

Fairfax County, Virginia



LINES OF BUSINESS

May 2016

HUMAN RIGHTS & EQUITY PROGRAMS

*County Lines of Business (LOBs)
Presentation to the Board of Supervisors*



www.fairfaxcounty.gov/budget/2016-lines-of-business.htm



OUTLINE OF TODAY'S PRESENTATION

1. Department Overview
2. High level view of Lines of Business (LOBS)
3. How LOBs relate to the County Vision Elements
4. Metrics
5. Trends and Challenges
6. Looking Forward
7. Discussion





DEPARTMENT OVERVIEW

OHREP currently has 21 full time positions, 5 of which are fully funded by federal grant monies generated by complaint resolutions. OHREP has work sharing agreements with both the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD). In addition, OHREP has one position fully funded through the Community Development Block Grant Program (CDBG).

OHREP Relationship with Federal Partners

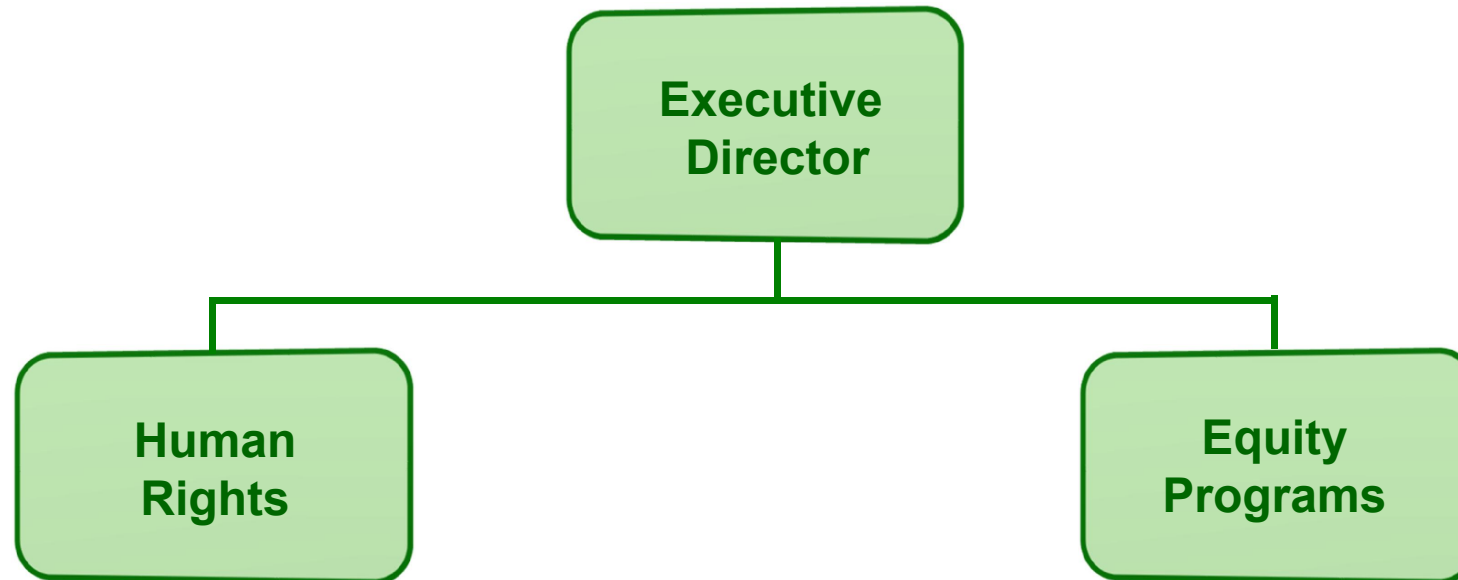
- As it pertains to employment, OHREP is a Fair Employment Practices Agency (FEPA), with the EEOC, one of only 90 FEPAs throughout the country.
- As it pertains to housing, OHREP is a Fair Housing Assistance Program (FHAP) with the HUD, one of 89 FHAPs in the United States.





DEPARTMENT OVERVIEW

CONTINUED



- Investigations (Both Internal & External)
- Mediations
- Outreach & Education
- Commission Appeals and Public Hearings
- Fair Housing Testing
- Fair Housing Enforcement

- Americans with Disabilities (ADA)/ Department of Justice (DOJ) Compliance
- Equal Employment Opportunity (EEO) Statistical Analysis
- County-Wide Mandatory Training
- EEO/ADA Guidance (County Management)
- County Grievance Procedures and Determinations



DEPARTMENT OVERVIEW

CONTINUED

Reach Your Potential

THE VALUE OF TRAINING:

- **Approximately 50% of OHREP non-administrative staff are licensed attorneys.**
- **Each investigator must become proficient in all functions performed by OHREP. To that end, staff must attend:**
 - Housing-Five weeks of Fair Housing training at the National Fair Housing Training Academy (NFHTA) and become certified as a Fair Housing Investigator by HUD.
 - Mediation-One week of mediation training and become certified mediators by the Supreme Court of Virginia.
 - Equity Programs-Internal training in preparation for investigation of internal complaints of discrimination against the County.
- **Monthly internal continuing legal education and ongoing external training of staff in discrimination issues offered by EEOC, HUD, fair housing and equal rights organizations solidify the fundamentals for thorough and efficient investigations and contribute to collaborative working relationships.**



LOBS SUMMARY TABLE

LOB #	LOB Title	FY 2016 Adopted	
		Disbursements	Positions
86	Enforcing Compliance with the County's Human Rights Ordinance - Human Rights Division	\$1,212,152	12
87	Education and Outreach - Human Rights Division	71,437	1
88	Equal Opportunity Enforcement - Equity Programs Division	251,189	3
Total		\$1,534,778	16



DEPARTMENT RESOURCES

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
FUNDING			
<u>Expenditures:</u>			
Compensation	\$1,206,126	\$1,255,317	\$1,415,783
Operating Expenses	120,294	127,136	118,995
Total Expenditures	\$1,326,420	\$1,382,453	\$1,534,778
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$1,326,420	\$1,382,453	\$1,534,778
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	17 / 17	17 / 17	16 / 16
Total Positions	17 / 17	17 / 17	16 / 16



LOBS AT A GLANCE

#86

**Enforcing Compliance
with the County's Human
Rights Ordinance –
Human Rights Division**

#87

**Education & Outreach –
Human Rights Division**

#88

**Equal Opportunity
Enforcement –
Equity Programs Division**



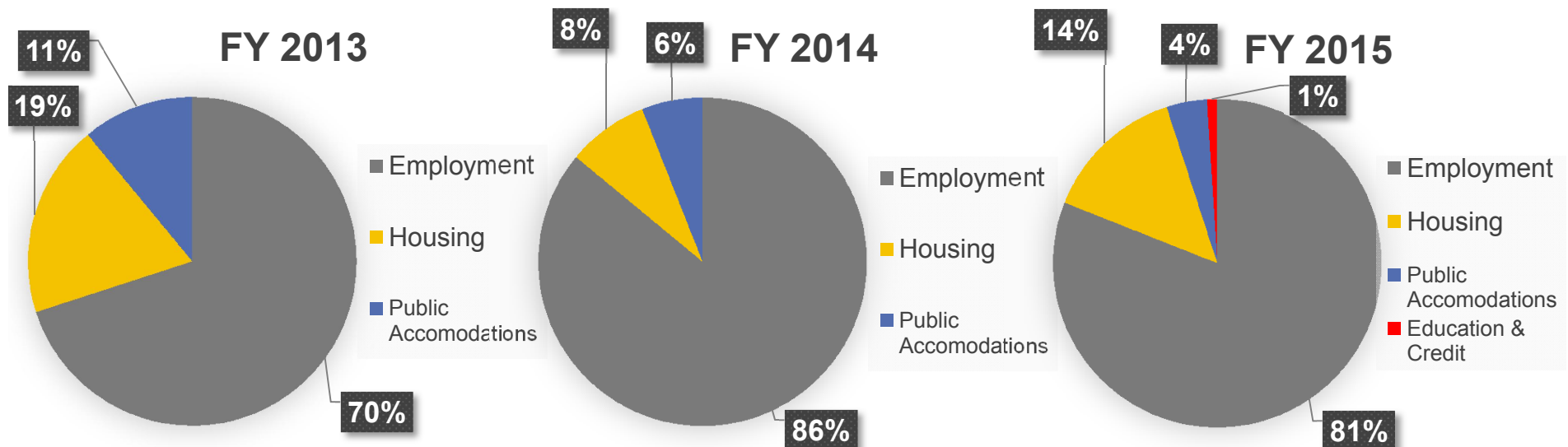


LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION

The Human Rights Ordinance

Protection of civil liberties and civil rights is one of the most fundamental values in American society.

The Human Rights Division (HRD) promotes and enforces the Fairfax County Human Rights Ordinance by accepting and investigating complaints of discrimination, providing technical expertise, working to ensure compliance with federal, state, and local laws, and endeavors to prohibit acts of discrimination.





LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY’S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION (CONTINUED)

- **OHREP is the *only* entity in Fairfax County charged with investigating cases of discrimination.**
- **Caseload resolution is the primary focus of work performed by OHREP.**
- **Anyone can file a complaint with OHREP at no charge and an attorney is not necessary.**





LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION (CONTINUED)

HUD Reimbursements

- Administrative Closures - \$1,400
- No Cause/Cause (not conciliated or no public interest relief) - \$2,800
- Conciliated cases with appropriate public interest - \$3,100
- Post Cause Administrative Hearing - \$5,000
- Post Cause Civil Action - \$8,000



EEOC Reimbursements

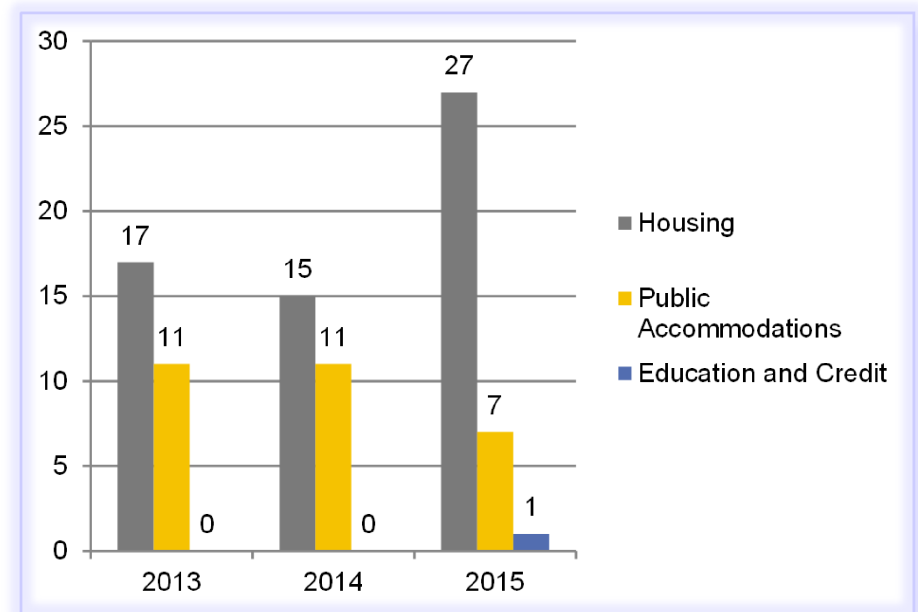
- EEOC \$700 per case



LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION (CONTINUED)

Fair Housing Enforcement and Testing

- All staff investigating housing complaints receive a five-week training to conduct such investigations. HUD requires that staff investigating complaints receive this training and covers all training costs.
- The number of housing cases filed varies by year, however, in 2015 the number of cases OHREP investigated increased. In FY 2015, OHREP received 27 fair housing complaints.

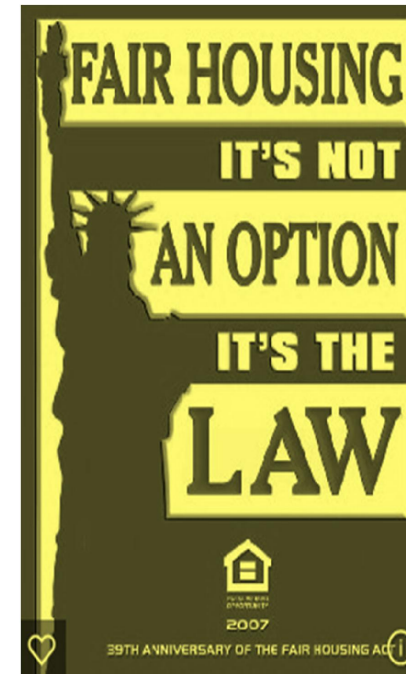




LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION

(CONTINUED)

- In addition to its enforcement activities, OHREP conducts fair housing testing. Since 2013, OHREP has conducted 259 fair housing tests in rental and sales housing markets.
- All fair housing testing is paid for with either federal grants and/or Community Block Grant funding.



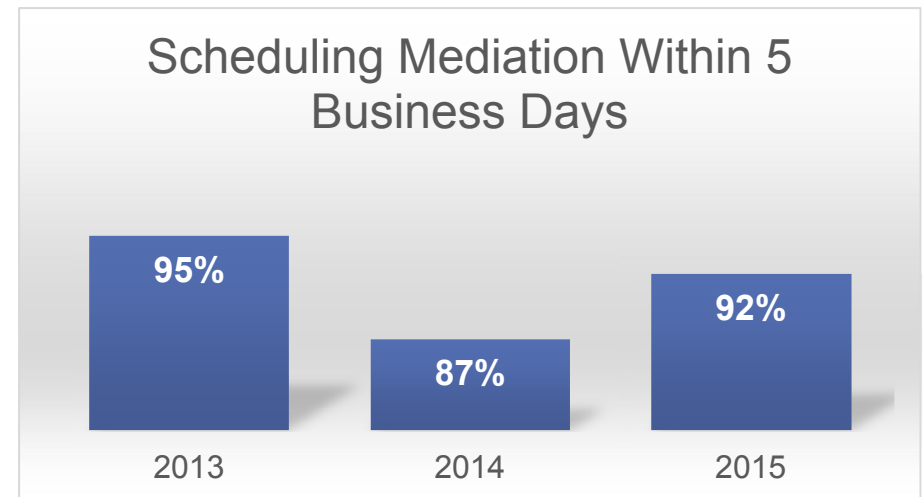
2013	2014	2015
170 Tests	41 Tests	48 Tests



LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION (CONTINUED)

Mediations

- OHREP is firmly committed to using alternative methods for resolving disputes in all of its activities, where appropriate and feasible.
- Alternative Dispute Resolution (ADR) provides faster, less expensive, less contentious, and more productive results in eliminating workplace discrimination.

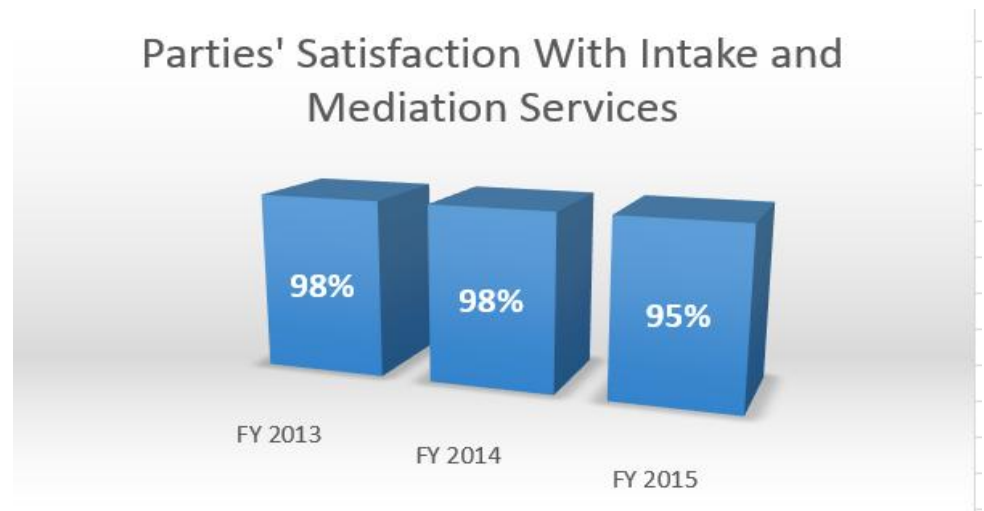
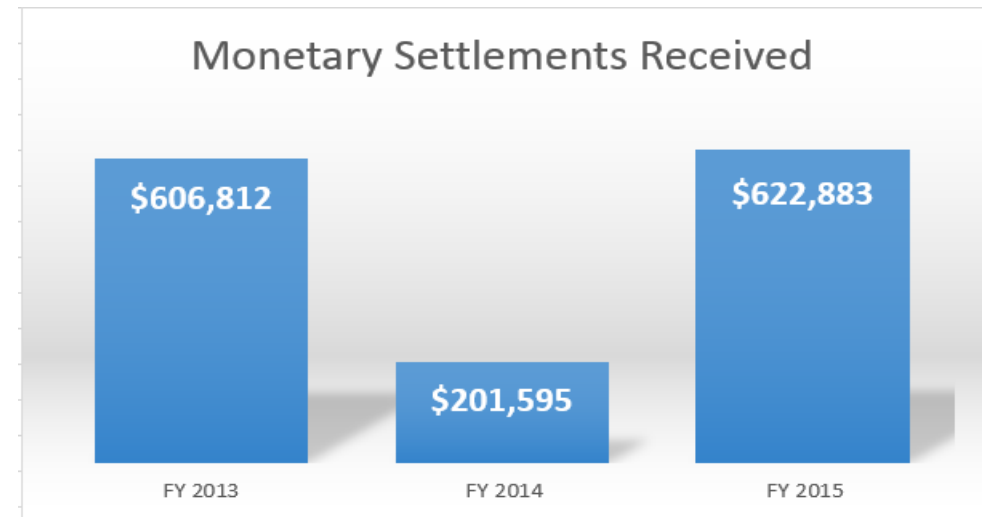


Balanced Score Card Goal 90%



LOB #86 – ENFORCING COMPLIANCE WITH THE COUNTY'S HUMAN RIGHTS ORDINANCE – HUMAN RIGHTS DIVISION (CONTINUED)

- Since FY 2013, OHREP's mediation program has averaged \$477,097 in settlements annually.
- Participants in OHREP's mediation program indicate a high degree of satisfaction with the program.



Balanced Score Card Goal 80%



LOB #87 – EDUCATION AND OUTREACH – HUMAN RIGHTS DIVISION

Service to All

OHREP has established a robust education and outreach program to ensure that those who, live, work, visit or conduct business in the County are aware of the rights afforded them as well as their responsibilities under the Human Rights Ordinance. These activities include training for industry professionals (employers, housing providers, real estate professionals, non-profit organizations and community groups).

- From 2012 through 2015, OHREP has conducted approximately 200 outreach activities.
- Since 2012, OHREP has conducted over 70 presentations and training sessions.
- Translations for limited English proficient populations.

LOB Metric Indicator	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual
Outreach Activities/Meetings	53	49	38	59



LOB #87 – EDUCATION AND OUTREACH – HUMAN RIGHTS DIVISION (CONTINUED)

Fairfax County Student Human Rights Commission

The Fairfax County Student Human Rights Commission is the region's first commission comprised entirely of high school students with the mission of:

- **OHREP, in partnership with Fairfax County Public Schools, launched the Student Human Rights Commission (SHRC) program over 6 years ago, and the program continues to grow year after year. Each school year, the SHRC meets on a bimonthly basis and hosts events, plans activities, and facilitates campaigns at their schools in support of its mission.**





LOB #88 – EQUAL OPPORTUNITY ENFORCEMENT – EQUITY PROGRAMS DIVISION

Compliance, Support & Teamwork

The hallmark of every great organization is its capacity to attract and retain a diverse workforce. OHREP is committed to ensuring that the County's workforce is free from discrimination and dedicated to the principles of equity and diversity for all its employees.

EEO (EPD) investigations:

2013	2014	2015	2016 (est.)
26	37	20	30

County-Wide Mandatory Training (Now available online):

2013	2014	2015	2016 YTD	2016 (est.)
2,355	2,934	3,382	5,738	unlimited



LOB #88 – EQUAL OPPORTUNITY ENFORCEMENT – EQUITY PROGRAMS DIVISION (CONTINUED)

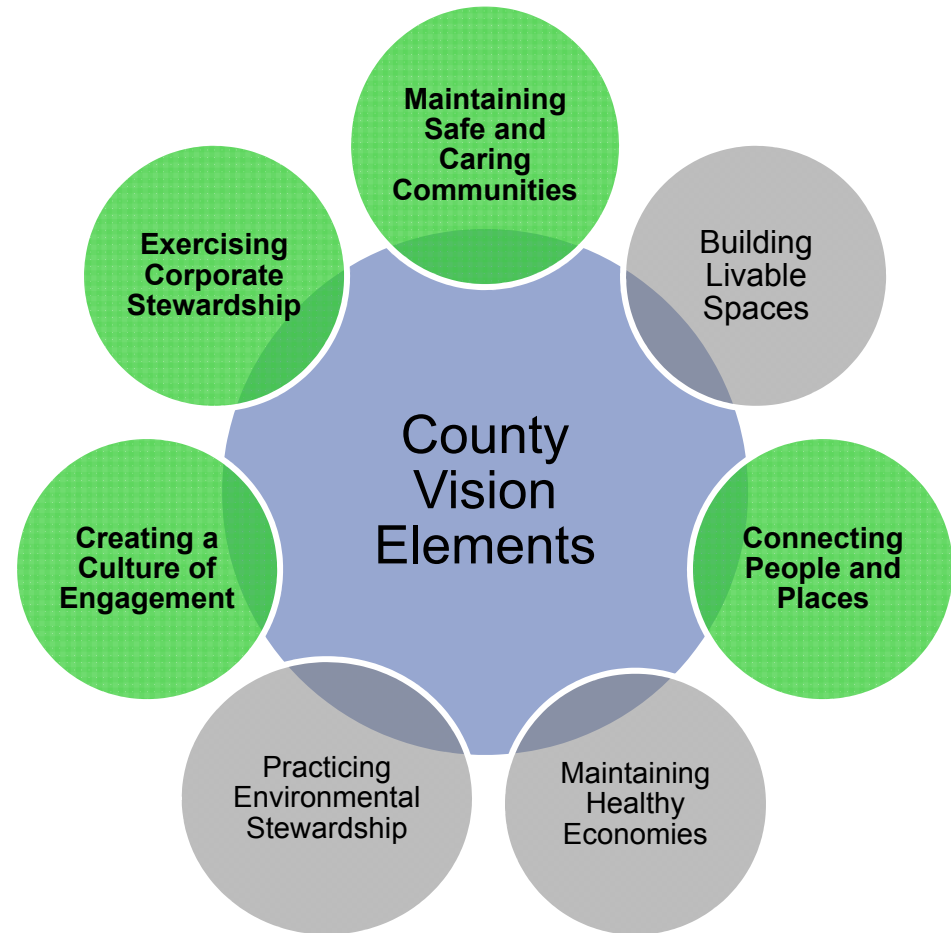
- **EEO/ADA Guidance (County Management)**
 - Involves input from Human Resources, the County Attorney and EPD
- **ADA/DOJ Compliance**
- **County Grievance Procedures and Determinations**
- **EEO Statistical Analysis**
- **Legal updates for HR Managers, EEO/ADA Reps**
- **Agency specific training**





FAIRFAX COUNTY VISION ELEMENTS

Through the work and assistance OHREP provides to the community and to other Fairfax County agencies, OHREP is proud to support these Fairfax County Vision Elements:



Signifies support of Vision Element



Does not contribute to support of Vision Element



HOW OHREP CONTRIBUTES TO THE COUNTY'S VISION ELEMENTS:

Maintaining Safe & Caring Communities

- Promotes services for a particularly vulnerable segment of the community and partnerships that provide human services to the community

Connecting People & Places

- Enhances the community's access to information

Creating a Culture of Engagement

- Promotes community dialog

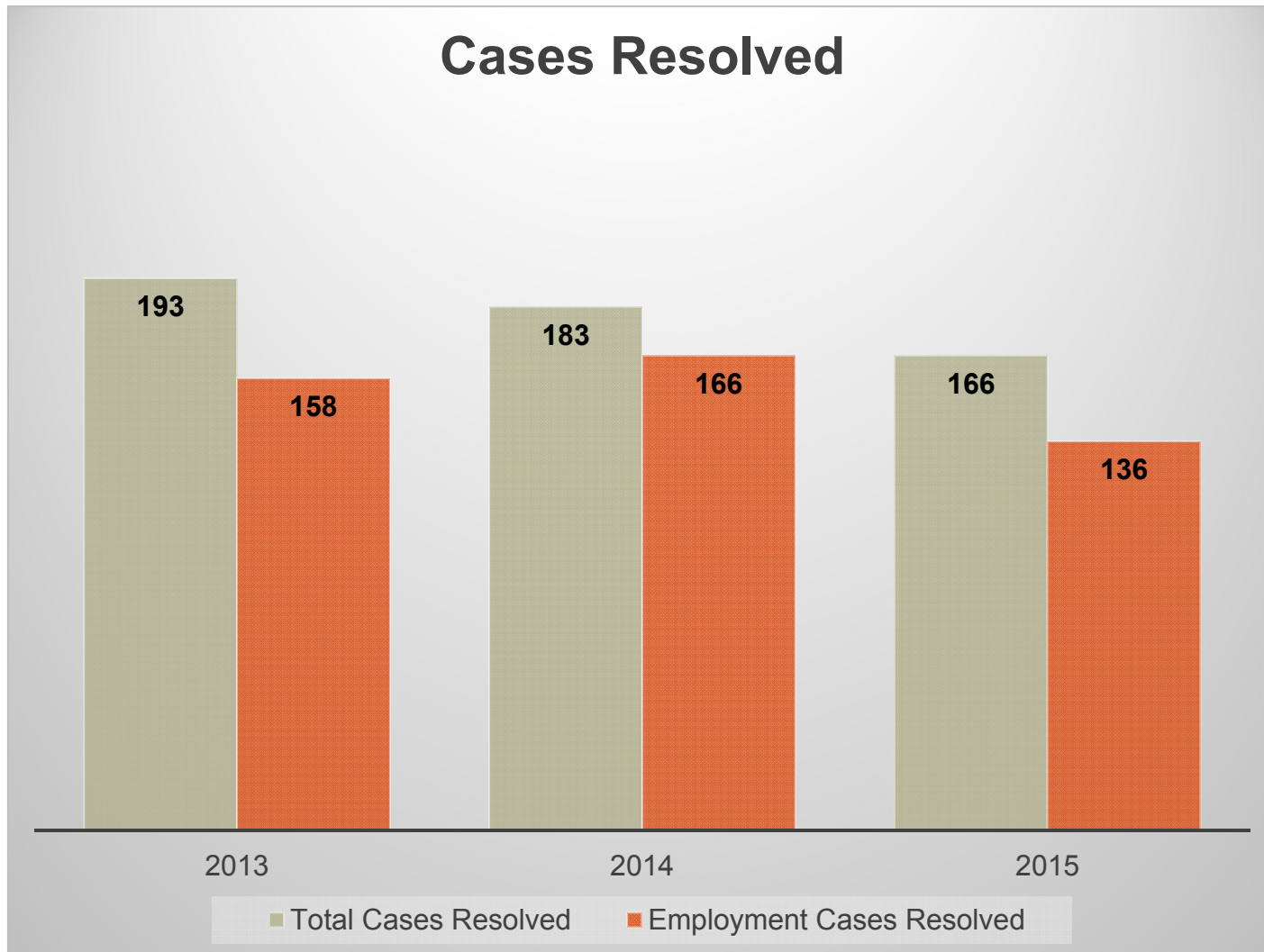
Exercising Corporate Stewardship

- Provides responsive support to County departments and individuals





METRICS



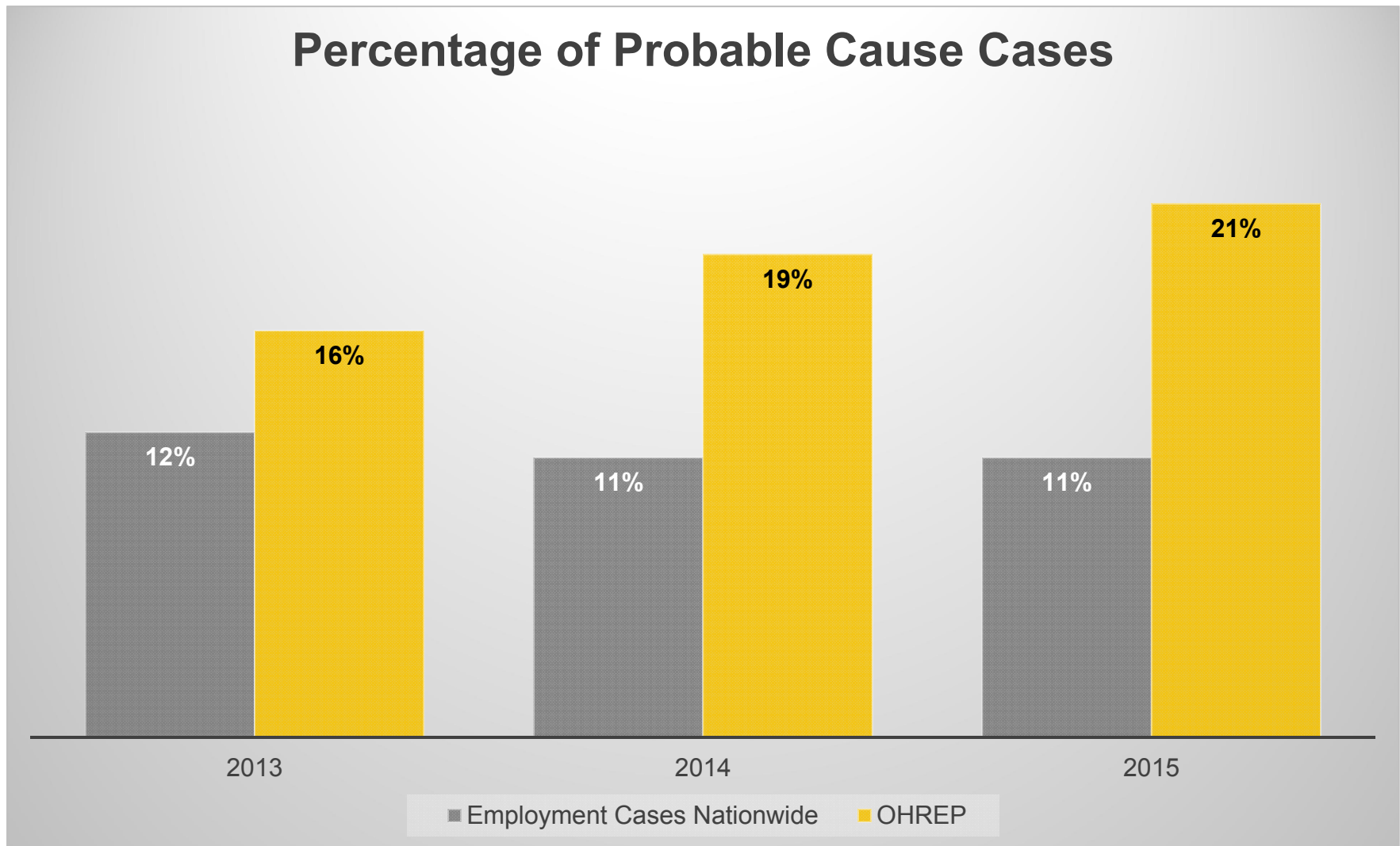


METRICS

Performance Metric	Target	2013	2014	2015
Complainant/respondent satisfaction with the overall quality of HRS's intake & mediation services	80%	98%	98%	95%
Complaints formalized & presented to the complainant for signature within 5 business days	90%	93%	92%	94%
Improve scheduling & utilization of mediation services	90%	95%	87%	92%
Decrease the number of aged cases over 270 days	10%	5%	9%	11%

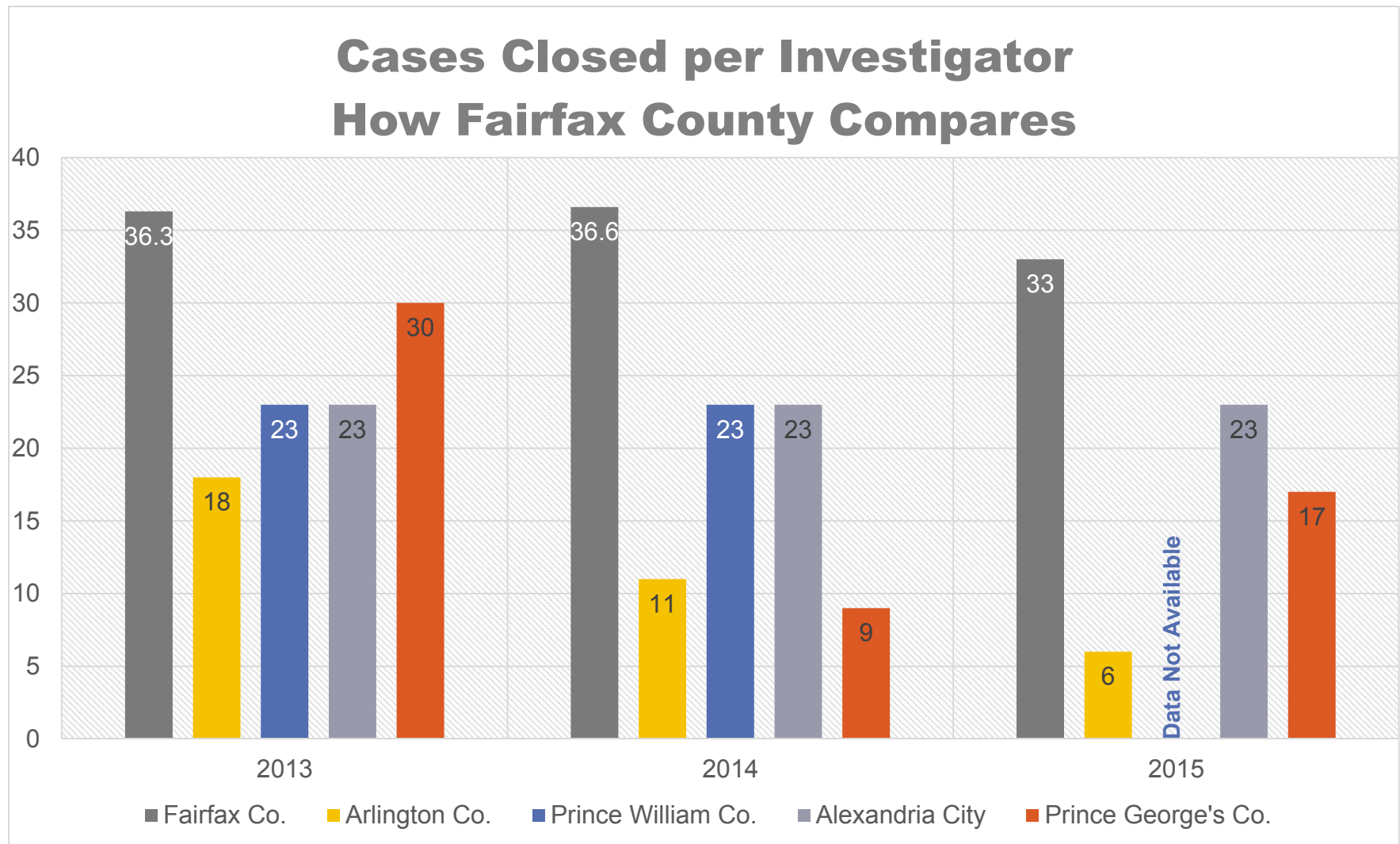


METRICS



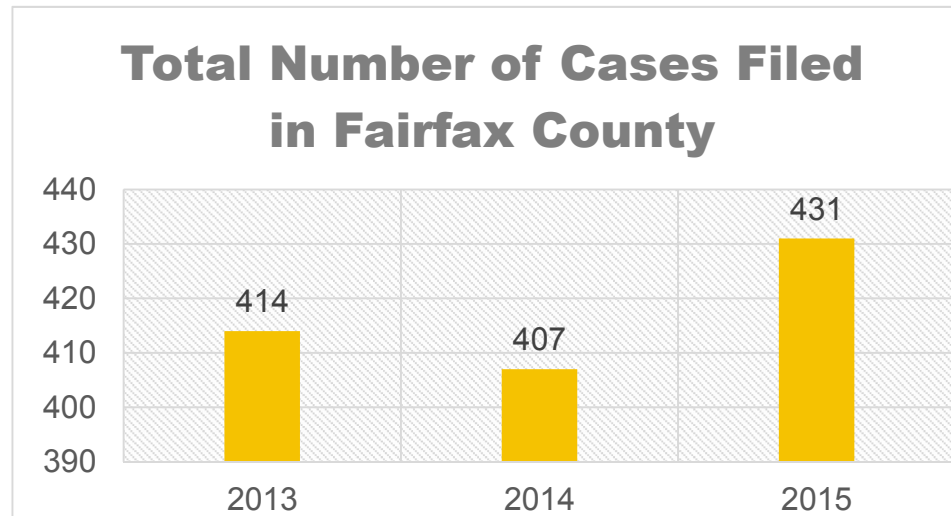


METRICS



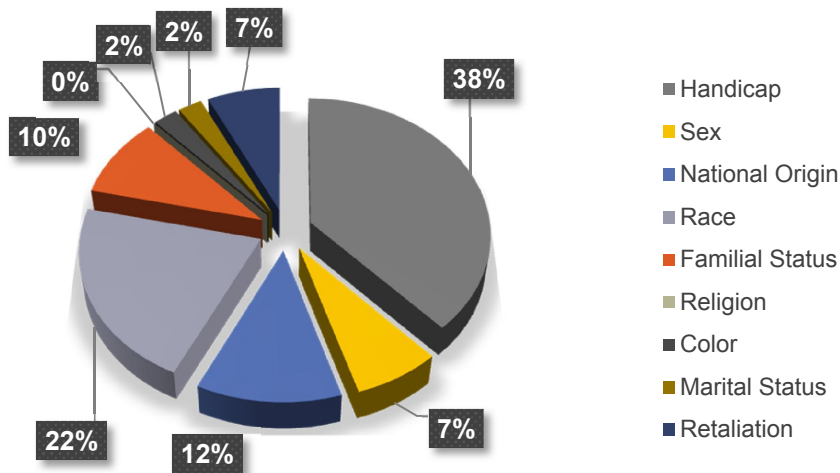


TRENDS & CHALLENGES



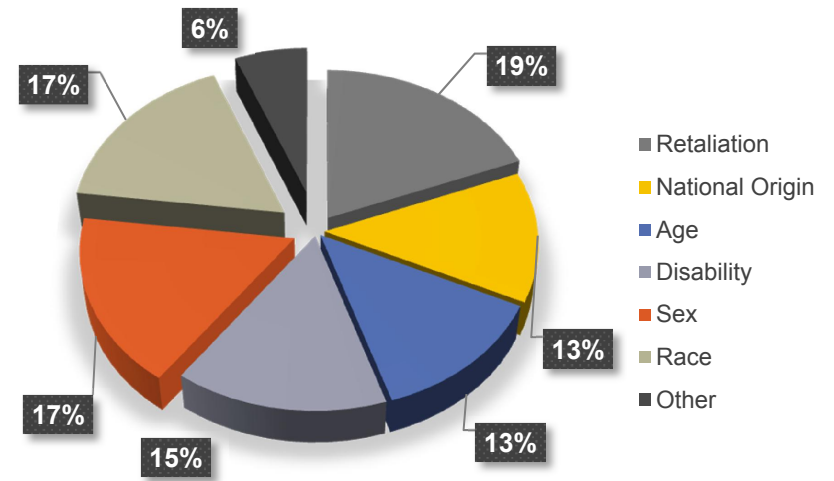
2015

Bases of Housing Discrimination Cases



2015

Bases of Non-Housing Discrimination Cases





TRENDS & CHALLENGES

Trend	Challenge
As a multicultural suburb, Fairfax County is gaining in population and diversity.	Ensuring successful multicultural and diverse communities represents the best policy path for the County's educational, economic and social success.
In today's climate, discrimination is much more subtle than in day's past.	Continue the work of eradicating discrimination throughout the County via education, outreach and complaint resolution with the community as a whole.
Enforcement data shows that complaints filed on the basis of disability are on the rise and are the #1 basis of discrimination in housing complaints.	Increase outreach with a focus in this area is needed.



LOOKING FORWARD



- **Public Engagement – Expand efforts to reach underrepresented populations to increase awareness about the agency and services provided.**
- **Deterrence of Future EEO Issues – Increase delivery of Legal Updates training to better equip HR Managers to address EEO matters at the agency level before they rise to EEOC complaints and lawsuits.**
- **Improved Technology -- Collaborate with DIT to design a new case management database tailored to the needs of the agency which will improve daily operations.**



DISCUSSION

