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**The City of New York
Community Board 8 Manhattan
Social Justice Committee Meeting
Monday, February 22, 2021 - 6:30PM
*This meeting was conducted remotely via Zoom***

Minutes

Community Board Members Present: Alida Camp, Lorraine Brown, Sarah Chu, Barbara Chocky, Saundra I. Coleman, Brian Correla, Rebecca Dangoor, Billy Freeland, Ed Hartzog, Takako Kono, Gregory Morris, Peter Patch, Rita Popper, Barbara Rudder, Rami Sigal, Russell Squire, Lynne Strong-Shinozaki

1. Know Your Rights: New York City Human Rights Law - Ryan DuBois, Associate Human Rights Specialist The Commission on Human Rights (CCHR)

- a. Ryan DuBois presented an overview of the NYC City Commission on Human Rights (CCHR) which was established as the Community on Unity in 1955 and renamed in 1962. The presentation is not available here, but is comprised of materials from the NYC Commission on Human Rights publications website:
<https://www1.nyc.gov/site/cchr/media/publications.page>
- b. The topics covered in the presentation generally match the topics found on the aforementioned site and are listed and linked in text below:
 - i. [About the NYC Commission on Human Rights](#)
 - ii. [Bias-Based Profiling by Law Enforcement](#)
 - iii. [Businesses and Discrimination Protections Under the NYC Human Rights Law](#)
 - iv. [Credit History Law](#)
 - v. [Disability Protections](#)
 - vi. [Discriminatory Harassment](#)
 - vii. [Fair Chance Act](#)
 - viii. [Fair Housing](#)
 - ix. [Immigrants & Human Rights](#)
 - x. [Protections Against Discrimination Based on Sexual Orientation, Gender Identity, and Gender Expression](#)
 - xi. [Protections Against Religious Discrimination](#)
 - xii. [Protections for People with Disabilities](#)
 - xiii. [Salary History Prohibition](#)
 - xiv. [Women's Rights Brochure](#)
- c. Filing a complaint at the Commission on Human Rights
 - i. To report an act of discrimination online, go to:
<https://www1.nyc.gov/site/cchr/about/report-discrimination.page>
 - ii. To file a complaint, the most recent act of discrimination must have taken place within the last year. For gender-based discrimination, the act must have taken place within the last 3 years.

- iii. After filing a complaint, contact Ryan DuBois who can help shepherd your complaint.
 1. (212) 416-0197
 2. rdubois@cchr.nyc.gov
 3. The Commission staff speaks >30 languages and has a telephone interpretation service

d. Question & Answer

The following questions and answers are paraphrased below.

Q: May we have a copy of this presentation?

A: No. The laws and regulations change so quickly that it is CCHR policy to direct people to its website. Please access the publications on each topic there.

Q: If the statute of limitations is 1 year, can the Commission pursue pattern and practice cases?

A: Yes - remember only the last incident needs to have occurred in the last year, but the Commission will consider all events preceding that last event. You can be in a workplace for 10 years and discriminated against for 10 years. All events leading up to the reported event are considered as long as the last event occurred within 1 year of the complaint.

Q: If I have an encounter with the police, do I go to CCRB or the Commission?

A: CCHR can only issue recommendations or fines. CCRB receives most of the complaints regarding law enforcement. Both agencies require Police Commissioner review to implement the recommendation or fine.

Q: Can you file both federal EEOC and CCHR complaints at the same time?

A: No. You can only have 1 case. We recommend filing in NYC because the law is stronger than federal protections.

Q: What is the line between discriminatory harassment v. 1st amendment speech?

A: People are allowed to say distasteful and harmful things, but it crosses into discriminatory harassment when they threaten you, block access/egress, interfere with rights, or attack you.

Q: How long does it take to address a complaint?

A: The time to address a complaint at NYCHR is generally within 3-4 months from filing to response. You can reach out to Ryan DuBois in Community Relations to track down complaints.

Q: Can you explain how the lawful source of income discrimination works for housing grants/vouchers?

A: This law means that landlords cannot reject a housing candidate based on their source of income as long as it is lawful. This is most relevant for people using housing grants/vouchers. If your own income applies to any portion of the rent, the landlord can run a credit check. If the grant/voucher applies to the entire amount, landlord can't run a credit check.

Q: In my Mitchell-Lama conversion, residents received an enhanced voucher. Once a person leaves the Mitchell-Lama program, it becomes a Section 8 voucher. Can a landlord refuse that Section 8 voucher?

A: Ryan DuBois will find out and let us know. It should be a violation of the law, but he is checking on the Mitchell-Lama aspect.

Q: I know someone who received a housing voucher through a mental health program and was denied by a landlord who said their buildings don't take vouchers.

A: This would be both a disability and lawful source of income discrimination. Please ask that person to file a complaint and follow up with Ryan DuBois.

Q: Does CCHR take cases for public housing residents?

A: This is a tricky area as NYCHA is split between federal and local entities. It is hard to make the case for a city specific case.

Q: What are the penalties for violating a person's human rights?

A: The CCHR can assess up to \$125k in civil penalties for violations and up to \$250k for violations that are the result of willful, wanton, or malicious conduct. The penalties are levied in addition to other remedies. Typically, CCHR prefers to take a restorative justice approach when possible. For example, an UES hair salon threatened two employees who wore natural hair. CCHR received that complaint and mandated the owner to get training and the stylists in the salon received training in styling natural hair. To the extent possible, CCHR tries to take actions that create a cultural shift that supports pluralism and multicultural democracy.

Q: What would happen if the employer supplies an accommodation for an employee that the employee didn't ask for, but is an accommodation the employer believes would improve the employee's efficiency?

A: This could potentially create a hostile workplace and the employer needs to navigate this carefully. The employer isn't required to anticipate the accommodation or provide an accommodation until an employee requests it.

Q: Can an employer seek advice from CCHR?

A: Employers can ask CCHR about the law, but CCHR can't give them advice.

2. Old Business – None

3. New Business - None

Saundra I. Coleman and Sarah Chu, Co-Chairs