



**OFFICE OF HUMAN RIGHTS**  
**FY 2023 PERFORMANCE ACCOUNTABILITY REPORT**  
**JANUARY 16, 2024**

# CONTENTS

---

- Contents** **2**
  
- 1 Office of Human Rights** **3**
  
- 2 2023 Accomplishments** **4**
  
- 3 2023 Objectives** **5**
  
- 4 2023 Operations** **6**
  
- 5 2023 Strategic Initiatives** **8**
  
- 6 2023 Key Performance Indicators and Workload Measures** **10**

# 1 OFFICE OF HUMAN RIGHTS

---

*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.

*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 noncompliance with this Act by DC government agencies and houses the District's Citywide Bullying Prevention Program. 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.

## 2 2023 ACCOMPLISHMENTS

Accomplishment	Impact on Agency	Impact on Residents
OHR closed 20% more cases, processed 20% more cases, resolved more cases through its ADR program. OHR also provided more educational trainings with an increase of 30% from FY22.	This accomplishment allowed the agency to improve the quality of its services and make a meaningful progression towards the agency's performance goals.	By increasing case closures and resolving cases, OHR increased equal opportunity and protect human rights for persons who live in or visit the District of Columbia.
OHR in collaboration with ORE, produced the city's first-ever Inclusive Language Guide on Race.	This accomplishment allowed the agency to contribute to a more progressive District and make meaningful progression towards the agency's goal to combat discrimination.	The Inclusive Language Guide on Race assists residents, government employees, and the public with using inclusive language when engaging with the District's racially diverse population.
In FY23, OHR sought to fully staff its two newly created Associate Director positions, as well as the Senior Advisor position and an HR Specialist. Out of the 4 positions, OHR filled 3 in FY23 and the 4th position will be onboarded on December 4, 2023.	This accomplishment allowed the agency to improve the quality of its services and make a meaningful progression towards the agency's performance goals.	This provided leadership opportunities at the agency and created a career pathway for current employees and residents.

### 3 2023 OBJECTIVES

---

---

#### Strategic Objective

---

Provide high quality and efficient resolution of complaints filed at the Office of Human Rights in order to comply with statutory requirements, improve customer service, and strengthen enforcement.

Provide high quality and efficient adjudication of probable cause cases certified for a hearing in order to comply with statutory requirements and to improve customer service.

Provide high quality training and resource materials in OHR's compliance programs, including Language Access, Bullying Prevention, Government EEO, and Creating Safer Spaces Program.

Provide high quality education and awareness communication to the public in order to increase understanding of the laws enforced by OHR.

Create and maintain a highly efficient, transparent, and responsive District government.

---

## 4 2023 OPERATIONS

Operation Title	Operation Description
<b>Provide high quality and efficient resolution of complaints filed at the Office of Human Rights in order to comply with statutory requirements, improve customer service, and strengthen enforcement.</b>	
Investigate: Daily Service	The Human Rights Officer (HRO) in the Investigation Unit will review an assigned Charge of Discrimination docketed and investigate the claims asserted in the Charge. The HRO will interview relevant witnesses and recommend a finding as to whether there is probable cause to believe discrimination may have occurred.
Intake: Daily Service	The Intake Officer will review inquiries (known as Complaint Questionnaire) filed with the Office of Human Rights and determine jurisdiction. If the Office has jurisdiction, the inquiry will be schedule for an intake interview. The Intake Officer will review the information provided during the interview and docket the inquiry as a Charge of Discrimination or dismiss the matter as appropriate.
Mediation: Daily Service	Once an inquiry is docketed as a Charge of Discrimination, the Mediation Unit will schedule a mandatory mediation date. If the matter is resolved at mediation, the case will be closed. If the matter is not resolved, Mediation will forward the case for full investigation.
Legal Review: Daily Service	Once a Human Rights Officer makes a probable cause determination as to whether discrimination may have occurred, the Legal Unit will review the determine for legal sufficiency and forward the matter for the Director's review.
Agency Reorganization: Daily Service	Complete reorganization of enforcement units.
<b>Provide high quality and efficient adjudication of probable cause cases certified for a hearing in order to comply with statutory requirements and to improve customer service.</b>	
Hold Final Hearings: Daily Service	When the case has completed discovery, the Commission will schedule and hold a final hearing on the merits of the case.
Convene and Support Commission Meetings: Daily Service	The Chief Administrative Law Judge and their team organizes the Commission meetings, which occur on a bi-monthly basis. The Administrative Law Judges will record minutes of the meeting.
<b>Provide high quality training and resource materials in OHR's compliance programs, including Language Access, Bullying Prevention, Government EEO, and Creating Safer Spaces Program.</b>	
Community Engagement: Daily Service	Provide outreach and education to the public; Work closely with consultative agencies and community stakeholders.
Enforcement: Daily Service	Assist with identifying pre-investigation intervention solution; Investigate docketed cases of language access complaints; Issue written findings after investigation is completed; Assist non-compliant agencies with systemic corrective actions.
EEO Counselors and Officers Training: Daily Service	Provide certification and ongoing training and technical assistance to EEO Counselors and Officers.
Bullying Prevention Policy Oversight: Daily Service	Oversee bullying prevention policy development and compliance and provide training and informal interventions.
Compliance Monitoring and Technical Assistance: Daily Service	Review and monitor each major public contact agency's two-year LA compliance plan; Provide technical assistance such as one-on-one consultations, Language Access Coordinator meetings, and implementing corrective actions.
School Climate Data and Youth Bullying Prevention Project: Key Project	As a result of a four-year grant from National Institute of Justice (NIJ), in partnership with Child Trends and Office of the State Superintendent for Education (OSSE), the Youth Bullying Prevention Program will collect school climate data, evaluate prevention strategies in schools, and support their efforts to implement evidence based programs to prevent bullying and improve school safety. The grant ends on December 31, 2019.

(continued)

Operation Title	Operation Description
<b>Provide high quality education and awareness communication to the public in order to increase understanding of the laws enforced by OHR.</b>	
Provide education/training and perform outreach: Daily Service	The Communications & Community Engagement team schedules and conducts training for the public and business community. To ensure awareness and compliance, the Communications & Community Engagement team conducts outreach regarding newly enacted laws or regarding laws under which the Office has seen a rise in claims. Outreach may be provided in the form of targeted trainings, participation at community events and meetings, and educational campaigns.
Issue reports and publications: Daily Service	The Communications & Community Engagement team is responsible for preparing annual reports and publications required by the various statutes that the Office enforces.
LGBTQ Seniors and Seniors with HIV: Daily Service	Provide education awareness to staff at LTC facilities about new rights and legal protections for LGBTQ seniors and seniors with HIV, by creating a list of certified OHR trainers to impart that content.

## 5 2023 STRATEGIC INITIATIVES

In FY 2023, Office of Human Rights had 7 Strategic Initiatives and completed 71.43%.

Title	Description	Update
Backlog Reduction Program	OHR will establish a number of new measures including dedicated teams to work on new, backlogged, and existing cases. Through these measures, OHR will attempt to close 50% of its backlog inventory by end of fiscal year	Completed to date: Complete OHR's new measures, including establishing a dedicated team to work on aged cases, aided in reducing the FY23 aged case investigation inventory by 57.3%.
Outreach and Engagements	OHR will engage in five to ten outreach events (virtual or in-person based on the District's operating status) to increase public awareness of the agency and the services it provides. This effort will include educating both individuals and the business community.	Completed to date: Complete In Q3, OHR exceeded our goal of engaging in five to ten outreach events, more than doubling those efforts by conducting a total of 24 events we either hosted or participated in. Many of these events included information about several new laws we began enforcing for the new fiscal year and or vulnerable populations more likely to experience discrimination across the city. We plan on targeting that reach, especially about the new laws in Q4.
Reorganize Agency Website	Reorganize agency website to increase usability and accessibility and to reflect changes to laws, programs, protected traits, and processes.	Completed to date: Complete OHR successfully reorganized and updated its' website to be more user friendly and informative.
Advance Racial Equity	Coordinate with the Office of Racial Equity and assist with production of at least (1) racial equity training material	Completed to date: Complete The D.C. Office of Human Rights (OHR) worked closely with the Office of Racial Equity to publish the "Words Matter: A Guide to Inclusive Language around Racial and Ethnic Identity". The guide was published in FY23.
Create Inclusive Language Guides and Similar Educational Guidance	Curate and create educational resources on relevant topics such as DC history of human rights, inclusive language around protected traits, and more.	Completed to date: 75-99% OHR created the "Guide to Inclusive Language around Gender Identity and Expression." The "Guide to Inclusive Language around Gender Identity and Expression" was not published due to delays in EOM's review process.



Update Agency Case Management System	Update agency case management system to increase usability and efficiency of case management. Updating agency case management will allow OHR to better manage, track, identify, and analyze racial equity concerns like race discrimination issues in employment, schools, housing, public accommodations and government services.	Completed to date: 25-49% OHR successfully onboarded a contractor IT Specialist to work on updating the case management system. The full-time IT Specialist position removed from OHR's budget. OHR had to navigate the setback and hired a contractor to begin working on the case management system.
Tipped Wage Industry Sexual Harassment Training Materials	Update Sexual Harassment training program in the tipped wage industry to increase usability and accessibility and to reflect changes to laws	Completed to date: Complete OHR updated the Sexual Harassment training program for the tipped wage industry, which has led to an increase of business participation and individuals trained.

## 6 2023 KEY PERFORMANCE INDICATORS AND WORKLOAD MEASURES

### Key Performance Indicators

Measure	Directionality	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023	FY 2023 Target	Was 2023 KPI Met?	Explanation of Unmet KPI
<b>Provide high quality and efficient resolution of complaints filed at the Office of Human Rights in order to comply with statutory requirements, improve customer service, and strengthen enforcement.</b>											
Percent of docketed cases at the Office of Human Rights scheduled for mediation within 45 days	Up is Better	92.5%	94.9%	100%	96%	68%	96.1%	90%	80%	Met	
Percent of inquiries filed at the Office of Human Rights scheduled for intake interview within 30 days of assignment to an intake officer.	Up is Better	81.4%	89%	77.8%	70%	69.9%	74.6%	73.5%	75%	Nearly Met	OHR experienced transitions in staff and management in FY23 that caused minor delays in scheduling intake appointments within 30 days. Despite such, the team came close to meeting the 75% target with 74.6% of cases being timely scheduled for intake interviews.
Percent of new FY23 cases submitted for closure within 180 days of assignment	Up is Better	New in 2023	New in 2023	0%	0%	18%	21%	19.1%	New in 2023	New in 2023	
Percent of Aged cases submitted for closure by end of fiscal year	Up is Better	New in 2023	New in 2023	5.4%	26.5%	40.7%	57.3%	57%	50%	New in 2023	
Percent of closure in aged cases inventory by end of fiscal year	Up is Better	New in 2023	New in 2023	9.9%	27.9%	43%	57%	57%	50%	New in 2023	
Percent of existing cases submitted for closure within 180 days of assignment	Up is Better	New in 2023	New in 2023	0%	13.7%	27%	41%	41%	New in 2023	New in 2023	
Percent of backlogged cases submitted for closure by end of fiscal year	Up is Better	New in 2023	New in 2023	8.1%	27.9%	43%	57.3%	25.4%	New in 2023	New in 2023	
Percent of closure in backlog inventory of cases by end of fiscal year	Down is Better	New in 2023	New in 2023	1.8%	27.9%	43%	57.3%	23%	New in 2023	New in 2023	
<b>Provide high quality and efficient adjudication of probable cause cases certified for a hearing in order to comply with statutory requirements and to improve customer service.</b>											

Key Performance Indicators (continued)

Measure	Directionality	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023	FY 2023 Target	Was 2023 KPI Met?	Explanation of Unmet KPI
Percent of hearing cases pending over 15 months	Down is Better	48.7%	33.5%	25%	27.8%	29%	43%	34.3%	20%	Unmet	The Commission had two cases from previous ALJs that have been pending for a very long time for numerous reasons. The length of time that the two cases have been pending somewhat skews the data. One of those cases closed in September 2023 and the other case is on target to close in December 2023. This will make it more likely going forward the Commission will be able to meet the goal. In addition, the average time for the life of a case has been closer to 20 months and the Commission is working to reduce that average time.
Percent of cases assigned to hearing tribunal within 60 days of proposed decision and order	Up is Better	100%	96.4%	100%	80%	100%	100%	93.4%	80%	Met	
<b>Provide high quality training and resource materials in OHR's compliance programs, including Language Access, Bullying Prevention, Government EEO, and Creating Safer Spaces Program.</b>											
Percent of informal intervention provided in bullying cases within 30 days of reporting	Up is Better	100%	100%	100%	100%	100%	100%	100%	80%	Met	
Percent of EEO Trainings rated "good" or "excellent" in post-training survey	Up is Better	84.8%	Not Available	96.5%	No data available	100%	No applicable incidents	97.7%	80%	Met	
Percent of language access cases which receive initial intervention within 30 days	Up is Better	100%	100%	100%	100%	100%	100%	100%	100%	Met	
<b>Provide high quality education and awareness communication to the public in order to increase understanding of the laws enforced by OHR.</b>											
Percent of Human Rights Liaisons that rate the all-day training as "good" or "excellent" in post-training survey	Up is Better	91.3%	92.9%	No data available	100%	No applicable incidents	100%	100%	80%	Met	

Key Performance Indicators (continued)

Measure	Directionality	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023	FY 2023 Target	Was 2023 KPI Met?	Explanation of Unmet KPI
Percent of participants that rate OHR educational presentations as "good" or "excellent" in post-training survey	Up is Better	Not Available	80%	No data available	92.3%	75%	No applicable incidents	88.2%	80%	Met	
Percent of participants that rate OHR business community training as "good" or "excellent" in post-training survey	Up is Better	New in 2023	New in 2023	No data available	No data available	No applicable incidents	No applicable incidents	No applicable incidents	New in 2023	New in 2023	

Workload Measures

Measure	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023
<b>Intake</b>							
Number of Inquiries Received	972	1,090	300	318	295	309	1222
Number of Intakes Conducted	314	292	85	69	73	60	287
Number of cases processed at intake	New in 2022	808	301	186	252	161	900
<b>Investigate</b>							
Number of New Docketed Cases	341	361	43	136	60	56	295
Number of pending cases	521	1,279	472	105	423	433	1433
<b>Legal Review</b>							
Number of Compliance Reviews Completed	9	9	1	1	5	1	8
Number of Motions, Reconsiderations, and Requests to Reopen Reviewed	91	224	40	28	30	81	179
Number of Letters of Determinations Reviewed	New in 2023	New in 2023	25	29	28	37	119
Number of FOIA Requests Reviewed	86	65	27	19	30	18	94
Number of Case Representations - Court	13	11	5	6	5	3	19
Number of Case Presentations - Commission	17	29	16	13	12	12	53
Number of Hearing Examiner Cases Reviewed	3	2	1	1	0	2	4
Number of Letters of Determination Reviewed	76	100	25	29	28	37	119
<b>Mediation</b>							
Number of Cases Mediated	390	322	67	72	63	81	283
<b>Convene and Support Commission Meetings</b>							
Number of Commission Meetings Per Year	5	6	Annual Measure	Annual Measure	Annual Measure	Annual Measure	24
<b>Hold Final Hearings</b>							
Number of Final Hearings Held	2	12	2	0	1	4	7
Number of Pre-Hearing Settlement Conferences Held	5	13	4	3	3	6	16
<b>Bullying Prevention Policy Oversight</b>							
Number of Covered Entities under Youth Bullying Prevention Act	247	314	Annual Measure	Annual Measure	Annual Measure	Annual Measure	384
Number of Bullying Prevention outreach activities with covered entities	New in 2023	New in 2023	9	7	4	7	27

Workload Measures (continued)

Measure	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023
Number of Youth Bullying Prevention Outreach and Education Activities	1	14	12	7	5	9	33
<b>Community Engagement</b>							
Number of Meetings with Consultative Agencies	2	4	3	5	3	5	16
Number of public training around LA	New in 2023	New in 2023	2	3	7	2	14
Number of Community Education/Outreach Activities	41	59	10	2	22	21	55
<b>Compliance Monitoring and Technical Assistance</b>							
Number of Covered Entities under the Language Access Act	64	65	Annual Measure	Annual Measure	Annual Measure	Annual Measure	65
Number of Language Access Coordinator Meetings Held	11	6	1	2	1	2	6
Number of LA Trainings to Covered Entities	88	72	14	31	20	23	88
<b>EEO Counselors and Officers Training</b>							
Number of Affirmative Action Review Requests	905	860	183	200	214	232	829
Number of active certified EEO Counselors and Officers in the District	83	104	95	99	104	125	423
Number of EEO Trainings Held	6	2	1	No applicable incidents	1	0	2
Number DC Government Employees Completing EEO Training	New in 2022	18	85	No applicable incidents	76	0	161
<b>Enforcement</b>							
Number of LA Inquiries Received	29	7	6	5	2	0	13
Number of Language Access cases resolved	4	9	0	3	2	3	8
<b>School Climate Data and Youth Bullying Prevention Project</b>							
Number of bullying prevention policies successfully brought into compliance after initial review	New in 2023	New in 2023	14	26	30	14	84
Number of bullying prevention outreach activities with parents, students and public	New in 2023	New in 2023	10	4	3	8	25
<b>Issue reports and publications</b>							
Number of Reports Published	New in 2023	New in 2023	1	1	1	0	3
<b>Provide education/training and perform outreach</b>							

Workload Measures (continued)

Measure	FY 2021	FY 2022	FY 2023 Q1	FY 2023 Q2	FY 2023 Q3	FY 2023 Q4	FY 2023
Number of racial equity meetings attended	New in 2023	New in 2023	3	3	1	2	9
Number of resource materials published related to racial equity	New in 2023	New in 2023	1	1	0	2	4
Number of FCRSA/FCRSHA Outreach Activities	22	18	5	6	3	4	18
Number of Fair Housing Outreach Activities	39	38	10	13	11	2	36
Number of Overall Outreach Activities	41	59	17	19	24	17	77
Number of Human Rights Liaisons Trained	47	143	0	58	No applicable incidents	30	88
Number of Educational Presentations in Business Community and Housing Provider Community	0	0	0	1	1	1	3
Number of outreach bags filled with educational materials given out to the community.	New in 2023	New in 2023	265	No data available	No data available	No applicable incidents	265
Number of protected traits and language spoken buttons given out to the community.	New in 2023	New in 2023	150	182	1,715	218	2265
Number of workplace & business posters updated to be compliant, accurate, and on brand.	New in 2023	New in 2023	2	0	0	0	2
Number of business compliance reviews conducted under the Tipped Wage Workers Fairness Act	New in 2023	New in 2023	218	100	101	95	514
Number of trainers trained for Tipped Wage Industry Sexual Harassment training	New in 2023	New in 2023	30	52	30	41	153
Number of trainers trained for long-term care facility training	New in 2023	New in 2023	0	4	12	9	25