

NEW YORK CITY

COMMISSION ON
HUMAN RIGHTSMAYOR
MICHAEL R. BLOOMBERG

CCHR NEWSLETTER

COMMISSIONER
PATRICIA L. GATLING

Top Ad Agencies Sign Historic Diversity Agreements with CCHR

In September 2006, the Commission successfully negotiated agreements with the CEOs of 16 of the City's largest advertising agencies to boost minority representation in their creative and managerial positions, and make their firms more reflective of the City's diversity. These groundbreaking agreements provide the framework for the hiring, retention and promotion of minorities and require the agencies to establish recruitment goals and report those goals at the beginning of each year.

Additionally, the agencies are required to report their demographics, and provide data detailing staff promotions and separations. Should the agencies fail to achieve their goals in any year, they must hire consultants to assist them in the following year.

The agencies that signed agreements are: Arnold Worldwide and Euro RSCG Worldwide (HAVAS); BBDO, DDB, Merkle + Partners, and PHD USA (OMNICOM); Avrett, Free & Ginsberg, Draft New York, FCB New York, and Gotham, Inc (IPG); Grey Direct, Grey Interactive, Ogilvy & Mather, and Young & Rubicam (WPP); Kaplan Thaler Group, LTD and Saatchi & Saatchi (PUBLICIS GROUPE).

The Commission conducted a two and one-half-year investigation into 16 of the city's largest advertising agencies' hiring, promotion and retention practices following complaints that minority employment levels in the advertising industry in New York City had not kept up with other industries and did not reflect the City's diversity.

The Commission's investigation revealed that the number of minorities, particularly African-Americans, had barely increased since the 1960s, when the Commission held hearings on the same issue. Of 8,000 employees working at the 16 ad firms the Commission examined, approximately twenty-two percent earned more than \$100,000 and only 2.5% of that group were African-American. African-Americans make up one quarter of New York City's population.

As a result of the 16 historic diversity agreements, the Commission cancelled public hearings on the issue scheduled for September 25, 2006.



Commissioner Patricia L. Gatling (front-center) and her executive staff's collective efforts resulted in the landmark diversity agreements with City's top advertising agencies. (l-r, front) Deputy Commissioner of Community Relations Lee Hudson, Commissioner Gatling, Director of Communications Betsy Herzog, (l-r, back) Deputy Commissioner/General Counsel Cliff Mulqueen, Assistant Commissioner of Human Resources Nimer Basha, and Deputy Commissioner of Law Enforcement Avery Mehlman.



A Brighton Beach resident leaves his building unassisted due to a newly installed ramp.

Making Brighton Beach Accessible to its Residents

As part of its aggressive equal access efforts under the Human Rights Law, CCHR targeted Brighton Beach because of its large number of elderly and disabled individuals, and a high percentage of inaccessible residential multiple-dwelling buildings. Of the 83 buildings CCHR surveyed, 56 were inaccessible due to a few steps at the entrances or in the lobbies. Commission staff interviewed residents who had been unable to leave their apartments for years.

During 2006, Commission staff successfully negotiated modifications for 23 buildings with 1,696 units, making those buildings accessible to over 3,500 tenants. The Commission achieved these modifications primarily through pre-complaint intervention and will continue to work in Brighton Beach until the remainder of the buildings the Commission identified are made accessible to their residents.

The Commission is evaluating other neighborhoods for their accessibility to disabled and elderly residents.



MOVING FORWARD

Commissioner's Message

In one of my proudest moments as NYC Human Rights Commissioner, we signed agreements with the CEOs of the City's largest advertising agencies who will increase their minority ranks—particularly in the creative and managerial positions—making their workforce more reflective of the City's rich diversity.

The agreements require 16 ad firms to establish recruitment, promotion, and

retention goals and issue an annual report specifying the race, title and salary of each employee hired and promoted.

These groundbreaking agreements underscore the Commission's commitment to ensuring a diverse NYC workforce. The ad industry—historically lacking diversity—is responsible for marketing products to millions of African-American and Hispanic consumers. Yet, the individuals responsible for this marketing—the creative directors—generally do not come from the minority communities.

I commend the CEOs of the agencies for committing themselves to an enhanced equal employment opportunity program that will yield lasting results. The transparency created in these agreements will also help ensure their success.

The 16 agreements are the culmination of our three-year investigation into the employment practices of the high-profile industry of advertising—an investigation that revealed that minority employee levels at the agencies were well below the levels in other industries. In this day and age, that can't be tolerated, especially since these advertisers work for many major corporations that have a large minority client base. Also, what made the situation more distressing is that the number of

minorities at these ad firms, particularly African-Americans, had barely increased since the 1960s.

Our investigations don't always begin as a result of reports from members of the public. Often, we take a proactive approach toward combating systemic discrimination in the City. We test daily for discrimination and we have begun a new testing program in employment for race discrimination. Based on a Princeton University study that the Commission assisted with, we are measuring the role that race plays in obtaining entry-level employment in the City. Unlike the previous study where no formal complaints were filed, the Commission is filing charges against any employer found discriminating. We are also stepping up our proactive testing in housing to uncover discriminatory practices by real estate agents, building owners, and managers.

Discrimination is unacceptable anywhere, but especially in a City as diverse as New York. We will continue to enforce one of the strongest civil rights laws in the nation to promote equal opportunities for everyone who lives in, works in, and visits our great City.

Patricia L. Gatling

Grants/Honors/Appointments

Commissioner Honored by University of Maryland

The University of Maryland (UM) Law School honored Commissioner Gatling with its prestigious Benjamin Cardin Public Service Award. Commissioner Gatling, a UM Law graduate, was recognized for a career in public service. In addition to her work at the Commission, she teaches law enforcement officers around the world about human rights and democratic policing as part of a State Department program through John Jay College of Criminal Justice. Prior to her appointment as Commissioner by Mayor Bloomberg, she served as the First Assistant District Attorney at the Kings County District Attorney's Office.

Appointment



Dr. Eda Harris-Hastick

Mayor Bloomberg recently appointed Dr. Eda Harris-Hastick to the Commission. Dr. Hastick is a tenured Associate Professor of Social Work at Medgar Evers College (MEC) of the City University of New York and a licensed clinical social worker with over 35 years experience. Previously, she served as Director of College Counseling Services and Chairperson of Special Programs at MEC; Assistant Chief of Alcoholism Services at Harlem Hospital

Center; and Administrator at NYC Department of Mental Health, Mental Retardation and Alcoholism Services. She is a founding member of the Caribbean-American Chamber of Commerce and Industry and currently sits on its board. Dr. Hastick received a B.A. in Sociology/Anthropology from Queens College, a Masters in Social Work from Smith College, School of Social Work, and a Doctorate in Education from Columbia University. Dr. Hastick is widely recognized for her professional and academic work, her research, leadership and community service.

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New Staff Attorneys

CCHR added four new attorneys to its staff: Paula Edgar – J.D., CUNY School of Law; Mikki Collier – J.D., NY Law School; Paul McCulloch-Otero – J.D., Temple University Beasley School of Law; and Ann Macadangdang – J.D., NY Law School. They will investigate complaints of discrimination and prosecute violators.



Left to right: Paula Edgar, Mikki Collier, Paul McCulloch-Otero, and Ann Macadangdang.

New Executive Director Named



Alex Korkhov

Alexander Korkhov was named Executive Director of the Community Relations Bureau in October 2006. His responsibilities include the development and implementation of the Commission's community relations policies and programs to cultivate a mutual understanding and respect among the City's many diverse communities. He oversees the day-to-day operations of the Bureau.

Mr. Korkhov has been with the Commission for fourteen years and most recently, he was the Co-Director of the Staten Island Community Service Center.

Mr. Korkhov received a Bachelor's Degree from the University of Maryland, a Masters Degree in Public Administration from Long Island University, and a Masters Degree in Library Science from Queens College, CUNY.

Ad Campaign Hits Every City Street

CCHR's citywide public awareness campaign—launched in late 2005—ran throughout much of 2006, reaching millions of New Yorkers and visitors with a message of welcome and unity. The multi-lingual *One City* posters were displayed at phone kiosks, bus shelters and on the City's 3,000 Sanitation trucks and street sweepers, which hit all 6,300 "curb miles" of City streets. The campaign complemented CCHR's vigorous enforcement of the Law and its aggressive community outreach.



Legislative Highlights

Commissioner Gatling testified before the City Council's new Civil Rights Committee on February 14, 2006, providing them with an overview of CCHR's work; and again before the same committee on March 23, 2006, April 28, 2006, and May 31, 2006, updating them on the work of the Commission, its budget and the *Race At Work* study. Commissioner Gatling testified before the Civil Rights Committee and Consumer Affairs Committee on November 28, 2006, regarding Fair Housing issues.



Commissioner Patricia L. Gatling spoke at a forum on minorities and the advertising industry—regarding CCHR's investigation into the industry's hiring practices and CCHR's efforts to diversify the City's largest ad firms—during the Congressional Black Caucus Foundation's 36th Annual Legislative Conference held in September 2006 in Washington D.C. Congresswoman Carolyn Cheeks Kilpatrick (left - 13th District, MI) hosted the forum.

COMMISSION IN THE NEWS

N.Y. Shops Pledge New Devotion to Diversity

Omnicom agencies take own path, 11 others sign agreement

BY STEVE WELLS

WASHINGTON The ongoing issue of the ad industry's lack of diversity made headlines again last week, but with a fresh twist. For the first time, 11 agencies around the world signed...

Group: Gotham and Avenue Five Gensberg; Four WFP agencies signed Young & Rubicam, C&W, Director and Ogilvy & Mather. Two Publicis Group shops signed, The Kaplan Thaler Group and Saatchi & Saatchi, as did Elton's Euro RSCG. Multinationals said they expected that Harco's Arnold Worldwide would also sign.

the commission," the source said. "But they overplayed their hand." In a Sept. 6 letter to the New York City Council by an Omnicom attorney, the separate agreement calls for establishing an advisory committee made up of "leading executives and human resource professionals of various Omnicom agencies and members appointed by the civil rights committee of the New York City Council if working with members of respected civil rights organizations." The deal also calls for paying \$2.5 million over five years to pay for...

AdWeek 9/11/06 Page 8

Advertising Age

Advertising Age 6/12/06 page 1

NYC slaps subpoena on ad chiefs

DIVERSITY DEBATE: Hearings on hiring practices coincide with Advertising Week

BY USA TODAY

NEW YORK We have two executive hiring plans during September's Advertising Week, a month of ad sales and a presentation of Hudson Avenue's building...

宣传多元移民文化

市人权委员会活动延至月底

【本報記者張曉明報導】由紐約市人權委員會主辦的「多元移民文化」活動，原訂於九月初舉行，但由於九月初是「廣告週」的檔期，主辦單位決定將活動延至月底舉行。活動內容包括：由多個族裔團體共同舉辦的「多元移民文化」論壇、由多個族裔團體共同舉辦的「多元移民文化」展覽、由多個族裔團體共同舉辦的「多元移民文化」研討會等。



China Press 2/18/06 Page 3

Human Rights Commissioner Honored by U.S. Army

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The United States Army Garrison Fort Belvoir, Illinois, presented Patricia L. Gatling with the Distinguished Civilian Award on February 24, 2006 during their annual Black History Observance...

Our Times 3/8/06 Page 11

New York City Ad Firms Agree To Hire More Black Managers

By DIANE CARDWELL and STUART ELLIOTT

Finding that just 2 percent of the upper echelon of the advertising industry is black, New York City officials said yesterday that they had reached agreements with several of the nation's biggest ad firms to bring more black managers into their crucial sector of the city's economy. The city's Human Rights Commission found that hiring of black managers had improved since a study found similar problems years ago. Of 8,000 employees...

NY Times 9/08/06 page A1

Free to choose

MTA settlement will allow transgender patrons to use either men's or women's public rest rooms

BY SARA STEFANINI

Transgender New Yorkers won the right to use any restrooms after a lawsuit was settled between a Chelsea woman and the agency.

The agreement yesterday came as advocates prepare to tackle the same issue with the Port Authority. The advocates say that police arrested three transgender women for using...



Helena Stone, at home in damages in the rest room

Newsday 10/24/06 Page 8

N.Y. ad agencies vow to address lack of diversity

People of color hold top jobs

By Theresa Howard USA TODAY

NEW YORK — Jenny Smith is at the top of the game. She works as executive creative director at agency BBDO in the heart of Manhattan's Midtown West. She is one of the few people in the industry who has held a top position at a major agency for more than a decade.

The commission this summer subpoenaed the agencies to explain at hearings that were set for Monday, the start of the advertising week annual industry gathering. The potentially embarrassing findings were leaked only after the agencies agreed to meet with the commission over the next few weeks. The commission, also committed to the goal of increasing the number of people of color in the industry as well as to guarantee future jobs for all minorities, including Latinos and Asians. When Gatling appeared before a Congressional Black Caucus meeting last week, she revealed that the 8,000 employees working for the 16 agencies, about 12 percent make...

USA Today 9/21/06 Page B3

Ad firms sign agreement to employ more Blacks

By STEVE WELLS

Special to the Amsterdam News

"The more things change, the more they remain the same." It could be an axiom for the city's ad firms, which in 40 years have experienced an appreciable gain in the presence of Black managers. With their list based to the fire by the New York City Human Rights Commission, several of the most prominent advertising agencies have agreed to remedy the situation...

Such opportunities certainly did not exist back in the 1960s when the Rev. C. Vernon Moore was among a number of Black students seeking jobs in the advertising industry. "I received a fellowship to Indiana University and missed a program devised to assist minorities interested in obtaining an MBA," said Moore, who recently the executive director of the Fund for Community Leadership Development, Inc. "It wasn't until I saw diversity in the news that I decided to go to Indiana University and missed..."

NY Amsterdam News 9/14/06 Page 6

High School Peer Mediators Attend CCHR's *Are We Cool? Conference*

On December 1, 2006, the City Commission on Human Rights held a unique one-day conference for 200-city high school students who are practicing peer mediators in their schools and their faculty advisors. The conference, *Are We Cool? A Conference for Peer Mediators*, built on the mediation and conflict resolution skills that head off serious conflict in the schools. It also gave the students the opportunity to meet other student mediators to share some of their experiences and success stories.

Joining Commissioner Gatling at the event was Mark A. Willis, Executive Vice President of Community Development at JPMorgan Chase. Chase provides supportive funding for the Commission's Peer Mediation Program and also funded the *Are We Cool?* conference. The conference took place at JPMorgan Chase's lower Manhattan offices.

The conference workshops were conducted by CCHR staff and members of: NYC Department of Education, Association for Conflict Resolution of Greater NY, Creative Response to Conflict, Crown Heights Community Mediation Center, CUNY Dispute Resolution Consortium, NY Center for Interpersonal Development, and the Office of Administrative Trials and Hearings – Center for Mediation Services.

Right: Student peer mediators participate in one of the two workshops provided at *Are We Cool? A Conference For Peer Mediators*. This exercise teaches students how to communicate with other students from different backgrounds.



Below: Commissioner Patricia L. Gatling kicks off *Are We Cool? A Conference For Peer Mediators* at the JPMorgan Chase offices in Lower Manhattan.

Below right: Adneri Ponce, Deputy Director of the Commission's Queens Community Service Center and a conference trainer, explains a mediation exercise during the conference.



Chris Walter, Deputy Director of the National Technical Assistance at the Center for Court Innovation and one of the conference trainers, addresses 200 city high school practicing peer mediators and faculty advisors prior to the *Are We Cool?* workshops. The one-day conference provided the group with additional mediation training.

THE LAW

THE NEW YORK CITY HUMAN RIGHTS LAW IS ONE OF THE MOST COMPREHENSIVE CIVIL RIGHTS LAWS IN THE NATION. THE LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS BASED ON RACE, COLOR, CREED, AGE, NATIONAL ORIGIN, ALIENAGE OR CITIZENSHIP STATUS, GENDER (INCLUDING GENDER IDENTITY AND SEXUAL HARASSMENT), SEXUAL ORIENTATION, DISABILITY, MARITAL STATUS, AND PARTNERSHIP STATUS. IN ADDITION, THE LAW AFFORDS PROTECTION AGAINST DISCRIMINATION IN EMPLOYMENT BASED ON ARREST OR CONVICTION RECORD AND STATUS AS A VICTIM OF DOMESTIC VIOLENCE, STALKING AND SEX OFFENSES. IN HOUSING, THE LAW AFFORDS ADDITIONAL PROTECTIONS BASED ON LAWFUL OCCUPATION AND FAMILY STATUS. THE CITY HUMAN RIGHTS LAW ALSO PROHIBITS RETALIATION AND BIAS-RELATED HARASSMENT.



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