

**PHILADELPHIA COMMISSION ON HUMAN RELATIONS
FISCAL YEAR 2019 BUDGET TESTIMONY**

DEPARTMENT MISSION & PLANS

Mission: Established under the Home Rule Charter, the Philadelphia Commission on Human Relations (PCHR) administers and enforces all laws prohibiting discrimination, resolves community conflicts, and promotes equality and understanding throughout the City. Since 1993, PCHR has staffed the Fair Housing Commission (FHC), which is charged with remedying unfair rental practices, and addressing unsafe and unhealthy conditions in rental properties through enforcement of the Fair Housing Ordinance. Each year, the PCHR and FHC respond to hundreds of complaints related to discrimination and unfairness, whether in the workplace, in housing, or in places of public accommodation, as well as conflicts between neighbors, and quality-of-life concerns. Cases are investigated or managed and monitored until they are closed.

Plans for Fiscal Year 2019: The PCHR consists of two units, the Compliance Unit and the Community Relations Division.

PCHR's Compliance Unit enforces a set of laws that prohibit discrimination and promote equality. The unit also educates businesses, housing providers, and the public about these laws. Specifically, the Compliance Unit enforces The Philadelphia Fair Practices Ordinance (Chapter 9-1100 of the Philadelphia Code), which prohibits discrimination in employment, housing and public accommodations based on a series of protected categories of populations historically underserved and, or, targeted for discrimination, such as race, religion, ethnicity, sex (including pregnancy and breastfeeding), disability, sexual orientation and gender identity. It also provides for reasonable accommodations for people who are pregnant or breastfeeding; and prohibition against using an applicant's credit report during the employment hiring process. The City is engaged in litigation surrounding the Wage Equity Law. The PCHR is prepared to enforce the new law and educate employers and the public about it and will do so as permitted by the Court and at the appropriate time.

The PCHR has a work-sharing agreement with the federal Equal Employment Opportunity Commission (EEOC). The PCHR receives \$700 for each dual-filed discrimination case it investigates and closes under contract with EEOC as a Fair Employment Practices Agency (FEPA). In FY17, the PCHR received \$139,000 from the EEOC. In FY18 the PCHR anticipates closing 159 FEPA cases generating \$125,000 from its case closings.

The Compliance Unit's Employment Discrimination Mediation Project helps resolve employment discrimination, housing, and public accommodations cases efficiently by drawing upon support from volunteer lawyers who are trained as mediators. In calendar year 2017, 28 cases were mediated, and the total monetary recovery for complaints resolved through settlements and mediations was \$235,652. So far, in FY18, 30 cases have been resolved through settlements or mediation with a total recovery for complainants of \$114,750. It is expected that an additional 5 cases will be resolved by the end of FY18. Resolving cases through mediation makes processing more efficient by settling issues at an earlier stage and avoiding lengthy investigations. It also can increase our caseload and generate additional revenue through PCHR's work-sharing agreement with the EEOC.

The Fair Criminal Record Screening Standards Law, or “Ban the Box” (Chapter 9-3500 of the Philadelphia Code) governs employers’ use of criminal background checks during the job application process and throughout employment. It is illegal for employers to ask about criminal backgrounds during the entire job application process; from the completion of the application until a conditional offer of employment is made. After a conditional offer is made, the law controls how the employer can use criminal history reports. New provisions to the Ban the Box law went into effect in March 2016 expanding the reach of existing law to more businesses. In FY17, the PCHR investigated 25 Ban the Box cases. It is expected that the PCHR will investigate 40 cases in FY18. Staff has increased its trainings on the Ban the Box law to community, HR professionals and lawyers. In FY19, the PCHR will roll out a media campaign to promote the City’s Ban the Box law to individuals with criminal records and businesses in Philadelphia. Messages will be delivered through advertisements, public service announcements and “know your rights and responsibilities” materials in English and Spanish.

The Coalition for Restaurant Safety and Health (CRSH) – The PCHR has been actively involved in the creation of this coalition of advocacy and government groups in Philadelphia, working to promote respectful and safe workplaces in the restaurant industry. According to the Bureau of Labor Statistics, the restaurant industry is the fifth largest employer in Philadelphia, employing an increasing number of immigrants, women and young people. Safe workplaces and fair practices benefit employers, employees and the city’s tourism industry. Along with the PCHR, CRSH members include workplace safety organizations, legal advocates, and women’s groups, who came together to address this serious issue. CRSH received funding from the Valentine Foundation to begin these efforts. Restaurant workers are particularly vulnerable to sexual harassment and restaurants are the biggest source of sexual harassment complaints nationwide. To improve safety and health in the workplace, CRSH trainings will educate employees in how to identify abusive behaviors that impact the workplace, how to respond to situations of sexual violence, and how to create a supportive, productive and safe workplace culture. CRSH also will offer anti-harassment policy guidance for employers. Initially, the trainings will be targeted to immigrant workers and will be offered in Spanish and English.

The Compliance Unit has maintained its productivity with case investigations and case closings. Staff also has increased its outreach and training on people’s rights and responsibilities under the Fair Practices Ordinance and the Ban the Box law.

In October 2017, the PCHR presented its follow-up progress report, one year later, on racism and discrimination within Philadelphia’s LGBTQ community. The report described compliance by bars and non-profits in the Gayborhood who received mandatory training for staff and management on their rights and responsibilities under the Fair Practices Ordinance, as well as, Implicit Bias training. The PCHR will continue to provide any necessary outreach and education through FY19.

Compliance FY19 Plans:

- Increase compliance case closings in FY19.
- Increase outreach and education to the ex-offender community and the business communities.
- Launch an outreach and education multimedia campaign on the “Ban the Box” law designed to reach the ex-offender community and the business communities.
- Increase investigations of new Ban the Box cases in FY19.
- Increase mediations of employment discrimination cases FY19.

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- Increase outreach and education to the business community on all laws enforced by the PCHR in FY19, which hopefully, will include the Wage Equity Law.
- Continue to work with the Coalition for Restaurant Safety and Health (CRSH) to educate restaurant owners and their employees on their rights and responsibilities regarding preventing workplace sexual harassment.
- Create an accessible online archive of public hearing decisions.

PCHR's Community Relations Division (CRD) provides a variety of conflict resolution and mediation services to resolve neighborhood disputes and engages people of different backgrounds to promote intergroup harmony. The CRD also conducts skill-building workshops and serves as a general educational arm of the PCHR.

Through its **Dispute Resolution Program**, the CRD routinely responds to requests from residents, policymakers, and law enforcement to help quell neighbor disputes and other volatile situations that have not yet escalated to violence and are not being litigated in court. It is one of the most frequently accessed initiatives the PCHR offers, helping to divert other resources, such as police presence or constituent services, to more pressing matters by preventing neighborhood problems from escalating into potentially violent events through mediation and constructive conflict consultation. In FY18, the CRD estimates it will investigate 340 neighbor dispute cases.

Through its **Intergroup Conflict Response Program**, the CRD partners with police, schools, community groups, City departments and other entities to help address issues that arise from conflicts motivated by prejudice or hate by establishing long-term peace and harmony by engaging the community in dialogue, facilitated discussions and structured programming. In FY18, the CRD estimates it will investigate 60 intergroup conflict cases.

The CRD is proactive in conflict prevention through its **Prevention and Community-Building Program**, which seeks to engage the community through a variety of programs. These programs include leading and participating in outreach events and activities; organizing community dialogues; and conducting information sessions and skills workshops for community stakeholders, including churches and other groups. In FY18, the PCHR will have conducted 188 prevention education and outreach activities. Throughout FY18, as part our Changing Neighborhoods Project, PCHR partnered with Reading Terminal Market, HIAS PA (an immigrant and refugee organization), and the Penn Center for Civic Engagement on a project called **Breaking Bread, Breaking Barriers**. This brings together communities through a cuisine-based cultural exchange and facilitated dialogue. PCHR will continue Breaking Bread, Breaking Barriers in FY19.

Also, the CRD is expanding its **Community Conflict Resolution Certificate Program** - an initiative to train community members to resolve neighborhood disputes in their local communities. The intention of the project is to equip residents of Philadelphia with the tools they need to help resolve interpersonal conflicts in their neighborhoods before they escalate, and to do so in a safe and neutral environment. This initiative allows for building positive relations among neighbors. Trainings range from Conflict Resolution 101 to Intercultural Communication.

Each month, the PCHR also convenes an **Interagency Civil Rights Task Force** that is made up of local, state, and federal law enforcement agencies and community partners who work to prevent intergroup

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tension and bias crimes. It is through these partnerships that the PCHR co-organized the second “Unifying our Communities – Responding to Hate” summit. This summit was led by leaders of the community and of faith-based and nonprofit organizations, and provided an update on the status of hate crimes in Pennsylvania and the Philadelphia region.

The PCHR continues to deploy its **Philadelphia Civil Rights Rapid Response Team**, which is an interdisciplinary group that includes civil rights leaders from city, state, and federal agencies, the School District, and advocacy groups that focus on responding to hate crimes, bias incidents, and violent acts that have bias potential. The Team also educates stakeholders about a range of topics, including law enforcement procedures for investigation, the rise of violent extremism and its impact on civil rights and hate crime, and agencies’ protocols in responding to bias incidents.

After the 2016 presidential election, the CRD has continued to respond to many hate crimes and bias incidents. Whether racist or anti-Semitic graffiti, or homophobic or Islamophobic acts of hate, staff works to reduce community tension by partnering with police, schools, community groups, City departments, and other entities to help address the issues by engaging the community in dialogue, facilitated discussions, and structured programming to create long-term peace and harmony. From November 2016 through March 2018, the PCHR has received 127 reports of hate or bias incidents. To combat further hate and bias incidents, the staff has increased outreach to many communities including, immigrants and refugees, LGBTQ residents and various religious groups. Staff continues to utilize the Hate Crimes and Bias Incidents handout that was translated into multiple languages, including Arabic, simplified Chinese, French, Khmer, Korean, Russian, Vietnamese, and Spanish. The CRD staff also established quarterly **Prevention Plans** for each police district, so that they can proactively conduct outreach and education to try to prevent further acts of hate or bias.

Community Relations FY19 Plans:

- Implementing Breaking Bread Breaking Barriers 2.0, which will move conversations to communities where the City is investing Rebuild dollars;
- Convening “Stop and Go” community conversations, which will engage mainly Asian business owners and community members to gain a better understanding and respect for each other and to build stronger communities
- “We are the Northeast” a comprehensive campaign to address racism in the Northeast, with the hope of replicating the campaign in South Philly as well.
- Developing a Good Neighbor Guide that will include tips, conflict resolution techniques, and resources to build and maintain quality of life.
- Expand the Community Conflict Certificate Program to reach more communities.

The Fair Housing Commission (FHC) enforces the Fair Housing Ordinance (Chapter 9-800 of the Philadelphia Code), which addresses unfair rental practices in housing, particularly when a property has been cited for code violations. Each year, hundreds of tenants file complaints with the FHC seeking redress after their landlords engage in unfair rental practices, such as terminating a lease when a property is cited for code violations or retaliating against tenants for exercising their legal rights. The FHC also conducts educational outreach to inform tenants and landlords of their rights and responsibilities under the law.

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FHC leadership has played an active role in the **Mayor's Eviction Task Force**, which is charged with issuing recommendations on how to ease or end the eviction crisis that is affecting many low-income Philadelphians. Among other initiatives, members of the Task Force have focused on strengthening the Fair Housing Ordinance to provide greater protections for tenants and landlords in the city. The FHC has also continued to work with refugee and immigrant organizations to educate their staff on the rights and responsibilities for tenants and landlords, with a focus on preventing housing discrimination.

In FY19, the FHC will continue to work on initiatives outlined in the city's Affirmatively Furthering Fair Housing plan, including restarting meetings of the FHC and PCHR's **(e)Quality Housing Working Group**, which is comprised of landlord and tenant advocates, housing providers and federal, state and local fair housing agencies. The group focuses on issues of habitability, accessibility, affordability and equal access to housing with the intention of creating positive recommendations to address Philadelphia's housing stock and its residents.

In FY19, FHC staff will increase collaboration with L&I and the Health Department to help ensure safer and healthier rental housing exists in Philadelphia. Staff will also work to address issues of systemic habitability in multi-unit buildings or properties by negligent landlords.

FHC FY19 Plans:

- Increase education and outreach to tenants and landlords in FY19, highlighting any new amendments to the Fair Housing Ordinance.
- Continue to partner with the Mayor's Eviction Task Force members to conduct increased education and outreach on unfair rental practices and the Fair Housing Ordinance.
- Increase coordination with L+I.
- Launch a mediation program.

PCHR/FHC Administration FY19 Plans:

- Launch our new case management system created by OIT. With a new system, we will be able to track our work and run reports. This will greatly increase our efficiency and allow us to focus on our productivity and outcomes.

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BUDGET SUMMARY & OTHER BUDGET DRIVERS

| Staff Demographics Summary (as of December 28, 2017) | | | | |
|---|-----------|----------|-----------|-----------|
| | Total | Minority | White | Female |
| Number of Full-Time Staff | 32 | 23 | 9 | 24 |
| Number of Exempt Staff | 2 | 1 | 1 | 2 |
| Number of Executive Staff (deputy level and above) | 1 | 0 | 1 | 1 |
| Average Salary, Full-Time Staff | \$61,123 | \$55,199 | \$76,261 | \$60,441 |
| Average Salary, Exempt Staff | \$76,250 | \$67,500 | \$85,000 | \$76,250 |
| Average Salary, Executive Staff | \$115,000 | \$0 | \$115,000 | \$115,000 |
| Median Salary, Full-Time Staff | \$62,491 | \$52,178 | \$68,079 | \$59,150 |
| Median Salary, Exempt Staff | \$76,250 | \$67,500 | \$85,000 | \$76,250 |
| Median Salary, Executive Staff | \$115,000 | \$0 | \$115,000 | \$115,000 |

| Employment Levels (as of December 28, 2017) | | |
|--|----------|----------|
| | Budgeted | Filled |
| Number of Full-Time Positions | 34 | 32 |
| Number of Exempt Positions | 2 | 2 |
| Number of Executive Positions (deputy level and above) | 1 | 1 |
| Average Salary of All Full-Time Positions | \$59,500 | \$61,123 |
| Median Salary of All Full-Time Positions | \$59,150 | \$62,491 |

| General Fund Financial Summary by Class | | | | | | |
|---|------------------------------|-------------------------|------------------------------|----------------------------|------------------------------|-----------------------|
| | FY17 Original Appropriations | FY17 Actual Obligations | FY18 Original Appropriations | FY18 Estimated Obligations | FY19 Proposed Appropriations | Difference: FY19-FY18 |
| Class 100 - Employee Compensation | \$2,127,519 | \$1,949,691 | \$2,141,591 | \$2,107,182 | \$2,139,648 | \$32,466 |
| Class 200 - Purchase of Services | \$34,657 | \$42,562 | \$34,657 | \$34,657 | \$34,657 | \$0 |
| Class 300/400 - Materials, Supplies & Equipment | \$28,031 | \$11,748 | \$28,031 | \$12,731 | \$28,031 | \$15,300 |
| | \$2,190,207 | \$2,004,001 | \$2,204,279 | \$2,154,570 | \$2,202,336 | \$47,766 |

PCHR uses citywide contracts only.

PROPOSED BUDGET OVERVIEW

Proposed Funding Request:

The proposed Fiscal Year 2019 General Fund budget totals \$2,202,336, an increase of \$47,766 over Fiscal Year 2018 estimated obligation levels. This increase is primarily due to replacing funds that were removed in Classes 100 and 300 in the Target Budget FY18. In addition, there was a small increase in DC 33 wages in Class 100.

The proposed budget includes:

- \$2,139,648 in Class 100, a \$32,466 increase over FY18. This increase will bring the PCHR back to level funding, with a small additional increase for DC 33 wage increases.
- \$34,657 in Class 200, which is level funding with FY18.
- \$28,031 in Class 300/400, a \$15,300 increase over FY18. This increase was due to restoration of a target budget cut.

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STAFFING LEVELS

The department is requesting 34 budgeted positions for FY19, level with FY18.

NEW HIRES

| New Hires (from 7/1/2017 to December 2017) | |
|--|---------------------------|
| | Total Number of New Hires |
| Black or African American | 1 |
| Total | 1 |

Since December, PCHR hired one male who identifies as Hispanic/Latino.

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PERFORMANCE, CHALLENGES, AND INITIATIVES

| FY19 Strategic Goals | | | | |
|--|-------------|-----------------------|-------------|-------------|
| <ul style="list-style-type: none"> • Increase education and outreach. • Create new efficiencies for case handling. • Establish partnerships to expand programs. | | | | |
| FY19 Performance Measures | | | | |
| Measure | FY17 Actual | FY18 YTD (Q1 + Q2) | FY18 Target | FY19 Target |
| Discrimination cases investigated ¹ | 150 | 23 | 159 | 159 |
| Ban the Box cases investigated | 25 | 12 | 40 | 50 |
| Neighbor disputes investigated ² | 315 | 96 | 340 | 340 |
| Intergroup conflict cases investigated | 40 | 17 | 60 | 60 |
| Prevention/education activities ³ | 188 | 87 | 188 | 188 |
| Fair Housing Commission number of cases | 301 | 159 | 300 | 300 |

¹ Targets reflect the numbers in PCHR's contract with the EEOC. This contract runs over the course of the Federal Fiscal Year (10/1-9/30), so FY17 Actual figures are for 10/1/16-9/30/17, FY18 YTD figures are for 10/1/17-12/31/17, the FY18 Target is for 10/1/17-9/30/18, and the FY19 Target is for 10/1/18-9/30/19. FY18 YTD performance is low due to retirements among staff. PCHR anticipates that the number of cases investigated will increase before the end of the year to meet the target.

² Neighbor disputes tend to increase in the spring. As a result, PCHR expects to meet the FY18 year-end target.

³ These activities include attending or organizing outreach events and activities; conducting information sessions and skills workshops for community stakeholders (i.e. informing community about PCHR and city ordinances, conducting workshops on conflict resolution, connecting people to resources); and organizing community dialogues.

OTHER BUDGETARY IMPACTS

Federal and State (Where Applicable)

The PCHR has a work-sharing agreement with the federal Equal Employment Opportunity Commission (EEOC) under which it receives \$700 for each dual-filed discrimination case it investigates and closes. In FY17, the unit generated \$139,000 from its case closings. In FY18, it is anticipated that PCHR will receive \$125,000, which is 5.8% of its budget.

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CONTRACTING EXPERIENCE

PCHR uses citywide contracts only.

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EMPLOYEE DATA

| Staff Demographics (as of December 2017) | | | | | |
|---|------------------|------------------|------------------------|------------------|------------------|
| Full-Time Staff | | | Executive Staff | | |
| | Male | Female | | Male | Female |
| | African-American | African-American | | African-American | African-American |
| <i>Total</i> | 1 | 11 | <i>Total</i> | 0 | 0 |
| <i>% of Total</i> | 3% | 34% | <i>% of Total</i> | 0% | 0% |
| <i>Average Salary</i> | \$41,953 | \$58,857 | <i>Average Salary</i> | N/A | N/A |
| <i>Median Salary</i> | \$41,953 | \$55,608 | <i>Median Salary</i> | N/A | N/A |
| | White | White | | White | White |
| <i>Total</i> | 3 | 6 | <i>Total</i> | 0 | 1 |
| <i>% of Total</i> | 9% | 19% | <i>% of Total</i> | 0% | 100% |
| <i>Average Salary</i> | \$71,217 | \$78,783 | <i>Average Salary</i> | N/A | \$115,000 |
| <i>Median Salary</i> | \$68,079 | \$73,059 | <i>Median Salary</i> | N/A | \$115,000 |
| | Hispanic | Hispanic | | Hispanic | Hispanic |
| <i>Total</i> | 1 | 6 | <i>Total</i> | 0 | 0 |
| <i>% of Total</i> | 3% | 19% | <i>% of Total</i> | 0% | 0% |
| <i>Average Salary</i> | \$48,116 | \$49,369 | <i>Average Salary</i> | N/A | N/A |
| <i>Median Salary</i> | \$48,116 | \$47,369 | <i>Median Salary</i> | N/A | N/A |
| | Asian | Asian | | Asian | Asian |
| <i>Total</i> | 3 | 0 | <i>Total</i> | 0 | 0 |
| <i>% of Total</i> | 9% | 0% | <i>% of Total</i> | 0% | 0% |
| <i>Average Salary</i> | \$67,203 | N/A | <i>Average Salary</i> | N/A | N/A |
| <i>Median Salary</i> | \$62,491 | N/A | <i>Median Salary</i> | N/A | N/A |
| | Other | Other | | Other | Other |
| <i>Total</i> | 0 | 1 | <i>Total</i> | 0 | 0 |
| <i>% of Total</i> | 0% | 3% | <i>% of Total</i> | 0% | 0% |
| <i>Average Salary</i> | N/A | \$34,244 | <i>Average Salary</i> | N/A | N/A |
| <i>Median Salary</i> | N/A | \$34,244 | <i>Median Salary</i> | N/A | N/A |
| | Bilingual | Bilingual | | Bilingual | Bilingual |
| <i>Total</i> | 3 | 6 | <i>Total</i> | 0 | 0 |
| <i>% of Total</i> | 9% | 19% | <i>% of Total</i> | 0% | 0% |
| <i>Average Salary</i> | \$54,262 | \$43,827 | <i>Average Salary</i> | N/A | N/A |
| <i>Median Salary</i> | \$52,178 | \$38,411 | <i>Median Salary</i> | N/A | N/A |
| | Male | Female | | Male | Female |
| <i>Total</i> | 8 | 24 | <i>Total</i> | 0 | 1 |
| <i>% of Total</i> | 25% | 75% | <i>% of Total</i> | 0% | 100% |
| <i>Average Salary</i> | \$63,166 | \$60,441 | <i>Average Salary</i> | N/A | \$115,000 |
| <i>Median Salary</i> | \$62,891 | \$59,150 | <i>Median Salary</i> | N/A | \$115,000 |

LANGUAGE ACCESS

1) Has your leadership received language access training?

Yes, all staff was trained by the Office of Immigrant Affairs.

2) Do you currently have a language access coordinator?

Yes, Monica Gonzalez, Executive Secretary to the Executive Director.

3) Has your department written a language access plan and is it posted online?

Yes: <https://beta.phila.gov/documents/language-access-plans/>

4) Explain what your department has done to improve language access services over the past year.

We continue to provide language access for the parties in our cases. We also translate all pertinent outreach documents and provide interpretation when needed.