

CITY COMMISSION ON HUMAN RIGHTS

Carmelyn P. Malalis, Commissioner/Chair



WHAT WE DO

The New York City Commission on Human Rights (the “Commission”) is the agency charged with enforcing the City’s Human Rights Law. The New York City Human Rights Law (NYCHRL) is one of the most comprehensive anti-discrimination laws in the country. It includes protections in public accommodations, housing, and employment based on race, religion/creed, color, age, national origin, alienage or citizenship status, gender, gender identity and expression, sexual orientation, pregnancy, disability, and marital or partnership status. Additional protections are included in employment based on arrest or conviction record; status as a victim of domestic violence, stalking, sex offenses; unemployment status; and credit history. More protections are afforded in housing based on lawful occupation, lawful source of income, and the presence of children.

In Fiscal 2015, the Commission’s Law Enforcement Bureau (LEB) investigated nearly 1,800 allegations of discrimination raised by the public. The Commission is empowered to investigate and prosecute NYCHRL violations, including those that raise systemic violations. The Commission also provides pre-complaint intervention and promotes positive intergroup relations through conferences, workshops and training sessions, among other initiatives conducted by its Community Relations Bureau (CRB).

FOCUS ON EQUITY

In February 2015, a new Chair and Commissioner took office at the Commission on Human Rights and brought a renewed commitment and energy to fulfill the Commission’s mission to enforce the NYCHRL while intensifying outreach and training efforts to the City’s communities, businesses and housing providers through a centralized CRB. The NYCHRL is meant to ensure that all those who live in, work in or visit New York City are treated fairly, and with dignity and respect, regardless of race, age, religion/creed, national origin, disability, gender, sexual orientation, or other protected class. In the last three years, the number of complaints the Commission resolved increased from 480 to over 600 per year and, in Fiscal 2015, the Commission obtained over \$600,000 in damages for complainants, nearly \$200,000 in fines from offenders and 155 building modifications for disability access. The Commission also reaches hundreds of thousands of individuals each year, from every walk of life, through CRB’s education and outreach efforts.

OUR SERVICES AND GOALS

SERVICE 1 Enforce the City’s Human Rights Law.

Goal 1a Investigate, prosecute and resolve complaints of discrimination and bias-related harassment in a timely and efficient manner.

SERVICE 2 Educate the community on the Human Rights Law.

Goal 2a Increase community awareness of the NYCHRL through know-your-rights presentations aimed at the general public; through know-your-obligations presentations aimed at housing providers, employers and small businesses; and through other initiatives.

HOW WE PERFORMED IN FISCAL 2015

SERVICE 1 Enforce the City's Human Rights Law.

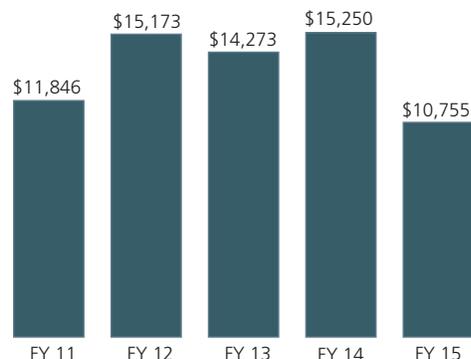
Goal 1a Investigate, prosecute and resolve complaints of discrimination and bias-related harassment in a timely and efficient manner.

In Fiscal 2015, the Commission hired seven attorneys, four of whom were assigned to its LEB, who came with an average of over six years of experience litigating claims under the NYCHRL or other civil rights laws. The staff increase and the retention of experienced staff in LEB helped the Commission handle a 40 percent increase in cases filed, from 497 in Fiscal 2014 to 697 in Fiscal 2015. Correspondingly, the Commission's total caseload of active pending cases at the end of Fiscal 2015 increased to 667 from 567 at the end of Fiscal 2014. The number of cases closed by the Commission was 608 in Fiscal 2015, compared to 602 in Fiscal 2014.

Under its new administration, the Commission started a process of restructuring its operations to make its LEB a more aggressive investigative and prosecutorial unit to enforce the NYCHRL. In Fiscal 2015, changes in LEB case processing helped the bureau almost double the percentage of cases closed after receiving a probable cause determination, from eight percent in Fiscal 2014 to 15 percent in Fiscal 2015. As LEB shifted its bureau-initiated investigations to address violations of the NYCHRL more effectively and focused these investigations to address broader systemic issues, the percentage of cases it closed as a result of settlement decreased from 26 percent in Fiscal 2014 to 22 percent in Fiscal 2015, and the number of pre-complaint resolutions decreased from 189 to 165 in the same period. Similarly, the average value of cash settlements for complainants decreased 29 percent, from \$15,250 in Fiscal 2014 to \$10,755 in Fiscal 2015. Consistent with its aim to litigate cases to effectively enforce the NYCHRL, LEB increased the cases it referred to the Office of Administrative Trials and Hearings (OATH) for trial in Fiscal 2015 by 89 percent from the previous year.

The LEB is continuing to prioritize resolving older cases. This effort, combined with the large increase in cases filed in Fiscal 2015, resulted in a decrease in the average age of the Commission's complaint caseload to 250 days for Fiscal 2015, from 297 for the previous year. The increase in cases filed and litigated at OATH in Fiscal 2015 may have helped hold the increase in pending Commission cases less than one year old to a slight rise, from 496 for Fiscal 2014 to 505 for Fiscal 2015.

Average Value of Cash Settlement



Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY11	FY12	FY13	FY14	FY15	FY15	FY16		
Cases successfully mediated	5	11	5	21	0	*	*	Up	Neutral
Pre-complaint resolutions	182	190	163	189	165	*	*	Up	Neutral
★ Cases filed	444	335	522	497	697	*	*	Neutral	Up
★ Cases closed	462	440	480	602	608	*	*	Neutral	Up
- Cases closed (%) - no probable cause determination	44%	45%	43%	45%	43%	*	*	Neutral	Neutral
★ - Cases closed (%) - probable cause determination	13%	5%	12%	8%	15%	*	*	Neutral	Up
- Cases closed (%) - administrative cause	25%	24%	25%	21%	20%	*	*	Neutral	Down
★ - Cases closed (%) - settlement	18%	26%	20%	26%	22%	23%	23%	Up	Up
Cases referred to the Office of Administrative Trials and Hearings	59	23	59	47	89	*	*	Neutral	Up
★ Average value of cash settlement for complainant (\$)	\$11,846	\$15,173	\$14,273	\$15,250	\$10,755	*	*	Neutral	Neutral
Modifications for accessibility for disabled	187	193	156	185	155	*	*	Neutral	Down
★ Average age of complaint caseload (days)	306	335	314	297	250	300	300	Down	Down
Caseload	524	474	583	567	667	474	474	Neutral	Up
Cases pending by age - less than one year	438	358	467	496	505	414	414	Down	Up

★ Critical Indicator "NA" - means Not Available in this report ↕ shows desired direction

SERVICE 2 Educate the community on the Human Rights Law.

Goal 2a

Increase community awareness of the NYCHRL through know-your-rights presentations aimed at the general public; through know-your-obligations presentations aimed at housing providers, employers and small businesses; and through other initiatives.

The Commission has increased its efforts to make New Yorkers aware of their rights under the NYCHRL, how to protect those rights, and how to comply with the law. As part of a new CRB initiative, the Commission has heightened its program development and outreach efforts to smaller businesses, employers and housing providers, to educate them on their obligations under the NYCHRL and make their businesses and housing more inclusive for all New Yorkers. The Commission now offers free training for the small business and housing provider community at the CRB's Community Service Centers in all five boroughs and lists the monthly schedules on its improved website. The Commission is also increasing its capacity to educate the public about the NYCHRL through social media engagement, strategic media relations, revamped education materials and advertisements put forth by its new Office of Communications and Marketing. The Commission is developing training and campaigns for the Stop Credit History in Discrimination Act and the Fair Chance Act which take effect in the beginning of Fiscal 2016. As a result of the Commission's increased outreach efforts in Fiscal 2015, CRB increased the number of school-based training sessions it conducted by 20 percent, from 272 in Fiscal 2014 to 326 in Fiscal 2015, with 56 percent of the Fiscal 2015 sessions occurring in the five-month period after the change in Commission leadership in February 2015. Also, consistent with the Commission's new focus to proactively engage small businesses and housing providers and provide education and training before bringing cases against them, the CRB increased the number of conferences, workshops and trainings by eight percent to 1,394 in Fiscal 2015, from 1,288 in Fiscal 2014. CRB also increased the amount of community-based technical assistance provided from 53,426 in Fiscal 2014 to 56,016 in Fiscal 2015.

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY11	FY12	FY13	FY14	FY15	FY15	FY16		
Conferences, workshops and training sessions	1,206	1,217	1,114	1,288	1,394	1,000	1,000	Up	Up
Community-based technical assistance	17,055	17,297	22,537	53,426	56,016	40,000	40,000	Up	Up
School-based training sessions conducted	327	401	392	272	326	325	250	Up	Down

★ Critical Indicator "NA" - means Not Available in this report ↕ shows desired direction

AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Desired Direction	5yr Trend
	FY11	FY12	FY13	FY14	FY15	FY15	FY16		
Customer Experience									
Letters responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Up	Neutral
E-mails responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Up	Neutral
Completed customer requests for interpretation	1,235	1,425	1,515	1,097	1,126	*	*	Neutral	Down
Average wait time to speak with a customer service agent (minutes)	10	10	10	10	10	*	*	Down	Neutral
CORE facility rating	84	85	94	97	98	*	*	Up	Up

AGENCY RESOURCES

Resource Indicators	Actual					Plan ¹		5yr Trend
	FY11	FY12	FY13	FY14	FY15	FY15	FY16	
Expenditures (\$000,000) ²	\$6.1	\$6.0	\$6.1	\$5.6	\$7.5	\$7.0	\$10.3	Up
Personnel	70	62	61	62	66	67	130	Neutral
Overtime paid (\$000)	\$20	\$18	\$1	\$4	\$11	\$11	\$11	Down

¹Authorized Budget Level "NA" - Not Available in this report ²Expenditures include all funds.

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

- The Commission's MMR Goal 2a has been revised from "Increase community awareness of the Human Rights Law" to "Increase community awareness of the NYCHRL through know-your-rights presentations aimed at the general public; through know-your-obligations presentations aimed at housing providers, employers and small businesses; and through other initiatives." This change has been made in accordance with its objectives of the current administration of the Commission, which took office in the second half of Fiscal 2015.

ADDITIONAL RESOURCES

For more information on the agency, please visit: www.nyc.gov/cchr.