



## Office of Human Rights OHR (HM)

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### 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 with the Language Access Act of 2004 and investigates allegations of non-compliance 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.

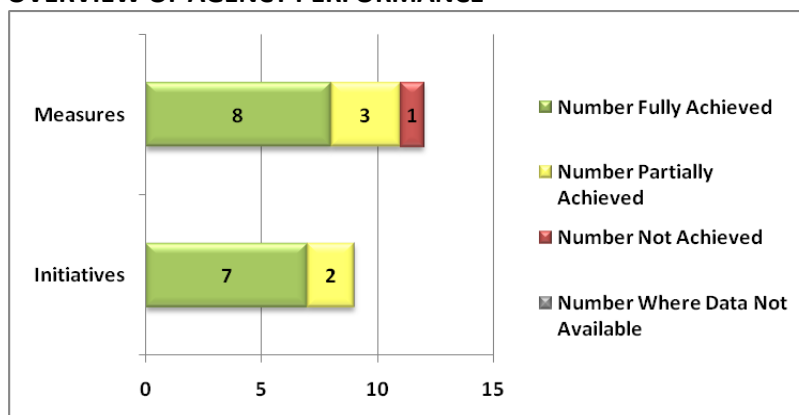
### AGENCY OBJECTIVES

1. Improve the effectiveness of the agency’s enforcement functions by shortening response times and strengthening quality controls.
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.
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 Proficient (LEP/NEP) populations that live, work and visit the District.

### ACCOMPLISHMENTS

- ✓ Reduced case backlog to less than 60 by year’s end despite growth in new cases (over 500).
- ✓ Implemented a rigorous method to measure compliance with the DC Language Access Act, which relies heavily on a new foreign language testing program housed at OHR.
- ✓ Launched a free E-Learning initiative to educate DC residents and workers about District civil and human rights protections, focusing on Diversity and Equal Employment Opportunity.

### OVERVIEW OF AGENCY PERFORMANCE





## Performance Initiatives – Assessment Details

### Performance Assessment Key:

-  Fully achieved     Partially achieved     Not achieved     Data not reported

### 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 FY 2009, OHR reviewed 50% more cases, including employment, housing and language access cases. The total number of cases reviewed in FY 2009 was 72, compared with 33 cases reviewed in FY 2008. OHR's goal for FY 2009 was for 85% of case reviews to have a "very good" or higher score; in FY 2009, 96.3% of case reviews had a "very good" or higher score. More importantly, this initiative helped management staff, upon review of the cases, to update the agency's Standard Operating Procedures (SOP) manual by reinforcing investigative protocols.

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

- Each of OHR's Office investigators and Equal Opportunity Specialists was cross-trained by the end of FY 2009. This means each investigator is capable of processing and fully investigating employment, housing, education, public accommodation, and language access cases filed with OHR. Investigators who previously only handled employment cases were trained by the National Fair Housing Training Academy, and passed a rigorous 5-week training program during FY 2009. Investigators exclusively assigned in the past to the fair housing program have now been trained by OHR supervisors and the EEOC Training Institute. As a result of this initiative, OHR has saved local funds and accomplished faster completion rates for all types of cases. In the future, this initiative will help the investigations division better fulfill its duties and responsibilities in the event of staff turnover.

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

- OHR developed and implemented a new Standard Operating Procedures (SOP) manual in October 2008. This manual has been provided to all personnel and posted on OHR's website for the general public. This manual is the single most important guide, followed by DC law and the DC Municipal Regulations, for OHR staff to apply policy and protocols as the Office enforces and administers its mandate. More importantly, the agency has established an annual review of the SOP at the conclusion of every fiscal year (starting with FY 2009) in an effort to include improvements identified by consumers, investigators, and senior management. These improvements range from simplified steps to expedite the conclusion of an investigation, use of technology applications to improve accountability/documentation, and implement new practices that accelerate the responsiveness of the agency to customer needs. In FY 2010, OHR will draft additional sections of its SOP to expand the options for expedited investigations and administrative closures.



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

In FY 2009, OHR revamped its EEO (Equal Employment Opportunity) Compliance program. Specifically, OHR implemented a new plan to reduce the number of EEO complaints brought against District government by increasing training, reporting and accountability. The goal of this initiative is to make District government a model EEO employer in the nation. For the first time, OHR also developed a formula through which government agencies are rated with respect to EEO Compliance. As result, in FY 2009 the majority of District agencies were either fully or partially in compliance with EEO policies and procedures. OHR also conducted training for 158 employees designated with EEO responsibilities from 52 agencies.

### **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 FY 2009, OHR expanded public information and education by securing partnerships with the DC Chamber of Commerce, AYUDA, Catholic Charities, Equal Rights Center, Marshal Heights Community Development Corporation, Greater Washington Urban League, DC Bar, DC Coalition Against Domestic Violence, DASH, DC Transgender Coalition and the United Nations Association. These partnerships included regular on-site presentations to clients, trainings for staff and other CBOs as part of OHR in the Community initiative. Through these partnerships, and event outreach OHR disseminated over 2,700 brochures and pamphlets. Overall, OHR educated 2,847 employers, workers and residents of their employment and housing rights, slightly below the agency's FY 2009 target.

In addition, OHR partnered with the DC Commission on Arts and the Humanities to educate youth and their families about the Human Rights Act Other outreach activities undertaken by OHR in FY 2009 include: participating in the District Alliance for Safe Housing, Inc's monthly focus group meetings to address safe housing issues; attending DHCD's regular Interagency Foreclosure Partners meetings; conducting Fair Housing trainings for tenants in partnership with the Office of the Tenant Advocate; working with the Department of Small and Local Business Development to educate businesses about their responsibilities under the DC Human Rights Act; re-broadcasting the Fair Housing Violations video on local TV channels; and revamping OHR's general brochure to better communicate to residents, workers and employers OHR's mission, services and the laws enforced by the agency.

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

In addition to in-person diversity and Equal Employment Opportunity (EEO) training sessions conducted each month by OHR staff, the agency launched Diversity and EEO focused E-Learning Program comprised of five distinct modules. This interactive, scenario-based training program is designed to familiarize users with the fundamental concepts of diversity in the workplace and the importance of equal employment opportunity. The Program provides users with a basic understanding of the anti-discrimination laws that are enforced by OHR, and informs users of the services and resources available at OHR. It is free of charge and available to District Government employees as well as the general public. In FY 2009, the Program was



utilized by 379 users, comprised of 330 DC government users (from 51 agencies and departments) and 49 non-DC government users (private sector and federal government employees). The Program may be accessed directly at <http://dcohrtraining.skillport.com/> as well as through the OHR website ([www.ohr.dc.gov](http://www.ohr.dc.gov)).

**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.”**

In FY 2008 OHR launched a District-wide campaign aimed at educating the Limited English Proficient and Non-English Proficient (LEP/NEP) populations of their rights and the measures in place to resolve language access complaints with DC government agencies. In FY 2009, OHR expanded the campaign by strengthening its partnership with the Language Access Coalition and conducting extensive community workshops for 1,200 English as a Second Language (ESL) students. OHR also convened a Language Access Policy Forum in July 2009, which brought together over 250 participants including government practitioners, analysts, and community and legal service providers from the Washington Metropolitan Area to discuss the implementation of successful “language access” programs and practices to better serve the LEP and NEP constituent populations. OHR also conducted the 2009 Language Access “Know Your Rights” campaign, which featured WMATA ads in the six languages covered by the Act, and included a re-broadcast of multi-lingual television spots on the Public Access Corporation channels. The “Know Your Rights” campaign also included print ads in various ethnic newspapers, television and radio spots in English and Spanish, and cross-channel inserts on Comcast.

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

In FY 2009, OHR trained 759 D.C. government employees from 15 District agencies and 42 sub-recipients/providers that receive funding from the District to provide services on their behalf. OHR’s FY 2009 Annual Report on District Government compliance with the DC Language Access Act of 2004 reflects that agencies have progressed significantly in meeting their legislative and programmatic requirements. Training efforts, for example, increased by 52% as compared to FY 2008 and the provision of oral language services (i.e., interpreter services) increased by 53%. The District’s overall compliance rating decreased from *partial (+)* in FY 2008 to *partial* in FY 2009, due to OHR’s implementing more robust evaluation criteria which places greater emphasis on how agencies fare in their provision of services to non-English speakers as reported by OHR testers.

OHR is further enhancing its training component by executing an e-learning module on Language Access. While OHR assisted the Metropolitan Police Department (MPD) in the development of an online training curriculum specific to MPD, it has also developed a general curriculum on the law and its requirements that can be accessed and taken by District government employees and the public alike. Funds for this project were allocated in April 2009 and the training will be deployed in January 2010.

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

In FY 2009, OHR worked with the Office of Contracting and Procurement (OCP) to establish a



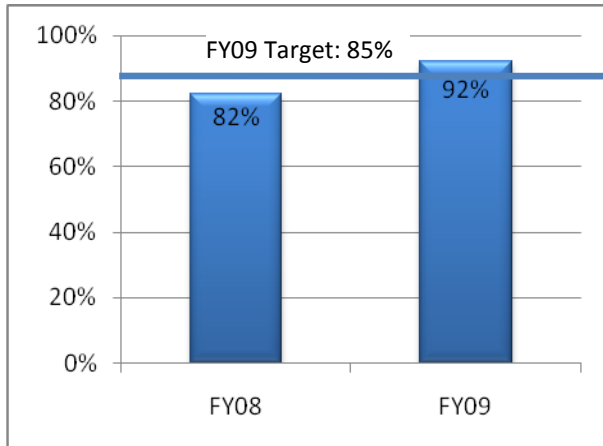
citywide contracting vehicle for translation and interpretation services mirroring that of Fairfax County, VA. As providing both translation and interpretation services is required by federal and local law, the intent of this vehicle is to make available vetted resources for immediate access to such services by District agencies. This contracting vehicle would eliminate individual agency contracting processes and provide more immediate access to oral and written language services in order to better serve the District's limited and non-English speaking populations. OHR plans to implement this procurement method as of June 2010.

OHR also worked with the D.C. Department of Human Resources (DCHR) to lay the foundation for a citywide assessment mechanism to assess language proficiency of bilingual applicants for city jobs. OHR and DCHR aimed at modeling this mechanism after that of the Metropolitan Police Department's (MPD), the only District agency that assesses the proficiency of an employee's second language. If the employee passes the assessment, MPD considers them "bilingual" and provides the bilingual employee with a monetary stipend of \$50/pay period. Presently, bilingual applicants are asked to "self identify" their proficiency in a second language through the city's job application, which may provide obstacles in accurate service provision if the employer is not aware of the true proficiency level of the bilingual employee yet depends on the employee to provide service in a second language. OHR and DCHR teamed up to gather cost estimates and recommendations to provide to the Office of the City Administrator (OCA) based on prior research OHR performed and provided to DCHR. District-wide budget challenges have put on hold discussions of providing a monetary stipend to District employees who are assessed as bilingual.



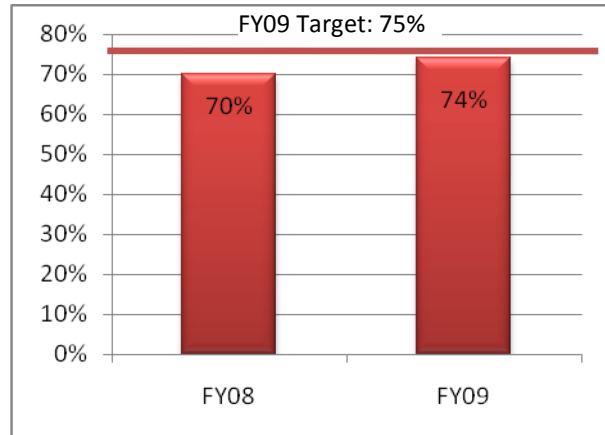
## Key Performance Indicators – Highlights

From Objective 1: Case reviews with “very good” or higher score.



**FULLY ACHIEVED**

From Objective 1: of Limited English individuals gained knowledge of their language access rights in the District.



**PARTIALLY ACHIEVED**

### More About These Indicators:

#### *How did the agency’s actions affect this indicator?*

- At the start of FY 2009, OHR executed a new Standard Operating Procedures (SOP) manual. The manual provides detailed explanations of procedures for case investigations, leading to a methodical and more organized structure of case files. From both regulatory and quality stance, most of cases audited by external experts and staff (85 cases in total) received excellent scores.

#### *What external factors influenced this indicator?*

- OHR decisions can be reviewed by the Equal Employment Opportunity Commission (for employment cases) and the U.S. Department of Housing and Urban Development (for fair housing cases) if desired by the parties. A higher level of review is conducted by District’s Superior Court. These reviews necessitate thorough investigative case files.

#### *How did the agency’s actions affect this indicator?*

- OHR’s Language Access and Public Affairs programs worked with the DC Language Access Coalition, community organizations, ethnic media, and District agencies to raise awareness of language access rights and educate large numbers of Limited and Non-English residents. These efforts included training over 1,200 people and implementing a “Know Your Rights” campaign that reached an estimated 100,000 people.

#### *What external factors influenced this indicator?*

- DC continues to experience a moderate growth of immigrants. Immigration reform publications by independent organizations and stories by local and national media continue to generate support for language immersion, language access, assimilation, integration.



## Key Performance Indicators – Details

### Performance Assessment Key:

● Fully achieved    
 ● Partially achieved    
 ● Not achieved    
 ● Data not reported

	Measure Name	FY2008 YE Actual	FY2009 YE Target	FY2009 YE Actual	FY2009 YE Rating	Budget Program
●	1.1 Effective and quality investigations: Case reviews with “very good” or higher score.	82	85	95.83%	112.75%	EQUAL JUSTICE PROGRAM
●	1.2 Backlog reduction: Number of backlogged cases by the end of the year.	69	79	60	131.67%	EQUAL JUSTICE PROGRAM
●	1.3 Expeditious case processing: Newly filed cases processed within 5 business days.	100	100	100%	100%	EQUAL JUSTICE PROGRAM
●	1.4 Mediation settlements: Mediations that lead to settlement agreements.	25	42	49.61%	118.11%	EQUAL JUSTICE PROGRAM
●	1.5 Expeditious adjudications: Commission cases adjudicated within 18 months of certification.	55	75	57.14%	76.19%	EQUAL JUSTICE PROGRAM
●	1.6 Commission backlog reduction: Cases adjudicated that are less than 2 years old.	0	80	36.76%	45.96%	EQUAL JUSTICE PROGRAM
●	2.1 EEO compliance in DC government: District agencies trained by OHR on EEO laws and policies.	90	100	115.56%	115.56%	EQUAL JUSTICE PROGRAM
●	2.2 Customer service improvement: Satisfaction with the agency’s intake process.	81.3	80	83.18%	103.98%	EQUAL JUSTICE PROGRAM



●	2.3	Civil rights education in DC: DC government and private employers and workers trained on diversity and EEO policies.	1080	1000	1168	116.80%	EQUAL JUSTICE PROGRAM
●	3.1	Language access awareness and education: LEP constituents that gain knowledge of language access rights	70	75	74.63%	99.50%	EQUAL JUSTICE PROGRAM
●	3.2	DC Government compliance: Agencies trained on language access, submit a biannual plan, and report progress according to OHR guidelines.	93	100	100%	100%	EQUAL JUSTICE PROGRAM
●	3.3	DC government compliance: Agencies that receive an overall rating of 3 or more after testing.	54.6	60	57.58%	95.96%	EQUAL JUSTICE PROGRAM