

Annex A
to the Common Core Document of the United States

State, Local, Tribal, and Territorial Human Rights Organizations and Programs

1. State, local, tribal, and territorial human rights organizations and programs play a critical role in U.S. implementation of the human rights treaties to which the United States is a party, including the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all forms of Racial Discrimination (CERD), the Convention Against Torture (CAT), and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. This Annex contains information on state, local, tribal, and territorial laws, enforcement mechanisms, and outreach programs related to the issues addressed in the treaty reports.

2. Because of the federal system of government in the United States, as described in the Core Document, the treaty responsibilities of the United States are carried out not only by federal law and the federal government, but also by state, local, and territorial laws and institutions. Tribal governments also have laws and institutions addressing discrimination. Therefore, the ability to access such state, local, tribal, and territorial human rights organizations is important to the American constituency. There is strong communication and collaboration between human rights organizations on the federal, state, local, tribal, and territorial levels, as will be described at the end of this Annex. All parts work together to ensure that human rights issues are addressed properly and fully by the relevant authorities. Forty-eight states have state human rights organizations of some type established by law. In addition, many cities and counties, including the District of Columbia, also have human rights organizations, as do some tribes and territorial governments. This Annex provides just a snapshot of the common structures and functions of such human rights organizations, presenting a varied sampling of such institutions from across the country. This material was obtained through outreach efforts to states and human rights organizations, as well as through our own web-based research.

I. General Description and Examples of State, Local, Tribal, and Territorial Human Rights Organizations and Programs

3. State, local, tribal, and territorial human rights organizations have varying relationships to the larger governmental entities of their states or localities, and also have varying

functions. Many organizations exist as separate, independent legal entities. Some organizations are government agencies themselves or are part of government agencies or departments. As for their functions, organizations may deal with a range of issues, including employment discrimination, housing/real estate, credit and financial practices, public accommodations, education, and community relations. This section provides general descriptions of some of these organizations, in order to give the reader a taste of the wide range of state, local, tribal and territorial human rights commissions in America. Other organizations not described in this initial section are discussed below in the sections on Available Remedies and Prevention Related Activities, and Networks.

Examples of State Human Rights Organizations

Alaska State Commission for Human Rights

4. The Alaska State Commission for Human Rights (ASCHR) is an independent civil rights enforcement agency that consists of seven Commissioners who are appointed by the governor for staggered terms of five years and confirmed by the legislature. For administrative purposes, the agency is housed in the Office of the Governor. The ASCHR impartially investigates allegations of discrimination in employment, credit and financing practices, places of public accommodations, and the sale, lease, or rental of real property, where discrimination is based on race, religion, color, national origin, sex, age, physical or mental disability, marital status, changes in marital status, pregnancy, or parenthood. The ASCHR accepts complaints of discrimination and uses mediation, investigation, conciliation, and public hearings to resolve those complaints.

Florida Commission on Human Relations

5. The Florida Commission on Human Relations (FCHR), created in 1969 by the Florida legislature, is an independent state commission under the Florida Department of Management Services (a state cabinet agency). The FCHR is the lead state agency for promoting human rights in Florida. The mission of the FCHR is to prevent unlawful discrimination by ensuring that people in Florida are treated fairly and are given access to opportunities in employment, housing, and certain public accommodations; and to promote mutual respect among groups through education and partnerships. The statutory authority of the FCHR comes from Chapter 760 of the Florida statutes, which includes the Florida Civil Rights Act, the Florida Fair Housing Act, and the Whistle-blower Retaliation Act.

6. The FCHR consists of twelve Commissioners appointed by the Governor to serve four-year terms upon confirmation by the Florida Senate. The FCHR Commissioners must broadly represent various racial, religious, ethnic, social, economic, political, and professional groups within the state. At least one Commissioner must be 60 years of age or older.

7. The FCHR offers a variety of services, some of which are described in more detail later in this Annex. In general, the FCHR investigates and resolves discrimination cases in the areas of employment, housing, public accommodations, and state employee whistle-blower retaliation. It also mediates and resolves disputes among parties prior to or during the course of an investigation. Finally, the FCHR provides technical assistance and education to customers and ensures awareness of and compliance with state and federal discrimination laws.

Idaho Human Rights Commission

8. The Idaho Human Rights Commission (IHRC) is an independent agency established by the Idaho legislature to help protect persons within the state from illegal discrimination. All nine Commissioners are appointed by the Governor, with the advice and consent of the Idaho State Senate, for terms of three years. The IHRC is comprised as follows: one member is a representative of industry, one member is a representative of labor, and seven members are appointed at large. Members are appointed to obtain, to the extent possible, broad representation of the diversity of individuals who comprise the population of the State of Idaho.

Illinois Department of Human Rights

9. Under the Illinois Human Rights Law, the Illinois Department of Human Rights (IDHR) administers human rights programs for the state as a whole, working with the Illinois Human Rights Commission (IHRC), which is the adjudicatory body that hears complaints of aggrieved residents. The mission of the IDHR is “to secure for all individuals within the State of Illinois freedom from unlawful discrimination; and to establish and promote equal opportunity and affirmative action as the policy of this State for all its residents.” IDHR’s programmatic activities are described below. Notably, IDHR has increased its international outreach. In June 2007, Director Claps and several staff members met with a delegation from the China Society for Human Rights. Subsequently, in November 2007, Director Claps traveled to China where he addressed several meetings sponsored by the China Society for

Human Rights. The meetings, with government agencies and academics, offered insight into IDHR and state and local agencies in the U.S. that investigate charges of discrimination in employment and housing. An extensive description of the work of the IDHR, the IHRC, and local human rights agencies in Illinois can be found in the Annex to the 2007 Periodic Report of the United States on the International Convention on the Elimination of All Forms of Racial Discrimination.

Kentucky Commission on Human Rights

10. The Kentucky Commission on Human Rights is a state government agency charged with the enforcement of the Kentucky Civil Rights Act. Pursuant to the provisions of the Act, the Commission strives to eradicate unlawful discrimination within the Commonwealth of Kentucky through: (1) the investigation of discrimination complaints; (2) the litigation of discrimination cases in which probable cause is found; and (3) public awareness programs and initiatives. The Act prohibits discrimination on the basis of race, color, religion, national origin, sex, age (forty and over), or because the person is a qualified individual with a disability, in the following contexts: (1) employment; (2) sale or lease of real property; (3) public accommodations (4) financing; (5) credit transactions; and (6) housing insurance. In addition to the enforcement of the Kentucky Civil Rights Act, the Commission has a statutory role in investigating and redressing unlawful race and color discrimination in proprietary schools and private clubs.

Maryland Commission on Human Relations

11. Maryland civil rights laws prohibit all the forms of discrimination prohibited by federal law. In addition, Maryland laws provide more extensive protections than federal law in a number of ways, including prohibiting discrimination on the basis of marital status; prohibiting discrimination on the basis of sexual orientation in places of public accommodation, employment, housing, and by state-licensed entities; and prohibiting discrimination in housing on the basis of familial status. The anti-discrimination laws of some Maryland counties go further, for example prohibiting discrimination in certain areas based on family responsibilities, occupation, political opinion or personal appearance.

12. Enforcement of state civil rights laws is overseen by the Maryland Commission on Human Relations (MCHR), Md. Code Ann., State Government 20-301 – 20-207. During 2009, the MCHR received 834 individual complaints and completed 778 cases, obtaining over \$760,000 in monetary benefits for victims of discrimination. The MCHR also mediated

207 cases leading to 113 resolutions, and conducted 154 training sessions on civil rights issues to over 90 different groups, attended by more than 7,000 individuals. In addition to the MCHR, in 2007 the Attorney General of Maryland created the first Civil Rights Division in the Attorney General's Office. This Division gathers information on allegations of civil rights violations in Maryland, suggests legislation and legal remedies, and also serves as a civil rights liaison between the Attorney General and the community.

13. Civil rights protections in Maryland have expanded in recent years as a result of developments in case law, statutory law, and Attorney General's Opinions. See, e.g., Stouffer v. Reid, 413 Md. 491 (2010) (state prison officials may not compel competent adult inmates to submit to certain forms of life-sustaining medical treatment, such as kidney dialysis, against their will absent evidence that without such treatment they pose a direct threat to the safety and well-being of others); Lily Ledbetter Civil Rights Restoration Act of 2009, Md. Code Ann., State Gov't. 20-607 & 20-1009(b)(5) (2007) (an unlawful employment practice may occur under state law not only when a specified decision or practice is adopted but also when an individual is affected by that decision or practice, including each time discriminatory wages, benefits, or other compensation are paid); 93 Opp. Att'y Gen. 154 (2008) (finding that a law making it a crime for an individual to receive remuneration for participating in a demonstration against racial discrimination would likely be held unconstitutional under the First Amendment of the U.S. Constitution and Article 40 of the Maryland Declaration of Rights, and recommending its repeal).

New Jersey Division on Civil Rights

14. The New Jersey Division on Civil Rights (DCR) is part of the New Jersey Office of the Attorney General, Department of Law and Public Safety, and is responsible for investigating discrimination complaints and eradicating illegal discrimination in New Jersey. DCR enforces the New Jersey Law Against Discrimination (LAD) and the New Jersey Family Leave Act (FLA). The former seeks to prevent and remedy unlawful discrimination in unemployment, housing, contracting, and places of public accommodation. Recent amendments to the LAD protect gay and lesbian individuals on the bases of "civil union status" and "gender identity or expression." Further, while the federal government has held public hearings concerning discrimination against the unemployed and its disparate impact on minority groups, New Jersey enacted the nation's first law to prohibit print or on-line job advertising that excludes the unemployed from applying. The FLA provides eligible

employees with leaves of absence in connection with the birth or adoption of a child or the serious health condition of an eligible employee's parent, child or spouse.

15. The Office of the Director of DCR contains Mediation and Information Systems Units. DCR also has three Bureaus: the Bureau of Enforcement, Centralized Intake Bureau, and the Bureau of Policy.

New Mexico Human Rights Bureau

16. The New Mexico Human Rights Bureau (HRB) is part of New Mexico's Department of Workforce Solutions. HRB is a neutral agency created to enforce the New Mexico Human Rights Act, and it accepts and investigates claims of discrimination based on race, color, national origin, religion, ancestry, sex, age, physical and mental handicap, serious medical condition, disability, spousal affiliation, sexual orientation, and gender identity in the areas of employment, housing, credit, or public accommodation. Activities of the HRB are described in further detail below.

North Dakota Department of Labor, Human Rights Division and the Office of the Attorney General

17. Two state agencies implement human rights obligations in North Dakota – the Human Rights Division of the North Dakota Department of Labor (NDDOL) and the Office of the Attorney General. The NDDOL is a Cabinet Agency with the Commissioner of Labor being appointed by the Governor. The Office of the Attorney General is an independent state government agency. The Attorney General is an elected official. The NDDOL provides community education and/or training, offers mediation (employment cases), and emphasizes conciliation in all complaints.

Oklahoma Human Rights Commission

18. The Oklahoma Human Rights Commission (OHRC) is a state agency empowered to hear complaints, seek injunctive relief, refer complaints to state and federal officials, institute proceedings, make findings and assess civil penalties relating to issues of discrimination in employment, housing and public accommodation.

Oregon Civil Rights Division

19. The Civil Rights Division (CRD) of the Bureau of Labor and Industries (BOLI) in Oregon enforces laws granting individuals equal access to jobs, career schools, promotions, and a work environment free from discrimination and harassment. The mission of the CRD

is to protect the rights of workers and citizens to equal, non-discriminatory treatment; to encourage and enforce compliance with state laws relating to wages, hours and terms, and conditions of employment; and to advocate policies that balance the demands of the workplace and employers with the protections of workers and their families. The CRD handles investigations as well as adjudication of claims (in differing units) and has three main functions:

- Enforcing civil rights laws;
- Investigating civil rights complaints; and
- Advising and educating workers about their civil rights.

20. Oregon civil rights laws include Oregon Statute Ch. 659, which prohibits discrimination in education, and Oregon Statute Ch. 659 (a), which prohibits discrimination in employment, housing, access to public accommodations, and real property transactions. CRD handles cases under the latter section, but does not handle education cases, which are dealt with directly through the court system. Each year CRD receives nearly 32,000 inquiries from potential complainants and investigates approximately 2,200 claims of discrimination.

Pennsylvania Human Relations Commission

21. The Pennsylvania Human Relations Commission (PHRC) enforces the state's laws prohibiting discrimination related to race, color, religion, ancestry, age (40 and above), sex, national origin, disability, and familial status. The PHRC promotes compliance with these laws through programs in employment, housing, public accommodation, education and community services. Its jurisdiction covers employment, housing and commercial real estate, public accommodations, education, refusal or willingness to participate in abortion procedures, and monitoring racial tension situations.

22. The PHRC consists of administrative, legal, and investigative staff, overseen by an executive director in Harrisburg and regional directors in Harrisburg, Philadelphia, and Pittsburgh. Eleven commissioners, appointed by the Governor and confirmed by the Senate, act as public liaisons, set policies to be implemented by staff, and resolve some cases that are not settled voluntarily. The PHRC is independent and nonpartisan, with no more than six commissioners from one political party. The PHRC chairperson is appointed by the governor, while a vice-chairperson, secretary, and assistant secretary are elected by commissioners each year. PHRC Advisory Councils, located in seven counties, act as

liaisons in local communities and work to raise public awareness of civil rights issues. A description of additional PHRC programmatic activities appears below.

South Dakota Department of Labor's Division of Human Rights

23. As a part of South Dakota's Department of Labor, the Division of Human Rights is charged with promoting equal opportunity through the administration and enforcement of South Dakota's Human Relations Act of 1972. The Act prohibits discrimination because of race, color, creed, religion, sex, ancestry, disability, or national origin, and encompasses employment, disability, pregnancy, harassment, housing, education, public accommodations and services, and sexual harassment. The Division of Human Rights handles daily administrative affairs, conducts investigations, and attempts voluntary settlement of complaints. The South Dakota Commission of Human Rights, which sits within the Division of Human Rights, was also created by the Human Relations Act. The Commission promotes equal opportunity by helping administer the Act. The Commission is composed of five members, all appointed by the governor, with Senate confirmation for four-year terms. The roles of the Division and Commission in enforcing non-discrimination laws are discussed further below under "Available Remedies and Prevention-Related Activities."

Tennessee Human Rights Commission

24. The Tennessee Human Rights Commission (THRC) is an independent state agency charged with preventing and eradicating discrimination in employment, public accommodations, and housing. The THRC has its central office in Nashville and has regional offices in Knoxville, Chattanooga, and Memphis. It is governed by fifteen Commissioners, appointed by the Governor to six year terms. Commissioners represent East, Middle, and West Tennessee, and no more than five may be from each of these Divisions of the state. They are appointed on a nonpartisan basis and are to be broadly representative of employees, proprietors, trade unions, religious groups, human rights groups, and the general public.

Washington State Human Rights Commission

25. Established in 1949 by the Washington state legislature, the Washington State Human Rights Commission (WSHRC) is a state agency responsible for administering and enforcing the Washington Law Against Discrimination—Chapter 49.60 of the Revised Code of Washington (RCW). Chapter 49.60 RCW prohibits discriminatory practices in employment, places of public resort, accommodation, amusement, real estate transactions, and credit and insurance transactions, on the basis of race, creed, color, national origin, families with

children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, presence of any sensory mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability. It also prohibits retaliation against persons who oppose a discriminatory practice and those who file health care and state employee whistleblower complaints. The mission of the WSHRC is to eliminate and prevent discrimination in Washington State through the fair application of the law, efficient use of resources, and establishment of productive partnerships in the community.

26. Five Commissioners head the WSHRC, all of whom are appointed by the Governor. These Commissioners, in turn, appoint an Executive Director, who appoints investigative staff, clerks, and other employees as needed to conduct the day-to-day operations of the agency.

West Virginia Human Rights Commission

27. The West Virginia Human Rights Commission (WVHRC) investigates and litigates acts of illegal discrimination in the areas of employment, housing, and places of public accommodations. In the area of employment, the WVHRC investigates complaints through authority granted under the West Virginia Human Rights Act, as amended, involving race, sex, age (40 years old and older), disability, religion, color, ancestry, national origin, and blindness. To file an employment discrimination complaint, an employee-employer relationship must be shown and the complainant must belong to one or more of the aforementioned protected classes; believe that he or she has been a victim of illegal discrimination; and properly file the complaint within 365 days of the discriminatory act. The West Virginia Human Rights Act also gives the WVHRC authority to investigate complaints involving places of public accommodation including, but not limited to, stores, theaters, nightclubs, educational institutions, and public buildings. Pursuant to the West Virginia Fair Housing Act, as amended, the WVHRC investigates complaints about discrimination on the bases of race, sex, disability, religion, color, ancestry, national origin, blindness, and familial status (minor children under 18) in the rental or sale of property and the application for and granting of loans by individuals and institutions. The WVHRC also investigates discrimination involving accessibility for persons with disabilities.

Examples of Local Human Rights Organizations

28. Human rights organizations and programs also abound in cities and local jurisdictions.

A number of examples are noted here.

Alexandria Human Rights Commission (Alexandria, Virginia)

29. On March 25, 1975, the Alexandria City Council passed one of the first human rights ordinances in Virginia. The Alexandria Human Rights Ordinance (Ordinance), which became effective April 21, 1975, created the Alexandria Human Rights Commission (AHRC or Commission) and prohibited discrimination in employment, housing, public accommodation, credit, health and social services, education, and city contracts on the basis of race, color, sex, age, religion, national origin, ancestry, marital status, or physical handicap. Over the years, city lawmakers have expanded the reach of the Ordinance to prohibit discrimination on the bases of sexual orientation and all disabilities, provide fair housing protection for families with children, and prohibit discrimination in commercial real estate. The AHRC's powers now include the authority to receive and mediate complaints alleging unlawful discrimination, negotiate settlements, conduct studies, engage in predetermination conferences (which are fact finding and resolution procedures), and conduct confidential advisory hearings by tribunals of three commissioners. The AHRC also may recommend to the city manager, after a public hearing, that fines of \$5,000 be imposed against persons found to have violated any section of the Ordinance; and it otherwise may advise the City Council or City Manager on human rights issues affecting the city.

30. The AHRC has fourteen members appointed by the City Council. Nine members are "at large" and the remaining five represent the Commission on Aging, the Economics Opportunities Commission, the Commission on Persons with Disabilities, the Commission for Women, and the Landlord Tenant Relations Board.

31. In addition to the Commission, the Office of Human Rights (OHR) was established to enforce the Ordinance. The OHR receives, investigates, makes findings, and conciliates complaints of discrimination brought under the Ordinance and applicable federal and state laws. The Director of the Office of Human Rights serves as the staff liaison to the AHRC and works closely with the AHRC in implementing its programs and carrying out its duties and responsibilities.

32. The OHR also houses the Disability Resources Coordinator who focuses on the rights of persons with disabilities and their advocacy efforts; conducts legal research and analysis and interprets the impact of disability-related laws and rulings on persons with disabilities;

educates the public on the Americans with Disabilities Act; and refers persons with disabilities to the appropriate and available community and legal resources at the local, state, and federal levels. The Disability Resources Coordinator routinely collaborates with the Departments of Human Resources; Housing; Transportation and Environmental Services; Planning and Zoning; Recreation, Parks, and Cultural Activities; JobLink; and other City departments. The Coordinator also staffs the Alexandria Commission on Persons with Disabilities.

33. The Ordinance also provided for the creation of a citywide Affirmative Action Employment Program. The program, originally designed by the AHRC, is carried out primarily by the City's Affirmative Action Officer (AAO), though the Office of Human Rights also plays an important role in its functions. The AAO works closely with the City Manager to ensure that the city is meeting its goal of recruiting and maintaining a diverse workforce.

Anchorage Equal Rights Commission (Anchorage, Alaska)

34. The Anchorage Equal Rights Commission (AERC) is an independent agency, with nine Commissioners appointed by the Municipal Mayor of the largest city in the state of Alaska. The AERC appointments are confirmed by the Municipality's legislative body, the Anchorage Assembly. The Executive Director of the AERC is appointed by the AERC and serves at the pleasure of the Chair. The AERC enforces Title 5 of the Anchorage Municipal Code and has jurisdiction over claims of discrimination in the Municipality of Anchorage, based on race, religion, color, national origin, sex, age, marital status, or mental or physical disability. The AERC staff is authorized to investigate any claims filed under Title 5, as well as under federal law, specifically Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act. If substantial evidence of discrimination is found, a panel of the nine Commissioners or a hearing officer serves as the adjudicatory body to decide whether discrimination has occurred.

35. The Anchorage Equal Rights Commission engages in public education on human rights standards. On December 10, 2008, the 60th anniversary of the UDHR, the Commission sent an email to municipal employees and others announcing that the day marked International Human Rights Day and highlighting the basic principles contained in the UDHR, including the inherent dignity and equal and inalienable rights of all people. The email urged recipients to re-dedicate themselves to achieving equality and fairness for all.

Berkeley Peace & Justice Commission (Berkeley, California)

36. The Berkeley Peace & Justice Commission is an office within the city government of Berkeley. The Commission's main function is to advise the Berkeley City Council and the Berkeley Unified School District on matters of peace and justice. The enabling ordinance states that, "peace and social justice shall refer to the goal of creating a world community in which the relations between people are based on equality, respect for human rights, and the abhorrence of exploitation and all forms of oppression." Among the tasks the Commission is able to perform is holding public hearings and community forums on issues that fall within the charge of the Commission.

37. In 2007, the city sent a report to the CERD Committee providing general information about the land and people, political and legal structure, and status of civil and human rights in the City of Berkeley, California. In September 2009, the City Council passed an ordinance proposed by the Berkeley Peace & Justice Commission requiring the city to provide local statistical reports and information on local ordinances related to implementation of the three major human rights treaties ratified by the U.S to the county, state, and federal governments, and to the UN treaty bodies. The reports would correspond with the U.S. government's periodic treaty reporting obligations.

Bloomington Human Rights Commission (Bloomington, Indiana)

38. The Bloomington Human Rights Commission (BHRC) handles complaints of discrimination on the basis of sex, race, religion, color, ancestry, disability, national origin, sexual orientation or gender identity in employment, housing, public accommodations, and education, with jurisdiction over Bloomington's corporate limits, excluding any state agencies in Bloomington. The most frequent discrimination complaints received by BHRC involve discrimination in employment on the basis of race or sex. BHRC also collects data on hate incidents (broader than hate crimes, and therefore, may include hate speech) in the community and issues annual reports. BHRC offers referrals to people who feel they have been victimized, and helps them go to the police if they feel uncomfortable doing so on their own. BHRC also works to make sure that all polling places are accessible to people with disabilities, as required by federal law.

39. BHRC tries to facilitate community responses to issues of concern. For example, several years ago, someone removed the word "Jewish" from the side of a building, which had previously read "Jewish Student Center." While it was not clear whether this had been a

random act of vandalism or whether it had been targeted at the members of the organization because of their faith, the people who worked in the building felt targeted. BHRC worked with community groups to organize an event that brought about 300 people to the center to show that the community supported them. The event included speeches and prayers as well as the organization of a human menorah.

District of Columbia Office of Human Rights and District of Columbia Commission on Human Rights (Washington, D.C.)

40. The Washington D.C. Office of Human Rights (OHR) is an agency under mayoral authority within the government of the District of Columbia. Part of the OHR, the D.C. Commission on Human Rights (DCCHR) consists of a 15-member volunteer body appointed by the mayor for two-year terms, and a staff of three Administrative Law Judges. The DCCHR adjudicates private sector complaints that have been found to have probable cause and have been certified by the OHR.

41. The OHR was established to eradicate discrimination, increase equal opportunity, and protect human rights for persons who live, work, or visit the District of Columbia. The primary mission of OHR is to enforce the District of Columbia Human Rights Act of 1977, the District of Columbia Family and Medical Leave Act of 1990 (D.C. FMLA), the District of Columbia Parental Leave Act, and the District of Columbia Language Access Act of 2004. In addition to those local laws, as an EEOC fair employment practice agency and a HUD fair housing assistance program agency, the OHR can investigate and adjudicate complaints of discrimination dually filed under D.C. and federal laws including Title VII of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), the Americans with Disabilities Act of 1990 (ADA), and the Age Discrimination in Employment Act of 1967 (ADEA). These statutory guidelines mean that the OHR processes, mediates, and investigates complaints of discrimination in the areas of employment, housing, public accommodations, and educational institutions. For more information on OHR's activities and the role of DCCHR, see the section below entitled "Available Remedies and Prevention-Related Activities.

Los Angeles County Commission on Human Relations (Los Angeles, California)

42. The Los Angeles County Commission on Human Relations (LACCHR) is part of Los Angeles County Government, with its members appointed by the Board of Supervisors. Each Supervisor appoints three Commissioners who serve multiple-year terms. The 15-member

Commission meets twice a month. A staff of 20 professional and support staff execute the Commission's programmatic work. LACCHR's programmatic work is discussed in more detail below.

Muncie, Indiana Human Rights Commission

43. The Muncie, Indiana Human Rights Commission (MHRC), which was established by city ordinance, addresses discrimination in employment, housing, education and public accommodations. The MHRC addresses discrimination issues through a number of mechanisms, including review of and decisions on complaints, mediation, and training. It works with local clergy, the Muncie Chapter of the NAACP, the Indiana Civil Rights Commission, and the EEOC. Networking with other civil rights entities in Indiana on the implementation of human rights laws occurs through the Indiana Civil Rights Commission and the Indiana Consortium of State and Local Agencies.

New York City Commission on Human Rights (New York, New York)

44. The New York City Commission on Human Rights (CCHR) investigates allegations of discrimination in employment, housing, and public accommodations. Additionally, it seeks to address bias-related harassment. Types of bias-motivated conduct include a pattern of threatening verbal harassment, the use of force, intimidation or coercion, or defacing or damaging real or personal property. The CCHR considers discrimination and harassment involving a broad array of bases: race; color; creed; age; national origin; alienage or citizenship status; gender; sexual orientation (including sexual harassment and gender identity); disability; marital status; partnership status; any lawful source of income; status as a victim of domestic violence or status as a victim of sex offenses or stalking; lawful occupation; whether children are, may be or would be residing with a person; and conviction or arrest record.

San Francisco Human Rights Commission (San Francisco, California)

45. The San Francisco Human Rights Commission (SFHRC) was created by the city's Board of Supervisors in 1964 at the suggestion of an Interim Committee on Human Relations appointed by the Mayor. The SFHRC's mandate is to address the causes and problems relating to prejudice, intolerance, bigotry, and discrimination. Its powers have expanded over time, and in 1990 it was established as a "Charter Commission" by popular vote. Its broad powers and duties now include:

- Mediation and conciliation of intergroup disputes and tensions;

- Enforcement of local anti-discrimination laws and affirmative action monitoring (in San Francisco, discrimination is prohibited on the basis of race, religion, creed, ethnicity, national origin, color, ancestry, age, sex, sexual orientation, gender identity, domestic partner status, marital status, disability, AIDS/HIV, weight and height);
- Ensuring compliance by City departments and contractors with the provisions of the Local Business Enterprise Ordinance;
- Implementation of federal and local fair housing protection; and
- Development and administration of the City’s Hate Violence Reduction Program

46. In addition to its three divisions dedicated to complaints and mediation, employment discrimination, and fair housing and public accommodation, the SFHRC is unique for its division dedicated to lesbian, gay, bisexual, transgender, and HIV issues. This division mediates and investigates complaints of discrimination in employment and public accommodations based on sexual orientation, gender identity, HIV status, or domestic partner status; provides training on these topics; enforces the Equal Benefits/Domestic Partners Ordinance; and staffs the LGBT Advisory Committee.

San Francisco Commission on the Status of Women (San Francisco, California)

47. Beginning in 1997, a number of citizens groups worked with the San Francisco Commission on the Status of Women to hold hearings and engage in public education around human rights, particularly as they apply to women and girls in San Francisco. Following this educational process, the Commission worked with citizens groups to develop a local ordinance implementing the human rights principles of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) into local law. In April 1998, the San Francisco Board of Supervisors passed municipal ordinance 128-98, requiring government agencies and departments in San Francisco to implement the standards of CEDAW, to “integrate gender equity and human rights principles into all of its operations.” As the implementing agency, the San Francisco Commission on the Status of Women may conduct gender analyses on the budgets, services, and employment practices of selected city departments to identify barriers and discrimination against women.¹

¹ See Columbia Law School Human Rights Institute and the International Association of Official Human Rights Agencies, “State and Local Human Rights Agencies: Recommendations for Advancing Opportunity and Equality through an International Human Rights Framework.”

48. As a result of the gender analyses, the Commission identified several issues. For example, the Commission found that many jobs—trash collection and jobs within the Department of the Environment, for instance—required starting early in the morning, before childcare was available. To address this inequity, departments instituted more flexible work policies that, after a few years, resulted in more women accessing these jobs. The CEDAW ordinance was amended in 2000 to include the requirement that agencies take account of the effect of various policies on racial and ethnic minorities.

Seattle Office of Civil Rights (Seattle, Washington)

49. The Seattle Office of Civil Rights (SOCR) is a department of the City of Seattle with jurisdiction within Seattle’s city limits to enforce federal, state, and local civil rights laws relating to housing, employment, public accommodations, and fair contracting. SOCR enforces Seattle ordinances that list the protected classes of age (not applicable to public accommodation cases), ancestry, color, creed, disability, gender identity, marital status, national origin, parental status (not applicable to employment or fair contracting cases), political ideology, race, religion, sex, sexual orientation, use of a HUD Section 8 housing certificate (not applicable to employment, public accommodation or fair contracting cases), use of a service animal, and military status or veteran. In addition, individuals can file a separate charge of retaliation if they believe they have been retaliated against for filing a discrimination complaint, cooperating with a discrimination complaint, cooperating with the enforcement of a discrimination complaint, or complying with anti-discrimination laws.

50. Seattle’s anti-discrimination laws also protect people from harassment based on membership in a protected class. Harassment can include threats, slurs or epithets, threatening acts, posting offensive materials on walls, bulletin boards, e-mail, etc. To be considered harassment, conduct must be serious and frequent enough to create a hostile environment and interfere with a person’s ability to work, live, or enjoy a public place.

Examples of Tribal Human Rights Organizations

Navajo Nation Human Rights Commission

51. The Navajo Nation Human Rights Commission (NNHRC) was established in October 2006 and its operations policy was adopted in July 2008. The NNHRC is located within the legislative branch of the Navajo Nation government. When establishing the NNHRC, the Navajo Nation Council deemed it appropriate to ensure that there was an office in the Navajo

Nation government that would assist citizens of the Navajo Nation who wish to file a formal written complaint with any of the civil rights agencies. The oversight committee of the NNHRC is the Intergovernmental Relations Committee of the Navajo Nation Council. The NNHRC is established to address four general responsibilities: (i) conduct public hearings in/near border towns to assess the state-of-affairs between Navajos and non-Navajos; (ii) investigate written complaints involving discrimination against Navajo citizens; (iii) network with local, state, national and international groups and advocate for recognition of Navajo human rights; and (iv) educate the public about human rights and the Navajo Nation's intolerance of human rights violations. Since the NNHRC's office was opened in August 2008, it has received over 145 written complaints alleging discrimination. The complaints range from housing, race, and employment discrimination to due process and cultural rights issues.

52. A number of the complaints received by the NNHRC involve issues that pertain to the internal Navajo Nation government decision-making process. Several complaints have called for certain members of the Navajo Nation to be prohibited from participating in local governance decision-making. Other examples include, but are not limited to, inappropriate employment terminations, employee conduct, elder abuse, and transparency in the Navajo governmental operations. The Navajo Nation established a number of offices to address these kinds of complaints, including the Office of Navajo Labor Relations, Navajo Elder Protection Program, and Navajo courts. A number of complaints filed with the NNHRC, including complaints related to public accommodations and on-the-job sexual harassment, require immediate attention by the Arizona Attorney General's office. Arizona's Civil Rights Division and the NNHRC have worked to ensure that complaints filed by members of the Navajo Nation are appropriately addressed.

53. The Commission's efforts include advancing Navajo human rights issues with state offices in Arizona, New Mexico, and Utah. Moreover, the Commission, on behalf of the Navajo Nation, has entered into MOUs with the cities of Grants, Gallup, and Farmington to strengthen relations between Navajos and non-Navajos. The Navajo Nation, as well as a number of other tribes, also works with the EEOC to carry out non-discrimination missions. This work is detailed in the "Networks" section below.

Other tribes and communities

54. Although not all tribes have human rights commissions, many have laws prohibiting discrimination. For example, the Metlakatla Indian Community in Alaska has a law criminalizing harassment, intimidation, or bullying of any persons on the Annette Islands Reserve because of that person's race, color, national origin, religion, sex, disability, or familial status. The Community also prohibits discrimination in employment with respect to hiring, firing, disciplinary actions and conditions of employment, as well as to the daily work relations of employees. The Rincon Band of Luiseno Indians in California also has laws and policies that seek to prevent discrimination in employment based on race, gender, sex, national origin, age, disability or other protected status of federal or tribal law. The Tribe, through its Human Resources Department, provides training to managers and employees of the tribal government, and also participates in regional and/or national organizational meetings with other Indian tribal governments that address the subject of discrimination in employment as one of several agenda topics.

Examples of Territorial Human Rights Organizations

The Virgin Islands Civil Rights Commission

55. The Virgin Islands Civil Rights Commission is part of the Office of the Attorney General in the Virgin Islands Department of Justice. The Commission administers the United States Virgin Islands Civil Rights Law under Chapter 5 of Title 10 of the Virgin Islands Code. It is responsible for the investigation of all complaints alleging discrimination on the basis of race, color, national origin, age, sex, disability, religion, or political affiliation. Its responsibility has also been expanded to monitor, record, classify and analyze hate crimes and sexual harassment claims.

56. In the administration of its duties the division is authorized to hold fact-finding hearings, conduct major investigations and research projects, and sponsor conferences to gather and disseminate information relating to human rights and human rights problems. In furtherance of this authority, the division has the power to impose sanctions or to provide specific remedies in individual cases.

Puerto Rico Civil Rights Commission

57. The Puerto Rico Civil Rights Commission is an official entity within the Legislative Assembly of the Government of Puerto Rico, charged with investigating violations of

citizens' civil rights. Its five members are appointed by the Governor of Puerto Rico, subject to the advice and consent of the Senate of Puerto Rico.

58. The Commission is empowered to educate citizens about their civil rights, investigate alleged civil rights violations, and carry out studies and investigations. It can appear as *amicus curiae* in court cases that it deems may have an important effect on civil rights in Puerto Rico. It also annually selects the recipients of the Thurgood Marshall Award, which recognizes the commitment to civil rights of one law student from each of Puerto Rico's four law schools.

II. Available Remedies and Prevention-related Activities

59. State, local, tribal, and territorial human rights organizations and programs employ a variety of remedial techniques to address human rights abuses within their respective jurisdictions. Such remedies range from the oft-used, more common techniques of complaint submission and litigation to the more prevention-oriented, innovative, and newer forms of community mediation and training.

Litigation and Other Forms of Dispute Resolution

Anchorage Equal Rights Commission

60. As noted above, the Anchorage Equal Rights commission (AERC) is authorized to investigate claims filed under the city's non-discrimination laws, as well as federal Title VII and the Americans with Disabilities Act. If substantial evidence of discrimination is found, a panel of the nine Commissioners or a hearing officer decides whether intentional discrimination occurred. The following are two examples of claims brought before the AERC:

- **Employment (Disability)**: A young woman was hired to work at a fast food restaurant. After two days on the job, the employee disclosed to her manager that she was HIV positive. Management then prohibited the employee from cooking; she was restricted to cleaning the restaurant and working at the counter. The AERC found substantial evidence of discrimination based on her disability. The employer settled the case by agreeing to provide training to its management employees on the Center for Disease Control Guidelines for Food Service Industries.
- **Employment (Sexual Harassment)**: A female employee filed a complaint stating that a male co-worker told her about a sexual dream. AERC staff interviewed other female

employees who reported that the male co-worker regularly engaged in verbal or physical sexual conduct in the workplace and that they had reported the conduct to several supervisors over the years, but stopped reporting because nothing ever happened. The AERC found substantial evidence of a sexually hostile environment. The parties settled the complaint in exchange for reimbursement of the complainant's legal fees, medical expenses, and sick and annual leave. In addition, the employer agreed to develop a more formal protocol for investigating allegations of sexual harassment and to conduct training for its managers and supervisors.

Bloomington Human Rights Commission

61. The Bloomington Human Rights Commission (BHRC) handles discrimination complaints in a variety of ways. Typically, BHRC conducts formal investigations, which are conducted by the Director and one member of the BHRC. If they find probable cause to believe discrimination occurred, BHRC attempts to negotiate a confidential settlement. If such an effort is not successful, BHRC holds a formal administrative hearing. At the end of the hearing, the commissioners not involved in investigating the complaint issue a decision and an order, which either party may appeal to the courts. The most prevalent method of resolving complaints is through negotiated settlements.

District of Columbia Office of Human Rights and District of Columbia Commission on Human Rights

62. The largest division of the D.C. Office of Human Rights (OHR) is its investigative unit. Investigations are conducted in all jurisdictional fields: employment, housing, public accommodations, educational institutions, and language access. Pursuant to the D.C. Human Rights Act of 1977, mediation is mandatory in each case alleging a violation of the Act. The OHR's Mediation Program settles approximately 40% of complaints of discrimination that are docketed by the OHR.

63. With respect to the adjudication process, there is a different procedure for District government complaints as compared to private cases. If the OHR finds probable cause in a D.C. Government case, an independent hearing examiner may administer a summary determination or hearing. Private sector complaints are adjudicated by the DC Commission on Human Rights (DCCHR). The DCCHR conducts an administrative, trial-type hearing either before a hearing examiner or a panel of commissioners. Upon a finding of discrimination, the DCCHR may issue injunctive relief and award damages including back

pay, compensatory damages, civil penalties, and attorney's fees. Appeals of all DCCHR decisions may be brought before the DC Court of Appeals.

64. Several of the DCCHR's decisions have received regional and national attention. These include: Pool and Geller v. Boy Scouts of America (denial of membership based on sexual orientation), Condren v. Truitt Management, Inc. (landlord's denial of repairs because the tenant had AIDS), and Birch v. Psychiatric Institute of Washington (hostile work environment based on sexual orientation in which the complainant received \$1.9 million in damages).

Florida Commission on Human Relations

65. The Florida Commission on Human Relations (FCHR) noted the following litigation accomplishments for fiscal year 2008-2009:

- There were 15,185 inquiries and investigations.
- 88 percent of cases were resolved within 180 days.
- The Division of Administrative Hearings agreed with (reached same conclusion) in 92% of cases.
- 17.3 percent of employment, public accommodations, and whistle-blower retaliation cases were closed in favor of the complainant (includes cause determinations and settlements).
- 15.3 percent of housing cases were closed in favor of the complainant (includes cause determinations and conciliations).
- Of the 1,292 employment, public accommodations, and whistle-blower cases closed, 43.5 percent were based on retaliation.

66. The following are examples of cases the FCHR has resolved:

- Housing (Disability): An elderly man with a disability was denied reasonable accommodation by his landlord and had difficulty leaving home without being lifted from his door to the ground or transported by ambulance. Result: Conciliation award of \$16,000 and landlord was required to purchase/provide ramp (\$5,000 value).
- Employment (Race): A local government employee experienced racial epithets, death threats were written on her office walls, and feces were left on the floor of her office. Result: Cause determination found; lawsuit against employer was filed by employee.
- Employment (Disability): An employee of a major retail chain was terminated because of her disability. During her employment, she was not afforded reasonable

accommodations that enabled her to perform her job duties. Result: Cause determination issued; lawsuit filed by employee against her former employer.

- Whistle-blower Retaliation: An employee of a state health care facility witnessed a superior physically assaulting a customer and reported the incident to her supervisors. Within two weeks, the employee was relocated despite expressing that she did not want to be moved, and was then subjected to hostility and harassment. She ultimately involuntarily resigned. Result: Cause determination issued based on retaliation.

Idaho Human Rights Commission

67. The Idaho Human Rights Commission (IHRC) utilizes a complaint procedure for dealing with allegations of human rights abuses. First, an administrative complaint must be filed with the IHRC. An administrative complaint may be drafted by an individual, by a lawyer, or by a commission staff member based on information provided by an individual. Next, the complaint is served immediately upon the accused organization, so it has an opportunity to know exactly what accusations are being made and to explain its side of the story. At this point, if the two parties agree to mediate, an investigation will not be launched. Mediation services are available at little or no cost. About 20% of the cases are settled on this “no-fault” basis.

68. If the parties do not agree to mediate, then the IHRC must conduct a neutral fact-finding investigation, asking for information and evidence from both parties. The evidence is summarized and submitted to the commissioners who decide the merits of the case. Legal issues are resolved with guidance from a deputy attorney general assigned to the IHRC. If the Commissioners find insufficient evidence of illegal discrimination, the case is dismissed and both parties receive a report explaining the basis for dismissal. If discrimination is found, the report will explain that conclusion and the IHRC will work for a resolution to compensate the victim for the harm he or she suffered and help assure that others will not receive similar treatment from that organization in the future. If a conciliation agreement is reached, the dispute is closed. If the parties and the IHRC cannot agree on a resolution, the IHRC may file an action in state district court on behalf of the injured party or the individual may file a lawsuit.

69. The IHRC also offers technical assistance, including information on the law and videotapes on various aspects of equal employment opportunity, including sexual harassment and disability discrimination. Businesses may also learn from the IHRC how to make their

services accessible to persons with disabilities. Any organization or group interested in knowing more about Idaho civil rights law may request a presentation.

Kentucky Commission on Human Rights

70. In all cases arising from an administrative complaint filed with the Commission, all of the services provided by the agency are provided free of charge to the plaintiff. In cases where probable cause is found to believe that unlawful discrimination has occurred, a Commission attorney is assigned to represent the plaintiff and an attorney/client relationship is formed. In these probable cause cases, the Commission bears all expenses arising from the litigation, including filing fees, hearing officer hourly charges, and court reporter expenses. If a Commission proceeding results in a finding of unlawful discrimination, the Kentucky Civil Rights Act directs the Commission to award make whole relief to the victim, including both tangible compensatory monetary damages and intangible monetary damages for embarrassment and humiliation. The Act also directs the Commission to impose injunctive relief for the dual purposes of attaining make whole relief and preventing the recurrence of similar acts of discrimination in the future. Commission attorneys may also represent victims of unlawful discrimination in appeals filed within the courts of the Commonwealth.

71. The following are examples of cases resolved by the Kentucky Commission on Human Rights:

- Housing (Race): In the case of *Eric Helfrick and Lolita Godoy v. Jeffrey Clay Riester*, the Commission found respondent Jeffrey Clay Riester guilty of discrimination based on race. In 2007, Mr. Riester refused to rent a home to Ms. Godoy and Mr. Helfrick, who is African American; he asserted that he made this decision because an unnamed individual allegedly told him Mr. Helfrick had a criminal record. The complainant alleged that this statement was a pretext for racial discrimination. The Commission ordered Mr. Riester to rent to Lolita Godoy and her household; to undergo fair housing rights compliance training and commission compliance monitoring for two years and to pay damages to Ms. Godoy.
- Employment (Race): In the case of *Nicholson v. Paul & Chong Corp., Inc., d/b/a Luigi's Pizza*, the complainant alleged he was discriminated against in violation of the Kentucky and United States Civil Rights acts in that he was the subject of harassment based on his sex and national origin (Hispanic). He alleged he reported the behavior, but no action was taken in response to his complaints, and that he was then

discharged. The respondent denied all allegations of unlawful discrimination and asserted the complainant was terminated in accordance with its policies. The company compensated Mr. Nicholson in the amount of \$7,500.00, and agreed to undergo compliance training and monitoring for three years.

- Employment and Public Accommodations (Race): In September 2008, in the case of *AI Shadi v. American Legion Post 62*, a settlement was reached in which the post compensated African American complainant AI Shadi with \$6,500. The complaint by Shadi alleged discrimination based on race in the areas of both employment and public accommodations, stemming from an incident in which the post refused to allow AI Shadi to enter to service a television rented from his employer. In addition to the monetary payment to Mr. Shadi, American Legion Post 62 agreed to have personnel undergo civil rights compliance training as well as monitoring for compliance by the commission for three years.

New Mexico Human Rights Bureau

72. The New Mexico Human Rights Bureau (HRB) has worked to enforce a universal mediation agreement entered into by the Governor of New Mexico and the U.S. Equal Employment Opportunity Commission (EEOC). The agreement commits the state to pursuing efficient and equitable resolution of workplace disputes through alternative dispute resolution (ADR). The HRC has enforced this agreement thus far by offering ADR services to all parties that file employment discrimination complaints. ADR saves the state and complainants substantial amounts of money and allows parties to participate in achieving a mutually agreeable resolution. In addition, the HRB, in conjunction with University of New Mexico Law School, has developed a *pro se* handbook and video to assist individuals who have faced discrimination and do not have access to counsel. The handbook and video describe the administrative process from the complaint submission to hearing stage and provide information on obtaining counsel.

North Dakota Department of Labor, Human Rights Division and the Office of the Attorney General

73. From July 1, 2009 to December 31, 2010, NDDOL's Wage and Hour Division resolved 523 claims from unpaid wages and collected \$307,119 for workers. In addition, the Department resolved 275 informal complaint inquiries alleging noncompliance with state labor laws and collected \$65,165 as a result. It also reviewed 1,514 Employment and Age

Certificates for 14 and 15 year old workers, and received an average of 683 telephone, email, and “walk-in” inquiries from citizens around the state each month. Regarding human rights and discrimination claims, the Department’s Human Rights Division resolved 339 employment discrimination complaints, 65 housing discrimination complaints, and 37 complaints alleging discrimination in public accommodations and public services.

South Dakota Division of Human Rights and Commission on Human Rights

74. Any person claiming to be aggrieved by a discriminatory or unfair practice may file a written claim with the South Dakota Division of Human Rights (DHR). Once a decision is made upon the claim, the next step following a determination of probable cause is for the investigating official to attempt to eliminate the discriminatory or unfair practice. If that fails, and if the Commission on Human Rights (CHR) determines that circumstances warrant, a hearing is conducted. Either party may elect to proceed with a civil action in state circuit court in lieu of a hearing. Further, the CHR, a Commissioner, and the Attorney General or a State Attorney may initiate a complaint and investigation where they have reason to believe that a person is violating the South Dakota Human Relations Act. The CHR holds public hearings on complaints where a determination of probable cause has been made and voluntary settlement is not successful. Where the Commission finds a violation of the Act as a result of the hearing, it issues final orders to correct any discriminatory practices and to prevent their recurrence.

West Virginia Human Rights Commission

75. The West Virginia Human Rights Commission (WVHRC) also employs a complaint procedure, involving options similar to those utilized by the Idaho Human Rights Commission. Additionally, the WVHRC offers, free of charge, a Pre-Determination Conciliation Program, which strives to settle complaints through conciliation prior to issuance of a determination. While mediation occurs after a finding of probable cause, pre-determination conciliation can occur during the investigation but prior to a determination of the case. The pre-determination conciliation program serves as an efficient and time-saving method to resolve complaints early in the investigatory process. It employs a trained WVHRC conciliator, who acts as a facilitator to help the participants arrive at a negotiated settlement. After a charge is filed, any party may request conciliation at any time prior to the WVHRC’s issuance of a determination. The WVHRC, after reviewing the charge and information obtained during the investigation, may also determine that the involved parties

could benefit from the Pre-Determination Conciliation Program and ask the parties if they would participate in that program. If the parties reach a voluntary settlement agreement and a written settlement agreement is executed, the agreement is enforceable in the same manner as any other written contract. If the charge is not resolved through conciliation, the case is returned to the Investigative Unit for completion of the investigation. Upon completion of the investigation, the WWHRC will determine whether probable cause exists. If so, the case will move on to adjudication. The law provides for compensatory and equitable relief.

Programmatic Activities

76. In addition to the complaint-type processes explained above, many human rights commissions also engage in programmatic activities that are generally aimed at preventing human rights violations.

Florida Commission on Human Relations

77. The Florida Commission on Human Relations (FCHR) employs a variety of preventive and protective techniques with regards to human rights abuses. For example, the FCHR was added to the Florida Statewide Taskforce on Human Trafficking during the 2009 legislative session. The state legislature created the Task Force “to examine and analyze the problem of human trafficking and to plan for a coordinated, humane response for victims of human trafficking through a review of existing programs, a clarification of existing options for such victims, and revised policy efforts to coordinate governmental and private efforts.” Florida is often ranked third in the nation in the number of people trafficked. Governor Crist has stated that he has “no tolerance for slavery in any form,” and is committed to eliminating this injustice in Florida. The Statewide Task Force on Human Trafficking is co-chaired by the Secretary of the Department of Children and Families (DCF) and the Commissioner of the Florida Department of Law Enforcement (FDLE). In addition to its work with the Taskforce, the FCHR also provides human trafficking training as requested with travel reimbursement.

78. Other trainings provided by the FCHR include a workshop focused on disability discrimination in employment, housing, and certain public accommodations, a workshop to discuss the Florida Civil Rights Act, and a workshop to educate young people and teachers about the consequences and impact of hate crimes and bias-related incidents. In 2009, the FCHR also held a video public service announcement (PSA) contest, where students throughout the state were invited to submit 25-second video PSAs on any of the following

topics: fair treatment and equality; discrimination and what it means to students and/or Florida as a whole; the role of communities, businesses and/or schools in addressing discrimination; or solutions to prevent or eliminate discrimination in Florida. The winning PSAs were used to teach the public about the realities of discrimination in Florida.

Illinois Department of Human Rights

79. In the last few years, IDHR has engaged in several new outreach initiatives, which have been met with a number of successes.

- Since February 2007, DHR's Manager of Fair Housing has conducted outreach to the Polish immigrant community by contributing a monthly column to the free Polish-language housing newspaper, *Wlasny Kat* ("Your Own Place"). Articles feature information on various topics related to fair housing, such as familial status discrimination, protection for transgender persons, sexual harassment in housing, landlord rights and responsibilities, promoting fair housing in your community, and renters' rights when a landlord is in foreclosure.
- In October 2007, IDHR and the Commission on Discrimination and Hate Crimes sponsored a program celebrating UN Day, in commemoration of the founding of the United Nations. The theme of the celebration was global health, specifically HIV-AIDS, malaria, and TB. The speeches focused on the UN's goals for eradicating these diseases, and the accomplishments of the entities represented to improve people's health.
- IDHR celebrated International Human Rights Day (December 10, 2007) by offering a weeklong schedule of training courses for the public, including Conflict Resolution, Diversity Awareness, Sexual Harassment Prevention, and Disability Law Compliance Training. IDHR also presented an event on "The Chicago Native Community Experience," featuring representatives from the American Indian Center on Chicago's North Side, speaking about issues of concern to the urban Native American.
- In December 2008, in conjunction with IDHR's celebration of Human Rights Week and the 60th Anniversary of the Universal Declaration of Human Rights, IDHR presented a housing event titled "A Sense of Place: Community Integration, Gentrification and Diversity."
- In 2009, IDHR staff participated in a total of 173 outreach events, distributing over 22,000 pieces of information to more than 30,000 people. For example, IDHR conducted its annual April Fair Housing Month Event in Chicago on April 22, 2009

about issues faced by the Polish, Latino, and African migrant communities, especially in the wake of the housing crisis. Other topics covered by presenters included the concept of racial equity as it pertains to public policy, and the promise of the Fair Housing Act to affirmatively further fair housing in a way that is inclusive of all communities. In a first, the event was covered by CAN-TV's Community Partners Program, and a blog of the conference was made available on the website movesmart.org.

- In October 2009, representatives of IDHR hosted a meeting with the UN Special Rapporteur on Adequate Housing, and discussed IDHR's role in providing fair housing and housing choice to Illinois residents.
- On November 5, 2009, Director Claps joined Illinois Attorney General Lisa Madigan at the Dirksen Senate Office Building in Washington D.C., where Madigan testified before the U.S. Senate Committee on Health, Education, Labor & Pensions Hearing on "Employment Non-Discrimination Act: Ensuring Opportunity for All Americans."
- In December 2009, Director Claps visited Northern Illinois University (NIU) in DeKalb, and in November, he visited Southern Illinois University in Edwardsville to highlight a state law that protects students from sexual harassment. Governor Pat Quinn signed House Bill 2573 into Public Act 96-574 on August 18, 2009, adding a requirement for universities and any institution of higher learning to display posters that detail protections against sexual harassment in prominent and accessible areas for all students.
- In 2009, there was news coverage of two alleged incidents of a noose hanging at the workstation of a black employee at the Springfield City, Water, Light and Power (CWLP) facility. Relying on its relationship with the community relations director for the City of Springfield, established through IDHR's affiliation with the Illinois Municipal Human Relations Association, IDHR reached an agreement with the City under which IDHR's Institute for Training and Development would conduct diversity awareness training for all CWLP employees.

80. In addition, IDHR strives to meet the needs of persons with limited English proficiency. IDHR has access to language interpretation services provided through a contract with the State of Illinois Department of Central Management Services. IDHR's basic *Filing a Charge* brochure is available in eleven languages; English, Spanish, Korean, Chinese, Bosnian, Italian, and Polish versions are available in printed form, while French, Urdu, Hindi, and

Arabic versions are available online. Complaint filing forms and IDHR's fair housing brochure are available in English and Spanish. IDHR's fair housing postcards and bookmarks, used extensively for fair housing outreach, include text printed in both English and Spanish. IDHR employs a number of staff members who are bilingual in Spanish, Polish, or Korean.

81. Several of IDHR's outreach events specifically target persons with disabilities. IDHR routinely provides sign language interpretation for its events and accommodates persons with disabilities who request accommodation in order to access the Department's services. IDHR also works with state employees with disabilities through the Interagency Committee on Employees with Disabilities.

Kentucky Commission on Human Rights

82. In addition to the enforcement work mandated by the Kentucky Civil Rights Act, the Commission also has a robust education and outreach program. In 2010, the Kentucky Commission on Human Rights 50th Anniversary gave the agency the unique opportunity to conduct a widespread public awareness campaign promoting civil rights and the state authority that enforces them for Kentucky. The Commission received support for this work from the Governor and the Office of Minority Empowerment. The agency also received significant support from all of the local human rights commissions located throughout the state. As a capstone of the 59th Anniversary activities, the Commission hosted a large conference, which drew over 3,000 attendees, including over 1,900 students.

83. On March 17, 2011, the Commission released a comprehensive report regarding the status of women and minorities in state government. This report, which is released every two years, analyzes state employment data and the progress of the Commonwealth in terms of affirmative action goals and equality in pay. For fiscal year 2010, the percentage of minority employment increased from 9.1% in 2009 to 9.2%. The affirmative action plan for the Commonwealth states a goal of 10% minority employment. A complete copy of this report is available at <http://kchr.ky.gov/reports/reports.htm>.

84. One of the Commission's longstanding educational initiatives is the Kentucky Commission on Human Rights Gallery of Great Black Kentuckians. The Kentucky Commission on Human Rights introduced the Gallery poster series in 1971 to recognize the achievements of African Americans neglected in traditional histories of the state and to

introduce Kentucky black history into classrooms. The series helps the commission in its task of raising awareness of civil rights in the Commonwealth.

Pennsylvania Human Relations Commission

85. The Pennsylvania Human Relations Commission (PHRC) provides assistance to employers, community groups, trade organizations, local government officials and realtors by conducting workshops, distributing informational materials, and working closely with concerned groups on a number of issues. The PHRC also works with advisory councils as well as local human relations commissions. PHRC actively addresses the prevention and monitoring of racial tension situations in two ways. First, PHRC is the coordinator of the Inter-Agency Task Force on Civil Tension. The Task Force is a group of various state agencies and civil rights organizations who meet to share data, information and strategies for combating hate and racial tension. Second, PHRC provides training and informational materials to schools, communities, and organizations.

Portland Human Rights Commission

86. In March 2008, the City of Portland created a Human Rights Commission that explicitly incorporates a human rights framework. The Commission, created in conjunction with an Office of Human Relations, is guided by international human rights principles. Article II of its bylaws states: “The Human Rights Commission shall work to eliminate discrimination and bigotry, to strengthen inter-group relationships and to foster greater understanding, inclusion and justice for those who live, work, study, worship, travel and play in the City of Portland. In doing so, the Human Rights Commission shall be guided by the principles embodied in the United Nations Universal Declaration of Human Rights.”

87. The Human Rights Commission is engaged in broad education and outreach efforts. It declared 2009 as a year of Human Rights Learning and committed itself to raising awareness about the UDHR and what the rights covered by the Declaration mean in practice to the residents of Portland. The Commission’s website includes a link to the text of the UDHR, as well as links to relevant pages of the United Nations Office of the High Commissioner for Human Rights.

88. The Commission has also established a sub-committee, known as the Committee for Inter-Group Understanding, to address issues of racism and racial tension. Borrowing from concepts of international transitional justice, this group offers a framework and forum for

facilitated dialogue, information sharing and apology. It works to build peace and understanding among groups that have had deeply rooted conflict and honors the need for healing around the historic and current harms of injustice and oppression. As part of its efforts, the Commission recently hosted Archbishop Desmond Tutu, the chair of the South African Truth and Reconciliation Commission and winner of the Nobel Peace Prize for his work defending human rights in South Africa and around the world, to speak about the transformative effect of reconciliation. The monthly meetings of this group are free and open to the public.

South Dakota Division of Human Rights

89. The South Dakota Division of Human Rights (DHR) may investigate and study the existence, character, causes, and extent of discrimination in employment, labor unions, housing, property rights, education, public accommodations, and public services in the state and attempt to eliminate any discrimination by education and conciliation. The DHR offers technical assistance to employers, real estate agents and landlords, labor unions, and others interested in affirmative action and voluntary compliance with the South Dakota Human Relations Act. The DHR provides public information and works with individuals, civic and professional organizations, and civil rights groups to promote equal opportunity for all South Dakotans.

Navajo Nation Human Rights Commission

90. The Navajo Nation Human Rights Commission (NNHRC) recommends policy development or changes, assists individuals and complaining parties to bring about solutions and resolutions, and conducts administrative hearings. The NNHRC has been delegated subpoena power to gather information and conduct administrative hearings in the border towns surrounding the Navajo Nation and metropolitan locations that are not categorized as border towns. The NNHRC's border town race relations report was made available for public distribution in July of 2010. The NNHRC has conducted public hearings addressing forced relocation of Navajos, primarily as they pertain to the Navajo-Hopi land dispute, and has also held hearings on sacred sites on and off the Navajo Nation as it pertains to Article 25 and other articles in the United Nations Declaration on the Rights of Indigenous Peoples. As part of the UPR consultation process, the NNHRC submitted a Statement of the Navajo Nation regarding the United States of America's Fulfillment of International Human Rights Treaties, Conventions and Declarations and Other Obligations.

91. The NNHRC has entered a memorandum of agreement (“MOA”) with the City of Grants, New Mexico which, among other things, commits to quality and equitable human relations among all peoples in the city. Under this provision, the NNHRC envisions education on human rights for all people, not only Navajos.

District of Columbia Office of Human Rights

92. The District of Columbia Office of Human Rights (OHR) has two Compliance and Training units: Equal Employment Opportunity (EEO) and Language Access. Both of these programs monitor District Government compliance and provide training on matters of EEO and Language Access to District agencies and the private sector. In 2008, OHR launched its “E-Learning training program,” which is an online, interactive, scenario-based training program focusing on Diversity and Equal Employment Opportunity. The goal of the E-Learning training program is to increase knowledge about diversity, inclusion, and equal employment opportunity. In 2010, the E-Learning training program was expanded to include an extensive Language Access training module.

93. With respect to awareness, prevention, and education, the OHR conducts vigorous outreach programs throughout the District of Columbia. For example, in Fiscal Year 2008, OHR launched the “We All Belong” communication plan to increase the community’s awareness about their rights and responsibilities under the Human Rights Act. In FY09, OHR continued aggressive outreach efforts and developed a new initiative “OHR in the Community.” OHR secured numerous community partnerships and conducted more than 40 outreach and education events.

Los Angeles County Commission on Human Relations

94. The Los Angeles County Commission on Human Relations (LACCHR) works to “develop programs that proactively address racism, homophobia, religious prejudice, linguistic bias, anti-immigrant sentiment, and other divisive attitudes that can lead to inter-cultural tension, hate crimes and related violence. Teaming with law enforcement, schools, cities, community-based organizations, youth, academics, policy makers, businesses, and other leaders, the LACCHR brings key players together to resolve immediate inter-cultural conflicts and to lay the groundwork for a long-term campaign to eradicate bias and prejudice.” See <http://humanrelations.co.la.ca.us/about/index.htm>.

95. The LACCHR structures its initiatives around its Five Strategic Priorities, as adopted in

2002. A description of each of the priorities, as well as a limited sample of accomplishments under each category, is highlighted here:

- Public safety: To enhance public safety through prevention/reduction of and planned response to hate crime and discrimination, the LACCHR has:
 - Compiled, analyzed and produced annual hate crime reports. Since 1980, this annual report has collected and documented hate crimes from data reported by 46 sheriff and city police agencies, educational institutions, community-based organizations, and other government agencies. (annually, 1980-present);
 - Provided training to such agencies as: LA Sheriff's Department, LAPD Hate Crime Coordinators, West LAPD Station Community Relations Committee, Long Beach Hate Crime Response Team, Claremont Human Relations Forum, Pomona Advocates for Communication and Trust, Beverly Hills Human Relations Commission, (partial list) (2002-present);
 - Testified before state Assembly Select Committee on Hate Crime (2006, 2008).
- Youth: To equip youth with the knowledge and skills to improve intergroup relations in a multicultural society, the LACCHR has:
 - Established and convened Get Real LA!, the first countywide coalition of youth-serving organizations to share training and education resources to counter bigotry and prejudice in the schools (2002-2005);
 - Played key role in securing \$5.7 Million Safe Schools/Healthy Students Federal Grant for ABC Unified School District to assist 30 schools in implementing intensive violence and hate prevention activities including interactive human relations programming (2003);
 - Launched the zerohour Youth Initiative: The Commission's youth work is carried out through its zerohour/No Haters Here! initiative, a multi-pronged campaign to enable and inspire LA County youth to stand up to hate and discriminatory inequities in their schools and communities through education, skills building, and service learning projects;
 - Implemented Locke High School Summer Intergroup Program bringing together Black and Latino students, in response to racial tensions and violence on campus, in a series of workshops on cross cultural understanding and conflict resolution (2005).

- Capacity building: To build or strengthen the capacity of local governments and other key institutions to more effectively handle their own human relations issues, LACCHR has:
 - Produced John Anson Ford Human Relations Awards events, which since 1972 have brought together hundreds of community leaders and supporters to honor outstanding achievements in human relations, help bring support for and build the capacity of human relations non-profits and leaders, and share the Commission’s work;
 - Assisted in organizing educational panel discussions with media executives to discuss promotion of accurate, fair and informed media portrayals of Los Angeles County identity groups (for example, Jose Rios, Vice President and News Director of KTTV/Fox 11; Stacie de Armas, Director of Hispanic Services for Arbitron Inc) (2002-present);
 - Hosted interfaith roundtables that convened, in each of the five supervisorial districts, faith-based leaders representing a broad diversity of religious beliefs who explored ways to address interfaith peace-building and human relations issues in practical ways.
- Crisis response: To lead in responding to crises threatening intergroup relations due to civil unrest, war, terrorism, LACCHR has:
 - Implemented post 9/11 response, Plan for Unity and Tolerance, a multi-pronged outreach plan to preserve public safety, promote tolerance and unify County residents in the wake of a 2000% increase in anti-Middle Eastern/Muslim hate crime in LA County following the 9/11 attacks.² Plan included: mobilizing the community, through HRMAC networks, to prevent hate crimes against targeted communities; providing public education on the impact of hate crimes directed at Middle Eastern residents; implementing a media campaign to assist municipalities, organizations and residents in their outreach to and support of targeted and vulnerable communities; providing information and resources on hate crime hotlines, victim assistance agencies, and related community events; and distributing sample letters for colleges, universities, K-12 schools, and employers to convey a message of tolerance

² Commission on Human Relations (Community and Senior Services). “Sunset Review Evaluation, Commission’s Self Evaluation for the Period of July 1, 2002-January 31, 2010.”

and respect among their respective constituents. (2001-2003);

- Conducted School Intergroup Crisis Response: In response to a spate of large scale intergroup violence incidents at schools throughout Los Angeles from 2002-2006, the Commission mobilized its crisis response partners (Department of Justice Community Relations Service and LA City Human Relations Commission) to respond to race/ethnic-based school violence by assisting schools in mediating conflicts between student perpetrator and victims, conducting post-crisis debriefs with media, students, teachers and parents to convey timely and accurate information, process experiences, calm fears, rectify perceptions, stem rumors, and avert retaliatory violence. (2002-2006).

New York City Commission on Human Rights

96. The New York City Commission on Human Rights (CCHR) utilizes a variety of remedial techniques. Its Language Access Policy and Implementation Plan, for example, was submitted in response to New York City Executive Order 120, which created a centralized language access policy for New York City. City Executive Order 120 mandates that all City agencies that provide direct public services create a language access implementation plan in order to ensure meaningful language access to their services. With this Plan, CCHR has agreed to take a number of steps to serve New Yorkers with limited English proficiency (LEP) and hopes to acquaint more citizens with their rights and to prevent discriminatory incidents in the future. CCHR will provide interpretation services in all available languages including, but not limited to, Spanish, Russian, Mandarin, Cantonese, Haitian Creole, Korean, and Italian. CCHR is committed to insuring that no person is denied its services, or denied timely service, simply because he/she has limited English proficiency.

97. CCHR also develops methods to insure that LEP individuals are aware that its services are available to them. This includes informing staff that the Agency provides or arranges for the provision of free interpretive services, and informing them of the procedure to follow when needing such services.

98. In addition, CCHR develops written information, such as flyers and posters, in the most commonly spoken languages within New York City informing LEP individuals of the availability of free interpretive services. CCHR will train its staff on all facets of this Policy and its implementation. The Policy will be e-mailed to all staff, as well as distributed in hard

copy at training sessions. CCHR will conduct training of existing staff on at least an annual basis, and will train newly hired staff as part of their general orientation. Topics of the training include: the protocol for use of bilingual staff; the procedure for providing or arranging for the provision of interpretive or translation services; means of identifying a LEP individual's primary language; and the process for referrals to the Language Line when appropriate.

99. In addition to the plan, CCHR uses the Neighborhood Human Rights Program (NHRP), which works on a grassroots level with block, tenant, merchant, and civic groups to improve and stabilize their communities. The NHRP has field offices in Brooklyn, the Bronx, Manhattan, Queens, and Staten Island. These field offices have borough-wide responsibilities that include identifying areas at risk for intergroup tension and conflicts, supporting multi-ethnic coalitions, and developing long-term programs on leadership, cultural diversity, and ethnic sensitivity. Its specific program areas are:

- Community Mediation and Conflict Resolution: The Community Mediation and Conflict Resolution Center provides early intervention mediation services. The responsibility of the mediators, who are impartial and neutral, is to find a mutually acceptable way to prevent or resolve a dispute.
- Equal Access: This program provides disability access assistance and education to senior citizens and the community of individuals with disabilities. Many of New York's buildings, stores and other public accommodations are not accessible to people with disabilities. This program assists persons with disabilities by identifying resources that are available, advocating on their behalf when dealing with landlords and/or service providers, and assisting them with legal actions if early intervention fails.
- Mortgage Counseling and Predatory Loan Prevention: This program helps reduce predatory lending practices and the discrimination associated with them by conducting seminars and individual counseling sessions to educate residents (particularly in lower-income communities) about these unethical and illegal 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.
- Immigrant Employment Rights Education: The Commission on Human Rights and the New York Immigration Coalition are co-sponsors of the Immigration Employment

Rights Project (IERP). IERP provides training for immigrant workers, employers and immigrant advocacy organizations to advise them of their rights and responsibilities under the law. For example, it is illegal for employers, landlords, businesses or services to treat immigrants differently because they might “appear” or “sound” foreign or to reject proper work authorization and identity documents from immigrants. Additionally, most “citizen only” employment practices are illegal.

Seattle Office for Civil Rights

100. In addition to its litigation work, the Seattle Office for Civil Rights (SOCR) provides presentations and in-depth workshops on illegal discrimination and its services. These events include training for housing providers and real estate professionals, presentations and meetings with community organizations, outreach to immigrant/refugee communities, training for City of Seattle employees, and media advertising and public information.

101. SOCR also coordinates numerous public events throughout the year, such as its annual Human Rights Day on December 10 to celebrate the anniversary of the signing of the United Nations Universal Declaration of Human Rights in 1948. It also partners with community organizations on events such as the Seattle Race Conference. SOCR offers an array of brochures, fact sheets, and posters covering its services, including materials translated into multiple languages. It also offers resources on issues such as women’s rights, disability/access, and the rights of lesbian, gay, bisexual and transgender (LGBT) persons.

102. SOCR also coordinates the City of Seattle Race and Social Justice Initiative (RSJI), an effort to end institutionalized racism and race-based disparities in City government and the community. It is the first of its kind in the country. As part of the City’s commitment to RSJI, City departments develop and implement annual RSJI work plans. City employees also attend RSJI training to learn how to apply racial equity tools to City business. In 2011, the office provided racial equity training for the Seattle Police Department. As a result of its efforts, the Initiative has catalyzed significant policy and program changes within the City of Seattle, including:

- Translation and interpretation policy: To ensure broader access to City services, City departments now provide translation and interpretation services for non-English speaking customers.
- Outreach and public engagement policy: To improve civic participation, departments are working together on new inclusive outreach and public engagement strategies.

- Contracting Equity: To provide more contracting opportunities for communities of color, the City has improved its process, increasing opportunities to compete and doubling the percentage of contracting for non-construction goods and services with women and minority-owned businesses.
- RSJI Budget and Policy Analysis: To build awareness and ensure equitable policies, City departments use this new tool to analyze the Race and Social Justice implications of all budget and policy proposals.

Washington State Human Rights Commission

103. The WSHRC has integrated human rights principles into its advocacy work. In conjunction with the 60th Anniversary of the Universal Declaration of Human Rights, the Commission drafted a Proclamation for the Governor’s signature, declaring December 10, 2008 as Human Rights Day. In 2007, the Commission embarked on a project to document, analyze and address the severe lack of housing for farm workers in the state. The Commission primarily explored the issue through the lens of discrimination against farm workers on the bases of race and national origin, drawing on its mandate to enforce prohibitions against such discrimination contained in the state’s anti-discrimination statute and federal fair housing laws. In a report detailing its findings and recommendations for resolving the housing crisis, the Commission discusses the relevant domestic legal standards and also draws on international human rights principles. Specifically, the report highlights Article 25 of the UDHR. See <http://content.knowledgeplex.org/kp2/cache/documents/17830/1783061.pdf>.

III. Networks

104. Many state, local, tribal, and territorial human rights organizations coordinate with each other and with the federal government in various ways. One way in which this coordination occurs is through various types of networks.

Federal Networks

105. EEOC Networks. The U.S. Equal Employment Opportunity Commission (EEOC), the federal agency responsible for enforcing federal employment discrimination laws, has 53 field offices across the nation. Through these offices, the EEOC works closely with certain state, local, tribal, and territorial human rights commissions, termed “Fair Employment Practice Agencies” (FEPAs). Specifically, the EEOC has contracts with more than 90 FEPAs

nationwide to process more than 48,000 discrimination charges annually. These charges raise claims under state and local laws prohibiting employment discrimination as well as under the federal laws enforced by the EEOC. The EEOC also contracts with Tribal Employment Rights Offices (TEROs). A description of its work with the Metlakatla Indian Community is provided below.

106. This relationship between the EEOC and state human rights commissions is often memorialized in worksharing agreements, delineating respective jurisdictions and authorities. In recognition of the common jurisdiction and goals of the agencies, worksharing agreements are designed to provide individuals with efficient procedures for obtaining redress for grievances under appropriate state and federal laws. In order to have such an agreement and be classified as a FEPA, a state must meet standards set by the EEOC in regulations and the EEOC State and Local Handbook. EEOC worksharing agreements are entered into each year on a fiscal-year basis. The terms of these worksharing agreements, including funding that the EEOC provides to the FEPAs, are formalized in written contracts between the EEOC and FEPAs.

107. Differences may exist between what is covered by the EEOC and by state, local, tribal, and territorial human rights commissions. For example, the EEOC has jurisdiction over federal agencies while state commissions do not. The EEOC can investigate a complaint only if the employer has fifteen or more employees nationwide, while some state agencies have jurisdiction over smaller employers. For example, the Pennsylvania Human Relations Commission (PHRC) has jurisdiction over employers who have four or more employees in Pennsylvania.

108. Under a worksharing agreement, a complainant can file his/her charge with either the EEOC or with a FEPA. Each agency informs individuals of their rights to file charges directly with the other and/or to assist complainants to draft charges in a manner that will satisfy the requirements of both agencies. The EEOC reimburses states for handling such “dual-filed” cases. When an individual initially files with a FEPA that has a worksharing agreement with the EEOC, and the allegation is covered by a law enforced by the EEOC, the FEPA will dual file the charge with the EEOC, but will usually retain the charge for processing. If the individual initially submits the charge to EEOC and the charge is also covered by state or local law, EEOC dual files the charge with the state or local FEPA, but ordinarily retains the charge for processing. If a FEPA has a contract with EEOC, the

Charging Party may request that the EEOC review the determination of the FEPA. The EEOC does not review decisions by non-contract FEPAs. The EEOC generally will conduct a review when the request is submitted in writing within 15 days of receipt of the FEPA's determination. The request also should include the reason why the Charging Party is requesting the review (e.g. relevant witnesses not contacted, evidence not considered, or presence of new evidence).

109. For example, the Human Rights Division of the New Mexico Department of Labor (NMHRD) has a work sharing agreement with the EEOC, which allows the Division to have jurisdiction over complaints that meet federal as well as state standards. This Division enforces the New Mexico Human Rights Act, a comprehensive anti-discrimination statute, as well as state executive orders affecting civil rights issues in the state. Pursuant to the Human Rights Act, the Division investigates complaints of discrimination in the areas of employment, housing, public accommodation (e.g., hotels, restaurants, and stores), and credit. The Division accepts complaints of discrimination based on national origin, race, religion, age, ancestry, sex, serious medical condition, sexual orientation, gender identity, and retaliation.

110. The work sharing agreement between the NMHRD and the EEOC provides that cases filed with either agency are considered to be "dual filed." Thus, complaining parties ultimately have the right to pursue their cases in either state or federal court. It also allows the NMHRD, on a contract basis with the EEOC, to investigate complaints that fall under the jurisdiction of both the NMHRD and the EEOC. Because the NMHRD-EEOC relationship is an active and productive one, the NMHRD and the EEOC also often undertake joint investigations of complaints in the state and provide joint trainings to interested parties.

111. The EEOC also works with Tribal Employment Rights Offices (TEROs), like the Metlakatla Indian Community's TERO, to manage charges of discrimination and the protection of the employment rights of Native Americans. Metlakatla, Alaska is a community of Tsimshian people. The United States Congress granted recognition to the community in 1891 by creating the Annette Islands Reserve, which today is the only reservation in the State of Alaska. Although the majority of its population is Tsimshian, Metlakatla also is home to many individuals with diverse tribal affiliations such as Tlingit, Haida, Aleut, Yupik, and other Alaska Native peoples. Individuals with other tribal

affiliations are allowed to become members of the Metlakatla Indian Community by virtue of a clause in Metlakatla's Constitution that specifically allows such membership. The Community strongly opposes discrimination and indicates that such conduct has been criminalized. The Community also prohibits discrimination against Community members in employment with respect to hiring, firing, disciplinary decisions, and the conditions of employment, as well as to the daily work relations of employees.

112. The EEOC holds an annual training conference specifically for FEPA agencies concerning pertinent civil rights and human rights issues. Over 250 participants attend these conferences, which have been held annually for more than 25 years. At these conferences, the EEOC provides an update on federal laws pertaining to discrimination, discussing new laws and court decisions that may be of interest to FEPA agencies. The EEOC also periodically conducts smaller training workshops to address issues pertinent to particular regions in the country. For example, in September 2008, the EEOC hosted a one-day Regional Training Conference in Atlantic City, New Jersey that brought together the top staff of the EEOC Philadelphia District Office and state, county, and municipal civil rights agencies from Delaware, Maryland, New Jersey, Pennsylvania, and West Virginia. At this conference, the EEOC conducted training on topics that are critical to the FEPA's annual contracts and enforcement functions, including proper contract administration, legal updates, how to develop coordinated systemic investigations, and joint outreach initiatives. The training participants also shared important information about new amendments in each state's anti-discrimination laws, and cutting edge issues in employment discrimination law. In 2010, a similar regional conference was held in Philadelphia that included discussions of topics such as gender and sexual orientation, criminal records and employment, and equal pay and fair wages.

113. HUD Networks: Fair Housing Assistance Program (FHAP). HUD provides FHAP agencies extensive technical assistance in processing these complaints, as well as funding for complaint processing, administrative costs, training, and partnerships. In addition, through HUD's National Fair Housing Training Academy, FHAP agency staff receive at least five weeks of training on all aspects of fair housing law and complaint processing, including intake, investigation, conciliation, and litigation. HUD also sponsors national fair housing conferences every two years, and regional fair housing conferences in alternate years to provide updates and training to its fair housing partners.

114. Approximately 30% of the complaints filed at FHAP agencies are resolved informally through FHAP agency-initiated conciliation or through resolution by the parties independent of the FHAP agency prior to the agency's issuing a determination. Following investigation and attempted resolution, FHAP agencies conclude that discrimination has occurred in approximately 7% of the complaints that they receive, and in those cases they proceed with litigating the complaints on behalf of the aggrieved person in an administrative hearing or a civil action.

115. In addition to securing affirmative and public interest relief as a result of complaints filed, over the past two years FHAP agencies have secured approximately \$9 million in monetary relief for aggrieved persons. Additionally, many complaints result in a person with a disability being allowed to obtain a reasonable accommodation, or modify housing to make it accessible. In one recent noteworthy FHAP agency settlement, in July 2011, the Arizona Attorney General's Office (AAG) secured a \$227,500 settlement in a race, national origin, and religious fair housing complaint filed by an Egyptian Muslim couple. The couple alleged that management of an apartment building subjected them to a complicated application process, inspected their apartment and possessions without justification or permission, and failed to respond to requests for repairs. When the couple complained that they perceived this treatment as discrimination, the management initiated eviction proceedings against them. The AAG, the FHAP agency serving the State of Arizona, investigated, initiated litigation, and facilitated settlement of this complaint.

116. HUD Networks: Fair Housing Initiatives Program (FHIP). Fair housing organizations and other non-profits organizations receive funding through the Fair Housing Initiatives Program (FHIP) to assist people who believe they have been victims of housing discrimination. FHIP organizations partner with HUD to help people identify government agencies that handle complaints of housing discrimination. They also conduct preliminary investigations of claims, including sending "testers" to properties suspected of practicing housing discrimination. Testers are minorities and whites with the same financial qualifications who evaluate whether housing providers treat equally-qualified people differently. In addition to funding organizations that provide direct assistance to individuals, as noted above, the FHIP program has four initiatives that promote fair housing laws and equal housing opportunity awareness. Three FHIP Initiatives provide funds, competitive grants to eligible organizations:

- The Fair Housing Organizations Initiative (FHOI) provides funding that builds the capacity and effectiveness of non-profit fair housing organizations by providing funds to handle fair housing enforcement and education initiatives more effectively. FHOI also strengthens the fair housing movement nationally by encouraging the creation and growth of organizations that focus on the rights and needs of underserved groups, particularly persons with disabilities.
- The Private Enforcement Initiative (PEI) offers a range of assistance to the nationwide network of fair housing groups. This initiative funds non-profit fair housing organizations to carry out testing and enforcement activities to prevent or eliminate discriminatory housing practices.
- The Education and Outreach Initiative (EOI) offers a comprehensive range of support for fair housing activities, providing funding to state and local government agencies and non-profit organizations for initiatives that explain to the general public and housing providers what equal opportunity in housing means and what housing providers need to do to comply with the Fair Housing Act.

117. In addition to sharing work with state, local, tribal, and territorial human rights commissions, the EEOC and HUD also fund many of the programs and activities of these organizations. For example, the mission of the Maryland Commission on Human Relations (MCHR) is to eliminate discrimination based on race, color, national origin, religion, sex, marital status, sexual orientation, genetic information, physical or mental disability, and age. Maryland anti-discrimination statutes for housing, employment, and public accommodations are administered and enforced by the MCHR, which also initiates and investigates complaints of discrimination in state government agencies. MCHR's work for fair employment practices is supplemented by a deferral relationship and funding from the U.S. Equal Employment Opportunity Commission. Similarly, HUD funds case processing and community education for MCHR's fair housing efforts. In 2009, MCHR received approximately 20% of its yearly funding from the federal government.

118. Other Federal Networks. Other federal agencies also engage with states, localities, tribes, and territories in their implementation of treaty obligations. For example, the Department of Labor Civil Rights Center (CRC) will host the 2011 National Equal Opportunity Professional Development Forum in partnership with the Equal Opportunity Committee of the National Association of State Workforce Agencies, Inc. (NASWA), an

organization of state administrators of programs and services provided through state workforce systems that receive public financial assistance, including federal financial assistance. The theme of the 2011 Forum is “Equal Opportunity: Breaking Down Barriers.” The Forum serves as the Department's primary method of providing training and compliance assistance for workforce system professionals about their legal obligations related to nondiscrimination and equal opportunity.

National, State, Tribal and Local Networks

119. State, local, tribal, and territorial human rights organizations are also members of numerous other national, state, and local networks.

120. The Florida Commission on Human Relations, for example, is part of the following networks:

- Fair Employment Practice Agencies (FEPAs)
- Fair Housing Assistance Programs (FHAPs)
- FBI Community Engagement Council
- Florida Attorney General’s Office
- Middle District of Florida Hate Crimes Working Group
- Statewide (Florida) Human Trafficking Task Force
- International Association of Official Human Rights Agencies (IAOHRA)

121. The Los Angeles County Commission on Human Relations is part of the following networks:

- Asian American Justice Center (AAJC)
- California Association of Equal Rights Professionals (CAERP)
- California Association of Human Relations Organizations (CAHRO)
- California Coalition for Civil Rights
- The Leadership Conference on Civil and Human Rights
- Mexican American Legal Defense and Education Fund (MALDEF)
- International Association of Official Human Rights Agencies (IAOHRA)

122. The Illinois Department of Human Rights (IDHR), in addition to being a FEPA, is a member of the Illinois Municipal Human Relations Association (IMHRA). The Seattle Office for Civil Rights (SOCR), also a FEPA, staffs four advisory commissions to the City of

Seattle: Seattle Human Rights Commission, Seattle Women's Commission, Seattle LGBT Commission, and Seattle Commission for People with Disabilities. As of January 2011, the office also staffs the Immigrant and Refugee Advisory Board which was formerly housed in the Department of Neighborhoods. The Anchorage Equal Rights Commission (AERC), another FEPA, works with the Alaska State Commission for Human Rights (ASCHR) to do outreach in its community and to do staff training. The AERC also works with the EEOC as a FEPA and the U.S. Department of Justice, Community Relations Service, Seattle Regional Office, to support the Anchorage Community Police Relations Task Force (ACPRTF), which was created 29 years ago. In that capacity, AERC staff works to resolve serious issues involving ethnic and other community members and local law enforcement.

123. The Indiana Consortium of State and Local Human Rights Agencies was established in 1972 and is an example of a state-wide organization of civil and human rights enforcement agencies. The group meets quarterly for training and to discuss statewide human rights policy. The association also holds a training conference annually. Currently there are 23 member organizations. These member organizations include local human rights commissions of cities ranging from Muncie to Anderson.

124. National organizations that connect state, local, tribal, and territorial human rights commissions and programs include the International Association of Official Human Rights Agencies (IAOHRA) and the National Association of Human Rights Workers (NAHRW).

125. IAOHRA is a private non-profit corporation headquartered in Washington, D.C. The association was founded in 1949 in New York at the annual meeting of Human Rights Agencies from four states. IAOHRA's membership presently consists of approximately 160 human rights agencies in the United States and Canada. The goals of IAOHRA are:

- To foster human and intergroup relations
- To enhance human rights practices under law
- To promote civil and human rights around the world

126. The association has provided leadership in the development and enforcement of needed statutes and ordinances – local, state, and federal – to safeguard the human and civil rights of all people. IAOHRA provides opportunities and forums for the exchange of ideas and information among human rights advocates. Organizations and individuals are invited to participate in IAOHRA sponsored seminars and training conferences with professionals from

all disciplines. IAOHRA also provides advance training opportunities for its members and other concerned groups and organizations. Services to members include:

- Quarterly member agency newsletter
- Civil rights compliance seminars
- Comprehensive training for agency personnel
- Management training for human rights agency executives
- Updating developments through seminars and conferences
- Clearinghouse information exchange
- Federal and state liaison
- Technical assistance

127. NAHRW is an organization of individuals committed to providing education, training, research, networking, and professional development to its members in order to enable them to foster equality within a diverse society. NAHRW aims to encourage the collection, compilation and dissemination of information and research among organizations and individuals engaged in the improvement of intergroup relations; to advance generally the science, process, and art of intergroup relations; and to improve the standards of work in that field, advancing technical and professional knowledge, standards, and practices. The NAHRW Annual Training Conference is the nation's leading human and civil rights workers conference. The conference is known for delivering the latest, most useful and easily implemented strategies for ridding the nation of unlawful discrimination.

128. IAOHRA provides support to directors and commissioners of human rights organizations while the NAHRW aids staff.