

City of Lincoln
Commission on Human Rights

2009

Annual Report



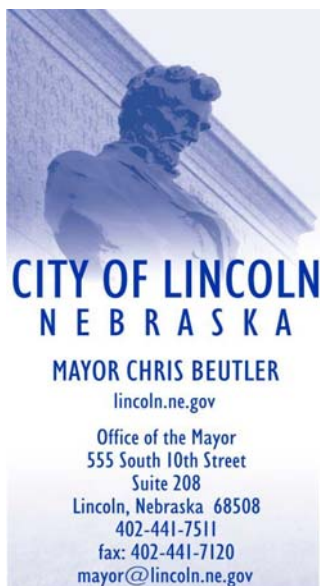
The First Mayor's Human Relations Commission

LEFT TO RIGHT: Carroll Thompson, J. Herbert Hopkins, Percy Logan, Joe Hampton, Kenneth Lewis, Fred Wells, Lois Weaver, Mayor Dean Peterson (seated with Ms. Weaver)

440 South 8th Street
Suite 101
Lincoln, NE 68508
402.441.7624
402.441.6937 Fax
<http://humanrights.lincoln.ne.gov>

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





March 1, 2010

Dear Lincoln Residents:

As the Lincoln Commission on Human Rights (LCHR) begins its 41st year of fighting against discrimination and promoting equal opportunity, I am pleased to present to the people of Lincoln the 2009 Annual Report. This report details the accomplishments of LCHR as the City's chief civil rights law enforcement agency.

In 1966, the people of Lincoln approved a charter amendment to adopt our civil rights code and form LCHR. This vote gave the City the authority to fight discrimination and enforce our civil rights laws. In 2009, 86 new cases were filed with the LCHR. 85 complaints were closed with resulting monetary recoveries of over \$54,000.00 for clients and customers.

Over the past four decades, LCHR has become a leader in the nation in educating our residents about their civil rights and responsibilities. In 2009, LCHR reached more than 3,000 residents in over 50 sessions covering civil rights and responsibilities. The annual Fair Housing Conference was again a success in 2009. To build on that success, this event will become the annual Civil Rights Conference this year. In addition to housing discrimination, the conference will focus on employment and public accommodation.

This year, LCHR will increase its outreach efforts, develop new partnerships, foster more ties with the University of Nebraska and encourage more of our residents to become involved in all aspects of city government. LCHR can play a vital role in our schools by encouraging young people to see working in government and public services as a viable career option.

Through education, information and open dialogue we can increase awareness, change attitudes and set the stage for a better future. LCHR plays a central role in our community in ensuring that government is accountable and in turn making Lincoln an even greater place to live and work for everyone.

Sincerely,

Chris Beutler
Mayor, City of Lincoln





March 1, 2010

Dear Friends:

As Director, I present the 2009 Lincoln Commission on Human Rights Annual Report. I have been Director for 10 years and each time I write this letter I look back with pride on how much we are able to accomplish. Nevertheless, I am also acutely aware of the daunting challenges that we face in the upcoming year.

Our main responsibility is the investigation of discrimination claims. This year the Commission has investigated and resolved more than 86 complaints and secured more than \$54,000.00 in monetary settlements for clients.

Our secondary responsibility is to provide education and outreach in the community regarding civil rights. We believe it is only through education and outreach that we can substantially reduce or eliminate discrimination. During the past year, we sponsored or partnered with other groups in more than fifty events through our educational outreach program reaching more than 3,000 people.

Specifically, this past year, our 2009 Fair Housing Conference was one of the best we have ever sponsored in terms of both content and attendance. However, in an effort to continue to meet the needs of our growing community, in April 2010 we embark on new venture. We will sponsor the 2010 Civil Rights Conference providing educational sessions in both the areas of fair housing and equal employment. We are expecting this new event to become one of the largest in this region.

I have stated before and I will state again: our educational and outreach programs are unparalleled in this region. It is through cooperation with other agencies and organizations that we are able to continue this education process. A big thank you goes to the Lincoln Housing Authority, the Real Estate Association of Lincoln and the Lincoln Public Schools for their support of these efforts.

The Mayor has challenged us to show how we are meeting the stated objectives and purposes of our agency. We can demonstrate to all residents that the Commission is meeting these purposes effectively and efficiently. In other words, we are doing our jobs and our customers have let us know via surveys that they are satisfied with the way we work. Civil Rights agencies throughout the country are being asked to demonstrate and show that they are meeting their stated objectives, and we will continue to improve in quantifying and measuring these outcomes. This annual report is an important tool for reporting those outcomes.

We believe through education and outreach, along with effective enforcement and implementation that we can eliminate discrimination and increase opportunities for everyone.

My gratitude and thanks to Mayor Chris Beutler, the City Council and Commissioners for their support.

Most of all, a very big thank you to Angela Wortman, Margie Nichols and Connie Guillaume for their support and hard work.

A handwritten signature in cursive script that reads "Larry Williams".

Larry Williams
Director/EOO

Commission Chair 2010

March 1, 2010



Dear Citizens and Friends of The Commission,

This past year has seen many agencies and companies having to 'do more with less'. This is true for The Lincoln Commission on Human Rights as well.

We have had staff members, volunteers, interns and AmeriCorps members move on; new volunteers, interns and AmeriCorps members come on board and staff from other City departments step in to help with the behind the scenes activities that must happen every day.

The nine commissioners who serve are volunteers. All have been appointed to the Commission by The Mayor. The Commissioners receive training; serve with the knowledge that monthly they will be receiving a packet of cases to review, and will be meeting 6 days later to discuss those cases and make a determination. All are dedicated to making sure they come to the meetings well prepared.

At each meeting, each case is reviewed individually by having a summary of the complaint read, then a motion is made to find 'reasonable cause' or 'no reasonable cause' (was there a violation or not in our opinion based on evidence) and Commissioners ask questions of the investigator if they want items expanded on or we want more background. We are blessed to have Commissioners from different walks of life which helps to bring different perspectives to our discussions and makes for a well rounded commission.

We have had three dedicated Commissioners serve their maximum allowable terms. Those Commissioners are: David Fikar, Dr Sitaram Jaswal and Lori Lopez-Urdiales. Their last meeting was December 2009. I personally want to thank these three dedicated Commissioners. I will miss them and their thoughtful insight and observations. Our City is better place for having you as a member of our community and I am a better person for having met and served with you.

This past year saw our two investigators respond to 86 cases....71 Employment, 13 Housing and 2 public accommodation.

Both personally and as Chairperson, I thank all of the Commissioners, I am so proud to serve with you; Director Larry Williams for his continued guidance and dedication and his great Staff for all of their hard work and dedication to making Lincoln a better place to work and live. And all while doing so on a tight budget.

If you want more information about the Lincoln Commission on Human Rights, visit our website at: <http://www.lincoln.ne.gov/city/mayor/human/index.htm>

Sincerely,

Wendy Francis
Chair 2010

2009 Commissioners



Bottom row, left to right: *Lori Lopez-Uridales, David Fikar, Chair Wendy Francis and Gene Crump.*

Top row, left to right: *Hazell Rodriguez, Jose Quintero, Vice-Chair Karla Cooper and Sitaram Jaswal.*

Not pictured: *Dick Noble.*

The LCHR Commission is a nine member board of diverse people who hear and decide on the cases presented to them. They are volunteers who are appointed by the Mayor and approved by the City Council. An additional goal of the Commission is to continue educating the public on the discrimination laws in the hope of preventing and eventually eliminating unlawful discrimination. They meet on the last Thursday of each month at 4 p.m. in the City Council Chambers of the County/City Building.

The December 2009 Commission meeting was a sad milestone. At this meeting we said good-bye to three long-standing and valued Committee members. David Fikar, Dr. Sitaram Jaswal and Lori Lopez-Urdiales retired as Commissioners after serving their maximum number of terms. Together they had more than 20 years of service to the Commission. Their input, dedication and commitment will be missed. We are grateful for the continued expertise and commitment of the remaining Commissioners and look forward to the insights and experience of our incoming Commissioners.

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, and 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 \$10,000.00.

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

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.

The Commission's Role

The Commission is a NEUTRAL agency. We do not serve as either side's lawyer, advocate, or advisor. We are not prosecutors. We do not take the side of either the complainant (the person who filed the complaint) or the respondent (the alleged discriminator).

The job of the Commission is:

- to *investigate* complaints of discrimination;
- to *settle* complaints, if possible;
- to *determine*, after investigation, whether there was discrimination in violation of the City of Lincoln Equal Opportunity Ordinance;
- to *order remedies* if the complainant proves at a hearing that discrimination has occurred.

Agency Staff



Larry Williams, Executive Director
(402) 441-8691
lwilliams@lincoln.ne.gov

As Director, Larry provides leadership in the planning, developing, coordinating and administering the day to day operations of the Lincoln Commission on Human Rights. This includes the overall program of education to prevent and eliminate discrimination and the entire investigative process for complaints received. In addition, Larry is available for public speaking on the issues of equal opportunity, civil rights issues, diversity and discrimination. He is also charged with increasing contracting opportunities for women and minority businesses in the city.



Angela Wortman, Senior Civil Rights Investigator
(402) 441-3870
awortman@lincoln.ne.gov

Angela is responsible for the investigation and settlement of complaints alleging a violation of Title 11 of Lincoln's Municipal Code. She serves as the primary investigator for employment complaints, and is the staff liaison with the Federal Equal Employment Opportunity Commission (EEOC). In addition, Angela conducts training and outreach sessions, educating the general public, landlords, and businesses on the various equal opportunity laws. Angela has an Associate Degree in Applied Science, and started with LCHR as an intern in 1997. She is available to assist with training and provide technical assistance to the general public, landlords, property management companies, employers, and employees.

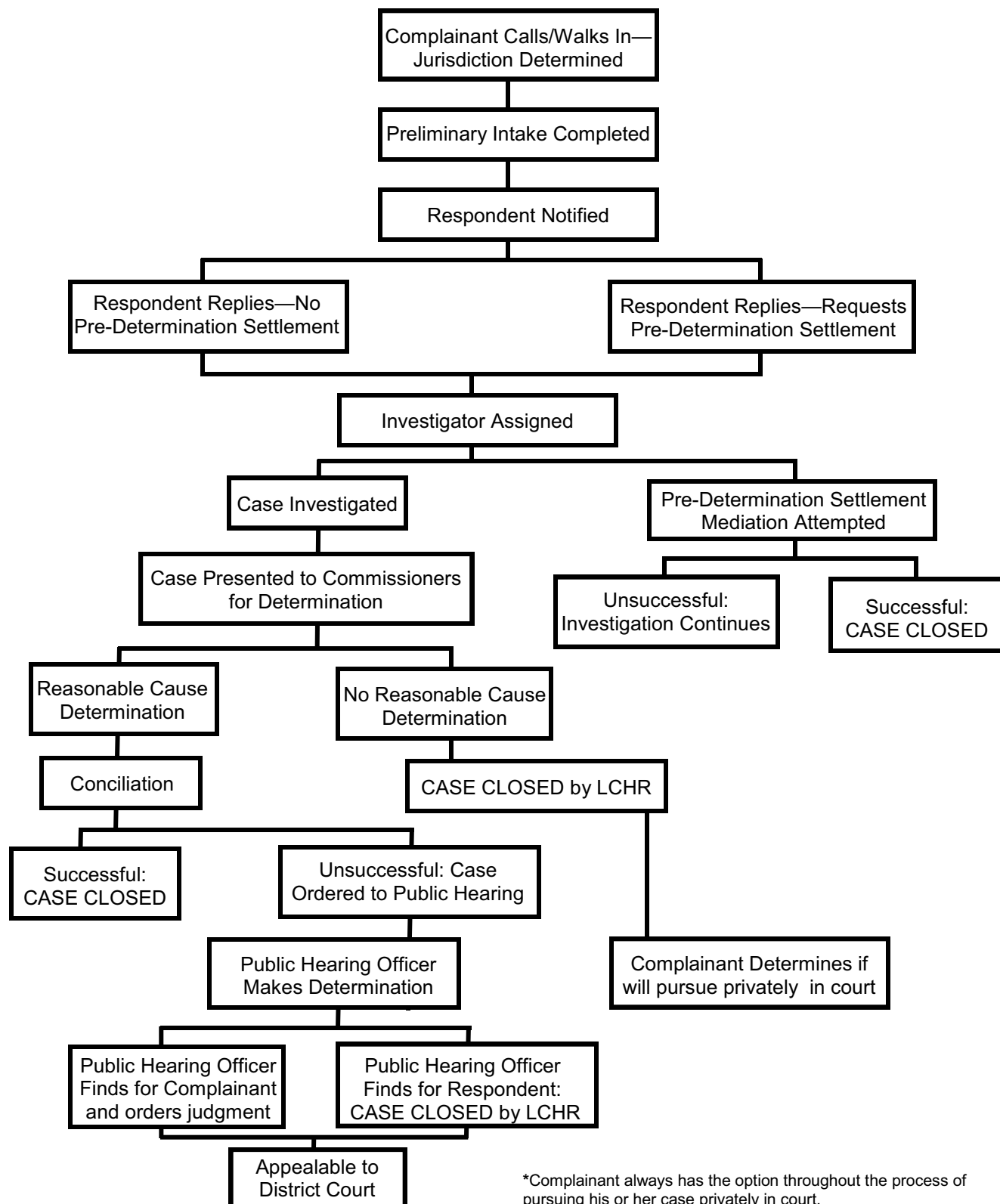


Margie Nichols, Civil Rights Investigator
(402) 441-8690
mnichols@lincoln.ne.gov

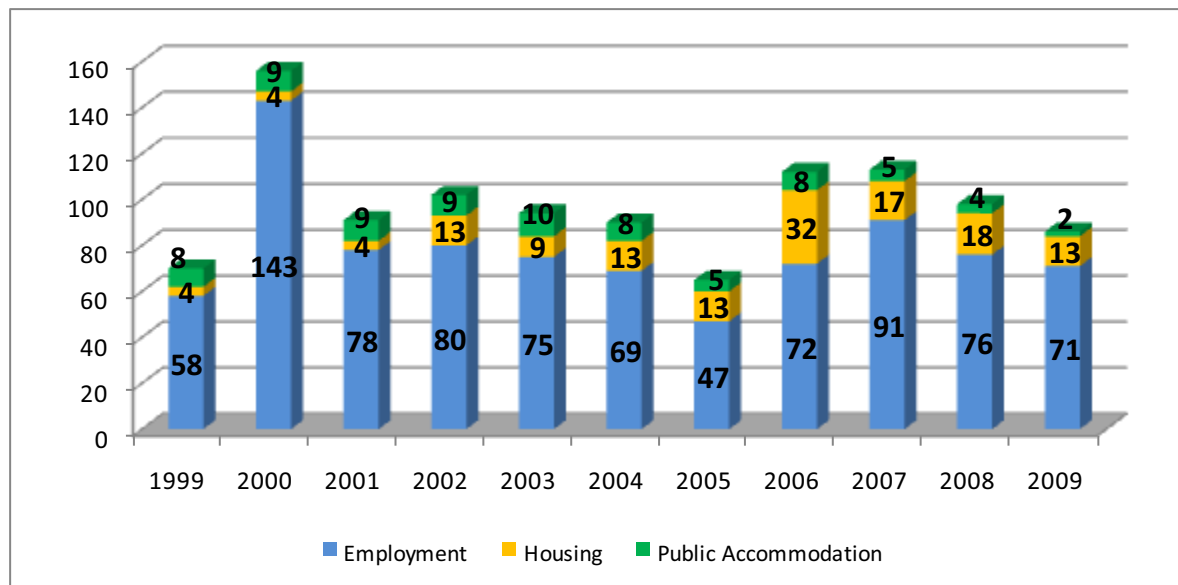
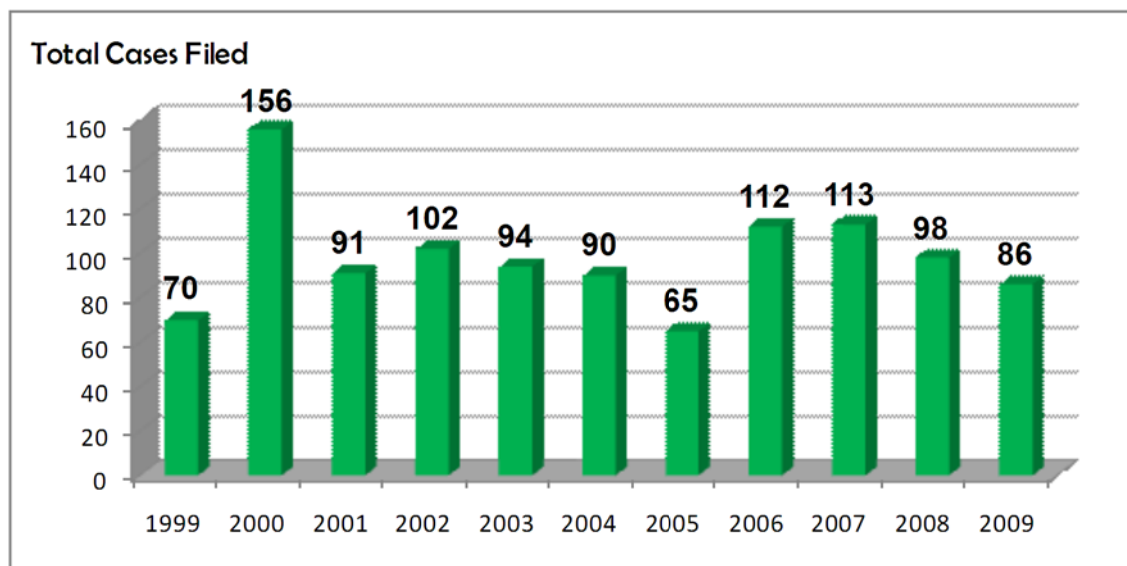
Margie is responsible for the intake and investigation of complaints alleging a violation of Title 11 of Lincoln's Municipal Code. She serves as the primary investigator for housing complaints, which includes settlement of these complaints, and is the agency's liaison with HUD. Margie has a Bachelor's of Science Degree in Journalism. She started as LCHR's Senior Office Assistant in November, 2006, and became an investigator in March of 2008. Margie also assists in providing trainings and technical assistance to the general public, landlords, property management companies, employers, and employees.

Complaint Process

Complaint Process*

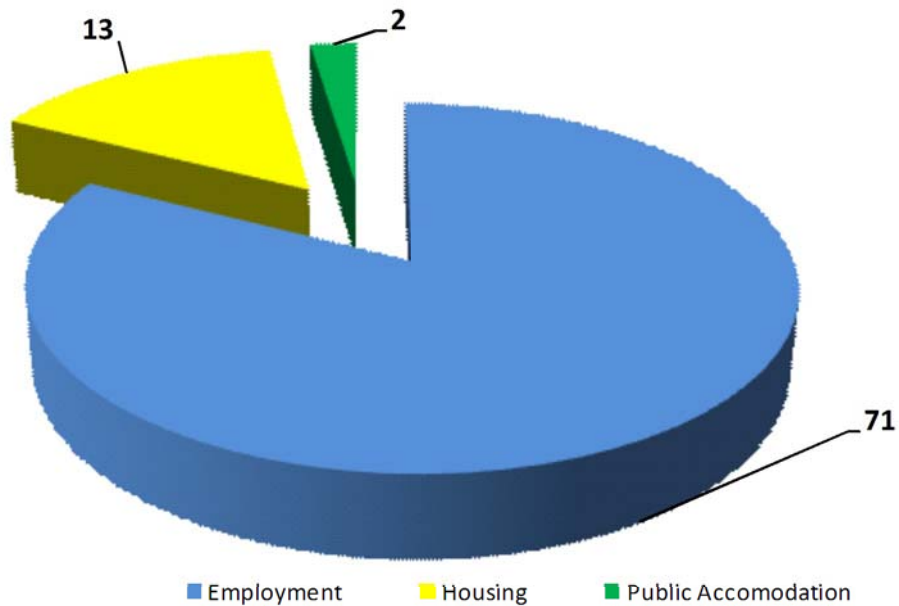
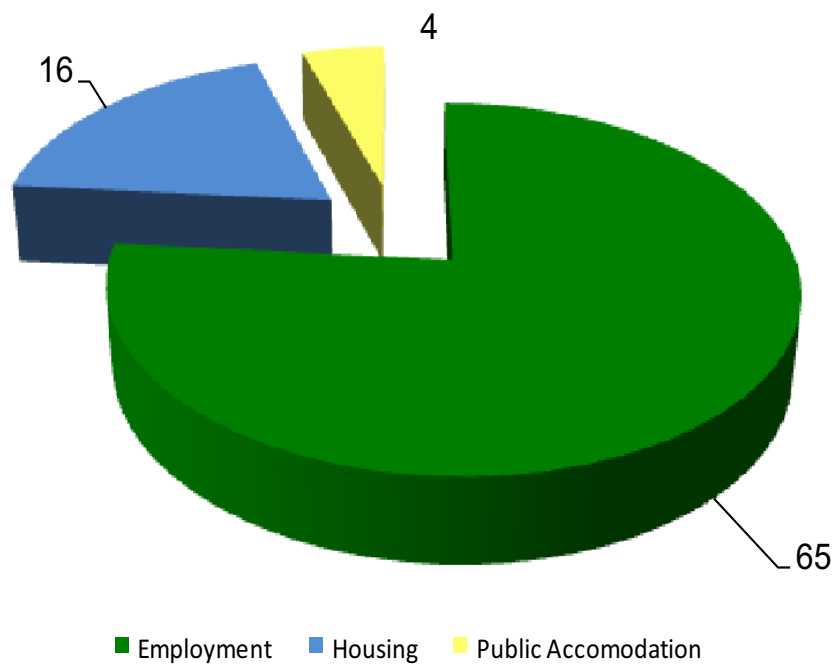


*Complainant always has the option throughout the process of pursuing his or her case privately in court.

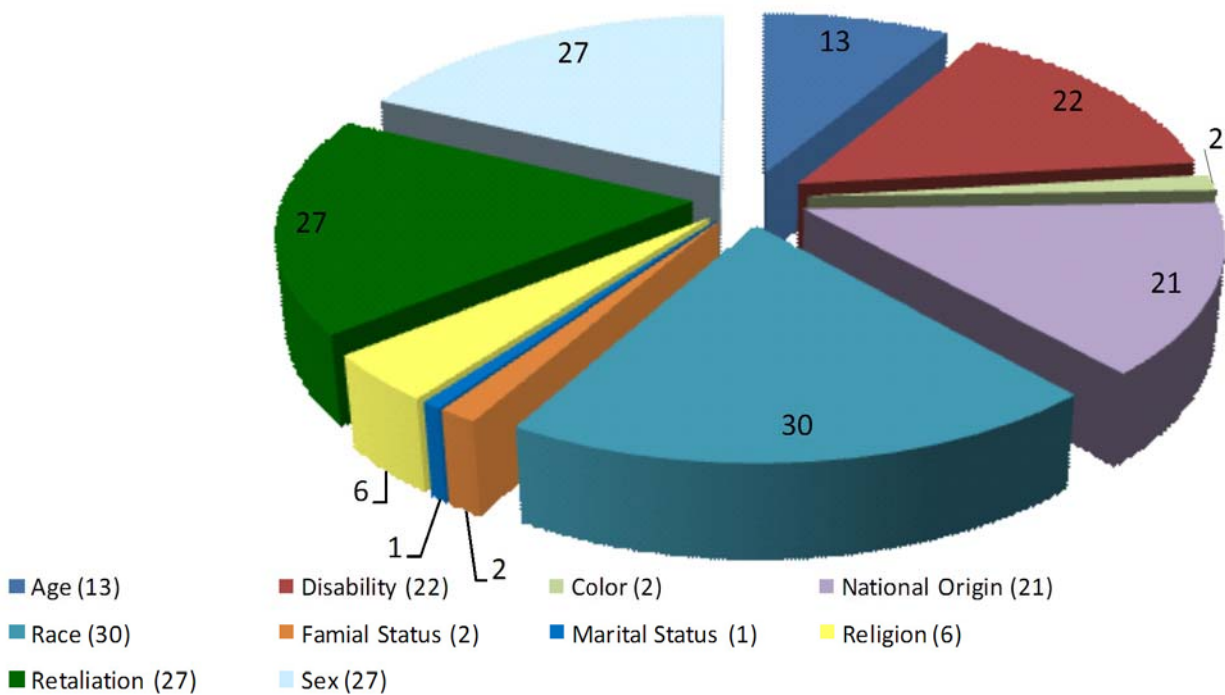
Complaint Overview**Cases Filed 1999-2009****Cases Filed 1999-2009**

2009 saw a slight decline in the number of cases filed, nevertheless the number of cases is consistent with our community size. Employment cases remained fairly stable, whereas Housing and Public Accommodation dropped more significantly.

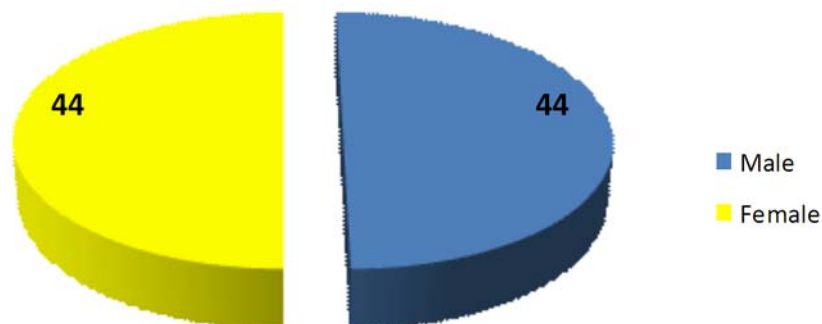
*In 2000, the LCHR had a contract with the Nebraska Equal Opportunity Commission (NEOC) in which any cases filed with the NEOC that were in the City of Lincoln would be turned over to the LCHR for investigation. During 2007, the NEOC deferred 13 cases to the LCHR for investigation in order to expedite case investigation.

Case Statistics**Cases Filed - 86
Breakdown by Type****Cases Closed - 85
Breakdown by Type**

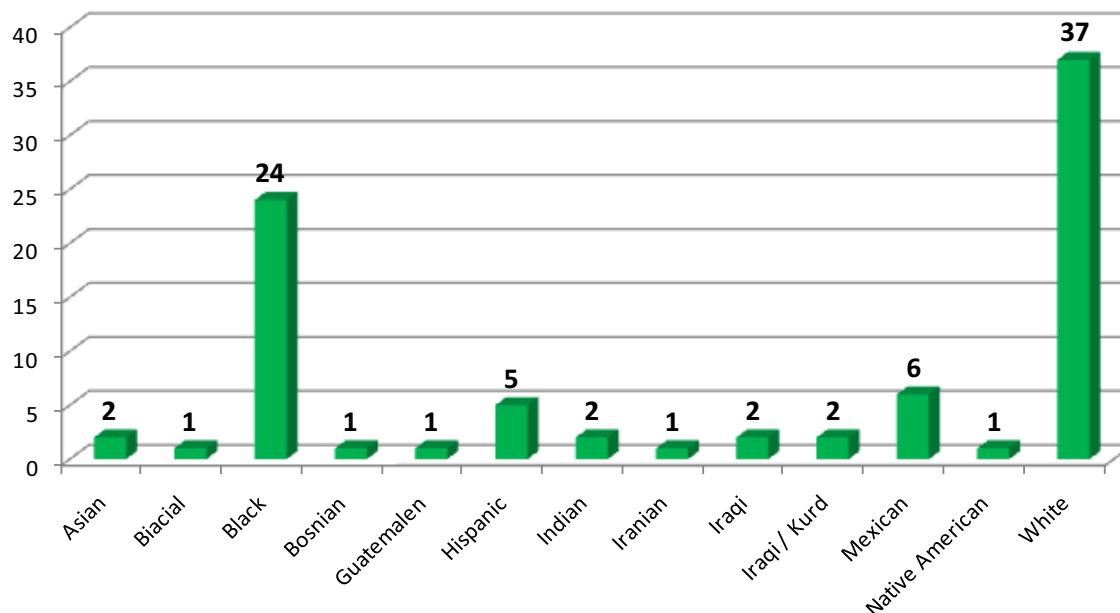
*Cases closed includes cases filed in 2008 but closed in 2009.

Case Disposition**Breakdown of Cases Filed by Basis***

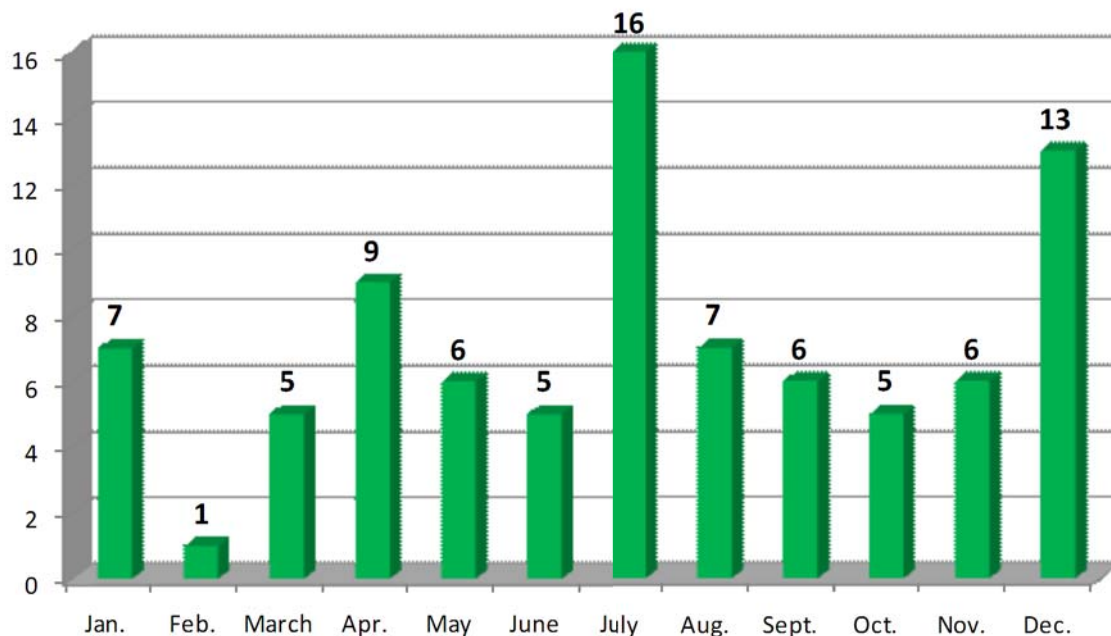
*Cases may be filed under more than one basis, which could include a case filed, for example, on the basis of both Sex and Disability, or Race and Retaliation.

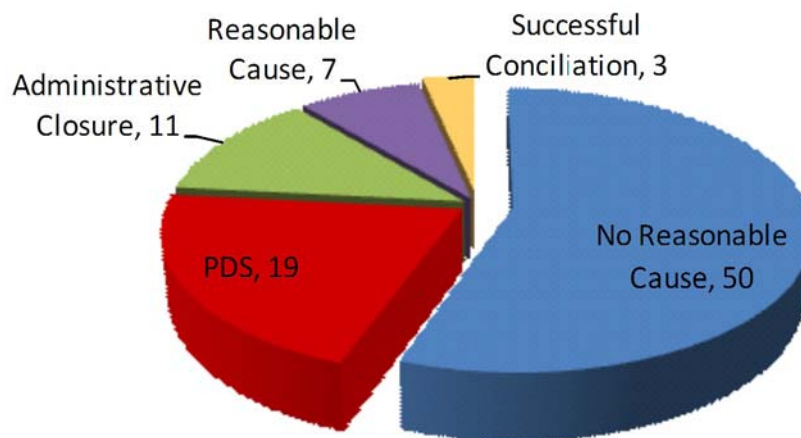
Breakdown of Cases Filed by Gender

Although only 86 cases were filed our numbers, when broken down by gender, are higher. This is because we had two cases jointly filed by 2 Complaints each. (Housing)

Case Disposition**Breakdown of Cases Filed by Race / National Origin***

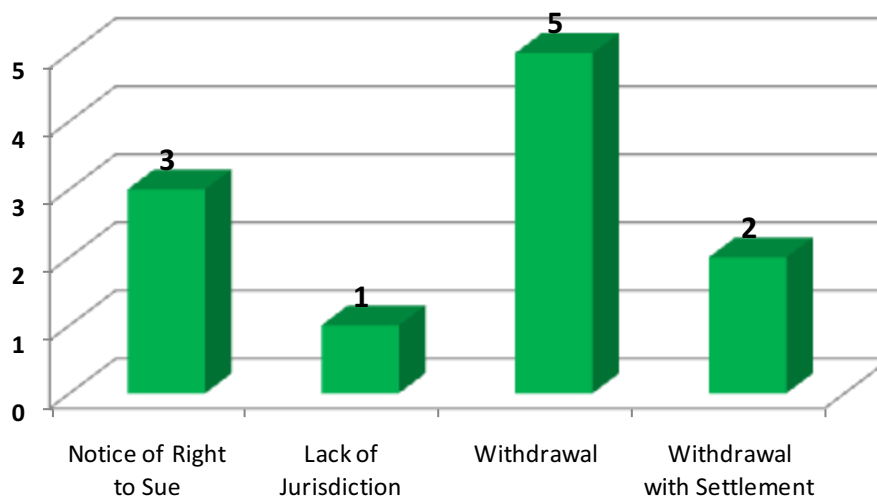
*This provides an approximate demographic report based on the racial or national origin designation provided by the Complainant. Although Hispanic is neither a race nor a national origin, it is indicated here in this report.

Breakdown of Cases Filed by Month

Case Disposition**Breakdown of Commission Decisions**

What do the numbers mean? No Reasonable Cause are those cases in which the Commissioners determined there was little or no evidence to believe discrimination occurred. In Reasonable Cause determinations Commissioners believe there is evidence showing discrimination did occur. Administrative Closures are cases closed for a variety of reasons—see the chart below. Pre-Determination Settlements are cases closed due to a settlement agreement prior to a Commission decision.

Sometimes the Commissioners make more than one decision in cases. Commissioners may determine that Reasonable Cause exists and those cases may later be closed in the same year by the Commission due to successful conciliation, public hearing determination, or issuance of a notice of right to sue. Because of this, the total number of Commission decisions may be greater than the number of cases closed .

Administrative Closures

Case Summaries**Pre-Determination Settlements* Summaries & Withdrawals with Settlements**

- \$1000 & neutral employment reference.
- \$2000 & Neutral employment reference.
- Equal Opportunity Training.
- Neutral Employment Reference.
- \$1000 & equal employment training.
- \$1000 & equal employment training.
- \$1000 & equal employment training.
- Job reinstatement w/ seniority & \$1440 in lost wages.
- Attendance at Civil Rights Conference.
- Reasonable Accommodation policy and fair housing training.
- Waiver of one month's rent, remove discriminatory lease provision, \$3500, and fair housing training.
- Waive one month's rent and allowed to more time to move & neutral rental reference.
- End the sexual harassment and implement sexual harassment policy.
- \$925 and employer to forgive money owed.
- \$10000
- Forgive \$1733.51 in past due rent, Neutral rental reference, and fair housing training.
- \$5111.37
- \$4000, neutral employment reference, and attend Civil Rights Conference.
- \$3000

*A Pre-Determination Settlement (PDS) is a no-fault settlement agreement voluntarily entered into by both parties prior to the Commission making a determination in the case.

Conciliation Summaries**

- Relocated mobile home and outbuildings, repaired stairs and deck and reinstalled insulation under home.
- \$1000
- \$18,000

**A conciliation takes place after a finding of Reasonable Cause. Both parties come together and discuss, negotiate and facilitate a settlement.

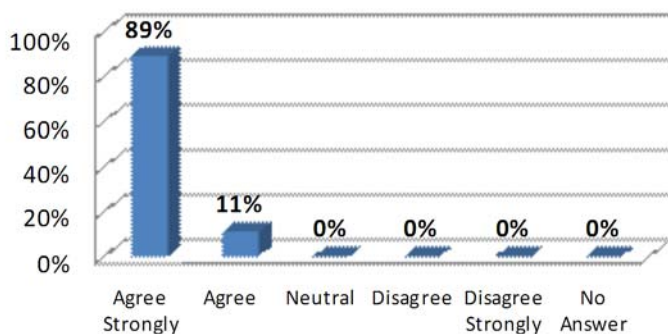
Service Satisfaction Survey

Service Satisfaction Survey

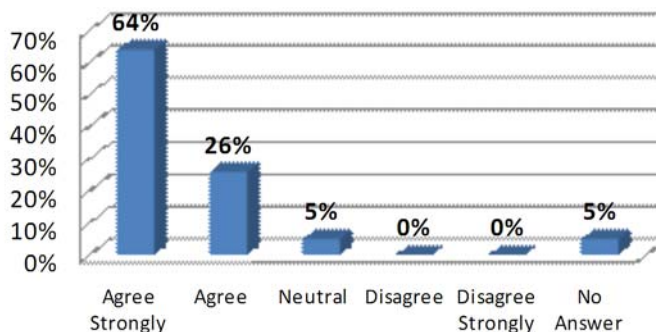
In an effort to gauge how our complainants and respondents felt about their contact with our agency, determine how they felt about the process and understanding the process, and to look for areas in which we could provide better service or a clearer understanding of what we do, surveys were mailed to all complainants and respondents following their case closure, regardless of the case outcome. We asked them to rank us in several areas.

Both Complainants and Respondents were asked to rank our office with 1 being the lowest and 5 being the highest.

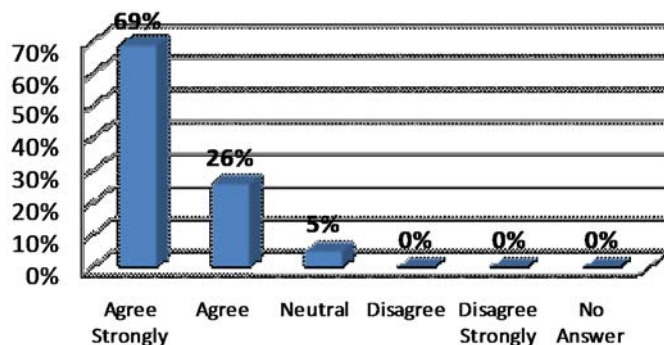
All department staff presented themselves in a courteous and professional manner at all times.



The intake investigator explained the laws and the LCHR investigative procedure to your satisfaction.

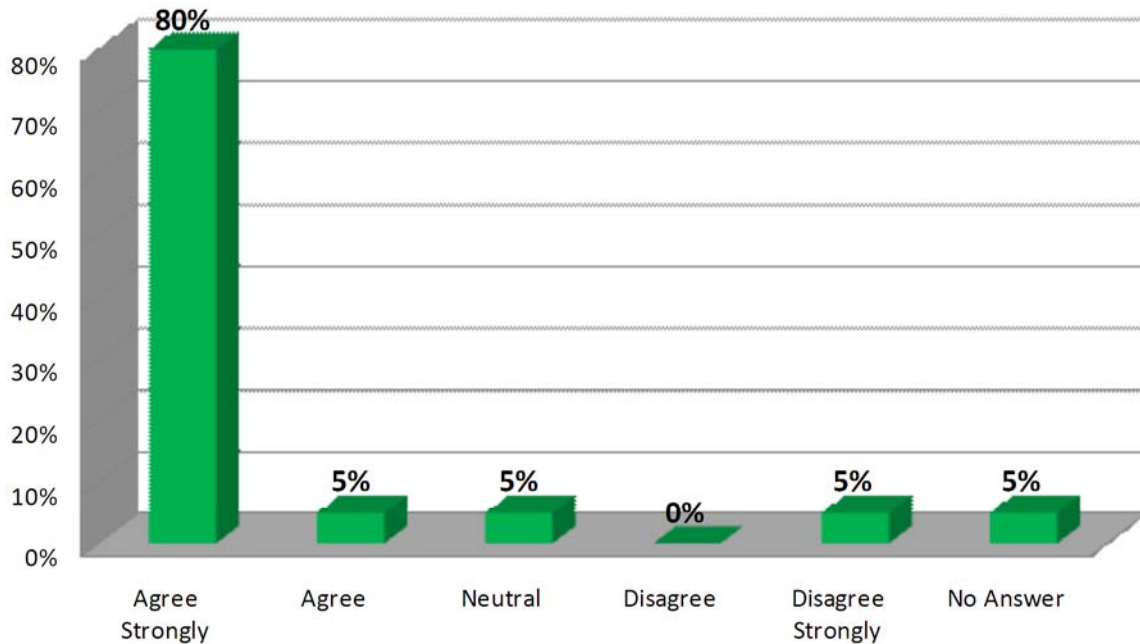


The investigator kept you adequately informed about the progress of the investigation.

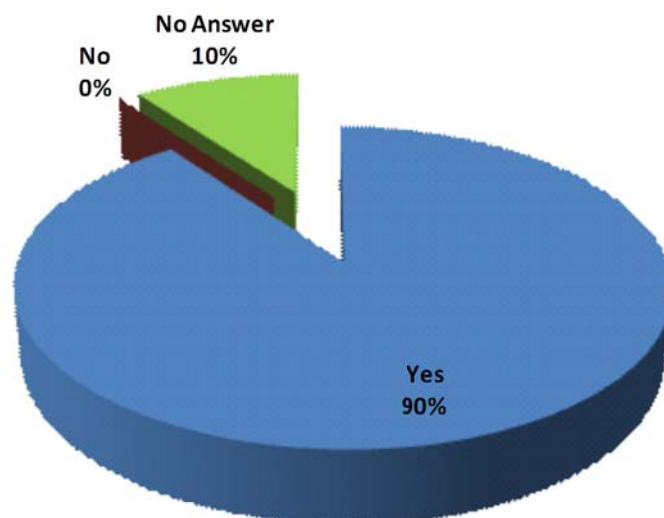


Service Satisfaction Survey

Regardless of the case outcome, you felt the overall process was fair.



Would you refer someone experiencing a possible discrimination problem to the LCHR?



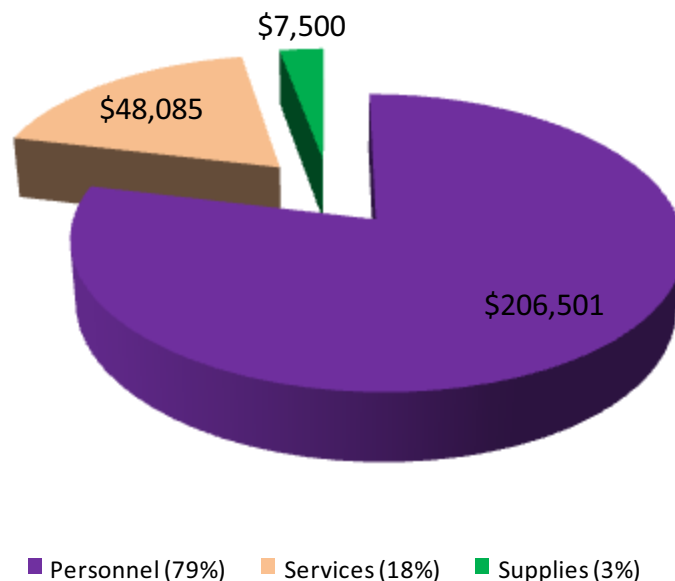
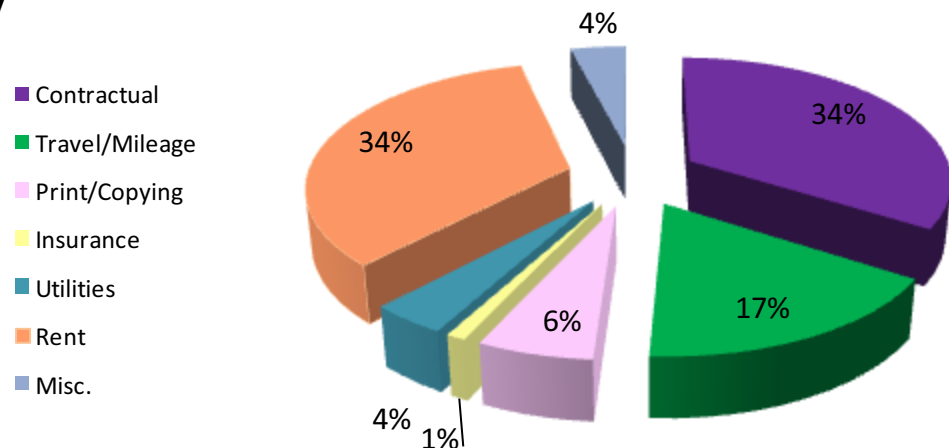
Budget FY 2008-2009

For fiscal year 2008-2009, which ran September 1, 2008 until August 31, 2009, the Lincoln Commission on Human Rights Budget adopted by the City Council was \$112,474 out of a total City budget of \$134,811,929. In addition to the City's General Funds, the Commission on Human Rights received \$149,612 of their total budget, or 57% of our total budget of \$262,086 from federal grant funding through the U.S. Department of Housing and Urban Development and the Equal Employment Opportunity Commission.

LCHR is a division of the Mayor's Office which includes Aging Partners, the Citizen Information Center and the Mayor's Office itself. The budget for all of these divisions in the Mayor's Office is \$7,373,743 of which LCHR amounts to about 3.5% of the total budget in this department.

Where Did the Money Go?

Of the total budget of \$262,086, the largest percentage went to personnel for salaries and benefits, for a total of \$206,501 or 79%. Services*, which expenditures cover our insurance, travel, mileage, interpretation/translation costs, office rental, copying, printing and utilities' accounts for \$48,085 or 18% of our budget, while office supplies accounts for \$7,500, or 3% of our total budget.

***Services Summary**

Education and Outreach

The Lincoln Commission on Human Rights provides services to the community to assure that individuals are aware of the rights and responsibilities under the Equal Opportunity and Fair Housing Laws. LCHR works to reach as many agencies, groups, community-based organizations, employers, property owners, civic groups and individuals as possible. These efforts include training programs which can be customized to meet the needs of the target audience. Topics include: racial and sexual harassment; fair employment practices; harassment free work environments; fair housing laws; public accommodation laws; Americans With Disabilities Act; and diversity training.

In 2009, the staff conducted training at a number of organizations for a total of 61 sessions reaching just over 3,000 people. These organizations include the Lincoln Public School System, from elementary classes to career education classes in the high schools; the Lincoln Housing Authority, Region V and VI, Real Estate owners and Managers Association of Lincoln (REOMA), as well as training sessions held with several respondents as a result of settlement agreements. Additionally, the Fair Housing Conference continued to be an unqualified success in 2009 providing the public with a forum and information on a wide range of housing topics.

LCHR TV's Program: *OneLincoln*

The 5 City TV program "OneLincoln" aired several well-received programs in 2009. The show is hosted by Director Larry Williams with local guests and presents issues relating to discrimination and areas of concern to residents of Lincoln.

The program's aim is to increase awareness and understanding, to provide information on these topics and to let the public know that the LCHR is the agency in the city of Lincoln responsible for investigating complaints of discrimination. A highlight in 2009 was the show spotlighting the 40th Anniversary of the Commission. Three of the original Commission members; Ms. Lois Weaver, Mr. Joe Hampton, and Fred Wells were guests and spoke about their experiences with the Commission. Additionally, LCHR partnered with Special Olympics to produce a program focusing on the topic of disability and the community.

OneLincoln is currently on hiatus due to budget constraints. Past programs may be viewed through 5 City TV video on demand, simply go to <http://www.lincoln.ne.gov/city/mayor/cic/5citytv/video.htm> and select the Lincoln Commission on Human Rights link on the right side of the page to access the programs.

Please address any questions or comments to Director Williams at 441-8691 or by email at lwilliams@lincoln.ne.gov.

2009 Fair Housing Conference



Director Larry Williams awarding Michelle Zadina of Apartment Guide with the 2009 Fair Housing Award.

The 2009 Fair Housing Award was presented to Michelle Zadina of Apartment Guide at the Fair Housing Conference in April. Ms. Zadina was nominated for the award by Joe Garcia of the Fair Housing Center of Nebraska & Iowa—a program of Family Housing Advisory Services, Inc.

The Fair Housing Award is given to a person, organization or formalized group that has made significant contributions to providing equal opportunity in the field of housing. Someone whose achievements have given new meaning to “fair housing”. A winner is chosen from among the nominees by a selection committee composed of housing providers and conference partners.



Eleanor Roosevelt (portrayed by Elena Dodd) speaking at the 2009 Fair Housing Conference.



Clifton Jones of HUD presenting Rebecca Christian of High Plains Community Development Corp. an award for her contributions to Fair Housing.



The Lincoln Commission on Human Rights launched their new web site in 2009. It is cost-effective way to share information and updates with Lincoln's diverse and growing community.

Two of the many festivals and educational events that LCHR participated in.



LCHR Director Larry Williams at
El Centro de la Americas 2009 Festival



World Day at the Mall, LCHR stand staffed
by AmeriCorps volunteer Pippi van Slooten

SIGN UP NOW!
2010 Civil Rights Conference
April 20 & 21
Cornhusker Marriot
333 S. 13th Street ~ Lincoln, NE

Free!
Brochure available at:
<http://humanrights.lincoln.ne.gov>

Call for information 402.441.7624



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