legal system but essentially involved similar allegations: both men said they were denied exemptions from police uniform rules for their turbans, a central element of daily religious practice for Sikh men. One, Amric Singh Rathour, was dismissed. The other, Jasjit Singh Jaggi, left his job.

Sikh Bindra, an adviser to Mr. Jaggi. "The police couldn't explain their denial" of Mr. Jaggi's requests to wear the turban while he was on duty.

The three commissioners said Mr. Jaggi's requests "were categorically denied without any dialogue or attempt to reach a middle ground." The commissioners also said the city had offered no evidence to show that letting Mr. Jaggi wear a turban would create "safety issues."

Ravinder Singh Bhalia, a lawyer for Mr. Rathour, said a settlement had been worked out that essentially paralleled the Jaggi case: the

The New York Times 7/29/04 Page B3

# Agency proves no borough is an island

New human rights office quickly meets needs of S.I.'s rapidly diversifying populace

on the city's least-populated borough by addressing violence against Mexican workers and the concerns of immigrants, among other issues.

Despite having a longstanding presence in the

ethnic conflicts.

"The demographic explosion pointed to the need for these support services," says Roy Pingel, director of the field office. "It went from being the borough with the least

rate in that borough than it has anywhere else in New York state. At the same time, the African-American presence rose 41% and the Asian population jumped 51%, an increase not matched anywhere else in the city.

Crain's NY Business 6/14/04 Page 24

## NEWS

### In Brief

**Judge Says NYPD Must Allow Sikh Traffic Agent to Wear Turban**  
A city administrative law judge ruled yesterday that the New York Police Department discriminated against a traffic enforcement agent, who is a member of the Sikh religion, when it told him he would be fired if he continued to wear his turban on the job. Donna K. Merris, an administrative judge with the city's Office of Administrative Trials and Hearings, rejected the NYPD's claim that Justin Singh Jaggi would create a danger to both himself and the public if he wore a turban rather than the standard-issue white cap. Rejecting the argument that Mr. Jaggi would not be recognizable as a traffic agent in his turban, Ms. Merris noted that the rest of his uniform would be identifiable. Also, she stated that Mr. Jaggi would wear a white turban, which would have the traffic officer's chrome shield pinned to its front. The ruling, which was prosecuted at the trials and hearings office by the legal staff of the Human Rights Commission, will not become final until it is confirmed by the agency's 16 commissioners.

—Daniel Wise

NY Law Journal 4/30/04 Page 1

## Commission probes ad agency minority hiring

Firms note long-term outreach efforts, but stats don't look good

BY TOMMY FERNANDEZ

Independent ad agency Reynardus & Moya has 27 minority employees who account for nearly three-quarters of its business and creative staff. This makes the firm a rarity in the advertising industry, where five out of six professional staffers are white.

It's a distinction that partner Jorge Reynardus would rather not have, even though it has helped him beat out many predominantly white firms for contracts with big-name clients. For him, minority staffing is not a marketing stunt; it's common sense.

"The advertising industry simply needs to hire more minorities," says Panama-born Mr. Reynardus, whose clients include Pathmark and Time Warner Cable. "If over a third of the population in New York City are minorities, why wouldn't you want your staff to reflect that?"

The New York City Commission on Human Rights is asking similar questions, having launched an investigation into the industry's hiring practices. Insiders say that the firms queried include WPP Group, BBDO Worldwide and units of Grey Global Group.

### Unusual move

No charges have been filed so far. But attorneys say that agencies could ultimately face hefty fines and government intervention in the form of quotas and hiring monitors. "This is very unusual. It's rare that the com-

mission will take on an entire industry," says Elizabeth Schalet, a partner in employment law firm Lipman & Plesur who previously was a senior trial attorney at the commission. Agencies aren't taking the investigation lightly. Howard Rubin, a partner at marketing communications law firm Davis & Gilbert who represents many of the firms being queried, says that all of his clients responded quickly to two fact-finding letters sent by the commission in the past seven months.

Mr. Rubin has hired Bill Lynch, former New York deputy mayor and former Democratic National Committee vice chair, to parlay with the commission. Mr. Lynch says he met with commission Chair Patricia Gatling two weeks ago and plans to have another meeting within a month.

"The agencies are cooperating fully," he says. See COMMISSION on Page 40

Crain's NY Business 6/07/04 Page 3

## "인권법 위반 척결" 시 인권위원장 지역연론 간담회

뉴욕시인권위원회 패트리샤 게틀링 위원장은 22일 콜라주 정부 사무실에서 인권위원회 에이전트 알렉스 칸, 플로리다 알렉스 칸, 리 해드슨 지역사회관계국장이 배석한 가운데 지역연론 초청 포럼 간담회를 갖고 '시 인권법 위반'이라는 제목을 역문, 차트와 함께 발표했다.

게틀링 위원장은 이날 "크립톤인 검찰청 수석검사 당시 인권사범을 적발하였다는 사실을 밝혀내고 뉴욕 시정 개혁을 위한 의지를 확인, 인권위

원장직을 수락했다"며 "그후 2년간 비부패인 검찰청 검사 출신들을 단속국장, 수석검사, 지역사회관계국장으로 임명하고 인권차별과의 전쟁을 벌여왔고 이제 그 간도를 넘어섰다"고 강조했다.

게틀링 위원장은 2002년 1월 취임 이후 현재까지 100건으로 줄이고 지난 2년간 매년 새로 접수된 1,000건의 주민 고발 중 70%를 행정명령과 합의가 이뤄지기 전에 합의, 화해자금을 위해 2002년부터



패트리샤 게틀링 위원장과 마거기 맥휴가 2002년부터

Korea Times 9/23/04



Patricia L. Gatling



Margie McHugh

## 'Preventing Immigration-related Employment Discrimination'

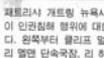
New York City Human Rights Commissioner, Patricia L. Gatling, and New York Immigration Coalition Executive Director, Margie McHugh, were scheduled to co-host a

Desi Talk 10/29/04 Page 14

## GOVERNMENT ALERT

### HOW RACE, RECORDS AFFECT JOB PROSPECTS

The New York City Commission on Human Rights has hired researchers at Princeton University to conduct a study of New York City employers to determine the impact of race and criminal records on the entry-level job market. Latino, African-American and white testers are being sent out as job candidates to as many as 1,000 places of employ-



패트리샤 게틀링 뉴욕시 인권위원회 위원장이 대다수

Crain's NY Business 9/27/04 Page 10

CBS 2 WCBS-TV NEW YORK cbsnewyork.com

## Shame On You: Harari Realty's Racial Discrimination

A CBS 2 Special Report  
Aug 5, 2004 11:00 pm US/Eastern  
NEW YORK (CBS) Renting an apartment in New York City is tough enough. But what happens if a broker doesn't like the color of your skin? Shame On You goes undercover.

CBS 2's Arnold Diaz reports.

"I wanted to ask you about the charges your firm is discriminating against black renters," Diaz asked. "God forbid, we never discriminate," Dan Harari said. "You

WCBS Channel 2 8/05/04

## Muslim Unity Forum Gets Underway

By Adrienne Haywood-James

NEW YORK: Many welcomed the Muslim Unity Forum, the third of a series of informational programs designed by the New York City Human Rights Commission aimed at increasing awareness of the role, rights, and city services for the Muslim communi-



Muslims Weekly 5/02/04 Page 4

## Other Accomplishments

### ■ GUIDELINES REGARDING GENDER IDENTITY DISCRIMINATION

The Commission issued *Guidelines Regarding Gender Identity Discrimination* based on a 2002 amendment to the City's Human Rights Law. The amendment defined 'gender' to include an individual's gender identity as an area of protection under the Law. The Commission created the guidelines with the assistance of a working group from the Transgender communities and input from various city agencies. The Guidelines will inform individuals of their rights under the Law and assist employers, housing providers, organizations and service providers in understanding their responsibilities under the Law.

### ■ BILINGUAL GUIDE FOR PRISONERS OR THE FORMERLY INCARCERATED

The Commission distributed 100,000 copies of its English/Spanish information and services guide for the incarcerated or formerly incarcerated. The pocket-sized booklet, *Making It Happen & Staying Home*, assists those individuals in overcoming the many obstacles they face that could reduce their chances of a successful transition back into society.

*Making It Happen & Staying Home* was distributed throughout City and State correctional facilities, parole and probation offices, and to agencies that counsel and deliver services to the incarcerated or recently released. The publication was supported by a \$35,000 grant from the U.S. Department of Health and Human Services and the NYC Department of Health and Mental Hygiene.

### ■ MUSLIM COMMUNITY FORUMS

The Commission sponsored five forums for the Muslim community throughout the City. The purpose of the forums was to familiarize Muslims with the Human Rights Law, how to report bias, employment discrimination protections and government services. A survey after 9/11 in the Muslim, Arab and South Asian communities conducted by the Commission revealed that members of these communities were

reluctant to come forward and report incidents of discrimination.

These forums focused on gaining trust, building bridges and developing civic involvement.

■ *BROWN V. BOARD OF EDUCATION / 50TH ANNIVERSARY*

The 50th Anniversary of the historic case *Brown v. Board of Education* provided the Commission with an opportunity to teach a diverse group of high school students about the historic 1954 Supreme Court case and how that decision 50 years later continues to impact their lives. The students created a performance piece and a mural using copies of old photographs, documents and newspaper clips reflecting the impact of Linda Brown's journey in Topeka, Kansas. Their work is depicted on the cover of this report.

The Commission teamed with the Brooklyn Children's Museum on this project. A \$5,000 grant from the Tiger Baron Foundation made this project possible.

## Publications

### Booklets

*NYC Human Rights Commission*

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

*Guidelines Regarding Gender Identity  
Discrimination*

*\*Making It Happen & Staying Home  
Services For You*

English/Spanish pocket guide for prisoners and formerly incarcerated

*\*Talk It Over - A Peer Mediator's Guide*

\* not available on line

### Cards

Commission Offices

Gender Identity

Immigrant Employment Rights  
(English/Spanish)

Peer Mediation

School Program

Sexual Harassment

### Brochure

Mediation Questions and Answers

### CCHR Newsletter

January/February 2003

Spring 2003

Summer/Fall 2003

Winter/Spring 2004

Summer/Fall 2004

### Annual Reports

2002

2003

2004

## 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.

**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 and Senior Advisor to City Council Member John Liu.

**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., Managing Director of Cohane

Rafferty/Lehman Brothers Inc., and member of the Federal Home Loan Bank Board.

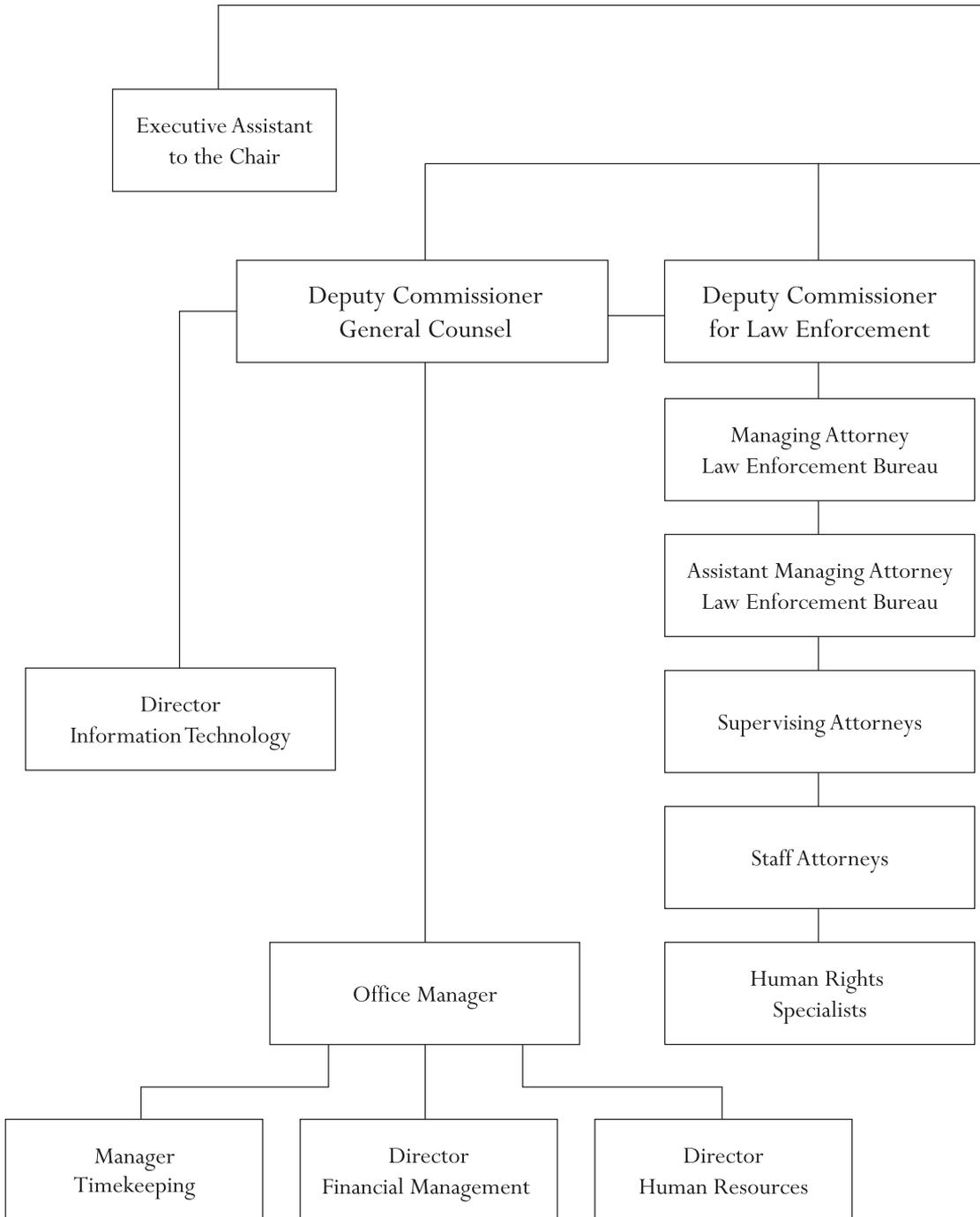
**Bryan Pu-Folkes**, Esq., Director of the New York Lawyers for the Public Interest's Private Bar Involvement Programs and Founder and President of New Immigrant Community Empowerment.

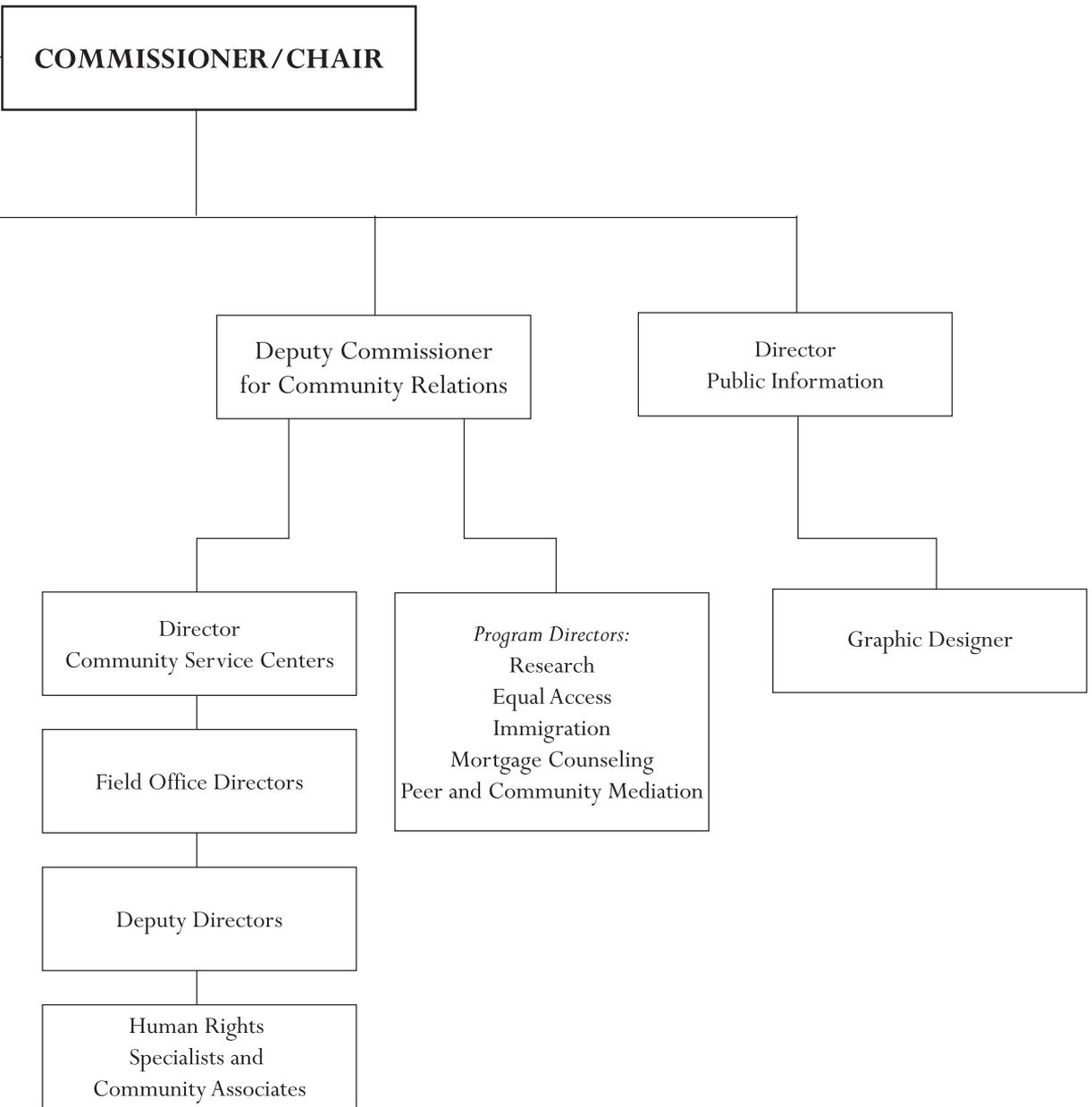
**Lisa Quiroz**, Founding publisher of "PEOPLE en Español" magazine.

**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.

**Susan R. Scheer**, Director of Disability Services, Columbia University.

**Marta B. Varela**, Esq., Former Commissioner/Chair of the Human Rights Commission; currently Adjunct Professor at Hunter College, Political Science Department.





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Brooklyn, NY 11217

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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

**Betsy Herzog**

Director of Public Information

