



MAYOR  
MICHAEL R. BLOOMBERG

CCHR NEWSLETTER

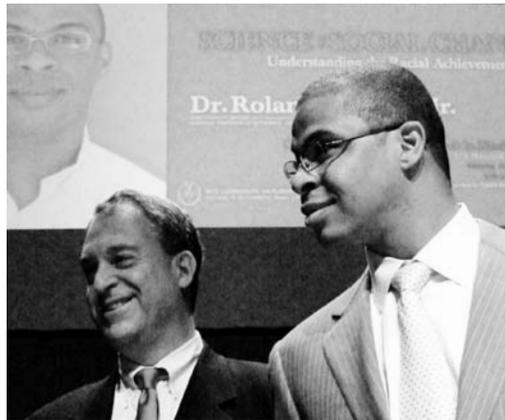
COMMISSIONER  
PATRICIA L. GATLING

## Commission Features Dr. Fryer

In October 2007, Commissioner/Chair Patricia L. Gatling led a discussion on equity in education and narrowing the racial achievement gap as part of the Commission's *Civil Rights Public Lecture Series*. The event – held at the Schomburg Center for Research in Black Culture in Harlem – featured Dr. Roland G. Fryer, Jr., the NYC Department of Education's Chief Equality Officer who jointly serves as an Assistant Professor of Economics at Harvard University. Dr. Fryer's remarks focused on his application of economic research techniques to confront issues of race and discrimination and find ways to motivate underachieving City school children to read, learn, and reach their potential.

Other speakers at the event included: Christopher D. Cerf, Deputy Chancellor of the NYC Department of Education; Rev. C. Vernon Mason, CEO of the Fund for Community Leadership Development and CEO of Uth Turn; Dr. Edison O. Jackson, President of Medgar Evers College and a NYC Human Rights Commissioner; and Dr. Bruce Western, Professor of Sociology and Director of the Program in Inequality and Social Policy at Harvard University.

(Right photo) Schools Deputy Chancellor Chris Cerf (left) and keynote speaker Roland G. Fryer, Jr. (right), prior to the event, *Science for Social Change: Understanding the Racial Achievement Gap*. NYC Human Rights Commissioner/Chair Patricia L. Gatling (below right) leads a discussion at the Schomburg Center for Research in Black Culture in Harlem on equity in education and narrowing the racial achievement gap. Speakers included (left – right): Dr. Edison O. Jackson, Rev. C. Vernon Mason, Dr. Bruce Western, Christopher D. Cerf, and keynote speaker Dr. Roland G. Fryer, Jr.



Commissioner Patricia L. Gatling tests the new beach access mats at Brighton Beach, Brooklyn, with Matt Sapolin, Commissioner of the Mayor's Office For People With Disabilities.

## 'Mobi-Mats' Hit City Beaches

The Commission played a key role in modifying City beaches – creating mobility and independence for the elderly and disabled communities. In June 2007, Human Rights Commissioner/Chair Patricia L. Gatling and NYC Parks & Recreation Commissioner Adrian Benepe, were in Brighton Beach showing off the newly installed accessible beach mats. The specially designed mats, known as 'Mobi-Mats', enabled many individuals over the summer months access to the sand and water – many for the first time in their lives.

The collaboration between the two agencies was an important element of the City's disability access efforts in the parks and communities throughout the five boroughs. The event underscored Parks' commitment to making all City parks accessible to everyone and complemented the Commission's work in Brighton Beach and other communities, making residential buildings and stores accessible to their residents.

The access mats are another component in the Commission's aggressive efforts to make residential buildings, the workplace, and public accommodations – such as offices, restaurants, stadiums, and the beaches – accessible to individuals with disabilities.

# NEW YORK CITY COMMISSION ON HUMAN RIGHTS



## MOVING FORWARD Commissioner's Message

It was a privilege to return to the Schomburg Center for Research in Black Culture in late October when we hosted another in the Commission's *Civil Rights Public Lecture Series*. Our keynote speaker – Dr. Roland G. Fryer Jr., Assistant Professor of Economics at Harvard University and the Chief Equality Officer at the New York City Department of Education – highlighted his efforts in narrowing the Racial Achievement Gap, one of this

country's most pressing social concerns.

The forum addressed this serious issue and recognized Dr. Fryer's influential and bold thinking and his groundbreaking initiatives. He is truly an innovative leader and scholar on the complexities of racial inequality and its effect on our society. His research puts into perspective the all-too-real effects of the Racial Achievement Gap and brings it into focus. At his American Inequality Lab at Harvard, which he founded, Dr. Fryer is trying to uncover the systemic reasons for racial inequity in America, and to find ways to eradicate it.

I have always been clear about my views on education: there is nothing more important in this world than to be educated and informed. Kofi Annan, diplomat and Nobel Peace Prize winner, once said, "Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development."

Equity in education is not only a human right, but a civil right as well, and translates as leveling the playing field so each student is afforded the same opportunity in life. This City is committed to ensuring that our schools work for all children, and I am confident Dr. Fryer will achieve the same success

here in New York City as he did in Dallas, getting children motivated to read, to learn, and to reach their potential.

We are planning the third in our *Civil Rights Public Lecture Series* set for April 2008. The Commission will feature Dr. Robert D. Putnam – Professor of Public Policy, Kennedy School of Government, Harvard University, and Visiting Professor and Director of the Graduate Summer Programme in Social Change at the University of Manchester (UK) – who will discuss the impact of our increasing social diversity on community life, and the implications of his latest research into community, identity, and trust. Our first in this series featured Congresswoman Eleanor Holmes-Norton, former Commissioner/Chair of the NYC Human Rights Commission, and also highlighted a study conducted by two Princeton University Professors, with assistance from the Commission, of the impact of race, ethnicity and criminal records on securing entry-level positions.

Being aware of the many causes of inequality is just one of the first steps toward narrowing the racial achievement gap. When people are informed, I believe they do the right thing.

*Patricia L. Gatling*

## Grants/Honors/Appointments

### Commissioner Honored

During 2007, Commissioner Patricia L. Gatling was recognized for her commitment to diversity and Civil Rights by John Jay College of Criminal Justice; was named one of the "25 Most Influential Black Women in Business" by *The Network Journal* magazine; and received the "Humanitarian of the Year" awarded by the National Organization of Black Law Enforcement Executives. Among her other recent numerous honors, and notable lectures, she was also the keynote speaker at the International Human Rights Conference, Monterrey, Mexico, and the National Black Crown Prosecutors Association's Annual Conference, London, UK; moderator and speaker at the Black Elected Chief



Commissioner Gatling was honored by *The Network Journal* in March 2007.

Prosecutors' Annual Conference, Atlanta; member/panelist of the Executive Session on Human Rights Commissions and Criminal Justice Symposium,

Harvard University; and panelist at the Corporate Counsel Women of Color's 3rd Annual Career Strategies Conference, NYC.

### Appointment

In June, Mayor Bloomberg appointed Rabbi Joseph Potasnik to the Commission. Rabbi Potasnik is Executive VP (and former President) of the NY Board of Rabbis, and also serves as Senior Rabbi at Congregation Mt. Sinai in Brooklyn Heights. He co-hosts WABC's Talk Radio "Religion on the Line," is the religious commentator for 1010 WINS Radio, hosts a weekly television series, and has authored numerous articles, including the foreword to "The Illustrated Jewish Bible for Children." He served on the NYC Campaign Finance Board and as Chaplain of the FDNY and the Fraternal Order of Police, assisting many families cope with 9/11. Rabbi Potasnik received a B.A. from Yeshiva College, an M.S. from the Bernard Revel Graduate School of Yeshiva University, and a J.D. from Brooklyn Law School.



Rabbi Joseph Potasnik

### Tiger Baron Foundation Grant

CCHR received a \$10,000 grant from the Tiger Baron Foundation for fellowship-related programs and/or stipends.



Carlos Vélez

## New Executive Director Named

Carlos Vélez was named the Executive Director of the Commission's Law Enforcement Bureau in June 2007. His responsibilities include overseeing and implementing the Commission's prosecutorial and investigative mandates under the NYC Human Rights Law.

Most recently, Mr. Vélez practiced law in Geneva, Switzerland, representing international civil servants at disciplinary hearings and the administrative tribunals of the International Labor Organization and the United Nations. Prior to his work abroad, he served as the Deputy Bureau Chief of the Kings County District Attorney's Major Narcotics Investigations Bureau and Supervising Attorney of the Money Laundering Unit. As a prosecutor, Mr. Vélez conducted thousands of investigations into the sale, distribution, and use of illegal drugs and successfully oversaw many long-term investigations and prosecutions of organized narcotics trafficking. Mr. Vélez also served as an Assistant District Attorney at the Westchester County D.A.'s Office; an Assistant State's Attorney at the Cook County State's Attorney's Office in Chicago; and a Special Narcotics Assistant at the Office of the Special Narcotics Prosecutor in NYC. Mr. Vélez received his J.D. from the University of Illinois College of Law and a B.A. from Ithaca College.

## First NYC Human Rights Fellows



Diana Lieu (left) and Shakirah Simley (right).

With assistance from the Department of Citywide Administrative Services, CCHR established the NYC Human Rights Fellowship Program in conjunction with the City's Urban Fellows Program. Diana Lieu, who received a B.A. from Sarah Lawrence

College, and Shakirah Simley, who received a B.A. from the University of Pennsylvania, were selected from a large diverse pool of applicants. They began their one-year fellowship in September and are currently assigned projects to assist the Commission. The program offers recent college graduates a unique opportunity to obtain practical government experience in an agency that enforces one of the strongest civil rights laws in the nation and encourages positive relations among the City's diverse communities.

## Employment Discrimination Testing

Under the Commission's new testing program in employment for race and gender discrimination, the Commission sends out matched sets of testers (male and female Caucasians, African-Americans, Latinos) who apply for the same jobs with equivalent résumés, and then analyzes if the testers were treated equally. The Commission has conducted more than 300 tests in a one-year period. Approximately 15% of those tests have been referred to the Commission's Law Enforcement Bureau for charges based upon the indication of discriminatory hiring practices by the employers.

### New Staff Attorneys

CCHR added 10 new attorneys to its staff in October. They are (l-r, front row): Alison Ferguson-Woods (LL.B, Osgoode Hall Law School, Canada), Asha Smith (J.D., New York University School of Law), Laura Flyer (J.D., American University Washington College of Law), and David J. Francis (J.D., Albany Law School). (l-r, back row) Jonathan M. Fox (J.D., the University of Connecticut School of Law), Kamaljit K. Virk (J.D., Michigan



State University College of Law), Meghan P. Sherman (J.D., George Washington University Law School), Sheetal J. Kale (J.D., Georgetown University Law Center), Olivia Cuggy (LL.B, University College, Galway, Ireland and LL.M., Benjamin N. Cardozo School of Law), and Christina A. Mahabir (J.D., Touro Law Center).

### DOJ Grant

The U.S. Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration Related Unfair Employment Practices awarded the Commission a \$75,000 public education grant to develop two English to Speakers of Other Languages (ESOL) curriculums to be used throughout the City. The courses are: *Working in the U.S.* and *Discrimination in the Workplace*. This vital information will be delivered through the City's three public library systems' free adult literacy classes, because the public libraries offer a crucial entry point for immigrants to community services, culture, and civic awareness. While improving their literacy, students will learn about the protections they have as they enter or advance in the workplace. Only 11 grants were awarded nationwide.

### Staff Recognized

CCHR's Staten Island Community Service Center Director Roy Pingel, along with Human Rights Specialists Annette Harewood and Nelsy de la Nuez, were honored by New Dorp High School for their commitment to training students in Peer Mediation. CCHR provides peer mediation training to area high schools. The Program, now in its fourth year, receives funding from the JPMorgan Chase Foundation.

## Employers Fined in Employment Discrimination Cases

In two separate employment discrimination cases, the Commission's Law Enforcement Bureau collected fines from the employers totaling \$55,000. Both cases involved complainants who were denied employment because they had conviction records. Although the employers – Access Staffing and Arms Acres – denied any allegations of discrimination, both settled their cases with the Commission. In addition to the fines collected, one complainant received a cash settlement of \$20,000 and the other complainant received \$15,000. CCHR staff attorney Asha H. Smith handled both cases, successfully resolving the complaints.

Individuals with arrest and/or conviction records are protected from discrimination in employment under the NYC Human Rights Law.

## Immigration-Related Employment Discrimination



Event info-card



Commissioner Gatling and Ms. Stutman

The Commission, along with its partner The New York Immigration Coalition, co-hosted a forum on *Avoiding Immigration-Related Employment Discrimination* at the Brooklyn Public Business Library in December 2007. The event – geared specifically for employers and business representatives – was part of a larger ongoing collaborative effort by the City to educate immigrant workers, employers, and advocacy groups throughout the five boroughs regarding the protections and obligations they have under the Immigration and Reform Control Act of 1986 (IRCA) and the New York City Human Rights Law.

Keynote speaker Robin M. Stutman, Esq. – Special Litigation Counsel in the Office of Special Counsel for Immigration Related Unfair Employment Practices, Civil Rights Division of the U.S. Department of Justice – discussed anti-discrimination provisions contained in the U.S. Immigration and Nationality Act (INA) and employer sanctions of IRCA, and provided the latest information about: avoiding immigration-related employment discrimination; as well as complying with INA hiring regulations; INA I-9 requirements; understanding how the new E-Verify of employment eligibility will work; what to do with Social Security no match letters, 'Safe Harbor' regulations, and wage and hour issues.

The Commission's Immigrant Employment Rights Program provides workshops, informal discussions, literature, and multilingual presentations regarding discrimination in employment based on national origin, citizenship status or alienage. Funding assistance for the program is provided by the U.S. Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration Related Unfair Employment Practices.

## Legislative Highlights

Commissioner Gatling testified before the City Council's Civil Rights and Finance Committees on March 15, 2007, updating them on the Commission's work, its budget, and its historic diversity agreements with the City's major ad firms. Deputy Commissioner/General Counsel Cliff Mulqueen testified before the Council's General Welfare Committee on April 11, 2007, regarding subsidized housing. He also appeared before the Civil Rights Committee and the Committee on Women's Issues on October 30, 2007, and appeared before the Committees on Civil Rights, Immigration, and Public Safety on November 1, 2007.

### 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, OR 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, FAMILY STATUS, AND ANY LAWFUL SOURCE OF INCOME. THE CITY HUMAN RIGHTS LAW ALSO PROHIBITS RETALIATION AND BIAS-RELATED HARASSMENT.



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