

FAIRFAX COUNTY OFFICE OF HUMAN RIGHTS & EQUITY PROGRAMS



FISCAL YEAR 2020

ANNUAL REPORT

October 1, 2019 – September 30, 2020



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BOARD OF SUPERVISORS

FAIRFAX COUNTY BOARD OF SUPERVISORS

Until Dec. 31, 2023

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HUMAN RIGHTS COMMISSION

The Human Rights Commission, created by the Fairfax County Board of Supervisors, consists of 12 county residents. Each member serves a three-year term. Annually, the Commissioners select a Chairperson, a Vice-Chairperson and a Secretary as officers of the Commission.

The Commission not only receives and investigates complaints alleging a violation of the Human Rights Ordinance, but also cooperates and interacts with the employers, the housing industry and other businesses in the County to make sure we all understand our duty to ensure equal opportunity and equal access. The Commission consists of the following members:

Gloria J. Crawford, Chair	Eduardo Conde
Shahid S. Malik, Vice Chair	Bryan W. Hudson
Elliot B. Bell-Krasner, Secretary	Harry R. Salinas
George Alber	Abigail Shannon
Freda Bailey Shipman	Josh Shumaker
Meena Bhinge	Manny Solon

Kenneth L. Saunders, Director

STATEMENT OF PURPOSE

In July 1974, the Fairfax County Board of Supervisors adopted the Human Rights Ordinance, establishing the Human Rights Commission “to institute an affirmative human rights program of positive efforts to eliminate discrimination and provide citizen recourse for discriminatory acts.” The Ordinance was amended by the Board of Supervisors in October 2003, November 2010, and reaffirmed and amended effective July 1, 2020.

The Office of Human Rights and Equity Programs enforces the Fairfax County Human Rights Ordinance and the Fairfax County Fair Housing Act as well as managing the County’s Equal Employment Enforcement (EEO) program. This includes receiving and investigating each complaint filed by a person who believes that he/she has been discriminated against in Fairfax County by a private business or organization in violation of the County’s Human Rights Ordinance, ensuring the County’s compliance with all federal, state, and county mandates granting equal access to all County services, programs, and employment opportunities, and administering the County’s Fair Housing Program.

EXECUTIVE SUMMARY

Workload and Staffing

The Office of Human Rights and Equity Programs (OHREP) currently has 21 full time staff positions, three of which are fully funded by federal monies generated by complaint resolutions and the work-sharing agreements with both the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD).

Professional Development

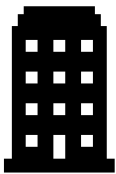
OHREP continues to make significant strides in both its Outreach and Career Development efforts. During FY 2020, members of OHREP attended required professional training within its budget. Professional development is essential to provide quality services to our customers. Staff attended substantive training in the following areas:

Disability Law in Fair Housing; Changes in Virginia's Laws: New Civil Rights Protections; A Conversation on Sexual Harassment in Housing Situations; Fair Housing Investigator's Intake and Complaint Processing; Fair Housing and Seniors; Human Rights in the Era of Uprising and the Pandemic; Investigating Complaints of Sexual Harassment in Housing Situations; Know Your Rights! Disability Law in Fair Housing; GIS 100 and GIS 102. In addition, staff continued to participate in individual career trainings.

March 31, 2020: The Outreach and Education Specialist viewed the International Association for Public Participation "COVID19, P2, and Managing the New Reality" Live Webcast. The webinar training focused on equitable and inclusive online engagement during the COVID-19 pandemic.

Office of Human Rights & Equity Programs (OHREP)

The mission of the Fairfax County Office of Human Rights and Equity Programs is to promote justice, equal opportunity, diversity, and inclusiveness by protecting the civil rights of all in Fairfax County. Staff members at the agency accept and investigate complaints of discrimination, provide technical expertise, education and outreach services, and work to ensure compliance with all federal, state, and local laws, and endeavor to prohibit acts of discrimination, both intentional and unintentional.



EQUITY PROGRAMS DIVISION (EPD)

In 1972, the Fairfax County Board of Supervisors adopted the County's Equal Employment Opportunity/Affirmative Action (EEO/AA) policy and in 1974 hired its first EEO coordinator to investigate issues regarding county employees. In 1991, the Office of Equity Programs (OEP) was created to ensure the County's compliance with this policy and all mandates prohibiting discrimination in employment and public services for county employees and others receiving services from Fairfax County Government.



Investigations

County policies and procedures offer broader protections than federal, state, and local anti-discrimination laws, prohibiting discrimination against or harassment of any employee/applicant for County employment, County clients or customers, and County volunteers and visitors, based upon race, sex (including gender-based conduct, pregnancy, sexual orientation, gender identity, and conduct of a sexual nature), color, national origin, creed, age, religion, disability, political or union affiliation, veteran's status, disabled veteran's status, genetic information, and marital status. The use of EPD's complaint procedures does not preclude an employee's or applicant's right to file a complaint with external enforcement agencies, including the U.S. Equal Employment Opportunity Commission (EEOC).

Technical Assistance/Education – Outreach

A major component of the work of EPD is to provide technical assistance as well as education and outreach services to County employees and others interacting with County employees or individuals receiving services. EPD staff members regularly assess the training needs of County employees to address discrimination issues, develop training materials, and conduct training sessions to ensure compliance with anti-discrimination laws, policies and increase awareness about diversity-related issues. Special trainings for supervisors, HR staff and customized training for specific EEO employment needs are also provided. Prevention includes the development of EEO policies, advising senior management about EEO and ADA issues, and providing responses to federal reporting requirements and the inclusion of

appropriate language in contract awards and communications. To ensure a balanced workforce, EPD staff members also assess and monitor departmental diversity plans and related reports and statistics.

Education

Through Employee-U, OHREP's trainings are now delivered on demand, when and where they are needed, both on-site and off-site. In 2019, employees completed 21,159 OHREP trainings and in 2020, employees completed 39,322 OHREP trainings. Today, more employees are knowledgeable about how to recognize and confront discrimination, as well as what steps to take if someone believes they are being discriminated against.

HUMAN RIGHTS DIVISION (HRD)

Presentations

As part of its outreach and education initiatives, OHREP conducts presentations designed to educate residents; vulnerable populations; housing providers; representatives from the private, non-profit and public sectors working in the housing field; and others in the community about fair housing laws and related issues. Information about the role of the agency in fair housing enforcement, and the educational services and outreach activities available is also provided. Throughout 2020,¹ OHREP conducted 12 presentations. As part of these efforts, OHREP developed ongoing partnerships to provide training on a regular basis to first-time homebuyers. In 2021, OHREP plans to continue and build on these relationships.

Resource Fairs

The agency continued to increase awareness about the services it provided in 2020. During this period, staff members participated in 20 multicultural resource fairs and festivals held throughout the County. Agency staff members managed booths, interacted with attendees, distributed brochures and other informational materials, and answered questions.

Other Outreach Activities/Meetings

To promote the resources and services available, staff members continued to foster ongoing relationships with community leaders, non-profit organizations, and the faith-based community. Staff met with representatives of organizations such as Cornerstones, Second Story, Liberty's Promise, Edu-Futuro, United Community, and the All Dulles Area Muslims Society (ADAMS) Center. In 2020, the agency worked to expand collaboration with other County agencies by participating in the Fairfax County Community Outreach Professionals Committee and the Fairfax County Community Engagement Community of Practice group. Agency staff members also facilitated and attended the Fair Housing Taskforce meetings. Taskforce members include stakeholders from the housing industry and representatives from community associates, non-profit groups, and the public sector. The taskforce provides a forum for discussion and

¹ Education and Outreach data is presented based on the U.S. Department of Housing and Urban Development's Case processing year which runs from July 1, 2019 - June 30, 2020. Housing case data will also reflect this time period.

clarification of the fair housing needs or concerns of various communities and organizations operating in the County, which is helpful to the work of the agency and the Commission.

Brochures/Publications

The agency continued to distribute various fair housing brochures and related publications at fair housing presentations, resource fairs, receptions, and other venues. In addition, the agency regularly provides materials to various other County agencies and organizations for display and distribution. Fair housing materials are also available at libraries throughout the county, for download on the agency's website, and in hardcopy upon request. In 2020, staff members completed an update of the agency's outreach materials for distribution in 2021.

Fair Housing Display/Annual Fair Housing Month Forum

As part of its efforts to educate the public on fair housing laws and further promote the role of the agency as well as the services and resources available, each year agency staff members organize and participate in a number of fair housing month activities in April. Due to County building closures caused by the COVID-19 pandemic, staff did not erect OHREP's annual fair housing display in the main lobby of the Fairfax County Government Center for one week during the month of April as scheduled. The display normally features fair housing related posters, fair housing brochures in a variety of languages, bookmarks, and other materials promoting the agency for viewing by and dissemination to employees, the public, and visitors to the Government Center.

Additional activities in which the agency participates during Fair Housing Month were cancelled or postponed, including the Annual 2020 Fair Housing Forum. However, during April, an OHREP staff member participated as one of four panelists in a webinar for members of the Northern Virginia Association of Realtors (NVAR) on why the right to choose housing free from unlawful discrimination is important for everyone. Approximately 50 real estate professionals joined the virtual event. In August, the agency hosted a virtual fair housing training webinar in lieu of its cancelled Fair Housing Month event. The webinar, conducted in collaboration with The Equal Rights Center (ERC), Legal Services of Northern Virginia (LSNV), and NVAR, also offered participants the opportunity to earn CLE and/or CE Fair Housing credits. Approximately 190 individuals attended the training.

Media

Channel 16 continued to broadcast several programs produced in collaboration with OHREP designed to educate the public, housing providers, those seeking housing, real estate professionals, housing counselors and others about fair housing laws and related issues. Programs shown include a public service announcement, “The Human Rights Commission” describing the role of the agency, protected classes covered under fair housing laws, and how to file a complaint; “Fair Housing for Seniors and Persons with Disabilities” which airs three times a week; “Conozca Sus Derechos” - an interview about fair housing rights, conducted in Spanish and broadcast four times a week; and “My Neighborhood: Welcome to Reston” describing entertainment, employment, and housing options in the Reston community. All of the above programs were also available for viewing on computer via live video streaming at airtime, through video on demand, and on the agency’s website. In addition, OHREP staff collaborated with Channel 16 to conduct three separate interviews on fair lending issues. The interviewees include experts on consumer housing policy and civil rights laws. The first interview includes a discussion on predatory lending and how banks have historically denied communities of color prime loans. It is currently available for viewing on Channel 16 and on the agency’s website. The two other interviews: “Wealth Inequity: Inequity in Credit Scoring” and “Technology and Equity: Issues in the Area of Language Access in Mortgage Lending and Servicing,” are currently in production and will be available for viewing in the near future.

October 2019: Beginning in October 2019, OHREP launched a transit-oriented advertising campaign using the Fairfax County Transit System and the Washington Metropolitan Area Transit Authority (WMATA). The goal was to educate the public about fair housing laws, enhance the profile of the agency in enforcement, and provide information about the resources and services available through the agency. The campaign, conducted in both English and Spanish, included advertisements at 9 bus shelters, on the sides of 8 buses, the backend (tail) of 25 buses and in the interior of all 300 buses in the Fairfax County bus fleet. Advertisements were also placed on the outside and back of WMATA metro buses, at digital displays at metro stations, and via the selected distribution of advertisements using mobile apps. The advertisements featured on the inside of Fairfax County buses continued to run through 2020.

January 25, 2020: Asian Community Service Center 13th Annual Chinese New Year Festival. In conjunction with the event of January 25, 2020, the agency was featured in the Chinese

language event newspaper with a 1/8-page advertisement. The newspaper was given to individuals as they entered the event.

Outreach and Education Activity

In addition to the outreach and education activities discussed in the Housing Discrimination section of this report, OHREP engaged in other outreach efforts to educate the public about the Fairfax County



Human Rights Ordinance and other programs OHREP provides in the areas of employment, public accommodations, private education, and credit related services. In 2020, OHREP conducted 32 outreach activities. OHREP hosted resource tables at community festivals and resource fairs; made presentations to non-profit organizations, government agencies, and community groups; hosted heritage month proclamations to recognize and celebrate the contributions of various ethnic groups to the Fairfax County community; and provided brochures in various languages to several organizations.

Student Human Rights Commission



The Fairfax County Office of Human Rights & Equity Programs, in partnership with Fairfax County Public Schools, continues to host a Fairfax County Student Human Rights Commission (SHRC). The Student Commission develops programs in support of its purpose of promoting dialogues on diversity, fostering a greater understanding and appreciation of differences, creating exposure to human and civil rights laws,

such as the Fairfax County Human Rights Ordinance and the Fair Housing Act, and encouraging leadership and active participation in government.

The Commission worked to increase its visibility and spread its mission among its peers. In 2020, the SHRC was awarded a Fairfax-Falls Church Community Services Board (CSB) mini-

grant to implement a new project aimed at reducing the stigma associated with mental health issues. Additionally, SHRC members hosted their Tenth Annual Fair Housing Art and Literary contest in honor of Fair Housing Month in April. The 2020 contest theme was *“2020 Vision: Looking Towards a Brighter Future in Fair Housing.”*

Contestants were invited to submit an art or literary entry reflecting the theme. A winner in each category was selected: Hovsep Seferian of Robinson Secondary School was named the literary winner and Benjamin Leese of South County High School was named the art winner. Each student received a \$300 prize co-sponsored by the Northern Virginia Association of Realtors (NVAR) and will receive a framed copy of their winning entry.



STATISTICS – HUMAN RIGHTS DIVISION

Introduction

This is a report of matters generated under provisions of Chapter 11, Human Rights Ordinance and Fair Housing Act, Code of the County of Fairfax, Virginia, focusing on the activities of the staff under the administration of the Director, as well as the Human Rights Commission. While this report concentrates principally on the past two fiscal years, FY 2019 and 2020, we have selected a three-year span of data to reflect the behaviors and trends of the relevant activities.

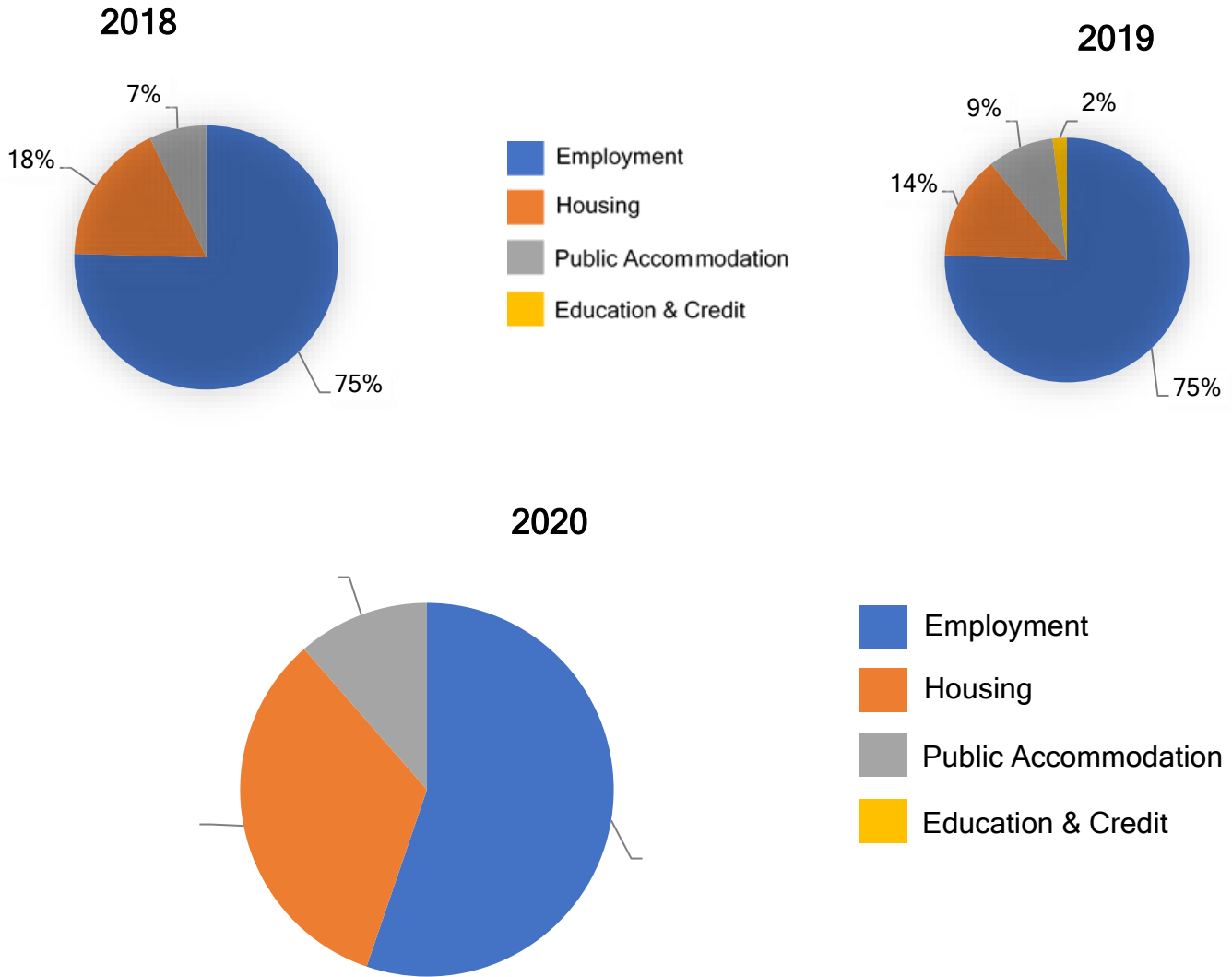
Case load adjudication is the primary focus of the Human Rights Division (HRD) and it is useful to explain the difference between “cases” and “issues.” The term “case” refers to all activities generated by a complaint filed with OHREP. Each case may contain several issues of discrimination and each issue must be investigated, analyzed, and individually determined. A total of 311 cases were pending at the end of FY 2019, and 253 cases were pending at the end of FY 2020. During FY 2019 and FY 2020, the agency continued to place special emphasis on the reduction of the older case inventory and the goal of reducing the number of cases over the age of 270 days by 10 percent each fiscal year.

The following figures depict the activities of the agency with regard to the cases received and resolved by the staff over the last two years.

Charts and Figures

Figure 1

HUMAN RIGHTS CATEGORIES OF CASES FILED

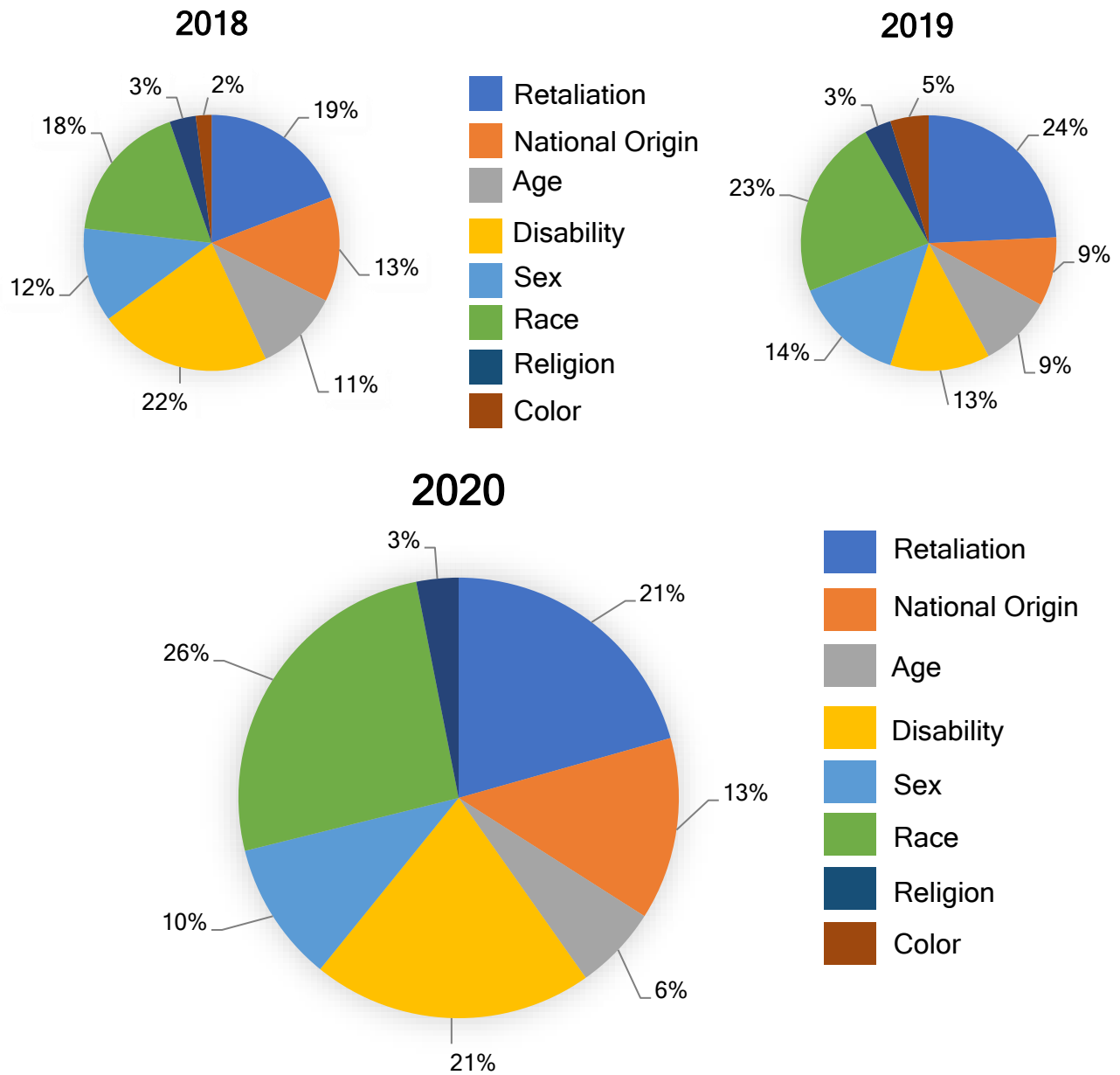


CATEGORY	2018	2019	2020
Employment	86	121	58
Housing	20	22	35
Public Accommodation	8	14	12
Education & Credit	0	3	0
Total	114	160	105

Figure 1 depicts a breakdown of the major categories of cases received during FY 2017, 2018, and 2019. As can be seen, employment continues to be the leading category in which individuals file allegations of discrimination.

Figure 2

HUMAN RIGHTS BASES OF NON-HOUSING DISCRIMINATION CASES

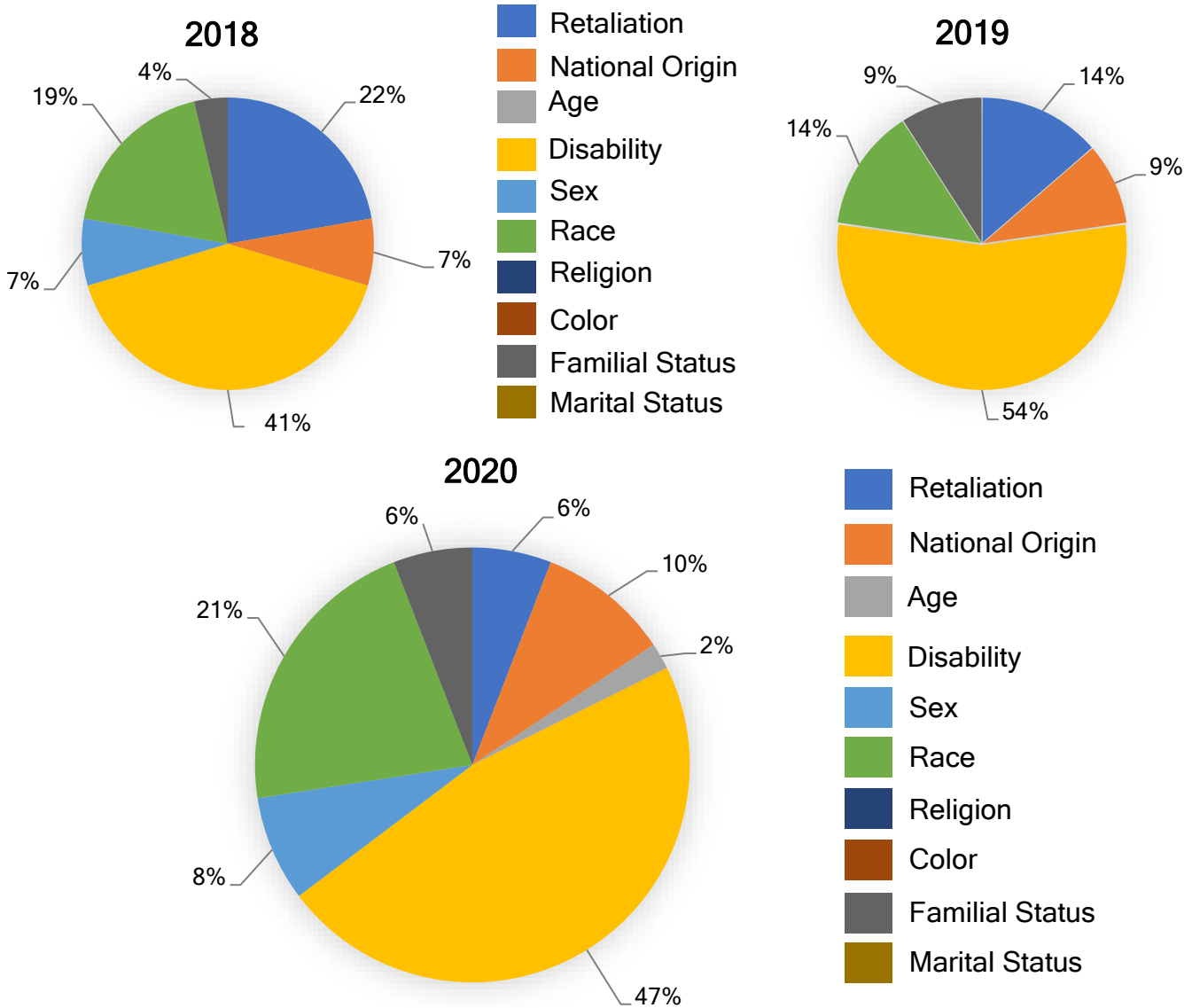


BASES	2018	2019	2020
Retaliation	29	50	20
National Origin	20	18	13
Age	16	19	6
Disability	33	26	20
Sex	18	29	10
Race	27	47	25
Religion	5	7	3
Color	3	10	0
Total	151	206	97

Figure 2 depicts a breakdown of the protected class categories of non-housing cases received during FY 2018, 2019, and 2020.

Figure 2A

HUMAN RIGHTS BASES OF HOUSING DISCRIMINATION CASES



BASES	2018	2019	2020
Retaliation	6	3	3
National Origin	2	2	5
Age	0	0	1
Disability	11	12	24
Sex	2	0	4
Race	5	3	11
Religion	0	0	0
Color	0	0	0
Familial Status	1	2	3
Marital Status	0	0	0
Total	27	22	51

Figure 2a depicts a breakdown of the protected class categories of housing cases received during FY 2018, 2019, and 2020.

Figure 3

HOUSING, PUBLIC ACCOMMODATION, EDUCATION & CREDIT CASES RECEIVED

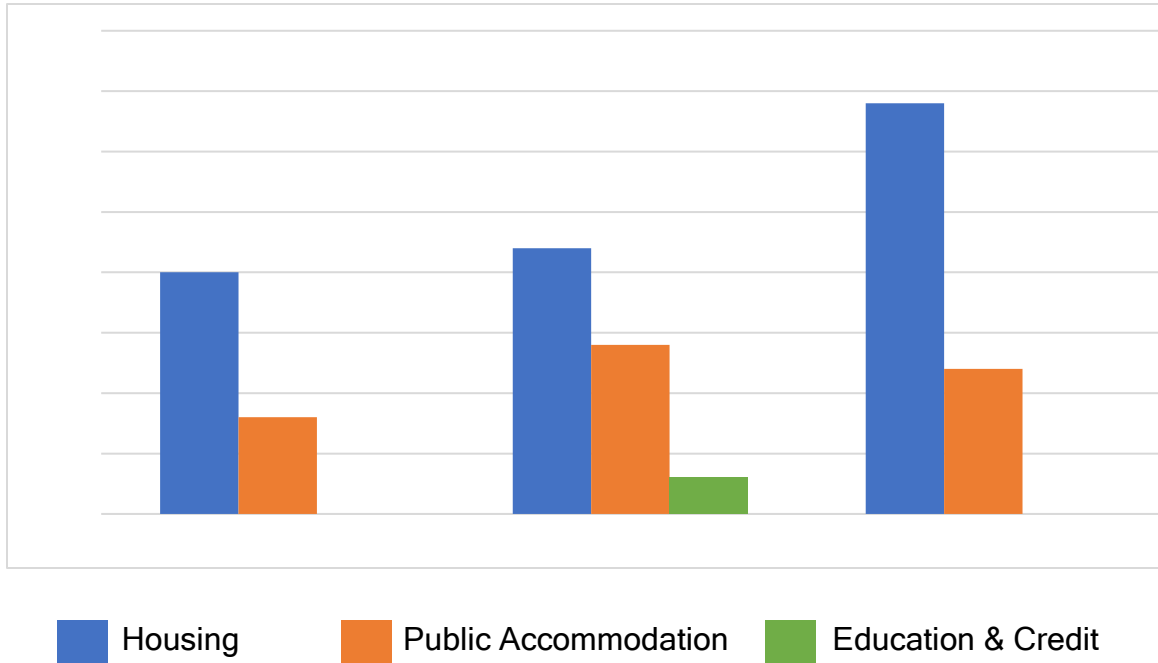
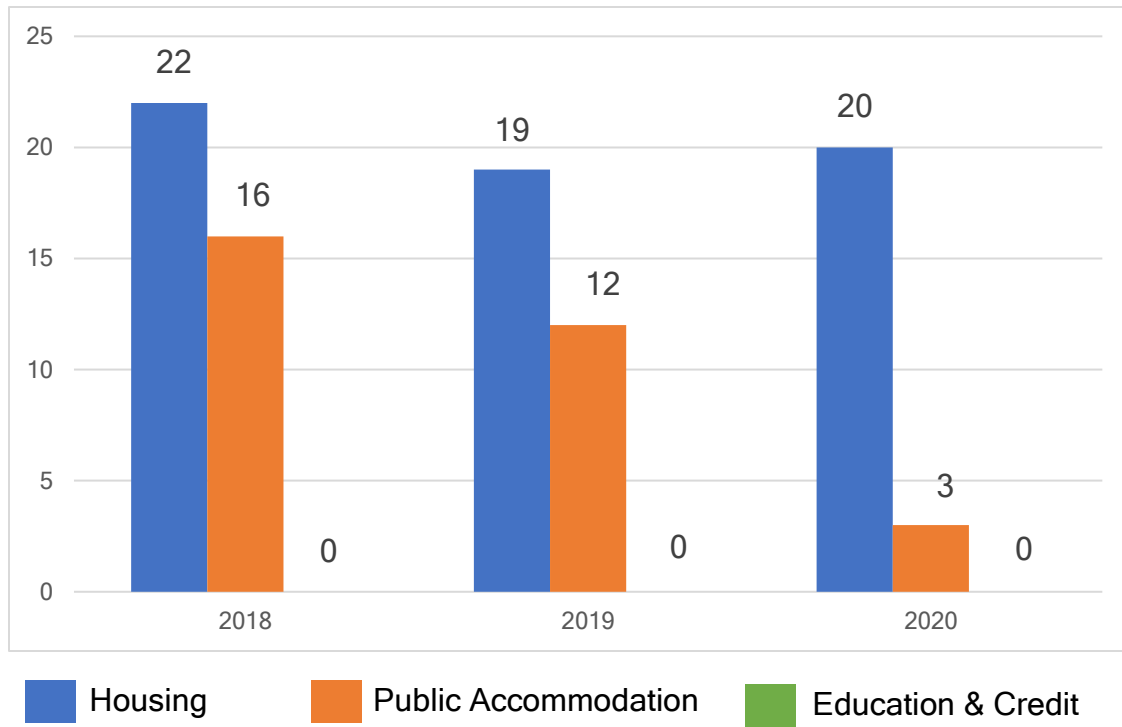


Figure 4

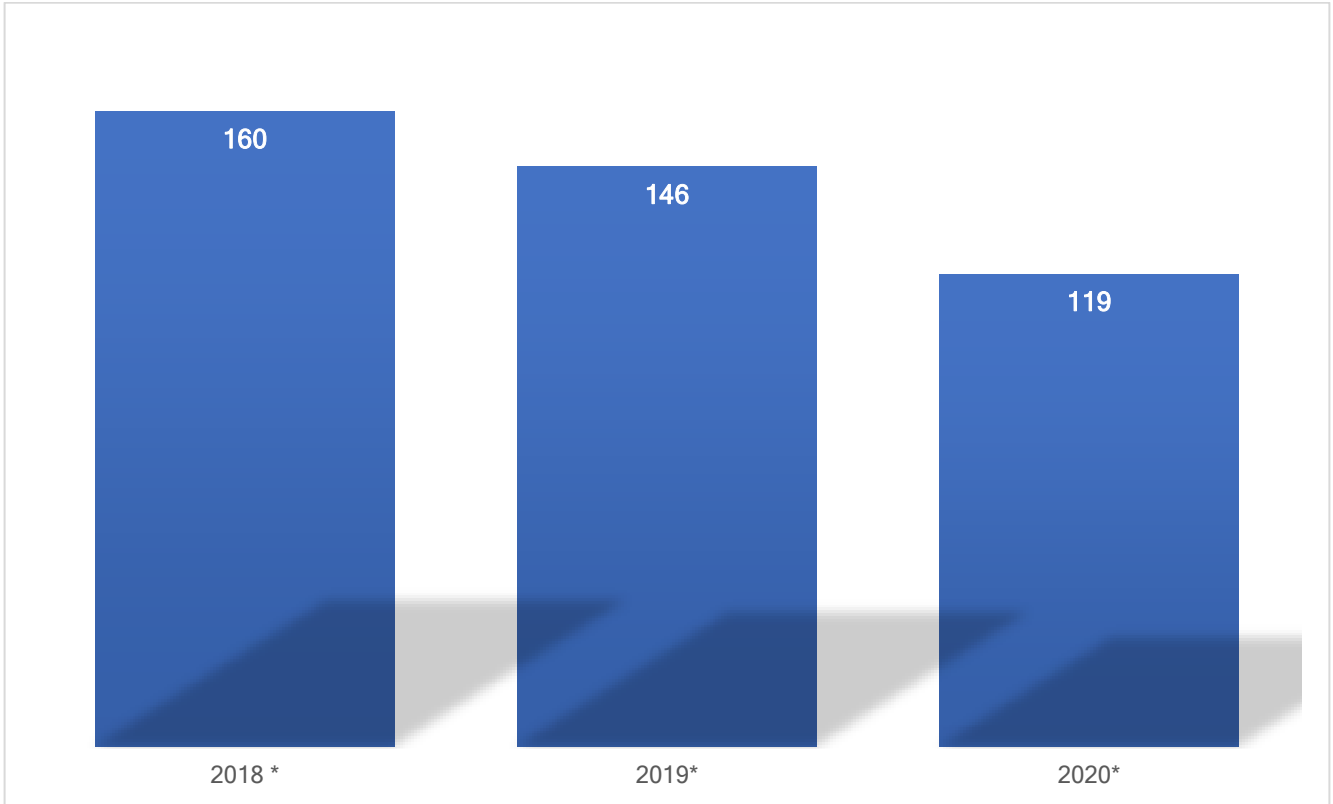
HOUSING, PUBLIC ACCOMMODATION, EDUCATION & CREDIT CASES RESOLVED



Figures 3 and 4 show the number of Housing, Public Accommodations, Credit, Education and Employment cases received and the number of cases resolved by the office.

Figure 5

EMPLOYMENT CASES RESOLVED

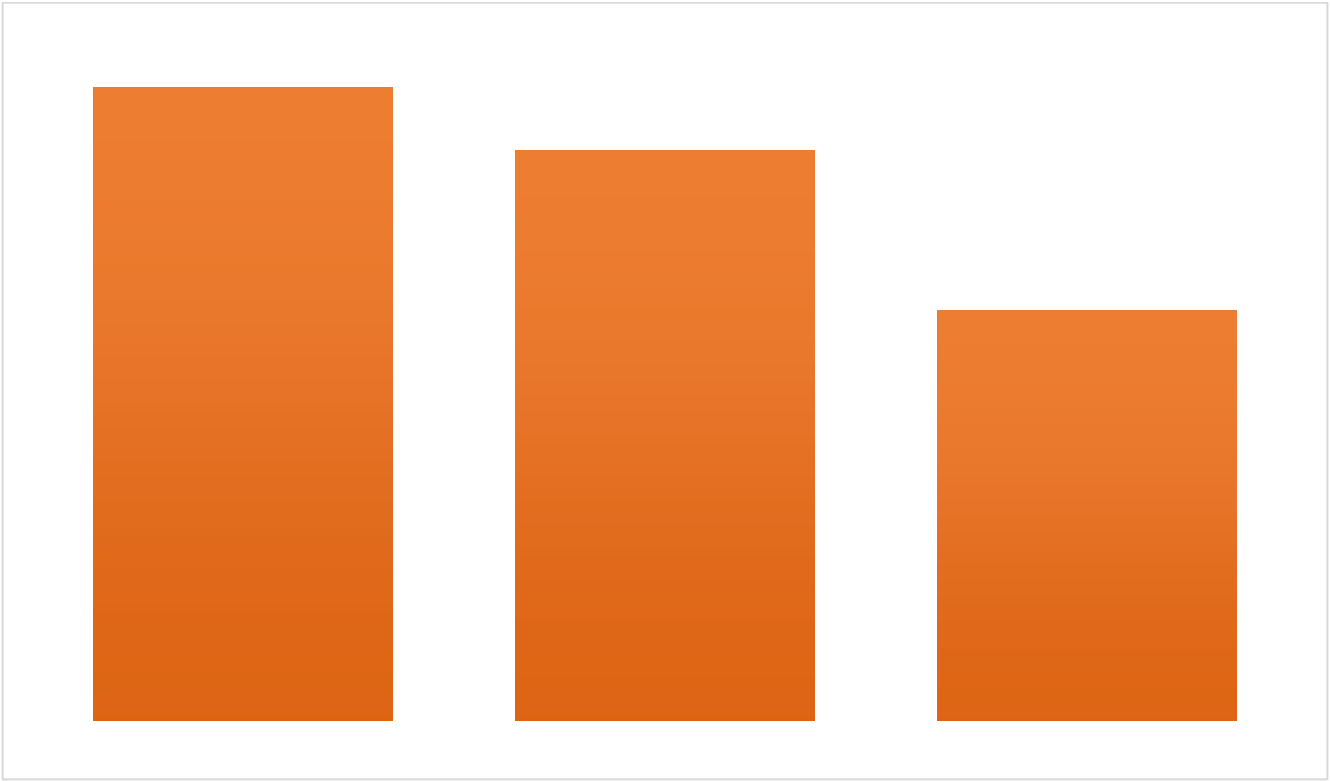


The numbers shown in **Figure 5** reflect the employment cases that were fully investigated, mediated, conciliated or administratively closed.

*The total includes countywide employment cases and Equity Programs employment cases.

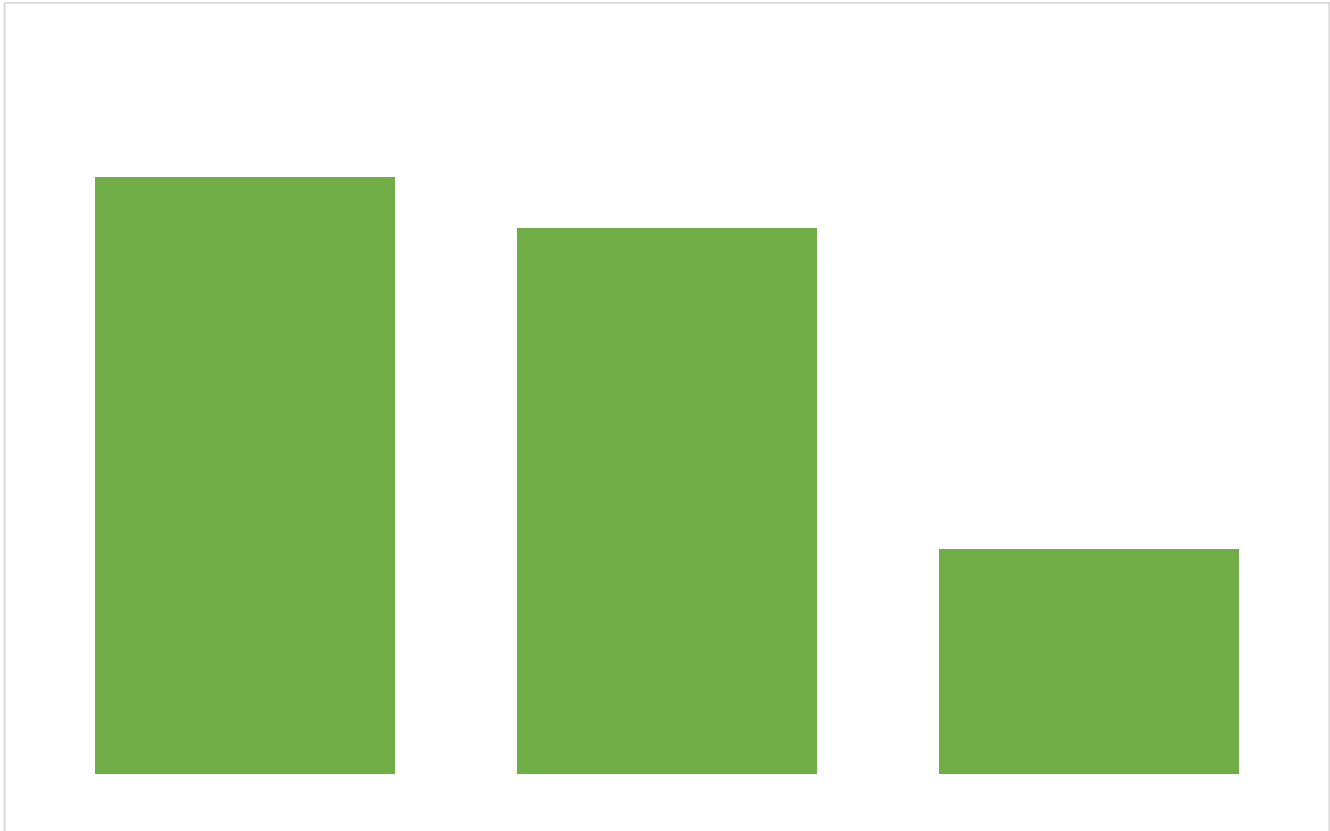
Figure 6

TOTAL CASES RESOLVED



*The numbers shown reflect the cases that were fully investigated, mediated, or conciliated.

Figure 7

MONETARY SETTLEMENTS RECEIVED

In addition to monetary settlements as reflected in **Figure 7**, a number of complainants resolved their complaints for non-monetary awards such as company policy changes, training, accommodations (disability and religious), and job references. For many complainants, a non-monetary resolution may be more important than a financial settlement.

The final agreements often include, in addition to the monetary relief for the complainant, a commitment by the respondent to take deliberate corrective action that improves the environment for all of the employees in a company or tenants in an apartment complex. The benefits resulting from these actions are non-monetary in nature. A corrective action may result in a simple policy change with regard to an employment practice that was found to be in violation of the Ordinance. Another type of corrective action may involve training of the company's management personnel in matters relating to the kinds of employment decisions permitted under the law. Such actions are viewed as affecting all of the employees or tenants and improving fairness regarding the terms, conditions, and benefits of their employment or tenancy.

SCORE CARD RESULTS – HUMAN RIGHTS DIVISION MEASURES

Below are the Score Card Results for the human rights division for FY 2019 and FY 2020. The Score Card is a more effective and innovative way to improve the services provided by OHREP.

Human Rights Division Measures

FY2019		
Performance Measures:	Target:	Outcome:
<i>Percentage of complainant/respondent satisfaction with the overall quality of HRD's intake and mediation services</i>	80%	100%
<i>Complaints formalized and presented to the complainant for signature within 5 business days</i>	90%	100%
<i>Improve scheduling and utilization of mediation services</i>	90%	92%
<i>Decrease the number of aged cases over 270 days</i>	10%	-.6%

FY2020		
Performance Measures:	Target:	Outcome:
<i>Percentage of complainant/respondent satisfaction with the overall quality of HRD's intake and mediation services</i>	80%	100%
<i>Complaints formalized and presented to the complainant for signature within 5 business days</i>	90%	100%
<i>Improve scheduling and utilization of mediation services</i>	90%	88%
<i>Decrease the number of aged cases over 270 days</i>	10%	19.4%



[fairfaxcounty.gov/humanrights](https://www.fairfaxcounty.gov/humanrights)

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