



FY 2015 PERFORMANCE PLAN Office of Human Rights¹

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 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.

PERFORMANCE PLAN DIVISIONS

- Office of Human Rights
- Equal Justice Program²
- Commission on Human Rights

AGENCY WORKLOAD MEASURES

Measure	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual
Number of discrimination complaints received	1,064	1,115	1,306
Number of new docketed cases	334	408	504
Number of mediations	297	397	416

¹ This Performance Plan includes both the Office of Human Rights and the Commission on Human Rights.

² For the purposes of the FY15 Performance Plan, the (2000) Office of Justice Program budget division is also included in the (1000) Office of Human Rights.



*Office of Human Rights*³

SUMMARY OF SERVICES

The Office of Human Rights provides for administrative support and the required tools to achieve operational and programmatic results. The Office of Human Rights includes the Equal Justice Division, which provides education and awareness and investigates, adjudicates, and provides compliance services to people who live, work, and/or conduct business in the District of Columbia so that they are informed of, and may have timely resolution of, discrimination complaints.

OBJECTIVE 1: Shorten response times and strengthen quality controls for all internal programs, including investigations and mediations, and Language Access compliance

INITIATIVE 1.1: Improve efficiency in intakes and administrative dismissals.

In FY15, OHR will enhance the pre-complaint and intake process to become more user friendly for parties. These enhancements include plain language explanation of process, procedure, and law via OHR communication tools and outreach and in agency correspondence. Specifically, OHR will rewrite its administrative dismissal and notice letters to explain agency action with less technical or sophisticated legal language in an effort to reduce confusion to parties and unnecessary interaction with OHR. These changes will significantly reduce requests to reopen administratively dismissed cases, Respondent motions to dismiss, and other administrative functions occurring prior the investigation of a valid complaint.

Staffing levels at the intake stage will also be reevaluated and reconfigured for greater efficiency. **Completion Date: September 2015.**

INITIATIVE 1.2: Digitize Language Access Citywide Reporting Systems

In FY15, OHR will transition Language Access Quarterly Reports to a fully digitized reporting system for more streamlined and comprehensive tracking of compliance with Language Access statutes. Use of this database will enable smoother transition from agencies' Quarterly Reporting to Biennial Reporting. Presently, the Language Access Program obtains 18 discrete points of data from 34 agencies, four times per year via Microsoft Word/Excel files which must then be reconfigured. The Language Access Program this year will unveil a digital QuickBase tracking system to streamline data collection and reporting. **Completion Date: September 2015.**

INITIATIVE 1.3: Reconfigure Investigative Assignment Procedures.

OHR will establish more effective criteria to ensure docketed cases can be tracked, assigned and completed according to area of discrimination (i.e. employment, housing, etc.) and complexity of case (i.e. number of issues/bases presented). Presently, all cases docketed through the Office of Human Rights must be completed within a 6 month timeline (3 months for housing cases). Under this new system, investigations will be assigned based upon in-house investigator expertise and the level of effort required for each investigation as reflected by the allegations. Timeline of completion for traditional

³ For the purposes of the FY15 Performance Plan, the (2000) Office of Justice Program budget division is also included in the (1000) Office of Human Rights



cases will be approximately 14 weeks (3-4 months), while complex cases will be 20 weeks (5 months). This reconfiguration will enable OHR to tailor its investigative methods and bring cases to resolution in an expedited way.

Completion Date: September 2015.

OBJECTIVE 2: Prevent discrimination by promoting awareness of and compliance with local and federal antidiscrimination laws through increased outreach and awareness activities (Age Friendly DC Goal: Domain #5).

INITIATIVE 2.1: Create Touchpoints Report

Through thorough analysis of OHR Complainants and Respondents – including ward-by-ward data, analysis of location of incident (“hot spots”) crossed with area of discrimination – OHR will better determine 1) the most frequent type of offenses; 2) where most Complainant live in the District; and 3) areas of the District where most Respondents do business. OHR’s trends and interactions with specific communities will be used to guide future outreach and awareness initiatives. **Completion Date: September 2015.**

INITIATIVE 2.2: Design and implement outreach initiative

OHR will collaborate with a marginalized community to create an outreach initiative that increases the number of complaints from this community, thereby reducing discrimination via heightened enforcement activities. OHR will accomplish this initiative through an advertising campaign and new programs like the Human Rights Liaison training, which aims to develop expertise and understanding of the functions of the OHR in the broader community. **Completion Date: September 2015.**

INITIATIVE 2.3: Ensure compliance with Bullying Prevention Program

Ensure all covered entities – specifically city agencies and educational institutions – have a compliant bullying prevention policy. In the Youth Bullying Prevention Act of 2012, youth-serving government agencies (eg: OSSE, DPR, DPL, etc.) and education institutions (in practice, Local Education Agencies, or LEAs) must have a bullying prevention policy, modeled after the Bullying Prevention Task Force’s model policy. In FY13, the Bullying Prevention Task Force and Bullying Prevention Program made public the model policy, and in the subsequent months, the Director of the Bullying Prevention Program has worked with agencies and LEAs to ensure that 1) they have a BP Policy, 2) it is compliant with the law, and 3) it uses best practices over and above the basic legal requirements in the law.

Currently, 90% of LEAs have policies, of which 60% are compliant, and 100 percent of agencies have policies and are all compliant. This fiscal year, the Bullying Prevention Program will enhance outreach to agencies and education institutions through increased trainings, in-person visits and a day-long awareness event in October, to boost the number of compliant policies. **Completion Date: September 2015.**

OBJECTIVE 3: Oversee the implementation of agency-wide priorities.



INITIATIVE 3.1 Conduct agency sustainability assessment using OCA approved criteria developed by DDOE and OP in accordance with Mayor’s Order 2013-209 (Sustainable DC Governance Goal 1, Action 1.2; Built Environment Goal 3)

Within one hundred twenty (120) days after the City Administrator approves sustainability assessment criteria developed jointly by the District Department of the Environment and the Office of Planning, each agency head subject to the authority of the mayor shall use the criteria to evaluate the sustainability of their respective operations in accordance with the requirements of Mayor’s Order 2013-209, the Sustainable DC Transformation Order, and submit to his or her responsible Deputy Mayor and the Office of the City Administrator the results of the agency’s internal assessment.

Completion Date: April 2015

KEY PERFORMANCE INDICATORS – Office of Human Rights

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Average cost per mediation	NA	\$594.75	\$906.1	\$495.62	\$495.62	\$495.62
Average cost per Language Access training	NA	\$1,116.61	\$804.00	\$1,075.58	\$932.14	\$932.14
Median case review score	93.13%	95%	91.08%	96%	96%	97%
Percent of cases backlogged	6.31%	4%	13.99% ⁴	10% ⁵	10%	10%
Percent adherence to optimal number of case closures per quarter	88.25%	95%	131%	97%	97%	98%
Percent of OHR complainants satisfied with the agency’s customer service	100%	95%	95.34%	96%	96%	97%
Percent of mediations that lead to settlement agreements	47%	44%	41.79%	44%	45%	45%
Percent of agencies compliant with Language Access ⁶	NA	NA	88%	90%	95%	95%
Number of Fair Housing outreach activities (including trainings, events, etc.)	NA	NA	78	50	55	60
Number of pre-complaint questionnaires received	NA	NA	1,306	1,050	1,200	1,250
Level of educational institution compliance on Bullying Prevention	NA	NA	91%	85%	90%	90%
Percent of adherence to operational efficiency targets, based on diagnostic analysis (cases docketed/suggested number of cases docketed) ⁷	NA	95%	88.03%	98%	98%	98%

⁴ This increase in backlogged cases reflects all cases on OHR’s docket as opposed to only cases which originated at OHR.

⁵ This projection reflects consideration of all cases on OHR’s docket, without regard to origination.

⁶ This KPI is reported as the percent of agencies reporting Language Access compliance via the digital reporting tool. The language of this KPI will be updated in FY16 to reflect this clarification.

⁷ For the purposes of the FY15 Performance Plan, this KPI was moved to the correct division. This KPI was incorrectly listed under the Commission on Human Rights in the FY 2015 budget book



Commission on Human Rights

SUMMARY OF SERVICES

The Commission on Human Rights provides adjudication services through an administrative, trial-type hearing conducted before a hearing examiner or a panel of commissioners. The Commission rules and can issue injunctive relief and award damages (if discrimination is found) to people who live, work, or conduct business in the District of Columbia.

OBJECTIVE 1: Adjudicate cases with probable cause findings, determine damages associated with cases, and adjudicate all criminal background check cases.

INITIATIVE 1.1: Train DC Bar members on COHR rules and procedure

The Commission on Human Rights will organize and execute a program for members of the District of Columbia Bar on the rules and procedure for litigating a case before the Commission. Each year, DC Bar members bring dozens of cases before the Commission. It is imperative that these litigators understand the nuance of defending a case and appearing before the Commission, as the administrative law field differs substantially in rules and procedure from the civil and criminal fields. The Commission will prepare and present at least one training program for any and all DC Bar members interested.

Completion Date: September 2015.

KEY PERFORMANCE INDICATORS – Commission on Human Rights

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of reductions in the total inventory of cases adjudicated at the Commission	NA	85%	82%	90%	95%	95%
Number of months, on average, that is used as a guideline for completion of Commission cases	NA	15	15	15	15	15