



## 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.

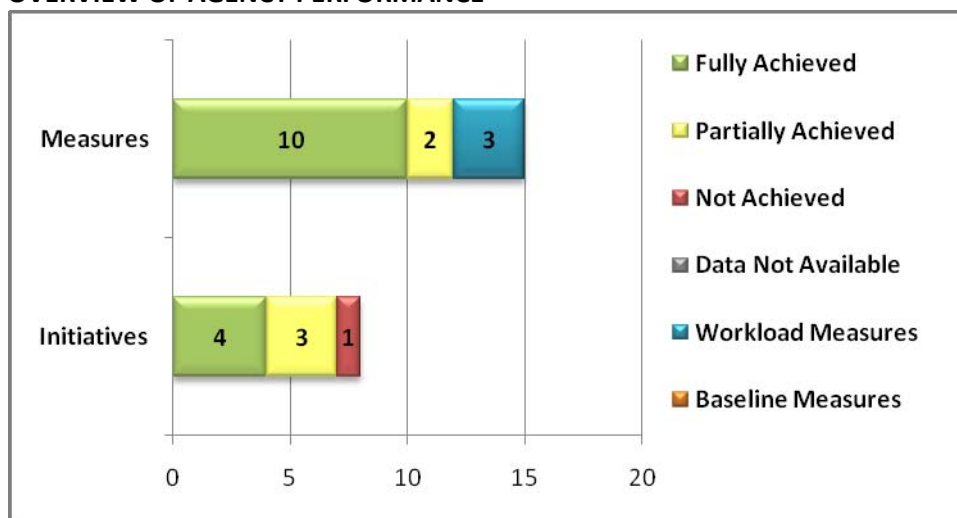
### SUMMARY OF SERVICES

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 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 on Human Rights is the adjudicatory body that decides private sector cases after OHR has found “probable cause” of discrimination.

### ACCOMPLISHMENTS

- ✓ Reduced backlog to 1 case by the end of FY 2010 (the lowest case backlog in 15 years), despite a record number of cases filed in past years and a decrease in the number of investigators handling cases.
- ✓ Expanded enforcement function through Director’s Inquiries and auditing of District government agencies – along with partnerships with community groups – resulting in positive outcomes for some of DC’s most underrepresented populations, including the GLBT community, persons with disabilities and limited- or non-English-proficient individuals.
- ✓ Achieved a 1,700% increase in the number E-learning users, with a total of more than 7,000 DC Government and private sector users trained on diversity, Equal Employment Opportunity, and language access rights and compliance.

### 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 2010, OHR increased the number of reviewed cases by an additional 20% over the prior year, by including all types of investigations (85 cases were reviewed in total, compared with 70 in FY 2009). Of these cases, 95% scored “very good or higher” on their reviews, exceeding OHR’s goal that during FY 2010 90% of reviewed cases would be fully compliant with regulatory and quality standpoints.
- **INITIATIVE 1.2: Redesign the administrative process and legal review leading to more streamlined investigations and more timely decisions.**  
During the first quarter of FY 2010, OHR drafted a new section of its Standard Operating Procedure (SOP) manual to expand the options for expedited investigations and administrative closures. This was accomplished by retooling the procedures for pre-intake and intake proceedings and by further clarifying the reasons under which administrative dismissals apply. As a result, OHR not only reduced its backlog by 70 cases as of June 30, 2010, but also completely reduced its backlog to one case as of September 30, 2010 – a significant accomplishment for the Office. In addition, over the course of FY 2010 OHR processed 100% of newly filed cases within five business days. Finally, as of March 1, 2010, OHR instituted a more concise legal review and administrative issuance, by establishing new parameters for findings of fact used in Letters of Determination, and by refining the boilerplates associated with case law and legal analysis. This enabled the agency’s legal unit to decrease the time required to draft proposed decisions, and the length of those decisions, by 50% (exceeding the agency’s goal of decreasing the time required to draft proposed decisions by at least 25%).
- **INITIATIVE 1.3: Update human rights-related issuances, rules and regulations.**  
As of June 30, 2010, OHR and the Commission on Human Rights updated and published 46% of all the issuances, rules and regulations of Title IV (“Human Rights”) of the DC Municipal Regulations (DCMR) – slightly below the Office’s 50% goal for FY 2010. These updates helped the agency and Commission advance their missions, eliminate practices no longer in effect, and update guidelines and rules that help business organizations and government fulfill more efficiently their Equal Employment Opportunity obligations. Some of the changes included new guidelines for the administration of the DC Family and Medical Leave Act, the processing of DC government and private sector complaints, changes to the adjudicative process, and guidelines for damages and remedies imposed by the Commission. Of the 13 chapters in Title IV, six (chapters 1, 2, 3, 4, 10, 16) were submitted for review and approval, and six (chapters 1, 5, 7, 8, 12, 16) were published in proposed or final form.

### OBJECTIVE 2: Prevent discrimination by promoting awareness of and compliance with local and



## **federal antidiscrimination laws through education and compliance monitoring**

- **INITIATIVE 2.1: Improve EEO compliance within District agencies.**

In FY 2010 the agency strengthened its Equal Employment Opportunity (EEO) compliance monitoring and annual report by tracking diversity programs and cultural competency initiatives across District government. OHR also provided recommendations on workforce diversity and best EEO practices to leaders of the agencies that scored lowest in FY 2009. In FY 2010, OHR implemented a new online database reporting program using QuickBase to facilitate the flow of information between agencies and OHR – such as informal complaints filed with their agency counselors and other EEO matters. This data was collected via quarterly reports submitted by agency Counselors to the database maintained by OHR. Results were calculated and reported in the Annual Compliance Report submitted to the Mayor and City Administrator. A total of 56 agencies were monitored in FY 2010.
  
- **INITIATIVE 2.2: Improve compliance to the DC Family and Medical Leave Act within District government.**

In FY 2010 OHR worked to publish Chapter 16 of the DC Municipal Regulations (DCMR), which covers the DC Family and Medical Leave Act (DCFMLA). In addition Chapter 16, OHR worked with DC agencies and departments to alleviate the vast confusion and misinformation among Family and Medical Leave Act administrators and workers. With this in mind, OHR created a process to ensure compliance with this law through auditing and training DC agencies. The auditing included agency questionnaires to determine the number and type of decisions related to DCFMLA. The OHR audited 100% of the agencies under Mayor authority and received responses from 98%. OHR developed a Fact Sheet that will be sent to employees upon final rulemaking. In addition, the OHR web site was updated to include DC FMLA FAQs, OHR developed a fact sheet to be sent to employees upon final rulemaking, and conducted training for the Office of the Attorney General and the District of Columbia Public Schools managers and all HR Specialists under the Mayor.
  
- **INITIATIVE 2.4: Expand citywide diversity and EEO training.**

In FY 2009, OHR created and launched an E-learning program focused on educating the District workforce on workforce diversity, inclusion, and EEO policies. In FY 2010, usage of this online program increased by more than 1200% over FY 2009. In FY 2010, the E-Learning program was successfully utilized by over 5,000 users, including non-DC Government (private sector and federal government users), and District Government employees from 60 agencies. Two District agencies (the Metropolitan Police Department and the District of Columbia Public Schools) imposed internal requirements for employees to take the E-Learning training. Additionally, OHR provided EEO training to 356 District Employees from 56 agencies at New Employee Orientation and other training sessions. OHR also provided four EEO Personnel training sessions – three for new EEO personnel and one for experienced EEO personnel. OHR also identified ten agencies with the largest number of EEO complaints. OHR met with each agency to develop goals for addressing areas in need of improvement. OHR did not establish completion targets for the E-learning program for these agencies, however, they were monitored throughout FY 2010 and the details of the monitoring will be included in the FY 2010 EEO Compliance Report.

### **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: Improve government compliance with the Language Access Act.**

In FY 2009, OHR created an E-learning program on language access in the District. This educational tool helps District employees and the community-at-large become aware of the language access rights limited English proficient and non English proficient individuals (LEPs/EPs) are entitled to when seeking District government information, activities and services. In FY 2010 OHR achieved its goal of ensuring that 50% of covered entities (covered agencies under the Language Access Act and OHR's jurisdiction) launched language access E-learning within their workforce. A total of 79% of covered agencies utilized E-learning in FY 2010. Additionally, as of May 30, 2010, the Language Access Program retooled the guidelines of the testing program in a way that targets the agencies, departments and programs with the most interaction with LEPs/NEPs. This initiative improved the District-wide Language Access Act compliance rate by 50% compared to FY 2007 baseline data.
- **INITIATIVE 3.2: Implement District-wide and performance-based translation/interpretation procurement.**

This initiative was not accomplished during FY 2010. While OHR accomplished its FY 2009 goal of providing the "scope of work and criteria" associated with the new District-wide contracting and procurement method, for example creating interpretation and translation quality assurance measures, the FY 2010 goal of launching the new procurement method itself has yet to be accomplished.



## Key Performance Indicators – Detail

### Performance Assessment Key:

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

●	1.1	Percent of case reviews with "very good" or higher score	96	90	94.12%	104.58%	EQUAL JUSTICE
●	1.2	Number of backlogged cases at the end of the year	79	69	1	6900%	EQUAL JUSTICE
●	1.3	Percent of newly filed cases processed within 5 business days	100	100	100%	100%	EQUAL JUSTICE
●	1.4	Percent of OHR complainants satisfied with the agency's intake process	83.2	85	91.53%	107.68%	INTAKE
●	1.5	Percent of mediations that lead to settlement agreements	50	30	35.31%	117.70%	
●	1.6	Percent reduction in the inventory of cases adjudicated at the Commission that are certified before January 1st 2007	0	80	71.43%	89.29%	COMMISSION ON HUMAN RIGHTS
●	1.7	Percent reduction in the inventory of cases adjudicated at the Commission that are certified on or after January 1st 2007	0	75	100%	133.33%	COMMISSION ON HUMAN RIGHTS
●	1.8	Number of new cases per week	7	10	9		INTAKE
●	1.9	Number of mediations/conciliations per week	7	10	10		



1.1	Number of Public Hearings at the Commission on Human Rights	1	5	7		COMMISSION ON HUMAN RIGHTS
2.1	Number of DC government and private employers and workers trained on diversity and EEO policies	1168	2000	5965	298.25%	PUBLIC EDUCATION
2.2	Percent of District agencies trained by OHR on EEO laws and policies	115	100	91.67%	91.67%	RESEARCH AND COMPLIANCE
3.1	Percent of District covered agencies launching Language Access E-Learning Programs	0	50	79.41%	158.82%	PUBLIC EDUCATION
3.2	Percent of District agencies trained on the requirements of the Language Access Act, submit a Language Access Plan, and report on language access progress	58	70	93.38%	133.40%	LANGUAGE ACCESS
3.3	Percent of covered agencies under the Language Access Act that receive an overall rating of good or more during foreign language testing	58	70	76.47%	109.24%	LANGUAGE ACCESS