

City of Lincoln Commission on Human Rights News

New Web Sites Offer Help in Multiple Languages

This month the Lincoln Commission on Human Rights (LCHR) and the US Department of Housing and Urban Development (HUD) launched new websites to provide civil rights-related information in a variety of languages.

The Lincoln Commission on Human Rights has launched their new web site as a more cost-effective way to share information and updates with Lincoln's diverse and growing community. "An attractive yet helpful web site is just one more way the LCHR remains accountable to the people of Lincoln," stated Larry Williams, the Executive Director and City Equal Opportunity Officer. LCHR's anti-discrimination and informational brochures are available in English, Spanish, Vietnamese, and Arabic and may be downloaded at no cost at <http://www.lincoln.ne.gov/city/mayor/human/brochures.htm>.



The HUD site offers brochures to promote equal access to housing programs by providing important HUD documents in 12 different languages. HUD's expanded Limited English Proficiency (LEP) website features factsheets, housing brochures and other forms in Amharic, Arabic, Armenian, Cambodian, Chinese, Farsi, French Korean, Portuguese, Spanish, Tagalog, and Vietnamese, in addition to English.

The documents are free to the public at <http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>.

Homes & Communities

U.S. Department of Housing and Urban Development

Fair Housing & Equal Opportunity

En español | Contact Us | Text only | Search/index

Limited English Proficiency (LEP)



This page provides documents created by HUD program offices printed in English and other languages. If your organization is interested in using these translated materials and if permission to use the items is not indicated on the website, contact Pamela Walsh, Director, Program Standards Division via email or by calling (202) 402-7017.

Information by State

Print version

Helpful Tools

- ▶ [Search All HUD Forms](#)
- ▶ Looking for a Handbook, Guidebook, Letter, or other official documents? [Search our HUDCLIPS Library](#)

Other Resources

- ▶ [About LEP](#)
- ▶ [Census Fact Finder](#)
- ▶ [Federal Register Guidance](#)
- ▶ [LEP National Website](#)
- ▶ [Questions & Answers \(QA\)](#)
- ▶ [Training Materials](#)
- ▶ [Webcasts](#)

HUD Translated Materials

- [Brochures & Booklets](#)
- [Fact Sheets](#)
- [Forms](#)
- ["I Speak Card" - Language ID Card](#)
- [Posters](#)
- [Public Service Announcements \(PSAs\)](#)

Unsure? Questions? Let us know, email [Pam Walsh](mailto:PamWalsh), we're here to help!

Fair Housing and Equal Opportunity

- About FHEO
- Economic opportunities
- Fair housing laws
- Fair lending
- HUD Translated Materials
- Library
- Online systems
- Partners
- People with disabilities
- Promoting Fair Housing
- Senior housing

HUD news

- Homes
- Resources
- Communities
- Working with HUD

Tools

- Webcasts
- Mailing lists
- RSS Feeds
- Help

"We've already had a client come in who heard Larry's interview on KLIN 1400 earlier this week, and was able to fill out an intake form prior to coming into our office for help," said Margie Nichols, an LCHR civil rights investigator. "Not only does that make our process

more efficient but I believe it also empowers our clients. That is the best part of using available technologies and media in the area of civil rights; the ability to further empower the people of Lincoln."

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

Age is Different: Supreme Court Raises Bar for Age Discrimination Claims

By Javier Lavagnino – FindLaw Blog – Law & Daily Life

Most people know that employers can't discriminate against someone on the basis of that person's sex, age, race, religion, national origin. Most might assume that the law is going to scrutinize those forms of discrimination in a similar manner. But a Supreme Court ruling on, June 18, 2009, essentially says that age is different. Those suing under federal law for age discrimination in the workplace will have a significantly higher hurdle to jump in proving certain age discrimination claims.

The lawsuit reviewed by the high court was brought under the federal law covering age discrimination known as the Age Discrimination in Employment Act (ADEA). This law prohibits employment discrimination against persons 40 years of age or older. The plaintiff, Jack Gross, brought his lawsuit claiming he was wrongfully demoted by his employer, FBL Financial Group, Inc., on account of his age. A jury ruled in his favor and awarded him a money judgment, but a federal appeals court overturned the ruling.

In the ruling, Supreme Court said that a plaintiff bringing an ADEA disparate-treatment claim must prove, by a "preponderance of the evidence", that age was the "but-for" cause of the challenged adverse employment action. In other words, the plaintiff has the burden of showing that if it wasn't for their age, the employer wouldn't have acted against them. This is entirely different than suits brought under Title VII, which governs the other categories of impermissible discrimination listed above (sex, race, etc.). In these types of suits where a plaintiff is alleging a mixed motive (i.e. some permissible reasons, some impermissible reasons) for an employer's move against them, a plaintiff simply needs to show that an impermissible reason was "a motivating factor" in the decision.

This case shows how the law doesn't treat all forms of discrimination equally. In the case of age discrimination, one might understandably be left scratching their head and wondering why that is. The four dissenting justices argued as much, and it wouldn't be much of a shock at all to see the current Congress address this ruling via legislation amending or clarifying the standard used in ADEA cases.

Thank You Pippi Van Slooten!



Pippi at the 2009 Fair Housing Conference

The LCHR staff and Commissioners say good-bye to their AmeriCorps Outreach Coordinator Pippi Van Slooten.

Pippi started as the Outreach Coordinator at LCHR in January 2008 and quickly became an invaluable asset to the agency. She will be sorely missed not only by LCHR but also by the numerous people she touched in the city of Lincoln.

Pippi was a familiar face in the LPS schools organizing the essay contest "What Diversity Means to Me" in Lincoln middle schools and speaking about civil rights to classrooms. "Pippi did a great job for LCHR. She was the main contact person for our outreach sessions with LPS students over the last year and as a result more high school students are aware of their rights and responsibilities in the workplace," said LCHR Director Larry Williams.

Pippi's organization and coordination were key to the successes of the LCHR Fair Housing Conferences in 2008 & 2009; the 2009 RECCR Conference and she laid the groundwork for the upcoming LCHR Civil Rights Conference in 2010. She represented LCHR at and was active in many organizations throughout the city working to promote civil rights and equality. One significant contribution here was her close work with the county/city Disproportionate Minority Contact Committee by developing a brochure for this group.

LCHR Commission Chairperson Wendy Francis said: "Pippi has made Lincoln NE and its citizens better educated in regard to discrimination through her outreach programs and her willingness to 'think outside of the box'. I feel very blessed to have met Pippi, and wish her the best of luck!"

SNEAK PREVIEW

Because It's never too early to pencil in a great conference.

The **2010 CIVIL RIGHTS CONFERENCE** will be a 2-day state-wide training conference which will cover issues relating to fair housing, fair employment, and to managing increasing diversity. Realtors, Public Housing Authorities, state and local agencies, government officials, and private businesses are invited to attend this event.

The first half day session will consist of a welcome and introduction from LCHR, NEOC, EEOC, and HUD, as well as a general diversity training session. The second full day will consist of back to back (15 – 20 minute) housing and employment training sessions which will be held in two separate rooms, concurrently.

WHAT: 2010 Civil Rights Conference hosted and organized by the Lincoln Commission on Human Rights

WHO: Anyone with an interest in issues relating to fair housing, fair employment and diversity

WHEN: April 2010

WHERE: tba—Lincoln, NE

President Obama taps Sotomayor for Supreme Court

CIVIL RIGHTS MILESTONE

On May 26, 2009, President Barack Obama announced his intention to nominate federal appeals court judge Sonia Sotomayor to serve on the United States Supreme Court. If confirmed by the Senate, Sotomayor would be the first Hispanic and the third woman, on the High Court. Obama said he wanted a nominee who recognizes the “limits of the judicial role, an understanding that a judge’s job is to interpret, not make, law; and approach decisions without any particular ideology or agenda.”



Sonia Sotomayor—Supreme Court nominee

Administration officials noted that with her 17 years on the bench, Sotomayor, who has served on the Second Circuit Court of Appeals since October 1998, brings more judicial experience to the High Court than any justice confirmed in the past 70 years.

Sotomayor is of Puerto Rican descent and rose from humble beginnings at a housing project in the South Bronx and went on to attend Princeton University and Yale Law School.

Sotomayor's nomination will go before the Senate Judiciary Committee and the full Senate. The president said he hopes to have hearings in July, with the confirmation completed before Congress leaves for the summer.

source— CCH Newsletter, CNN

MAKE A DIFFERENCE: BECOME A TESTER FOR THE FAIR HOUSING CENTER

Finally!! After weeks of searching, you think you have found the perfect apartment. The neighborhood you want and the price you need. You make an appointment to view the place and when you show up the complex manager apologizes and tells you the apartment is no longer for rent. Even before you had a chance to see it!!

Bad luck you think to yourself, or was it? The manager acted a bit strange. Could it be because I am Hispanic/have a disability / have children / am a female, you think to yourself. In such a situation, it is difficult to ascertain whether discrimination really took place or whether one was simply too late and your dream apartment was rented before you could get there. This is where testing comes in.

Testing is a way to determine whether housing discrimination has occurred. Testing for housing discrimination involves individual testers posing as prospective tenants or home buyers replicating the housing search process. Testers are paired and assigned profiles so that they are equally qualified to rent an apartment or buy the home in question. They are similar in all respects except for one of the protected classes. Each tester performs a 'mystery shop' of the housing provider. After the testers collect the information required from the housing provider, they complete a testing analysis form, write a detailed narrative and debrief with the testing coordinator. The test coordinator reviews the test analysis form and analysis from both testers in order to determine if there are any differences in terms and conditions based on the protected class being tested.

If differences are offered to either tester which violate Federal, State or Local Fair Housing laws, a housing discrimination complaint would be filed at the local, state or federal agency. Fair Housing tests can be performed in rental, sales, lending and insurance markets.

If you feel that you have been denied the right of purchase, rental or are otherwise discriminated against when dealing with a person regarding housing and believe this was on the basis of your race, color, gender, religion, marital or familial status, disability, or national origin; please call the Lincoln Commission on Human Rights and set up an intake interview. Our phone number is (402) 441-7624, and all of our cases are completely confidential.

What qualifications are needed for testers?

- Must be 19 years or older
- No criminal history (no felonies)
- Reliable / dependable
- Good writing skills
- Impartial & observant
- Reliable means of transportation
- Ability to keep information confidential

Will I be paid for testing?

- Yes, and how much depends on the kind of test you conduct.
- Phone tests are currently paid \$15 per test
- On-site tests are paid \$40 plus mileage.

How many test will I be asked to complete?

- It depends on how many tests are needed. It may be once a week or once a month or possibly even less often.

Will I be trained?

- Yes, there is a two-hour briefing as well as a practice phone test and on-site test. After successful completion you will receive payment for the training.

Interested??

- Contact the Lincoln Commission on Human Rights (441-7624) or the Fair Housing Center in Omaha (402-934-6675).



**Fair Housing.
It's Not an Option.
It's the Law!**

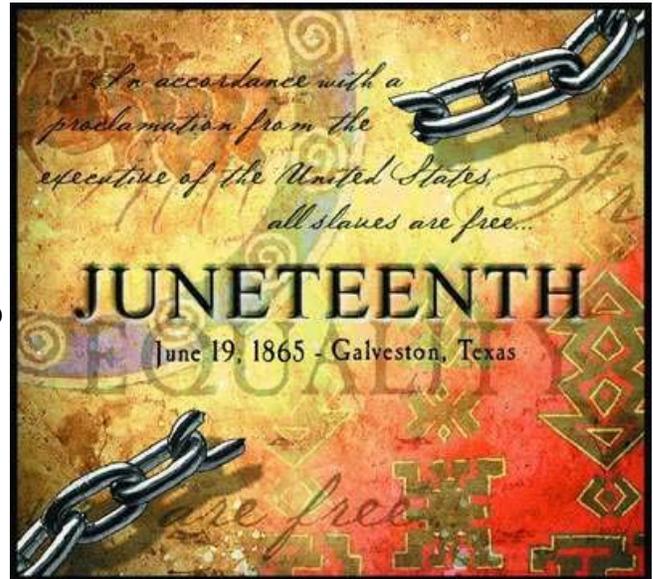
Lincoln's Juneteenth Celebration brings People Together

Although Nebraska is not one of the 31 states officially recognizing Juneteenth as a state holiday, you wouldn't have known it from the high turnout at Pentzer Park.

That is where the Clyde Malone Community Center hosted this year's Juneteenth celebration which has been a part of the Lincoln community for over 30 years. This tradition serves not only to bring together friends, neighbors and families, but also generations.

T.J. McDowell Sr., father of current Malone Center Director T.J. McDowell Jr., pitched in and was stationed behind the grill as early as 7 a.m. with more than 2,000 hamburgers and 2,000 hotdogs were served at no charge to the visitors.

McDowell stressed that hosting the free event was even more important in today's economy. "In these trying times it's important to do things for the community," he said.



"This is the largest African American celebration in the city of Lincoln and provides an opportunity for all people in our community to come together to recognize the historic significant of Juneteenth, listen to great music, eat some great food, enjoy good conversation all in a family oriented setting. The Malone Center, their staff and board, deserve hearty congratulations for a wonderful event." - Larry Williams, Director Lincoln Commission on Human Rights.

Forty-four human service agencies, including the Lincoln Commission on Human Rights, and 12 health care organizations gathered under a giant tent to provide information and services to the visitors. The resource fair was a focal point of the celebration and a buzz of activity. Visitors could find a range of information from health care to housing to helping hands in the community.

Juneteenth commemorates the day when slaves in the last geographic region in America where slavery still existed, learned of their freedom. This took place on June 19, 1865 in Galveston, Texas, when Union General Gordon Granger read General Order # 3, announcing that "all slaves are free" by Proclamation of President Abraham Lincoln. The Emancipation Proclamation was signed by President Abraham Lincoln on September 22, 1862, and issued on January 1, 1863. It took over two and a half years for the news to travel to southwest Texas.

Let Freedom Ring!

Lincoln Commission on Human Rights Staff

Larry Williams - Director/Equal Opportunity Officer 441-8691 - lwilliams@lincoln.ne.gov

Angela Wortman - Sr. Civil Rights Investigator 441-3870 - awortman@lincoln.ne.gov

Margie Nichols - Civil Rights Investigator 441-8690 - mnichols@lincoln.ne.gov

Pippi Van Slooten - AmeriCorps Outreach Coordinator 441-7624 - pvanstooten@lincoln.ne.gov

Mary Reece - Interim Senior Office Assistant 441-7625 - lchr@lincoln.ne.gov

2009 Commissioners:

Wendy Francis (Chair)
Rev. Karla Cooper (Vice Chair)
Gene Crump
David Fikar
Dr. Sitaram Jaswal
Lori Lopez Urdiales
Dick Noble
Jose Quintero
Hazell Rodriguez

Federal LGBT Discrimination Law Coming? ENDA: The Employment Non-Discrimination Act Re-Introduced

On June 24th, the Employment Non-Discrimination Act (ENDA) was introduced in the US House of Representatives. It would prohibit employers from discriminating based on sexual orientation or gender identity in a wide variety of employment decisions. Though similar legislation has been repeatedly introduced without success, increased support this year means businesses would be smart to prepare for compliance.

Representative Barney Frank, along with others, has introduced ENDA just about every year since 1994. This year, however, he has 118 original cosponsors from both sides of the aisle. This year's bill (like some, but not all of its predecessors) also includes protections for trans-gender individuals as well as lesbian, gay and bisexual people.

Currently, Title VII of the Civil Rights Act of 1964 puts race, gender, religion and national origin off limits as far as employment decisions including hiring, firing, promotions, demotions, reductions in hours, along with many others. ENDA would provide the same protections for lesbian, gay, bisexual and transgender (LGBT) people. There are also federal protections against some age discrimination, as well as discrimination against those with disabilities, but those are provided outside of Title VII.

Discrimination based on sexual orientation or gender identity, on the other hand, is so far left to state and local rules. As stated in Representative Frank's press release, it is still legal in 30 states to fire someone simply for being gay. 38 states allow it based on gender identity. The bill as introduced would end this. As with the protections Title VII gives other groups, it would ban employment agencies and labor unions from discriminating based on sexual orientation or gender identity.

The bill also addresses a couple of practicalities: shared facilities and dress codes. It would allow employers to restrict transgendered people's access to shared facilities (such as dressing rooms) where being seen nude is unavoidable, as long as alternative reasonable access to an adequate facility is provided. It would also allow employers to maintain dress and grooming requirements, as long as employees who notify their employer of gender transition may adopt the dress code of their chosen gender.

With over 100 co-sponsors, this year's bill has much more momentum than in any of the previous years. For all employers whose states don't already have similar rules on the books, this could mean reviewing and updating all anti-discrimination, hiring, and employment policies to make sure they accord LGBT employees all the protections in place for workers of different genders, races, religions and national origins.

Supporters hale the bill as a landmark in pushing America's businesses to make better use of the talent available -- a decision that some states, many towns and individual businesses have already made. In addition to simply drawing in talent for talent's sake, the fact that legislation like this has been in the offing for years now makes including LGBT employees in your protections against discrimination not only a civil rights decision, but also good business.



Rep. Barney Frank of
Massachusetts

Source—NoTrackBacks

President Obama Announces New Initiatives to Assist Americans With Disabilities

Source- White House Press Release

On the 10th anniversary of the landmark Supreme Court decision in the case of *Olmstead v. L.C.*, President Barack Obama celebrated that anniversary and launched “The year of Community Living,” a new effort to assist Americans with disabilities.

Specifically, the President has directed health and Human Services Secretary Kathleen Sebelius and Housing and Urban Development Secretary Shaun Donovan to work together to identify ways to improve access to housing, community supports, and independent living arrangements. As part of this effort, Secretaries Sebelius and Donovan have announced several new initiatives including details about increased numbers of Section 8 vouchers and enhanced interagency coordination to address this critical civil rights issue. The initiative also will include listening sessions conducted by HHS across the country to hear the voices and stories of Americans and to keep the President’s pledge to be as open and transparent as possible.

“The *Olmstead* ruling was a critical step forward for our nation, articulating one of the most fundamental rights of Americans with disabilities: Having the choice to live independently,” said President Obama. “I am proud to launch this initiative to reaffirm my Administration’s commitment to vigorous enforcement of civil rights for Americans with disabilities and to ensuring the fullest inclusion of all people in the life of our nation.”

In the *Olmstead* case, the Court held that the unjustified institutional isolation of people with disabilities is a form of unlawful discrimination under the Americans with Disabilities Act. Since that time, progress has been made. Many individuals have successfully transitioned to community settings, but waiting lists for community services have grown considerably and many individuals who would like to receive community services are not able to obtain them. To help remedy that problem, the Obama Administration provided over \$140 million in the Recovery Act funding for independent living centers across the country.

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, or state universities.

Resources:

- **Discrimination complaints outside of Lincoln City limits:** Nebraska Equal Opportunity Commission—402-471-2024 or the regional Equal Opportunity Commission office in St. Louis, MO (800) 669-4000
- **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**—Ombudsman at the State office for Corrections (402) 471-2035
- **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.