

# One Lincoln

## City of Lincoln Commission on Human Rights News

### Celebrating April as Fair Housing Month *So what's the big deal?*

While most people are aware that Fair Housing Laws exist, most really aren't aware of the history of when and how they came into being. Most people probably don't even know that fair housing is covered by Title VIII of the Civil Rights Act of 1968, which was signed into law on April 11, 1968.

What you may not know is that the original Civil Rights Act of 1866, which first included language making it illegal to discriminate in housing based on race, was vetoed by President Andrew Johnson. He stated at the time of his veto that the bill would "operate in favor of the colored and against the white race." Fortunately, members of Congress disagreed and overrode the presidential veto on April 9, 1866.

So while it was made illegal to discriminate in housing based on race, federal solutions were not provided for, and remedies were left to the individuals involved. The act declared that all persons born in the United States were citizens, without regard to race, color, or previous condition.

Fast forward to 1963. Newly elected President John F. Kennedy promised to introduce a bill asking for legislation that would provide "the kind of equality of treatment which we would want for ourselves." While this Civil Rights Act did not specifically address housing issues, it built upon the Civil Rights Act of 1866 by outlawing discrimination based on race, color, religion, sex, or national origin and to protect constitutional rights in public facilities and education, prevent discrimination in federally assisted programs, and to establish the Commission on Equal Employment.

The bill made its way to Congress and to Rules Committee, where Chairman Howard W. Smith indicated his intention to keep the bill bottled up indefinitely. Later that month, on November 22, President Kennedy was assassinated.

With some prodding by President Lyndon B. Johnson, the bill President Kennedy crafted eventually made it out of the Rules Committee and was signed into law on July 2, 1964. It is often called the most important U.S. law on civil rights since the Reconstruction, the period following the Civil War. After the signing, President Johnson shook hands with civil rights leader Dr. Martin Luther King, Jr., who was present for the signing.

For several years following, legislators  
*(Continued on page 2)*



Lincoln Commission On  
**HUMAN RIGHTS**

### ***Fair Housing Conference***

April 30 & May 1 2007

Embassy Suites Hotel ~ 1040 P Street  
Lincoln, NE 68508

Free! Only cost is if you attend the luncheon -\$18.00

Keynote Speaker Ms. Kim Kendrick-Assistant Secretary,  
Fair Housing and Equal Opportunity at the Department of  
Housing and Urban Development

#### **Topics include:**

- Fair Housing and Diversity for Real Estate Agents
- Mobile Homes & Fair Housing
- How Real Estate Companies Can Avoid Fair Housing Liabilities
- Racism of the Well-Intended-Examining White Privilege
- Reasonable Accommodation Requests
- Predatory Lending
- The State of Fair Housing
- Fair Housing Legal Update
- Landlords & Fair Housing—Do's and Don'ts
- Fair Housing Issues in Non-Metropolitan Nebraska

Registrations can be completed by downloading and mailing the pdf located at <http://www.lincoln.ne.gov/city/mayor/human/index.htm> or by calling for a form to be mailed to you at (402) 441-7625, or emailing [mkniep@lincoln.ne.gov](mailto:mkniep@lincoln.ne.gov)

**Registration Deadline Monday, April 16!**

**Let's pull together before we're torn apart.**

### Our Mission

The administration of the Human Rights Division supports the enforcement of all provisions of Title 11 of the Lincoln Municipal Code. To receive, settle, conciliate, investigate, issue findings, hold public hearings on complaints alleging discrimination based on race, color, religion, sex, disability, national origin, familial status, age, ancestry, marital status, and retaliation.

To perform functions and activities with community groups, businesses, schools, and governmental entities for the purpose of promoting understanding between races, cultures, and sexes, and to work to eliminate inequalities and sources of inter-racial friction.

Review all City of Lincoln procurement bids and awards in excess of \$10,000.

Review DBE (Disadvantaged Business Enterprises) program of minority and women-owned businesses and maintain directory.

### Our Goals

To eliminate and prevent all forms of illegal discrimination, to assure and foster equal opportunity for all citizens of the City, and to act in all matters within its jurisdiction.

## Fair Housing Month

*(Continued from page 1)*

attempted to pass another act which would ban the use of racial discrimination when individuals purchased homes or other forms of real estate. The attempt to pass this law met with the use of procedural legislative tactics, which delayed its passage through the Senate and Congress. Then on April 4, 1968, Dr. King, Jr. was assassinated, and pressure mounted on legislators to pass the law because of his murder. The day after his funeral, Congress overwhelmingly passed the Civil Rights Act, also known as the Housing Rights Act of 1968, which included Title VIII. The next day, April 11, 1968, President Lyndon B. Johnson signed the Act into law. Title VIII expanded on previous Civil Rights Acts and prohibited discrimination concerning the sale, rental and financing of housing based on race, religion, national origin, and sex.

In 1988, Title VIII of the Civil Rights Act of 1968 was amended to include the prohibition of discrimination based on disability and familial status.

So as you can see, when we celebrate April as Fair Housing Month, we are also celebrating our country's years of struggle to bring equal treatment in fair housing through the civil right's movement. It's a **very big deal!**

## Housing Complaints on the Rise

For the fiscal year 2006, HUD and the state and local agencies received a combined total of 10,238 housing discrimination complaints, the highest number ever received in a fiscal year.

The most common basis of the complaints were on race and disability, with the most common issues being different terms and conditions in the sale and rental of property or refusal to rent. The city of Lincoln had 32 housing discrimination complaints filed in the 2006 calendar year, an increase from nine from the previous year.



### HISTORICALLY UNDERUTILIZED BUSINESS DIRECTORY

Did you know the LCHR provided a directory of women and minority-owned businesses in Lancaster County? It is available on the website at [HUB Directory](#). On our [website](#) there is also a questionnaire for businesses wishing to be added to the directory located under the **Historically Underutilized Business** link.



A City TV 5 monthly program addressing issues relating to discrimination as it affects Lincoln's citizens. March's program features Jose Soto, Vice President of the Southeast Community College Affirmative Action/Equity/Diversity Office. Mr. Soto discusses his perspective on racism and discrimination in Lincoln.

Program times are Mondays, 1 a.m. & 12:30 p.m.; Wednesdays, 8:30; Thursdays, 6 p.m.; Fridays, 4 p.m.; and Sundays, 5 p.m. & 1 a.m. or view the current or past shows online through Video on Demand at: <http://www.lincoln.ne.gov/city/mayor/cic/5citytv/video.htm> - select Lincoln Commission on Human Rights.



Larry Williams, Director  
Lincoln Commission on  
Human Rights

## Welcome to “One Lincoln”

Friends:

I want to personally welcome you to the first issue of “One Lincoln,” our newsletter. It is our goal to provide information regarding the activities of the Lincoln Commission on Human Rights (LCHR), to impart useful tips to employers, employees, housing providers and others regarding civil rights laws and to keep our community informed of events which occur. We believe education is an important part of our mission and we hope you will find this newsletter a source of useful information.

As the chief civil rights enforcement agency in the City of Lincoln, we are committed to insuring that everyone in our community has an equal opportunity to succeed, and that no one is discriminated against because of their race, color, sex, religion, national origin, age, disability, family and marital status.

Communities, like Lincoln, need for each resident to be able to develop their full potential. In the 1960's, when many local agencies came into existence, that was not the case. Discrimination, racism and sexism did not allow for this to occur. Each city needs to set the stage for its next generation so as to insure that the City has eliminated discrimination, that all people have an equal

opportunity to succeed and that the community is moving forward. Enforcement of civil rights laws is an important component of this development.

Local civil rights commissions were established to ease the burden on federal and state organizations and the local judicial system. Reductions in local commissions will overburden such systems. Local commissions bring in significant amounts in federal funds through fair housing and equal opportunity programs administered by the federal government. Moreover, local commissions are just that, they are local organizations, enforcing local laws and fulfilling a local responsibility.

Increasingly, the number one priority of communities is economic development. Enforcement of civil rights is a critical component of that goal and vision of a vibrant community. To attract businesses and to retain our workforce, we need to welcome a diverse population while recognizing the value of each individual.

I am proud to be the Director of the City of Lincoln Commission on Human Rights. I consider it a distinct honor to help all of us achieve the goal of a prosperous, fair and forward-moving community. I hope you will find this newsletter and future issues a useful tool as we build “One Lincoln.”

### Employment Discrimination Bill Advances

Nebraska legislators may yet this session be debating a bill (LB475) which would prohibit discrimination based on a person's sexual orientation.

Under the bill, sponsored by Omaha Sen. Ernie Chambers, current Nebraska law, which prohibits discrimination in the workplace based on race, color, religion, sex, disability, marital status, or national origin, would include sexual orientation as a protected class.

Supporters argue that employment decisions should be based on ability, education and other pertinent job qualifications while opponents see it as a moral issue.

In 2002, Sen. Chambers sponsored similar legislation which also made it to the full Legislature, but failed due to filibustering.

# You Want to Know

*Questions & Answers Regarding Employment & Fair Housing Issues*

**Q: What is a “hostile work environment”?**

*A: A work environment that involves harassment based on a protected class that is sufficiently severe or pervasive to alter the work environment.*

**Q: When your boss gets upset he yells, curses and throws things at anybody and everybody who is around him. Is this discrimination?**

*A: Although this could create a hostile work environment in the general sense of the phrase, if your boss is doing this to everyone regardless of sex, race, national origin, disability etc. Then no this is probably not going to be discrimination.*

**Q: You complain to the General Manager that your direct supervisor has been repeatedly asking you out on a date, rubbing your shoulders, and commenting on how good you look. Shortly after you complain about this inappropriate behavior you receive a performance evaluation where you are rated low in many areas including “teamwork” and “getting along with others.” Due to this low evaluation you are denied a raise. You believe this is because you complained about your supervisor’s inappropriate behavior. Is this discrimination?**

*A: This could be discrimination. If you are rated low and denied a raise based on your complaints about sexual harassment or discrimination, then it is illegal retaliation. If someone complains about discrimination or harassment based on a protected class and you have an adverse action taken against you based on your complaints, that is against the law.*

If you have a question you would like answered in regard to possible discrimination as it affects employment, fair housing or public accommodation, you can email them to [mkniep@lincoln.ne.gov](mailto:mkniep@lincoln.ne.gov) or mail them to LCHR, Attn: Margie, 440 S. 8th Street, Ste. 101, Lincoln, NE 68508.

## About the LCHR

### What does the Lincoln Commission on Human Rights (LCHR) do?

The LCHR investigates complaints of discrimination within Lincoln that involves housing, employment, or discrimination in services provided to the public.

### What is discrimination?

Illegal discrimination is to have an adverse action taken against you or being treated differently based on a protected class (ie: race, color, national origin, sex, religion, disability, age, marital status and familial status).

## Lincoln Commission on Human Rights Staff

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## Commissioners

Maisun Allahi (Vice Chair)

Rev. Karla Cooper

David Fikar (Chair)

Wendy Francis

Dr. Sitaram Jaswal

Lori Lopez Urdiales

Dick Noble

Clyde Tyndall

Linda Willard

## Help Now Available to Housing Providers Serving Persons with Limited English Proficiency

In order to better assist persons with limited English proficiency (LEP), the U.S. Department of Housing and Urban Development has translated its model lease into Spanish and its housing discrimination complaint form into Arabic, Vietnamese, Russian, Chinese and Spanish, according to the Winter 2007 edition of *Fair Housing News*.

Those interested may obtain the Spanish, Vietnamese, and Chinese translations at

[www.hud.gov](http://www.hud.gov). In addition, the Arabic, Russian, and Korean translations can be accessed at [www.hudclips.org](http://www.hudclips.org).

“The goal of the LEP guidance is to eliminate the disparities in access to housing between those with a limited comprehension of English and fluent English-speakers,” explained Kim Kendrick, HUD’s Assistant Secretary for Fair Housing and Equal Opportunity.

## Congratulations to the Mason City, Iowa, Human Rights Commission!

In September 2006, the U.S. Department of Housing and Urban Development admitted the Mason City Human Rights Commission to the Fair Housing Assistance Program (FHAP). As a FHAP agency, the Commission will receive HUD reimbursement for investigating housing discrimination complaints. Mason City is the eighth jurisdiction in Iowa to be certified by HUD as enforcing a law substantially equivalent to the federal Fair Housing Act.

Receive your own issue of ***One Lincoln*** by sending

your email address to

[mkniep@lincoln.ne.gov](mailto:mkniep@lincoln.ne.gov).

You may also access this issue and all current issues on our website at

[www.lincoln.ne.gov/city/mayor/human/index.htm](http://www.lincoln.ne.gov/city/mayor/human/index.htm)

### **Editorial Policy:**

*One Lincoln* is a publication of the Lincoln Commission on Human Rights. Materials appearing in this publication shall be in accordance with the purposes, and goals of the LCHR. *One Lincoln* will be published on a quarterly basis in January, April, July and October.

### **Criteria for Publication:**

Submissions by community groups and individuals are welcome. Deadlines are the first of the month preceding the month of publication. Articles are subject to editing, with the author's compliance. Specific opinions expressed are not necessarily the opinions held by LHRC employees or its Commissioners.

### **Nominations Sought!**

## Fair Housing Award



Nominate a person, organization or formalized group who has contributed significantly to providing equal opportunity in the field of housing. Someone whose contributions have given new meaning to “fair housing and equal opportunity” will be honored during the Fair Housing Conference luncheon on Tuesday, May 1, 2007.

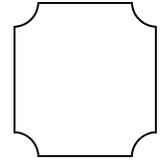
#### **Nomination Criteria are:**

- Self nomination will not be considered
- Nominations from LCHR Staff and Commissioners will not be considered
- LCHR Staff, appointees/volunteers are not eligible to receive this award.

For a nomination application packet, contact us at 402-441-7624 or download one from the website at <http://www.lincoln.gov/city/mayor/human/index.htm>

**Nominations must be postmarked by Monday, April 16, 2007.**

**City of Lincoln  
Human Rights Commission  
440 S. 8th Street, Ste. 101  
Lincoln, NE 68508  
213**



## Jurisdiction:

The City of Lincoln Human Rights Commission has jurisdiction to investigate alleged discrimination complaints in the areas of employment, housing, and public accommodation occurring within Lincoln’s city limits. We do not have jurisdiction to investigate alleged discrimination complaints involving City, County and State Government employees, offices or facilities, universities or colleges.

- Resources:**
- **Discrimination complaints outside of Lincoln City limits:** Nebraska Equal Opportunity Commission—402-471-2024 or the regional Equal Opportunity Commission office in Denver, Colorado (800) 669-4000
  - **City employment complaints**—Affirmative Action (402) 441-3871
  - **City agency complaints**—City Ombudsman/Mayor’s Office (402) 441-7511
  - **University of Nebraska-Lincoln employment complaints** — UNL Affirmative Action (402) 472-3417
  - **Lincoln Police Department complaints**—Internal Affairs Division (402) 441-7204, Citizen Advisory Board (402) 441-6351, or Mayor’s office (402) 441-7511
  - **Jail complaints, not including the State Penitentiary**—Jail Standards Division of the Nebraska Crime Commission (402) 471-3988
  - **State Penitentiary**—Ombudsman at the State office for Corrections (402) 471-2035
  - **Landlord-Tenant disputes**—Lincoln Action Program Specialist (402) 471-4515
  - **Complaints about legal matters**—County Attorney (402) 441-7321, Southeast Nebraska Legal Services (402) 435-2161, Nebraska Attorney General (402) 471-2682, or Nebraska State Bar Association (402) 475-7091
  - **Advocacy Services for people with disabilities**—League of Human Dignity (402) 441-7891 or Nebraska Advocacy Services (402) 474-3183.