



COMMISSION ON HUMAN RIGHTS - 2013



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

ANNUAL REPORT

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LCHR ANNUAL REPORT 2013

Mayor

February 2014

Dear Lincoln Residents:

As the Lincoln Commission on Human Rights (LCHR) begins its 45th year of promoting equal opportunity and combating discrimination, I am pleased to present this 2013 Annual Report.

This past year, three LCHR Commissioners ended their terms – Wendy Francis, Gene Crump and Hazell Rodriguez each served six years. Their willingness to volunteer their time and talents and their commitment to equality and fairness in employment and housing is greatly appreciated. I also want to thank the remaining Commissioners and our two LCHR investigators as well. They closed 19 housing cases, 61 employment cases and 2 public accommodation cases during 2013. The LCHR also reached more than 6,300 residents with nearly 100 educational sessions covering civil rights and responsibilities.

The successful annual Civil Rights Conference in April 2013 focused on both employment and housing. Presenters included local, regional and national experts in their fields. We appreciate our Conference sponsors for their continued support. They include the Nebraska Department of Economic Development, the Omaha Human Rights and Relations Department the Realtors Association of Lincoln and the Nebraska Housing Developers Association.

It has been a productive year for LCHR, but we know there is always more we can do to battle prejudice and promote justice. Our City is fortunate that our LCHR Commissioners and staff and our Director of Equity and Diversity have the experience and dedication to continue this important work in our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Beutler", with a stylized flourish at the end.

Chris Beutler
Mayor, City of Lincoln

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Executive Director

Dear Friends of the Commission:

So much has happened since last I addressed you! The investigators at the Lincoln Commission on Human Rights continued to work diligently investigating housing, public accommodation, and employment discrimination cases. Both Angie and Margie have worked with Loren to educate Respondents and local realtors. Loren has continued the community outreach efforts of our office through her association with the Lincoln Housing Authority, RentWise, CenterPointe and Community Action Partnership. Loren has also maintained our tradition of advising Lincoln Public High School students about their rights related to housing and employment as they prepare to move into the workforce and out of the parental home.

As always, our annual Civil Rights Conference was the highlight of the year. We had nearly 200 professionals present and our speakers came to us from the United States Housing and Urban Development Office, the District Office of the EEOC, and the John Marshall Law School. In addition to the legal updates that are provided every year, sessions were conducted on a variety of subjects, such as housing challenges affecting military veterans, affirmatively furthering fair housing and discrimination based upon citizenship status and national origin. Additionally, a forum was conducted discussing discrimination laws directed at protecting LGBT individuals in the housing and employment context here in Nebraska and across the nation. All of these sessions were well-received by the attendees. Thanks to the LCHR staff, the conference was another huge success!

In my capacity as the Director of Equity and Diversity, I also serve as the City's Equal Employment Officer. It is truly an honor and a privilege to serve the citizens of Lincoln in this capacity. One of my tasks this year was to create a Limited English Proficiency Program Plan (LEP) for the City of Lincoln. The plan is required in order for the City of Lincoln to continue to receive federal funding for the numerous highway, sewer and recreational projects that are ongoing in the City of Lincoln. With the assistance of the Diversity Outreach Coordinator, Loren Mestre-Roberts, and the City Ombudsman, Lin Quenzer, the LEP was drafted and unanimously approved by the City Council. Many thanks to Loren and Lin for their invaluable help with this project! As we enter 2014, we continue to move forward with initiatives that educate the public, address discrimination and foster an environment that encourages, creates and promotes diversity.

Very Truly Yours,



Kimberley Taylor-Riley
Director of Equity and Diversity

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Commission Chair

Dear Citizens and Friends of the Commission,

With this letter I and the Commissioners of the Lincoln Commission on Human Rights would like to update you on the status of the Commission's work during the year 2013. The Executive Director, staff and Commissioners that comprise LCHR, continue to work to investigate complaints and discuss the cases brought before the Commissioners, who in turn, issue findings.

The Commission went a full year with no new Commissioners and this allowed the Commission to operate as an experienced set of fact finders, thoughtful problem solvers, and committed dispute resolution specialists. LCHR will miss the experienced and judicious counsel of Commissioner Wendy Francis who left LCHR recently for other competing Community service demands and to spend more time with her family. The Commissioners that served with Wendy thank her for her service to the City of Lincoln and wish her well in her future endeavors.

The Civil Rights Conference hosted by the LCHR staff in April 2013, was an educational and instructive "how to" seminar to comply with housing and employment rights and responsibilities that affect all of us. There were speakers from federal, state and local entities speaking to the attendees on anti-discrimination practices. Please consider and make plans for the forth-coming 2014 Civil Rights Conference to be held April 1st. You can find additional information on the website at: lincoln.ne.gov/city/mayor/human.

This was my final year on the LCHR and I have taken personal pride and professional satisfaction in serving both the Commission and the citizens of Lincoln since April 2004. The experience Mayor Beutler gave me of working on the LCHR was both a learning opportunity and a "do-something" initiative to help Lincoln move forward on employment and housing issues effecting her citizens.

I am proud to have served with returning Commissioners, Susan Oldfield, Takako Olson, Mary Reece, Bennie Shobe Jr., Michael Q. Thompson, and Elizabeth Kennedy-King. Their civic service on the Commission shows that Lincoln is a place where people count.

I acknowledge the support, attention to detail, work ethic, and pure joy I and the Commissioners received from Angela Lemke, Margie Nichols, Loren Mestre-Roberts and Peg Dillon, the dedicated staff of the LCHR. I have enjoyed working with you and appreciate your guidance, temperament and skills. Thank you.

Our work continues to strive for equality in a City that provides a local Civil Rights Agency to fight housing and employment discrimination; how fortunate it is to live in Lincoln, Nebraska.

Sincerely,



Gene Crump, Chair

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Commissioners

2013 Commissioners



2013 Lincoln Commission on Human Rights Commissioners: Bottom row, left to right, Vice Chair - Hazell Rodriguez, Takako Olson, Mary Reece, and Susan Oldfield. Top row left to right, Chair - Gene Crump, Bennie Shobe, Jr. Elizabeth Kennedy-King, and Micheal Q. Thompson. Not pictured, Wendy Francis.

The LCHR Commission is a nine member board of diverse people who hear and decide 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 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.

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Mission Statement

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; and
- to *order remedies* if the complainant proves at a hearing that discrimination has occurred.

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Agency Staff

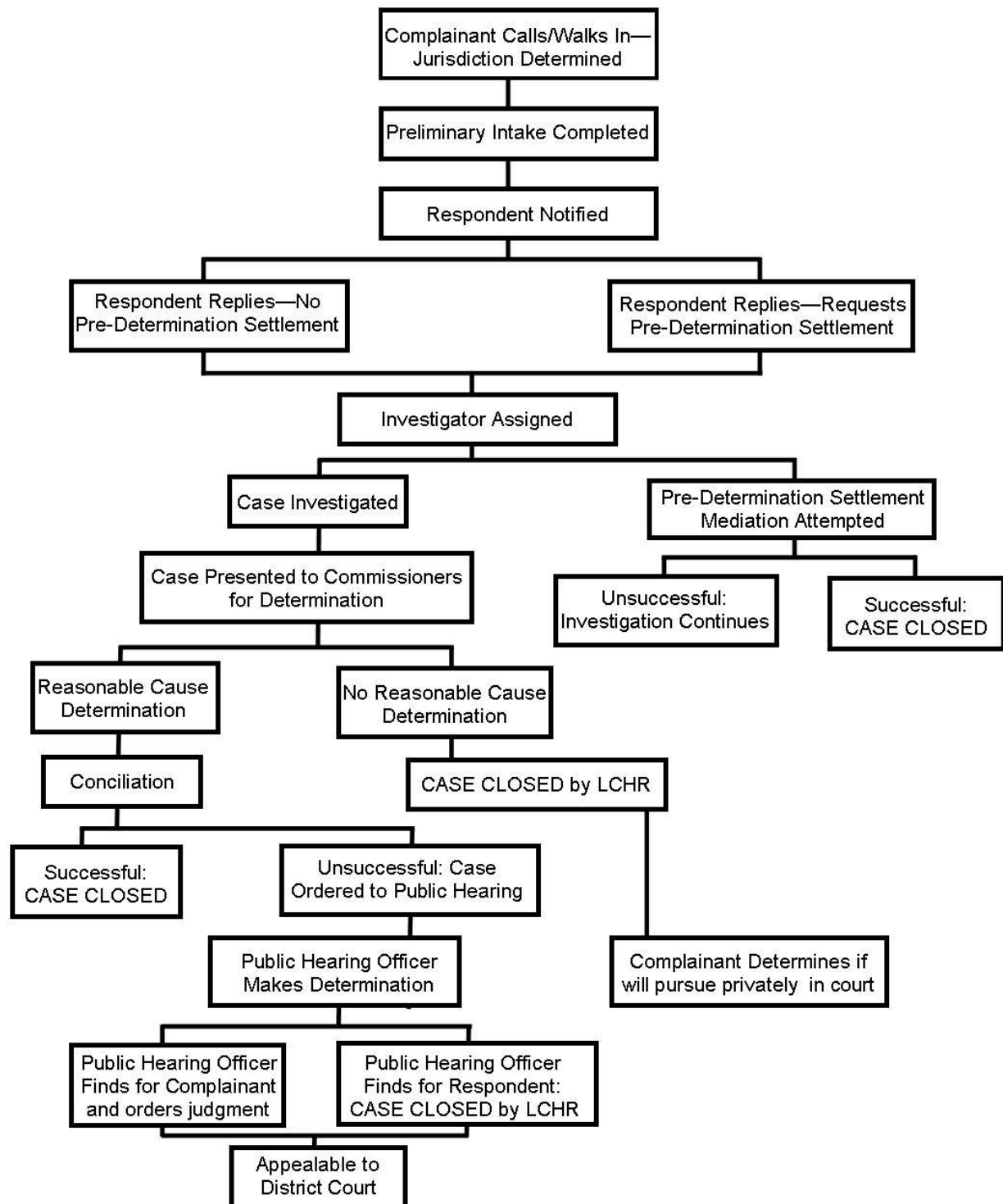


Lincoln Commission on Human Rights Staff: Front Center clockwise: Director of Equity & Diversity – Kimberley Taylor-Riley, Senior Civil Rights Investigator – Angela Lemke, Senior Office Assistant – Peg Dillon, Civil Rights Investigator – Margie Nichols, and Community Outreach Coordinator – Loren Mestre-Roberts.

Lincoln Commission on Human Rights (LCHR) is the primary City Agency that has the responsibility for the remedy of discrimination complaints brought by individuals. Any remedy pursued by the LCHR will be based on the enforcement authority of the Equal Opportunities Ordinance which provides a fair and impartial process for resolving charges of discrimination. The LCHR also provides community education and technical assistance in order for people to know and understand their rights and responsibilities under the law.

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Complaint Process*

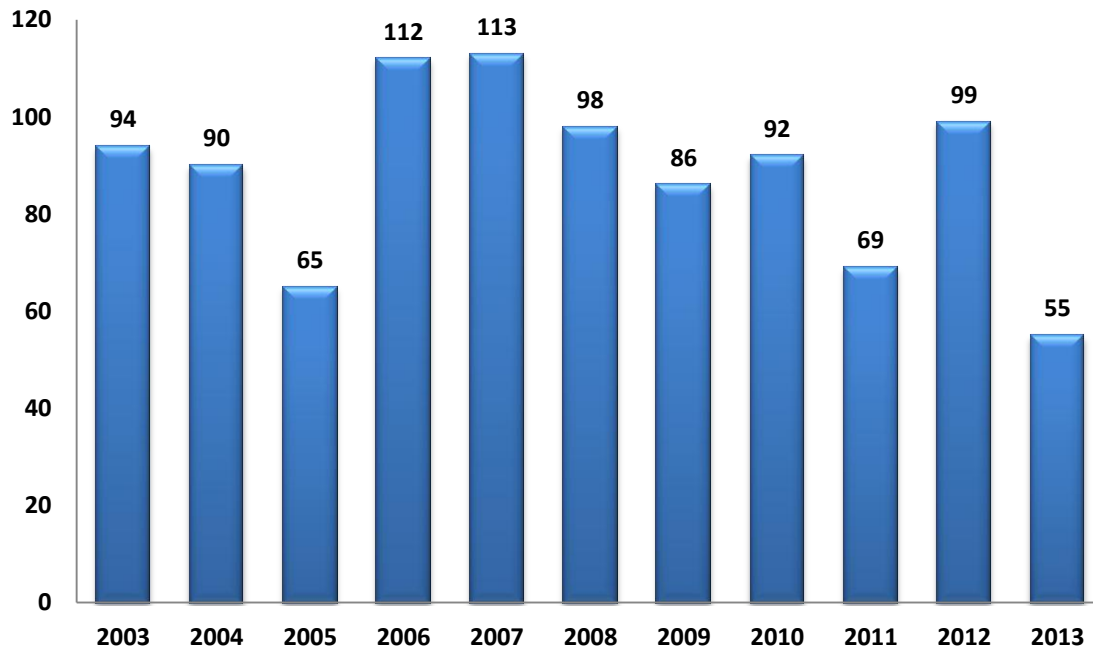


*Complainant always has the option throughout the process of pursuing his or her case privately in court.

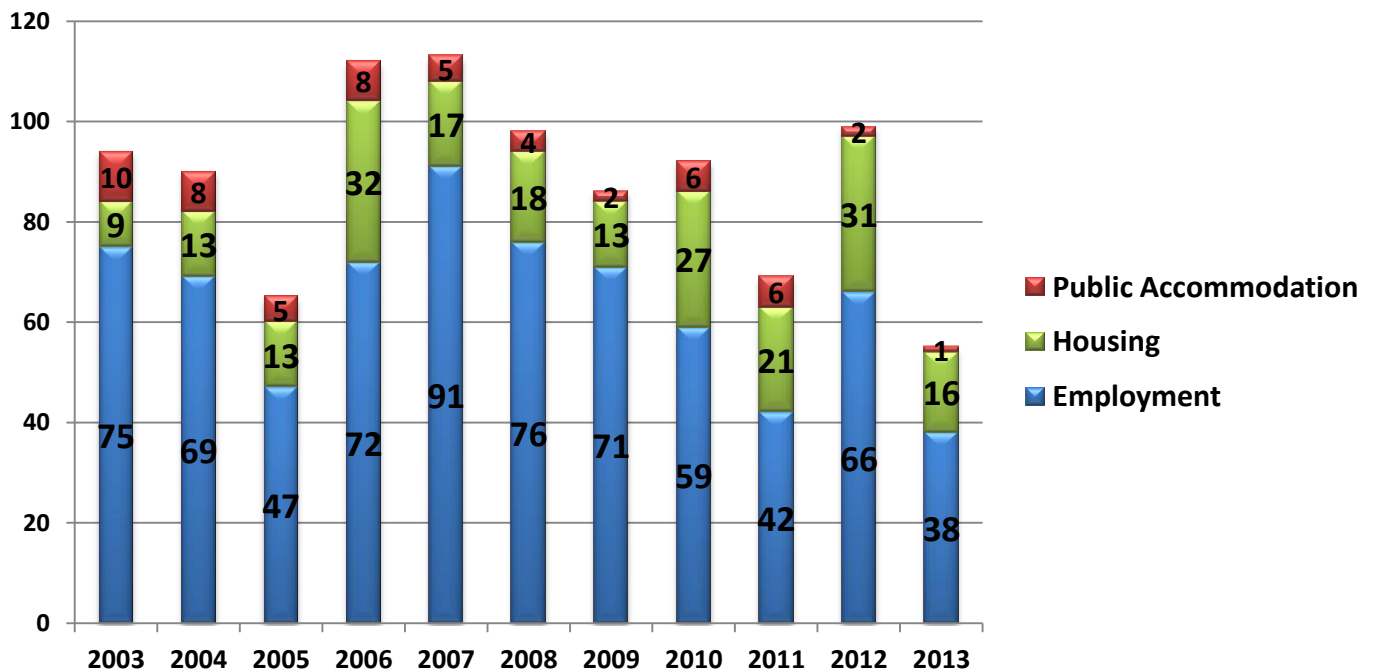
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Case Statistics

Cases Filed 2003-2013



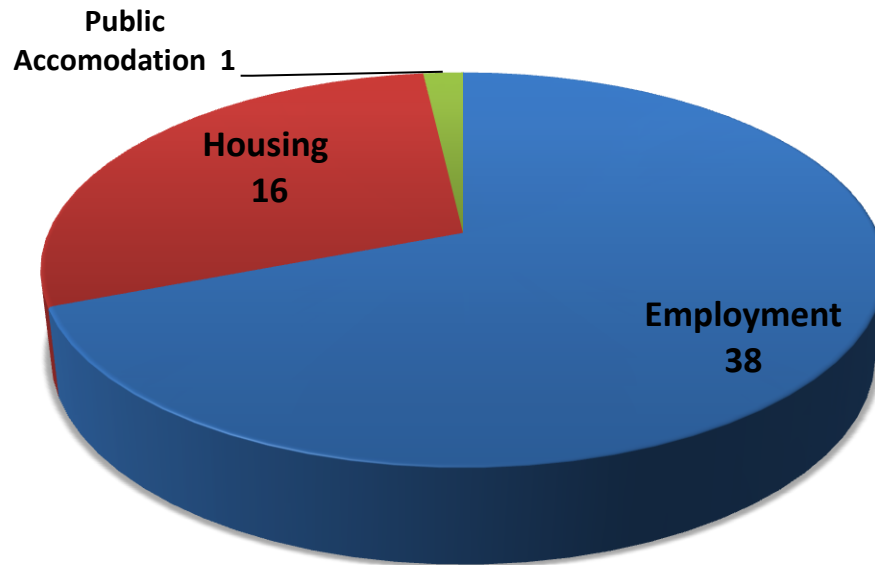
Cases Filed by Type 2003-2013



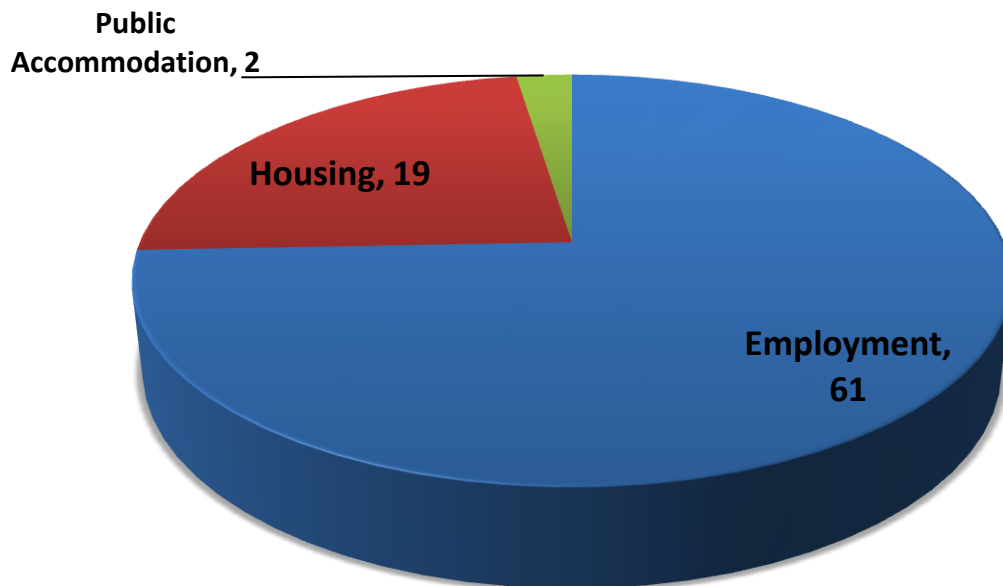
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Case Statistics

Cases Filed – 55 by Type



Cases Closed* - 82 by Type

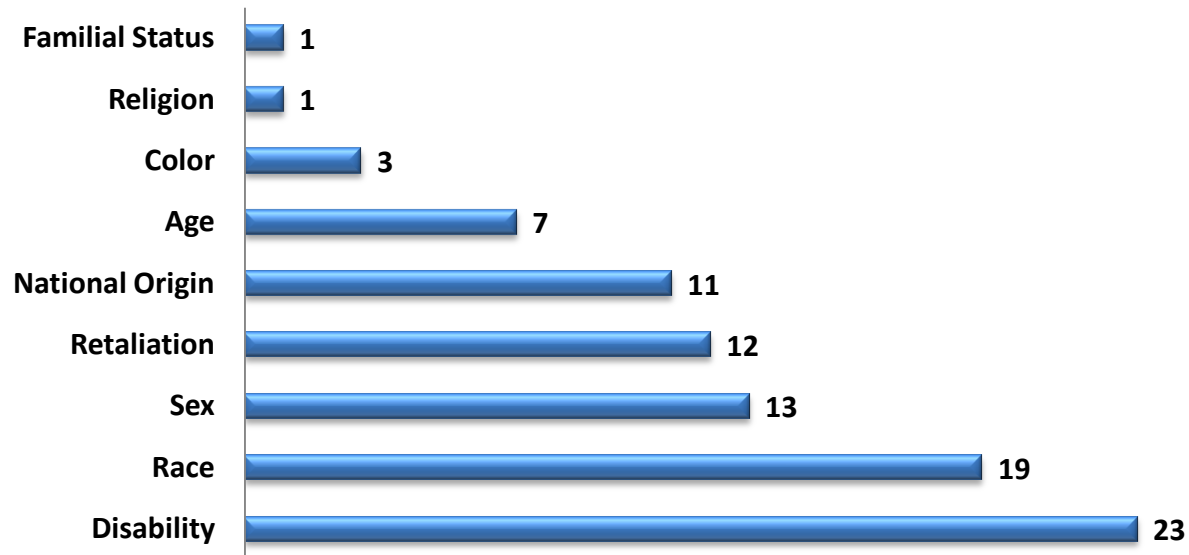


*Cases closed include cases filed from 2012-2013 but closed in 2013.

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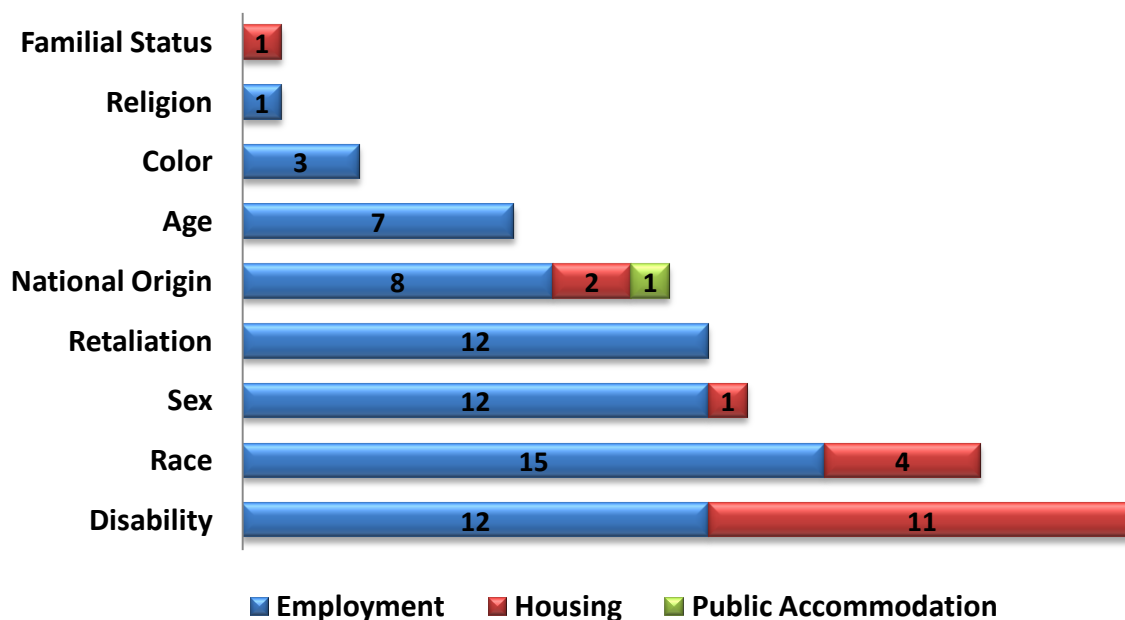
Case Statistics

Breakdown of Cases Filed by Basis*



*Cases are often 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 Basis and Type*

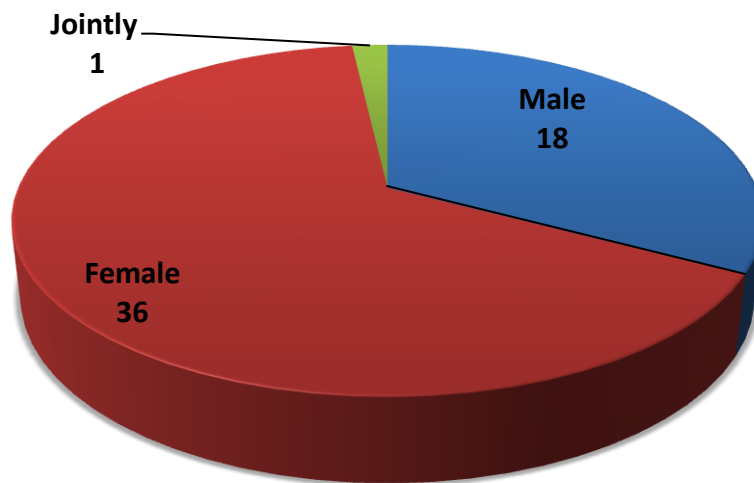


*Marital Status and ancestry are not listed because there were no complaints filed under these bases in 2013. The basis of age is only covered in employment, while familial status is only covered in housing.

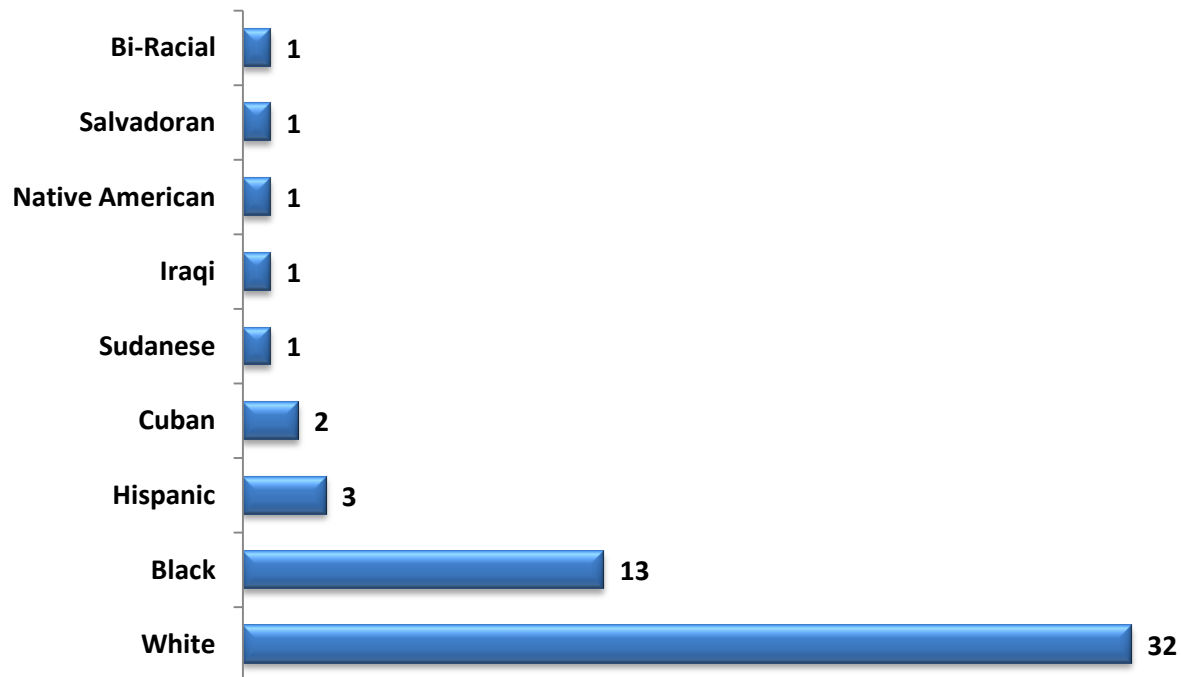
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Case Statistics

Breakdown of Cases Filed by Gender



Breakdown of Cases Filed by Race / National Origin / Ethnicity* of Complainant

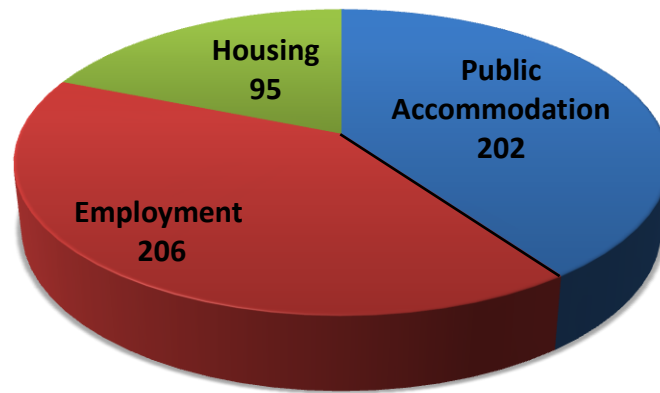


*This provides an approximate demographic report based on the racial, national origin, or ethnic designation provided by the Complainant.

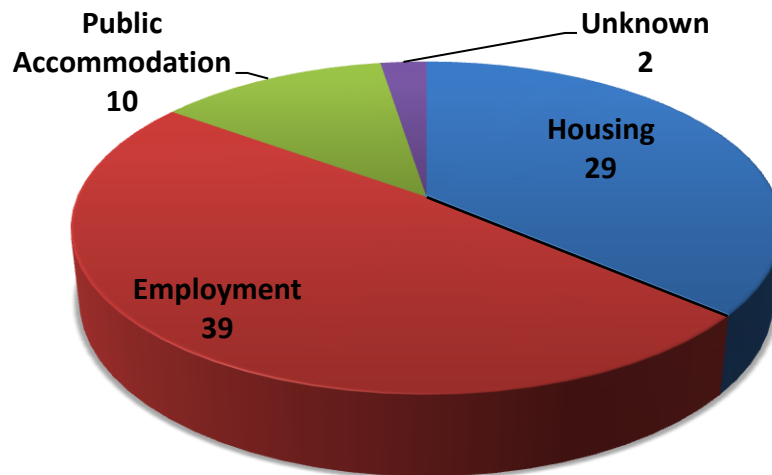
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Case Statistics

Average Number of Days from Filing to Closure



Inquiries Not Resulting in a Complaint*

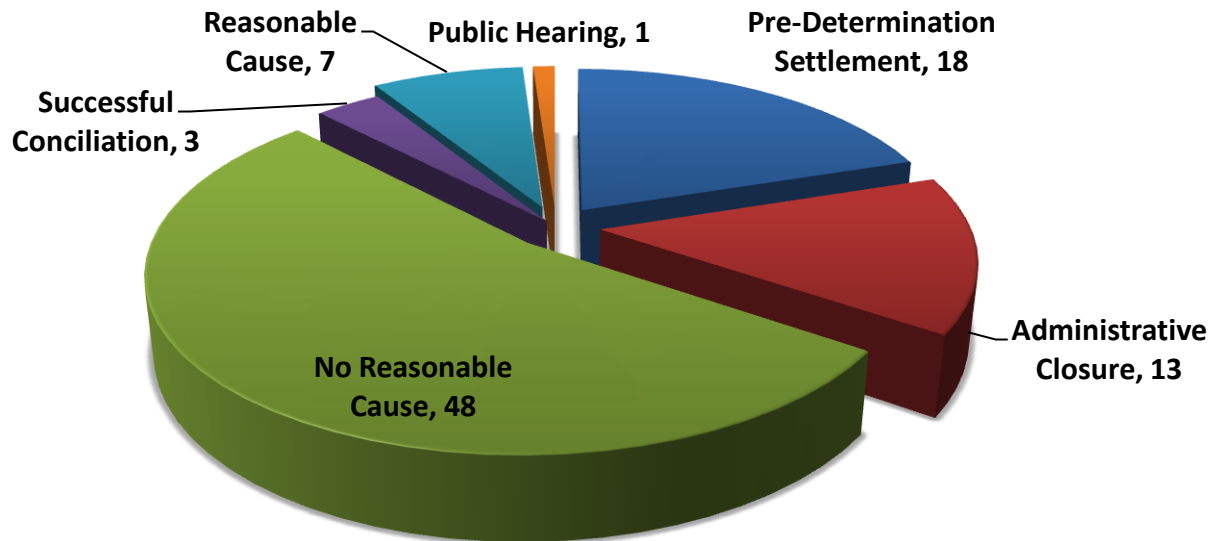


*There are various reasons why inquiries do not result in the filing of a complaint. They include, but are not limited to, the Commission not having subject matter jurisdiction, the individual not wanting to file a complaint or the individual failing to follow-through with the filing of a complaint.

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Case Statistics

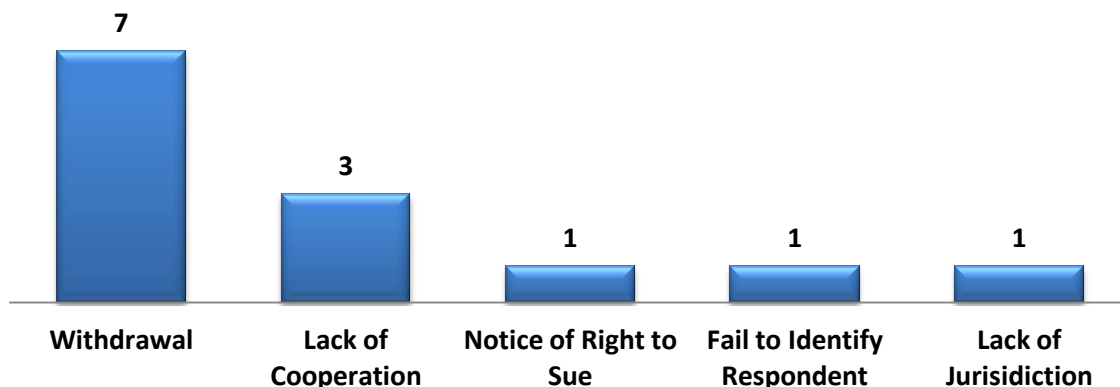
Breakdown of Commission Decisions



What do the numbers mean? No Reasonable Cause cases are when the Commissioners determine there is little or no evidence to believe discrimination occurred. In Reasonable Cause determinations, Commissioners believe there is evidence showing discrimination. Administrative Closures are cases closed for a variety of reasons (see 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 a single case. 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



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Settlement Summaries

Pre-Determination* & Conciliation Settlement Summaries and Withdrawals with Settlements

Employment

\$20,000

\$330; Neutral Reference, Reasonable Accommodation Agreement

\$5,000 & Neutral Reference Letter

Neutral Reference

\$5,000, Neutral Reference

\$3,000, Equal Opportunity Training

\$500, Neutral Reference, Non-disclosure & Non-disparagement Statement

\$25,417

\$4,500, Neutral Reference

\$7,500

Housing

\$306, Fair Housing Training

Reasonable Accommodation of parking space, Fair Housing Training

Housing, Fair Housing Training

Reasonable Accommodation of companion animal, Fair Housing Posters, Housing

\$1,115, Housing, Neutral Reference, Pest control assessment

\$1,500, Fair Housing Training

Policy Revisions, Fair Housing Training

\$1,000, Fair Housing Training

\$1,000, Fair Housing Training

\$612 credit, Fair Housing Posters in English / Spanish

Provide Reasonable Accommodation of parking, Fair Housing Posters

Public Accommodation

\$500

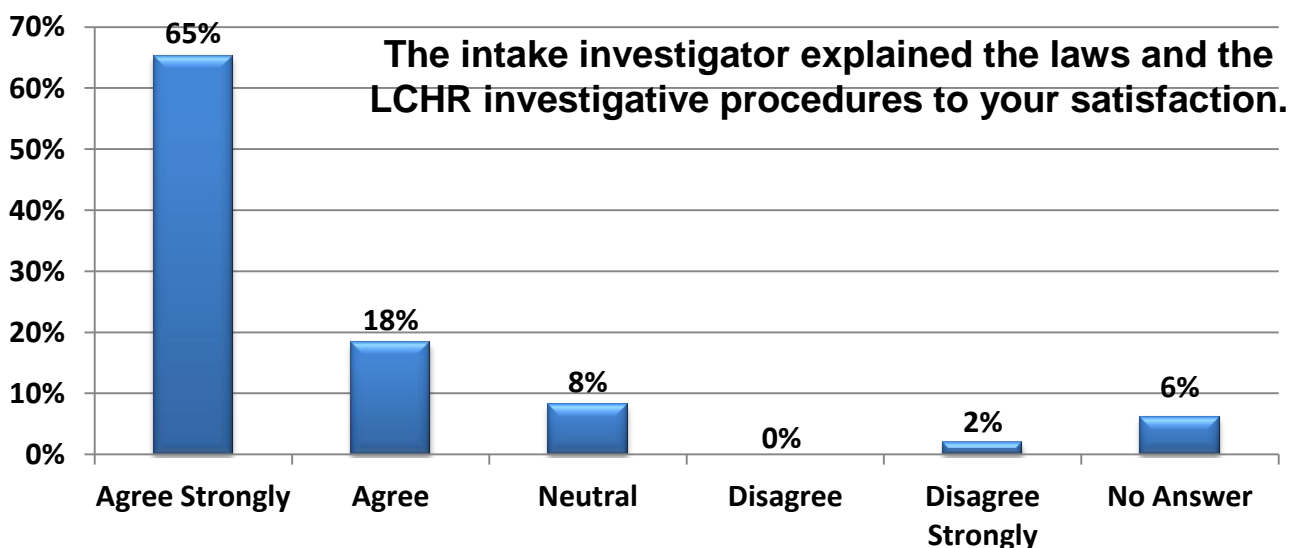
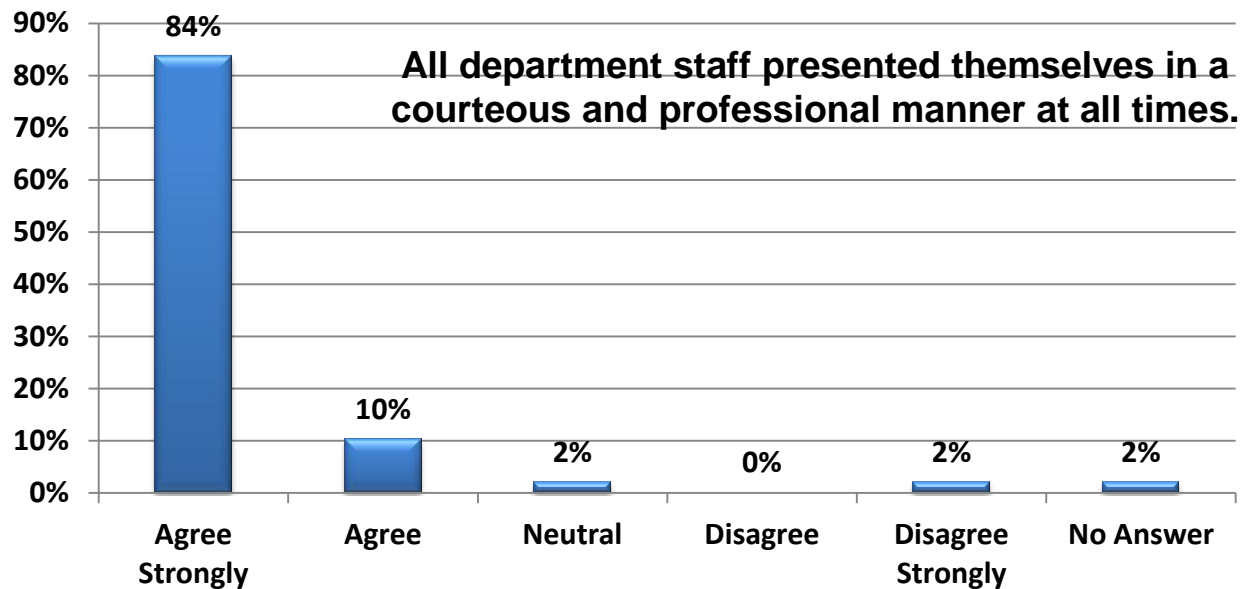
*A Pre-Determination Settlement (PDS) is a no-fault settlement agreement voluntarily entered into by both parties prior to the Commission making a determination in the case. Conciliation is a settlement agreement after a reasonable cause finding.

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Service Satisfaction Survey

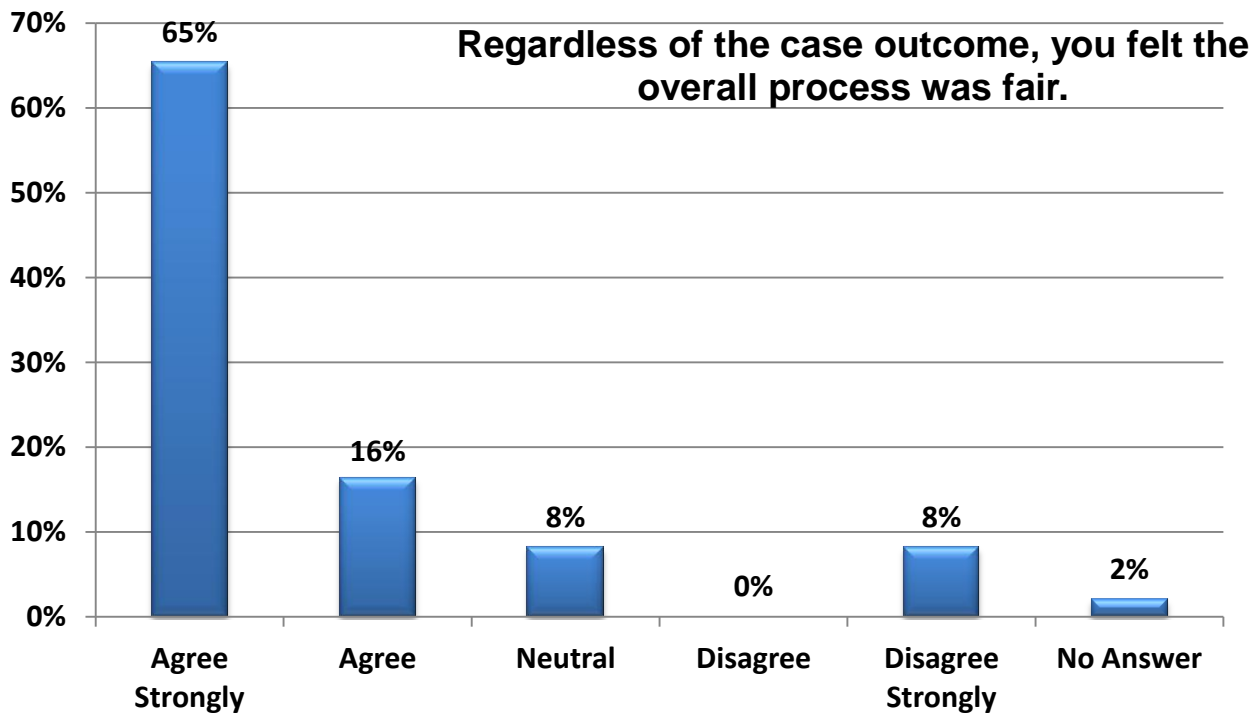
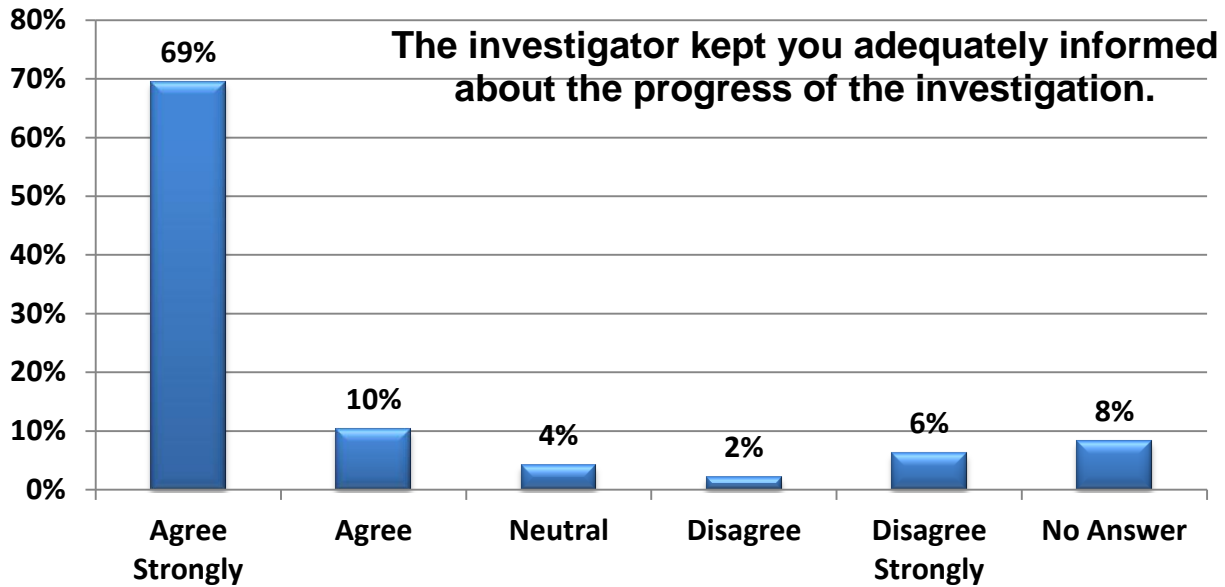
In an effort to gauge how complainants and respondents felt about their contact with our staff, determine how they felt about the process, whether they understood the process, to look for areas in which we could provide better service and/or a clearer explanation of what we do, surveys were mailed to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

Both Complainants and Respondents were asked to rank our office on a 1 to 5 scale with 1 being “Disagree Strongly” and 5 being “Agree strongly”.



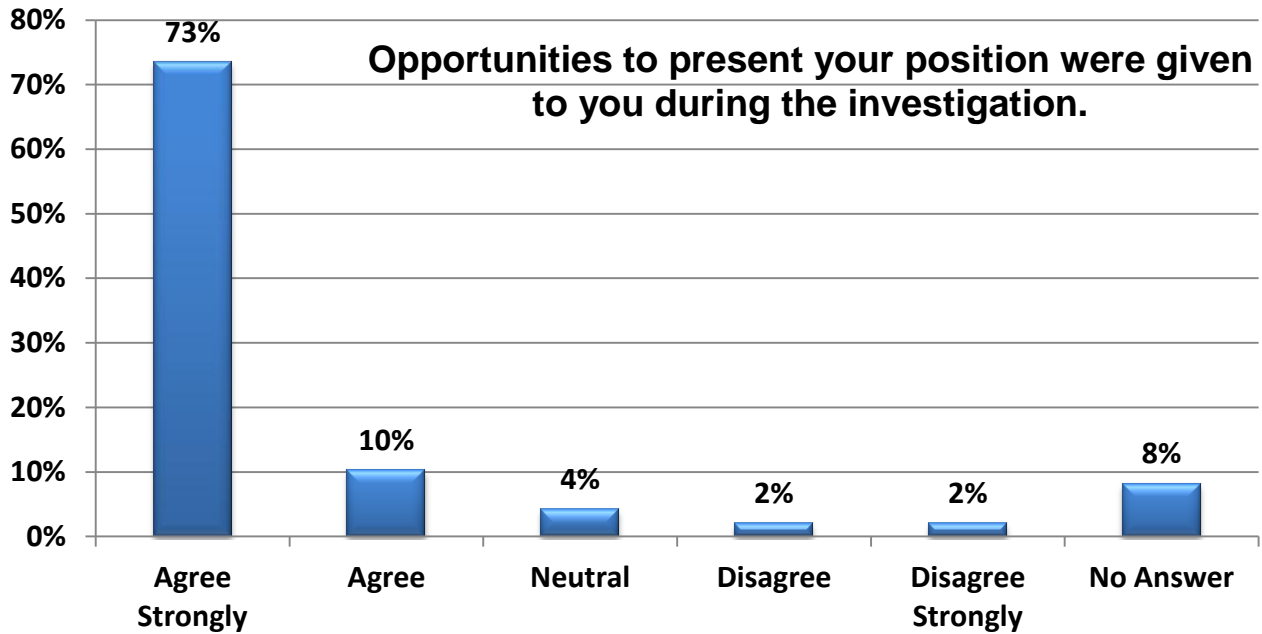
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Service Satisfaction Survey

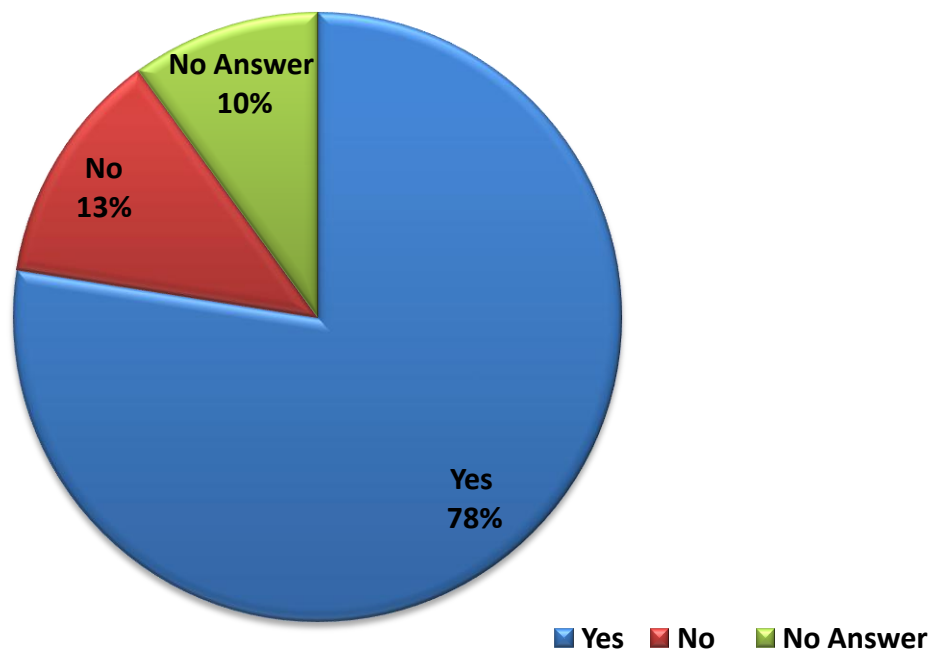


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Service Satisfaction Survey



Would you refer someone experiencing discrimination to the LCHR?



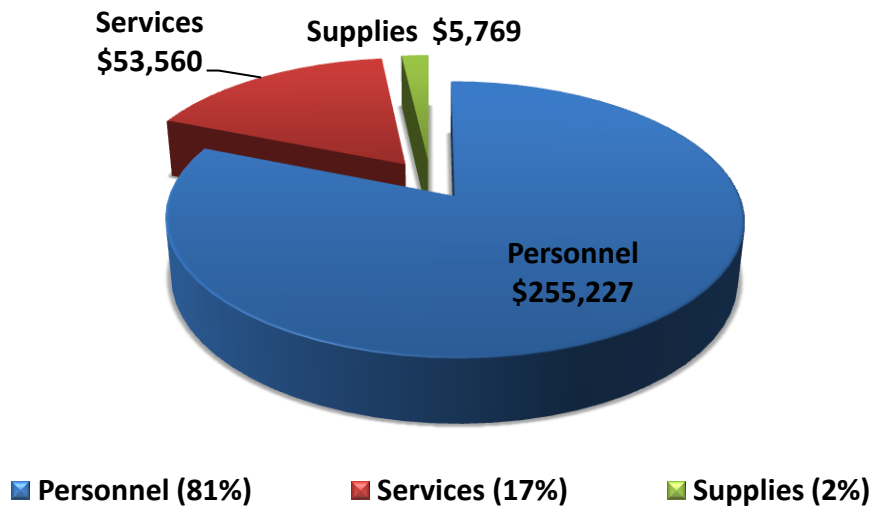
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Budget Fiscal Year - 2012-2013

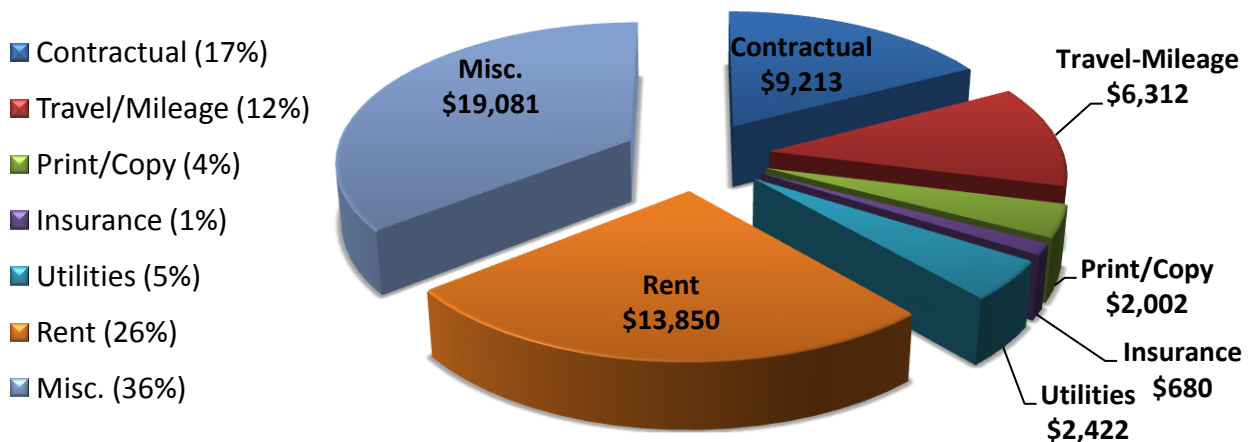
The Lincoln Commission on Human Rights' budget is comprised of funding from the City of Lincoln General Fund as well as two Federal grant funding sources—the U.S. Department of Housing and Urban Development and the Equal Employment Opportunity Commission. For FY 2012-2013, the budget expenditures were supported by \$186,939 from the General Fund and \$127,617 from federal funding sources for total expenditures of \$314,556.

Where Did the Money Go?

Of the total, \$314,556, the largest percentage went to personnel for salaries and benefits, for a total of \$255,227 or 81%. Services*, which expenditures cover our insurance, travel, mileage, interpretation/translation costs, office rental, copying, printing and utilities account for \$53,560 or 17% of our budget, while office supplies account for \$5,769, or 2% of our total budget.



*Services Summary



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Education and Outreach

The Lincoln Commission on Human Rights provides services to the community to ensure that individuals are aware of their 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 2013, the staff conducted training at a number of organizations for a total of 99 sessions reaching over 6,313 people. These organizations include LPS Career Education Classes; the Lincoln Housing Authority, Rentwise, and various fairs and festivals, such as: Juneteenth, World Day on the Mall, Streets Alive, Project Homeless Connect and Community Cultural Conversations. There were also training sessions held with several Respondents. The Civil Rights Conference was attended by over 189 individuals, and continues to provide the public with information on a wide range of civil rights topics.



Participants listen as housing and employment legal updates are presented during the 2013 LCHR Civil Rights Conference.

Panelists discuss current housing issues at the 2013 LCHR Civil Rights Conference.



Multiple families attended and participated in this year's Streets Alive community health event.

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Award Winners

Gerald Henderson Human Rights Award Recipient Kit Boesch

The **Gerald Henderson Human Rights Award** recognizes outstanding achievements in furthering human relations in Lincoln, including a demonstrated commitment to improving cooperation and understanding among people of different racial, ethnic, religious and other backgrounds.

Lancaster County Human Services Administrator, Kit Boesch received the 2013 Gerald Henderson Human Rights Award during the Civil Rights Conference. Kit's achievements include but are not limited to: Leading the Mayor's Commission on the Status of Women, forming the Domestic Violence Coalition, and developing the New American Task Force. She has been an advocate for LGBT equality and helped fund "Creating Safe Places".



Gene Crump, Chair of the Commission on Human Rights presenting the award to Kit Boesch.

Fair Housing Award Recipient Colleen Floth

The **Fair Housing Award** recognizes outstanding achievements in improving housing opportunities including a demonstrated commitment to fair housing activities and the use of new and creative measures to fight housing discrimination, prejudice and the effects of past housing discrimination.

Colleen Floth was awarded the honor posthumously during the Civil Rights Conference, and it was accepted by her daughter Wendy Arp.

Colleen Floth worked at the Friendship Home and in Affirmative Action at UNL. As a Senior Civil Rights Investigator for the Lincoln Commission on Human Rights she was very knowledgeable about the intricacies of the laws involved in housing discrimination.

She believed in equal opportunity and was a strong supporter of the work and accomplishments of the Commission on Human Rights.



LCHR Investigator, Angela Lemke presenting the award to Colleen Floth's daughter, Wendy Arp.

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