



Office of Human Rights OHR (HM)

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, pursuant 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 with 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.

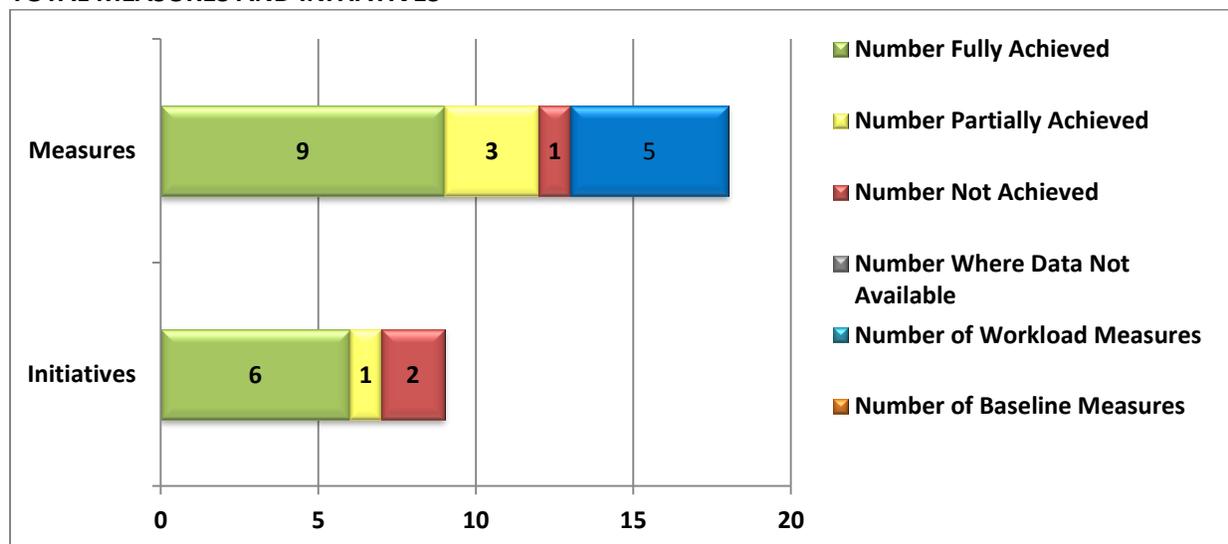
ACCOMPLISHMENTS

- ✓ Led the District’s Bullying Prevention Task Force efforts.
- ✓ With 1,602 Facebook friends, OHR expanded its social media outreach 600%.
- ✓ Implemented a new fellowship program to increase mediation success.

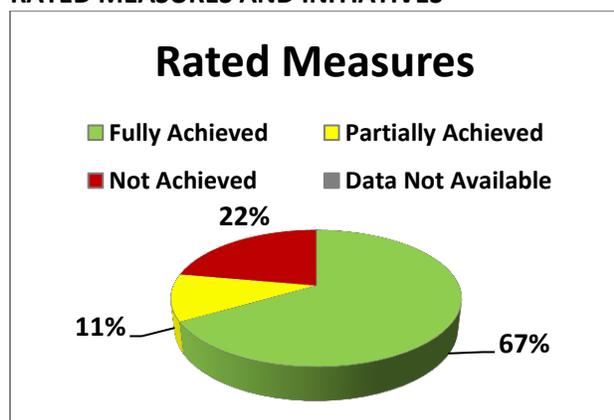


OVERVIEW OF AGENCY PERFORMANCE

TOTAL MEASURES AND INITIATIVES



RATED MEASURES AND INITIATIVES





Performance Initiatives – Assessment Details

Performance Assessment Key:

-  Fully achieved  Partially achieved  Not achieved  Data not reported

Agency Management

OBJECTIVE 1: Improve the effectiveness of the agency's enforcement and functions by shortening response times and strengthening quality controls for all types of investigations.

- **INITIATIVE 1.1: Reduce agency's pre-backlog timeframe to 180 days and maintain backlog below 20 cases.**

This initiative was fully achieved. In Fiscal Year 2012, OHR achieved its goal of maintaining its backlog below 30 cases, (NOTE: title of Initiative 1.1 incorrectly states “20 cases”), with a final backlog total of 12 cases. The Office handled a total of 340 docketed cases this year. While the Office received a lower number of docketed cases in Fiscal Year 2012 than in Fiscal Year 2011 (392 cases), the Office actually increased its average case load per Investigator, by 120%. Despite this increase in case load per investigator, the Investigation team successfully managed to close nearly all cases within their specified timeframe. The success of this Initiative can be traced to the Investigation Manager and Team’s new approach to tracking the progress of cases on a weekly basis, and continued emphasis on maintaining quality customer service while completing investigations with efficiency and clarity.

- **INITIATIVE 1.2: Increase enforcement actions brought forth by OHR and establish a discrimination “hotline”.**

This initiative was not achieved. In Fiscal Year 2012, the Office of Human Rights conducted a total of sixteen Director’s Inquiries. These sixteen cases were initiated by the Office after a thorough investigation of systemic discrimination was conducted in each place of employment or public accommodation. Though the Inquiries completed by the Office in FY2012 demonstrated a successful application of DCMR code, due to mid-year staffing constraints, it was incumbent that the Office reassign the singular Investigator charged with conducting the Director’s Inquiries to a full-time case docket. For the aforementioned reason, the discrimination hotline was not initiated in Fiscal Year 2012. The Office hopes to reinstate a full time Investigator with the charge of initiating Director’s Inquiries in future years.



- **INITIATIVE 1.3: Complete the process of updating human rights-related issuances, regulations, and procedures.**

This initiative was not achieved. Of the four (NOTE: Initiative 1.3 incorrectly states “five chapters”.) remaining chapters of Title IV of the DCMR, two have been completed by the Office of Human Rights and sent to the Office of Policy and Legislative Affairs (OPLA) for review, and to the Office of the Attorney General (OAG) to confirm legal sufficiency. The additional two chapters to be completed remain in final draft stages at OHR and are expected to be completed and submitted to the Executive Office of the Mayor by January 2013.

OBJECTIVE 2: Prevent discrimination by promoting awareness of and compliance with local and federal anti-discrimination laws through education and compliance monitoring.

- **INITIATIVE 2.1: Improve and strategically target OHR training on vital legal compliance requirements.**

This initiative was fully achieved. In Fiscal Year 2012, OHR made great strides in ensuring ample opportunities for both mandatory and by-request trainings on Equal Employment, Family and Medical Leave Act, Diversity and Language Access. OHR’s General Counsel and Language Access staff trained over one thousand DC Equal Employment Opportunity (EEO) Counselors, Language Access Compliance Officers, and other government employees in newly designed, interactive, experiential, in-person trainings throughout the District. OHR also did strategically select and design specifically themed diversity trainings, based on current litigation brought forth to DC agencies. For example, OHR’s staff designed and presented trainings focused on Sexual Harassment and Disability Sensitivity to certain agencies with probable cause discrimination findings. Finally, the Language Access Program did offer all 34 “covered” agencies free and frequent trainings to address LA compliance issues.

- **INITIATIVE 2.2: Expand citywide diversity, cultural sensitivity, and EEO training.**

This initiative was fully achieved. In Fiscal Year 2012, an additional 6,372 additional users participated in OHR’s e-learning curriculum. Additionally, this year, OHR conducted 6 EEO trainings for EEO Officers and 30 Language Access trainings for compliance officers, DC government, and private sector employees. The e-learning platform was a successful method of reaching thousands of employees and residents that would not have otherwise had the ability to be present for in-person OHR trainings.



- **INITIATIVE 2.3: Expand social media strategy**

This initiative was fully achieved. The Office of Human Rights (OHR) launched its Digital Outreach Initiative in June 2012 and set a goal of increasing its reach to constituents on social media platforms by 300 percent by the end of Fiscal Year 2012. The outreach effort intended to increase awareness of OHR and the District’s non-discrimination laws, and to increase understanding of the communities protected under the DC Human Rights Act. Between the commencing of the Digital Outreach Initiative to the end of the fiscal year, OHR’s Facebook followers soared by 792 percent, with an average weekly total Facebook reach of 16,341 followers, up from a weekly total Facebook reach of 44 followers in the four months prior to the launch of the initiative. Additionally, OHR launched its presence on two additional social media platforms: Twitter and YouTube. Before the end of the fiscal year, OHR produced 201 tweets and created the hashtag #TransRespect for its Transgender and Gender Identity Respect campaign, which was used by over 100 unique users. OHR utilized YouTube’s platform to deliver its Language Access “Know Your Rights” campaign, comprised of six 30-second Public Service Announcements in the six most spoken languages in the District. OHR’s growing presence and considerable success in tapping the social media market will continue to shape the way OHR engages constituents in the future and conceives of and implements District-wide awareness campaigns.

OBJECTIVE 3: Collaborate with DC agencies and the community to promote and enforce equal access to government services by Limited English Proficient/Non English Proficient (LEP/NEP) populations in the District.

- **INITIATIVE 3.1: Improve government compliance with the Language Access Act.**

This initiative was fully achieved. The Language Access Program made significant and strategic changes to the field testing program in Fiscal Year 2012, with the intention of obtaining more relevant data from the program. The new program was rolled out in 2012 with a “three-tiered approach,” whereby: 1) testing for the five agencies with the highest rate of public contact (DCPS, MPD, etc) was doubled, 2) testing for the middle 20 agencies with the highest rate of public contact was moderately increased, and 3) testing for the lowest nine agencies with highest rate of public contact was slightly increased. Overall, both in-person testing and phone-based testing was increased by 20 percent. Finally, 28 of the 34 agencies, or 82 percent, with most public contact implemented Language Access e-learning curricula, surpassing the 2012 goal of 70 percent.

- **INITIATIVE 3.2: Expand partnerships with immigrant groups and other government entities.**

This initiative was fully achieved. This year, the Language Access Program ramped up its outreach efforts by working with District community-based organizations and coalitions to



build awareness across the city about language access rights for LEP/NEP residents. The LA program concentrated collaborative efforts with the Mayor's Constituency Offices including the Offices of Latino Affairs, Office of Asian and Pacific Islander Affairs and Office of African Affairs, and area nonprofit organizations and legal aid clinics including Many Languages One Voice (MLOV), Centronía, and the DC Legal Aid Society. The Language Access Program's "Know Your Rights" campaign was rolled out over three months throughout the summer of 2012, beginning with the release of more than 10,000 "I Speak" cards in the District's six most spoken languages other than English (Amharic, Chinese, French, Korean, Spanish and Vietnamese), which inform residents of their language access rights and providing information about how to obtain services in their language of choice. The rollout of the "I Speak" cards was followed by television public service announcements (PSAs) and print advertisements. The PSAs ran in five languages on DCTV, on Telemundo and Univision in Spanish, and received 630 views on OHR's YouTube channel. The print advertisements appeared in seven newspapers aimed at limited and non-English proficient readers – including the Washington Hispanic, Korean Daily, Chinese World Journal, Zethiopia and Pho Nho Vietnamese Newspaper – for a total circulation audience of 241,000.

● **INITIATIVE 3.3: Change and improve the methods used by OHR to conduct Language Access public investigations and better rate District government agencies for compliance.**

This initiative was partially achieved. In 2012, the Language Access Program developed a new data collection and analysis methodology to measure both the qualitative and quantitative compliance to the Language Access Act and "most public contact" agency adherence to their internal LA goals. The new methodology centers around a more comprehensive and holistic picture of how "on the ground" LA services are provided and compliance is monitored, and will factor into a newly conceived "LA Scorecard" that each "most public contact" agency will receive at the conclusion of the Bi-Annual Language Access Plan (BLAP) Report process. The Scorecards will be publicly disseminated in the Fiscal Year 2012 Language Access Report, to be released in February 2013. Due to staffing constraints in OHR's Investigation division, The Language Access Program did not achieve the projected goal of reducing by 30% the 6 month timeline for Language Access case completion. Currently, the timeline of completing Language Access cases remains at 6 months. The Office intends to return to this goal in future months.



Key Performance Indicators – Detail

Performance Assessment Key:

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

| | KPI | Measure Name | FY2011 YE Actual | FY 2012 YE Target | FY 2012 YE Revised Target | FY2012 YE Actual | FY2012 YE Rating | Budget Program | |
|--|-----|--------------|--|-------------------------|------------------------------------|------------------------|---------------------|-------------------|----------------------------|
| | ● | 1.1 | Percent of case reviews with “very good” ¹ or higher score | 90% | 92% | | 60.64% ¹ | 65.91% | OFFICE OF HUMAN RIGHTS |
| | ● | 1.2 | Number of backlogged cases at any point in time | 0 | 30 | | 26.25 | 114.29% | OFFICE OF HUMAN RIGHTS |
| | ● | 1.3 | Percent of newly filed cases processed within 48 hours of receipt on a business day | 100% | 100% | | 100% | 100% | OFFICE OF HUMAN RIGHTS |
| | ● | 1.4 | Percent of OHR complainants satisfied with the agency’s intake process (measured by post-intake customer satisfaction surveys) | 92% | 92% | | 96.12% | 104.48% | OFFICE OF HUMAN RIGHTS |
| | ● | 1.5 | Percent of mediations that lead to settlement agreements | 32% | 35% | | 40.52% | 115.76% | OFFICE OF HUMAN RIGHTS |
| | ● | 1.6 | Completion of the inventory involving non-District of Columbia cases by an Administrative Law Judge | 0 | 9 | 9 | 9 | 100% | COMMISSION ON HUMAN RIGHTS |

¹ The 30 percentage point difference between FY12 Target and FY12 Actual is attributable to a new, highly qualitative rubric that OHR implemented to judge case quality, better aligned with industry best practices. The new rubric invites a considerable amount of subjective measurement of “quality,” including writing style and level of case organization, whereas the old rubric used simple, binary, “yes/no” metrics. Under the prior methodology, the score would have been approximately 90%. OHR is committed to delivering cases of the highest quality and is currently examining the outcomes of the FY12 quality measures to ensure consistently high quality cases.



| | KPI | Measure Name | FY2011 YE Actual | FY 2012 YE Target | FY 2012 YE Revised Target | FY2012 YE Actual | FY2012 YE Rating | Budget Program |
|---|------|---|------------------------|-------------------------|------------------------------------|------------------------|---------------------|----------------------------|
| ● | 1.7 | Completion of the inventory involving District government employees adjudicated by a Commission Administrative Law Judge | 0 | 5 | 5 | 7 | 140% | COMMISSION ON HUMAN RIGHTS |
| ● | 1.8 | Percent of recommendations for decision on all appeals filed to the Commission under the Criminal Background Check for the Protection of Children Act | 75% | 75% | | 63.89% | 85.19% | COMMISSION ON HUMAN RIGHTS |
| ● | 1.9 | Number of months, on average, that is used as a guideline for completion of Commission cases. | 18 | 18 | | 16.75 | 107.46% | COMMISSION ON HUMAN RIGHTS |
| ● | 1.10 | Number of discrimination complaints received weekly (average) | 10 | NA | | 10 | WORKLOAD MEASURE | OFFICE OF HUMAN RIGHTS |
| ● | 1.11 | Number of new docketed cases per week (average) | 8 | NA | | 6.5 | WORKLOAD MEASURE | OFFICE OF HUMAN RIGHTS |
| ● | 1.12 | Number of mediations per week (average) | 10 | NA | | 7 | WORKLOAD MEASURE | OFFICE OF HUMAN RIGHTS |
| ● | 1.13 | Number of Directors Inquiries conducted (yearly) | 56 | NA | | 16 | WORKLOAD MEASURE | OFFICE OF HUMAN RIGHTS |
| ● | 2.1 | Percent of training attendees that respond "very good" or better after completion of training | 0% | 85% | | 77.06% | 90.66% | OFFICE OF HUMAN RIGHTS |



| | KPI | Measure Name | FY2011 YE Actual | FY 2012 YE Target | FY 2012 YE Revised Target | FY2012 YE Actual | FY2012 YE Rating | Budget Program |
|---|-----|--|------------------------|-------------------------|------------------------------------|------------------------|---------------------|------------------------|
| ● | 3.1 | Percent of District “covered” agencies launching Language Access E-Learning Programs | 0% | 70% | | 72.06% | 102.94% | OFFICE OF HUMAN RIGHTS |
| ● | 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 | 90% | 100% | | 82.35% | 82.35% | OFFICE OF HUMAN RIGHTS |
| ● | 3.3 | Percent of respondents that answer “very thorough” or better regarding the efficacy of our LA training | 0% | 90% | | 94.37% | 104.85% | OFFICE OF HUMAN RIGHTS |
| ● | 3.4 | Number of Language Access Audits (yearly) | 1 | NA | | 1.5 | WORKLOAD MEASURE | OFFICE OF HUMAN RIGHTS |