



## FY09 PERFORMANCE PLAN Office of Human Rights<sup>1</sup>

### MISSION

The mission of the DC Office of Human Rights (OHR) is to eradicate discrimination, increase equal opportunity, and protect human rights in the city.

### SUMMARY OF SERVICES

The DC OHR investigates and resolves complaints of discrimination in employment, housing, places of public accommodation, and educational institutions, according to the DC Human Rights Act of 1977 and other numerous local and federal laws. OHR also prevents discrimination by providing training and educating DC government employees, private employers, workers, and the community at-large of their rights and responsibilities under the law. OHR monitors compliance to the Language Access Act of 2004 and investigates allegations of non-compliance to this Act by DC government agencies. The agency also investigates complaints and conditions causing community tension and conflict that can lead to breaches of the peace. The Commission of Human Rights is the adjudicatory body that decides private sector cases after OHR has found “probable cause” of discrimination.

### **OBJECTIVE 1: Improve the effectiveness of the agency’s enforcement functions by shortening response times and strengthening quality controls.**

#### **INITIATIVE 1.1: Increase the volume and depth of independent case reviews.**

In FY08, OHR established a Quality Assurance Panel to formally review determinations our office was reaching. This panel of outside experts and staff randomly and regularly reviews completed cases based on pre-established criteria, issues recommendations for improving the investigative process, and points out trends in the complaints that flow into the agency. In FY09, this initiative will be strengthened by including more employment cases, as well as fair housing and language access investigations. The outcome of this initiative will be 85% of reviewed cases fully compliant from regulatory and quality standpoints.

#### **INITIATIVE 1.2: Consolidate all types of investigations into a single division.**

OHR has made great strides in reducing its overall backlog and shortening the time it takes for any type of investigation to become “aged.” The backlog is expected to be reduced even further in FY09 and beyond (see Key Performance Indicator # 4). In order to maintain focus on backlog reduction, quality control, staff training, and efficiency for the years to come, OHR will consolidate its intake and investigation operations into a single division led by two experienced supervisors. This means that the enforcement of Fair Housing and Public Accommodation cases will no longer be separated from employment and education cases. This initiative will also require every OHR investigator to become fully cross-trained during FY09 and investigate a combination of all types of OHR cases. Cross training will include completion of Title VII (EEOC), Title VIII (HUD Training Academy) and local statute (OHR) required courses. This initiative will elevate the expertise of civil rights investigators, unify the investigative team, maximize human and training resources, and ensure full attainment of both local and federal requirements.

#### **INITIATIVE 1.3: Implement a new standard operation procedures (SOP) manual.**

In FY08, OHR reviewed and updated its SOP manual as a result of the quality review process initiative (see Initiative 1.1). OHR will implement the new SOP manual starting on October 1, 2008. The SOP manual will be incorporated as part of each OHR employee’s individual

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<sup>1</sup> This Performance Plan includes the Office of Human Rights and the Commission of Human Rights.



performance plan and annual performance reviews. By the end of FY09 the successful implementation of the new manual will result in: 1) more consistency and transparency in the investigative process; 2) a faster rate of case completion; and 3) improved customer service.

**INITIATIVE 1.4: Improve EEO compliance within District agencies.**

OHR will work with all District agencies under Mayoral authority to establish a new EEO compliance monitoring mechanism and annual report in FY09. The enhanced method to monitor and rate compliance will include a scoring system with factors that include, but not limited to: 1) completion of EEO training for each agency; 2) a quarterly and annual review of cases against DC government and 3) responsiveness to OHR investigations and settlements. A report will be submitted to the City Administrator and Mayor by the end of July 2009.

**OBJECTIVE 2: Promote awareness of local and federal antidiscrimination laws by educating employers, workers and residents of the District of Columbia in order to prevent discrimination.**

**INITIATIVE 2.1: Expand OHR's public education program in the area of employment and housing discrimination.**

In FY08, OHR launched two public awareness and education campaigns to educate DC residents, businesses and workers on civil rights issues and protections. These campaigns were focused on language access and fair housing rights. In FY09, OHR will expand public information and education by securing at least 10 partnerships by June 2009 with business associations, civic groups, and community-based organizations to raise awareness of and educate at least 3,000 employers, workers and residents of their rights and responsibilities under the DC Human Rights Act and other federal and local anti-discrimination policies.

**INITIATIVE 2.2: Implement citywide diversity and EEO training.**

In October 2008, OHR will complete an "inclusion"-focused, web-based Diversity and Equal Employment Training Program with nationally-recognized standards. This program will be offered online, free of charge to DC government employees and to any person employed in the District. Implementation will take place in FY09. OHR will issue, in coordination with OCTO, a report of findings to the OCA in September 2009.

**OBJECTIVE 3: Effectively collaborate with DC government agencies and the community to promote and enforce equal access to government services by Limited English Proficient/Non English (LEP/NEP) populations that live, work and visit the District.**

**INITIATIVE 3.1: Expand the Language Access "Know Your Rights Campaign."**

Since its inception in 2004, the DC Language Access Program was largely focused on monitoring the degree of compliance from DC government agencies. OHR launched a District-wide campaign in FY08 aimed at educating the Limited and Non-English Populations (LEP/NEP) of their rights and the measures in place to resolve language access complaints with DC government agencies. In FY09, the campaign will be strengthened by providing several community workshops and establishing partnerships with the ethnic press and media. The goal is to inform at least 10,000 District LEP/NEP individuals through the campaign.

**INITIATIVE 3.2: Improve government compliance with the Language Access Act.**

As more Limited and Non-English (LEP/NEP) individuals become aware of their rights, they expect better customer service from District agencies. In FY08, OHR implemented a standard language access and cultural competency training and tested this program with 10 DC agencies mandated to comply with the Act. The outcome is better compliance results from District agencies and more determinations in favor of District government from formal language access



complaints. By May 2009, OHR will create an e-learning module in collaboration with MPD and make this educational opportunity available to all agencies under the law. OHR will also revamp this initiative in FY09 by training frontline employees from 10 agencies. This initiative will lead to an improved compliance rate of 30% using FY07 data as the baseline.

**INITIATIVE 3.3: Create District-wide Language Access systems for contracting and bilingual hiring.**

By March 2009, OHR will work with OCP and OCA to develop the scope of work and criteria to efficiently implement a District-wide contracting mechanism for foreign language translation and interpretation. OHR will also develop and submit to DCHR a set of proposed guidelines and criteria to assess and approve the language proficiency of job applicants for “bilingual” and “bilingual preferred” positions. The goal of this initiative is to improve quality of foreign language information and improve the bilingual and multilingual abilities of our workforce, thus providing better service to the LEP/NEP populations.



**PROPOSED KEY PERFORMANCE INDICATORS**

Measure	FY07 Actual	FY08 Target	FY08 YE Actual	FY09 Projection	FY10 Projection	FY11 Projection
<b>Objective 1</b>						
Percent of case reviews with “very good” or higher score	N/A	80%	82%	85%	85%	85%
Number of backlogged cases by the end of the year. (Employment, education and public accommodation: 210 days; housing: 90 days; language access: 6 months).	N/A	99	69	79	69	59
Percent of District agencies trained by OHR on EEO laws and policies.	75%	90%	---	100%	100%	100%
Percent of newly filed cases processed within 5 business days	100%	100%	100%	100%	100%	100%
Percent of OHR complainants satisfied with the agency’s intake process	N/A	75%	81.3%	80%	85%	90%
Percent of mediations that lead to settlement agreements	N/A	15%	42%	25%	30%	35%
Percent of new Commission cases adjudicated within 18 months of certification.	N/A	70%	55%	75%	80%	85%
Percent of cases adjudicated that are less than 2 years old.	N/A	N/A	N/A	80%	85%	90%
<b>Objective 2</b>						
Number of DC government and private employers and workers trained on diversity and EEO policies.	N/A	3,000	1,080	1,000	2,000	3,000
<b>Objective 3</b>						
Percent of LEP/NEP constituents that indicate “gained knowledge” of language access rights through the Know Your Rights Campaign.	N/A	70%	70%	75%	75%	75%
Percent of District agencies trained on the requirements of the Language Access Act, submit a Language Access Plan, and report on language access progress.	N/A	95%	93%	100%	100%	100%
Percent of “covered” agencies under the LAA that receive an overall rating of 3 or more during testing.	N/A	50%	54.6%	60%	70%	70%