

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Mathieu Eugene  
Chair, Committee on Civil and Human Rights



Report of the Finance Division on the  
Fiscal 2020 Preliminary Plan and the  
Fiscal 2019 Preliminary Mayor's Management Report for the  
**Commission on Human Rights**

March 25, 2019

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## Commission on Human Rights Overview

The New York City Commission on Human Rights (CCHR or the Commission) enforces the New York City Human Rights Law (NYCHRL), one of the most comprehensive in the country. Individuals are protected from discrimination in employment, housing, public accommodations, retaliation, harassment, and law enforcement bias. In addition, CCHR educates the public and conducts outreach regarding human and civil rights.

NYCHRL requires that discrimination complaints must be filed within one year of the last alleged act of discrimination, or three years for gender-based harassment. The protected classes include discrimination based age, religion/creed, color, race, gender, gender identity, sexual orientation, disability, national origin, citizenship status, marital or partnership status, pregnancy, and status as a military service member or veteran. Protections in employment further extend to arrest record, caregiver status, credit history, unemployment status, salary history, and status as a victim of domestic violence or sex offenses. Additionally, protections in housing extend to occupation, source of income, presence of children, and status as a victim of domestic violence or sex offenses.

Structurally, the Commission has three bureaus: the Law Enforcement Bureau (LEB), the Community Relations Bureau (CRB), and the Executive Office. LEB is responsible for enforcing human rights laws through investigations and prosecutions. CRB provides education, holds community events, and partners with local organizations to build awareness of human rights in the City.



The Executive Office - Houses the legislative, policy and adjudicatory functions of the Commission and convenes meetings with the agency's commissioners.



Law Enforcement Bureau - Responsible for intake, investigation, prosecution of NYCHRL violations, including those that raise systemic violations.



Community Relations Bureau - Through borough-based Community Service Centers, CRB provides the City's diverse communities with pre-complaint interventions, conferences, workshops and training sessions.

As the City's civil law enforcement agency, the Law Enforcement Bureau takes discrimination complaints from the public, initiates investigations and identifies entities that are breaking the law through its internal testing program. Cases where LEB finds probable cause for unlawful discriminatory practice are either mediated by its Office of Mediation and Conflict Resolution or prosecuted by LEB in the Office of Administrative Trials and Hearings. Administrative law judges provide a decision and recommendations on liability, damages and penalties to the CCHR Commissioner who then reviews the case and issues a final decision and order.

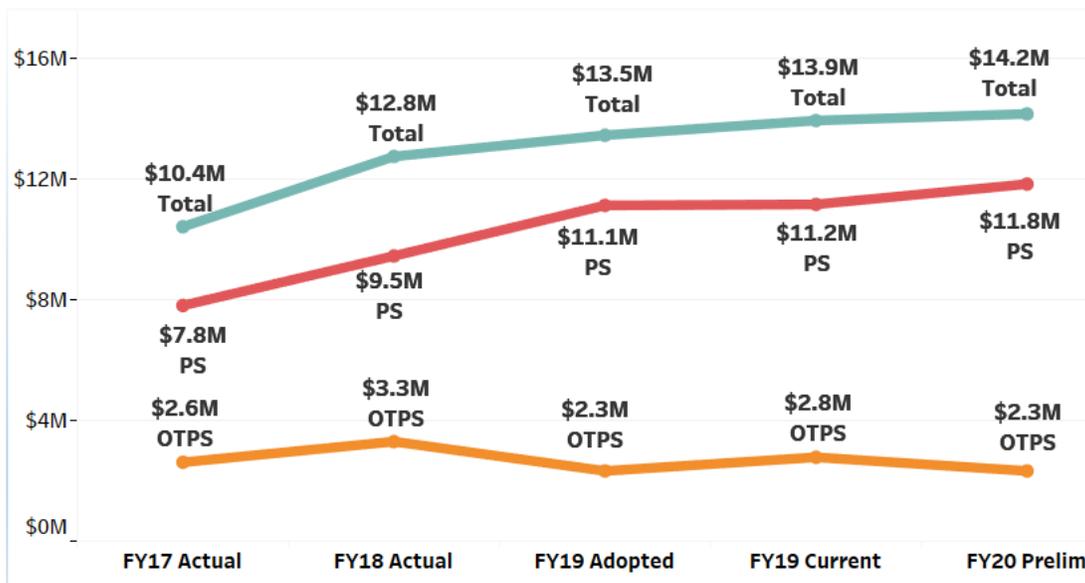
Additionally, the Commission, through its Community Relations Bureau, educates New Yorkers about their rights and responsibilities under NYCHRL, provides pre-complaint intervention, dispute resolution and promotes positive intergroup relations through conferences, workshops and training sessions. Post-complaint mediation services are also offered through its Office of Mediation and Conflict Resolution. The diagram outlines CCHR's primary responsibilities as the City's anti-discrimination agency.

This report provides a review of CCHR’s Fiscal 2020 Preliminary Budget and the Fiscal 2019 Preliminary Mayor’s Management Report (PMMR). The first section presents highlights and budget changes to the Fiscal 2019 and Fiscal 2020 Budgets. The second section provides an overview of the Commission’s headcount and a review of the Fiscal 2019 PMMR.

### Fiscal 2020 Preliminary Budget Highlights

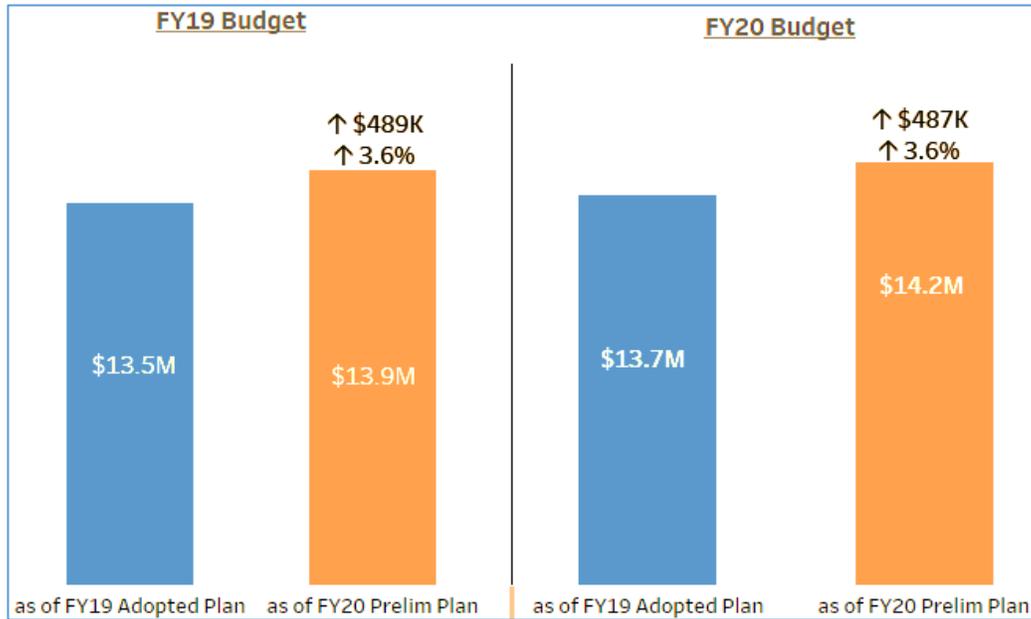
The Fiscal 2020 Preliminary Budget totals \$14.2 million, including \$11.8 million for Personal Services (PS) to support 160 full-time positions and \$2.3 million in Other Than Personal Services (OTPS). The Fiscal 2020 Preliminary Budget shows an increase of \$708,000 or five percent when compared to the \$13.5 million Fiscal 2019 Adopted Budget. The increase is due to collective bargaining, as well as the addition of three budgeted positions that were identified as a one-time savings in Fiscal 2019.

**CCHR Budget Overview Fiscal 2017-2020**



Since the Fiscal 2019 Adopted Budget, the Fiscal 2019 Budget has increased by \$488,579 and the Fiscal 2020 has increased by \$487,190. The table below shows the total budgets for Fiscal 2019 and Fiscal 2020 Budgets and the additions since the Fiscal 2019 Adopted Plan. See Appendix A for a list of all the changes to the Fiscal 2019 and Fiscal 2020 Budgets since adoption of the Fiscal 2019 Budget.

**Fiscal 2019-2020 Current Budgets Compared to Fiscal 2019 Adopted Budgets**



## Financial Plan Summary

<b>CCHR Financial Summary</b>						
<i>Dollars in Thousands</i>						
	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
<i>Dollars in Thousands</i>	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY19</b>	<b>FY20</b>	<b>FY19-FY20</b>
<b>Spending</b>						
Personal Services	\$7,813	\$9,457	\$11,135	\$11,169	\$11,843	\$708
Other Than Personal Services	2,614	3,301	2,326	2,780	2,326	0
<b>TOTAL</b>	<b>\$10,427</b>	<b>\$12,758</b>	<b>\$13,461</b>	<b>\$13,950</b>	<b>\$14,169</b>	<b>\$708</b>
<b>Personal Services</b>						
Full-Time Salaried - Civilian	\$7,556	\$9,169	\$10,728	\$10,760	\$11,431	\$703
Additional Gross Pay	198	228	250	250	250	0
Unsalariated	47	48	137	140	143	5
Overtime - Civilian	5	11	15	15	15	0
P.S. Other	7	1	4	4	4	0
<b>SUBTOTAL</b>	<b>\$7,813</b>	<b>\$9,457</b>	<b>\$11,135</b>	<b>\$11,169</b>	<b>\$11,843</b>	<b>\$708</b>
<b>Other Than Personal Services</b>						
Other Services & Charges	\$1,569	\$1,423	\$1,542	\$1,320	\$1,542	\$0
Contractual Services	674	1,084	578	1,224	578	0
Supplies & Materials	96	135	118	88	118	0
Property & Equipment	274	658	89	148	89	0
<b>SUBTOTAL</b>	<b>\$2,614</b>	<b>\$3,301</b>	<b>\$2,326</b>	<b>\$2,780</b>	<b>\$2,326</b>	<b>\$0</b>
<b>TOTAL</b>	<b>\$10,427</b>	<b>\$12,758</b>	<b>\$13,461</b>	<b>\$13,950</b>	<b>\$14,169</b>	<b>\$708</b>
<b>Funding</b>						
City Funds			\$13,461	\$13,920	\$14,169	\$708
State				29		0
<b>TOTAL</b>	<b>\$10,427</b>	<b>\$12,758</b>	<b>\$13,461</b>	<b>\$13,950</b>	<b>\$14,169</b>	<b>\$708</b>
<b>Budgeted Headcount</b>						
Full-Time Positions - Civilian	107	140	157	157	160	3
<b>TOTAL</b>	<b>107</b>	<b>140</b>	<b>157</b>	<b>157</b>	<b>160</b>	<b>3</b>

*The difference of Fiscal 2019 Adopted Budget compared to Fiscal 2020 Preliminary Budget.*

CCHR’s Fiscal 2019 Budget recognizes a one-time new need of \$175,000 for Sexual Harassment Training Outreach. As a result of Local Law 96 of 2018, CCHR has been tasked with developing an online sexual harassment training for all employers with 15 employees and over. The \$175,000 will fund the mailing of notification letters to New York City businesses and agencies, informing them of the new training requirement.

Since the Fiscal 2019 Adopted Plan, there is an increase of three positions. These positions are not new additions but were accrued for Fiscal 2019 as a one-time savings. In the Fiscal 2020 Preliminary Plan the positions are have been restored. Note that in the Fiscal 2019 Adopted Plan, the budgeted headcount added four positions for a Sexual Harassment and Retaliation Unit to focus specifically on sexual harassment in the private sector. Three of these four positions have been fulfilled as of March 2019. This unit is be organized under the existing Gender-Based Harassment Unit.

The Office of Management and Budget has implemented a Program to Eliminate the Gap (PEG) program for Fiscal 2020. CCHR has been assigned a PEG target of \$422,000, or three percent of its total budget, prior to before the release of the Fiscal 2020 Executive Budget. It is likely these savings can be identified through headcount accruals. The actual headcount for CCHR in February 2019 was 139, indicating 21 vacancies when compared to the Fiscal 2020 budgeted headcount.

## The 2019 Preliminary Mayor's Management Report

CCHR has two service goals, which are 1) enforce the City's Human Rights Law and 2) educate the community on the Human Rights Law. CCHR collects data on its caseload and community awareness efforts and reports the data in the PMMR.

- In the first four months of Fiscal 2019, CCHR opened 590 matters, which includes several types of cases: pre-complaint investigations, matters undergoing testing, cases in which a complaint was filed, and cases in which a complaint is in the process of being drafted. This is an increase of nearly 75 percent from the 338 cases opened in the same period for Fiscal 2018.
- CCHR opened 193 Commission-initiated investigations, cases where through CCHR's own independent testing, discrimination is determined to be occurring.
- In total during the first four months of Fiscal 2019, CCHR had 2,749 open matters, of which 1,822 are open complaints.
- CCHR closed 730 cases in Fiscal 2018, an increase from 536 cases in Fiscal 2017, indicating increasing results in closing cases. Of these 730 cases, 26 were mediated and 196 were resolved through pre-complaint resolutions.
- The total value of damages for complainants in Fiscal 2018 was \$3.8 million, an increase of \$1.5 million from the previous fiscal year. In addition, civilian penalties totaled \$487,250, an increase of \$108,000. This can be attributed to the increase in cases closed.
- Outreach measurements for CCHR have all increased from Fiscal 2017 to Fiscal 2018. In Fiscal 2018, there were 3,127 conferences and workshops conducted, 186 school trainings held, and a total of 80,454 people reached. In terms of people reached, this is a 16 percent increase from Fiscal 2017.
- Following the focus on sexual harassment last year, CCHR began outreach and providing training to businesses and individuals to help them comply with the City's new policies. In the first four months of Fiscal 2019, CCHR offered 19 external sexual harassment trainings to a total of 551 people.
- CCHR's goal to provide services to all New Yorkers, regardless of language, is illustrated through the 1,756 completed requests for interpretation in Fiscal 2018. CCHR has accomplished this through its efforts in hiring staff that speak more than 35 languages.
- In Fiscal 2018, responses to letters and emails within 14 days occurred 83 percent and 98 percent of the time, respectively. The email response percentage remains essentially unchanged, though the letter response percentage decreased by 3.7 percent from Fiscal 2017.
- The average wait time when reaching CCHR customer service agents by phone is six minutes, a reduction of three minutes.

## Appendices

### A: Budget Actions in the November and the Preliminary Plans

<i>Dollars in thousands</i>	FY19			FY20		
	City	Non-City	Total	City	Non-City	Total
<b>CCHR Budget as of the Adopted 2019 Budget</b>	<b>\$13,461</b>	<b>\$0</b>	<b>\$13,461</b>	<b>\$13,682</b>	<b>\$0</b>	<b>\$13,682</b>
<b>New Needs</b>						
Sexual Harassment Training Outreach	175	0	175	0	0	\$0
<b>Subtotal, New Needs</b>	<b>175</b>	<b>0</b>	<b>175</b>	<b>0</b>	<b>0</b>	<b>\$0</b>
<b>Other Adjustments</b>						
DC 37 Collective Bargaining	138	0	138	236	0	\$236
Doris Grant Fund Transfer	0	29	29	0	0	0
Various Collective Bargaining	146	0	146	251	0	251
<b>Subtotal, Other Adjustments</b>	<b>284</b>	<b>29</b>	<b>314</b>	<b>487</b>	<b>0</b>	<b>\$487</b>
<b>TOTAL, All Changes</b>	<b>459</b>	<b>29</b>	<b>489</b>	<b>487</b>	<b>0</b>	<b>\$487</b>
<b>CCHR Budget as of the Preliminary 2020 Budget</b>	<b>\$13,920</b>	<b>\$29</b>	<b>\$13,950</b>	<b>\$14,169</b>	<b>\$0</b>	<b>\$14,169</b>

### B: CCHR Contract Budget

<b>CCHR FY20 Preliminary Contract Budget</b>				
<i>Dollars in Thousands</i>				
Category	FY19 Adopted	Number of Contracts	FY20 Preliminary	Number of Contracts
Maintenance and Repair General	\$5	6	\$5	6
Office Equipment Maintenance	5	2	5	2
Data Processing Equipment	6	1	6	1
Printing Contracts	450	1	450	1
Cleaning Services	14	2	14	2
Professional Services Computer Services	97	3	97	3
<b>TOTAL</b>	<b>\$578</b>	<b>15</b>	<b>\$578</b>	<b>15</b>

## C: PMMR Performance Data

SERVICE 1: Enforce the NYC Human Rights Law	Actual			Target		4-Month Actual	
	FY16	FY17	FY18	FY19	FY20	FY18	FY19
Inquiries received	NA	NA	9,513	*	*	3,310	3,450
Matters initiated	NA	NA	1,576	*	*	338	590
Complaints successfully mediated	0	0	26	*	*	0	11
Pre-complaint resolutions	200	310	193	*	*	61	86
* Complaints filed	908	806	805	*	*	214	302
Complaints closed	336	536	730	*	*	238	319
– Cases closed (%) - no probable cause determination	5%	7%	4%	*	*	2%	5%
* – Cases closed (%) - probable cause determination	6%	4%	5%	*	*	6%	5%
– Cases closed (%) - administrative cause	62%	65%	68%	*	*	73%	58%
* – Cases closed (%) - settlement	27%	24%	23%	23%	23%	19%	32%
Complaints referred to the OATH	21	21	36	*	*	16	15
Modifications for accessibility for people with disabilities	191	307	90	*	*	38	26
* Average age of complaint caseload (days)	340	468	553	300	300	514	561
Open complaints	1,318	1,643	1,829	474	474	1,679	1,822
Complaints pending by age - less than one year	837	728	721	414	414	635	789
Value of damages for complainants (\$)	NA	\$2,287,44	\$3,785,31	*	*	\$1,153,39	\$1,275,81
Amount of civil penalties imposed (\$)	NA	\$379,250	\$487,250	*	*	\$49,500	\$165,000
Open matters	NA	NA	NA	*	*	NA	2,749
SERVICE 2: Educate the community on the NYC Human Rights Law							
Conferences, workshops and training sessions	2,397	2,947	3,127	3,000	3,000	924	1,051
School-based training sessions conducted	79	173	186	250	250	45	48
People served	38,435	69,087	80,454	80,000	80,000	30,329	42,374
Responses to bias-based incidents	NA	NA	146	*	*	30	103
Agency Customer Service							
Letters responded to in 14 days (%)	98.0%	86.7%	83.0%	*	*	93.5%	98.0%
E-mails responded to in 14 days (%)	100.0%	97.3%	98.0%	*	*	96.3%	99.0%
Completed customer requests for interpretation	1,671	1,425	1,756	*	*	577	580
Average wait time to speak with a customer service agent	11	9	6	*	*	5	6
CORE customer experience rating (0-100)	100	98	99	*	*	NA	NA
* Critical Indicator “NA” Not	NA	NA	146	*	*	30	103

Source: Preliminary Mayor’s Management Report