



Pennsylvania Human Relations Commission

1999 – 2000
Annual Report

WORK AT A GLANCE

(July 1, 1999 – June 30, 2000)

Cases pending on 7/1/99.....	9,669
Cases docketed in 1999–2000	6,569
Total Caseload	16,238
Cases closed in 1999-2000	7,205
• Employment	6,613
• Housing/Commercial Property	255
• Public Accommodation*.....	302
• Education (Post Secondary)*	35
Cases pending on 6/30/00.....	9,033
Number of Informal Complaints.....	38,609

IMPACT

Number of Persons Benefitted	26,584
Financial Impact (in dollars)	\$13,358,481

* Education is higher education only; basic education is included in public accommodation.

The Pennsylvania Human Relations Commission is strongly committed to the principles of equal opportunity and affirmative action. This commitment extends to the Commission’s function as a civil rights agency in providing service to the public and to its role as an employer. The Commission provides equal opportunity in its employment practices including recruitment, selection, promotion, training and all terms and conditions of employment.

1999–2000

OFFICERS

Robert Johnson Smith, Chairperson

Retirement effective May 16, 2000

Raquel Otero de Yiengst, Vice Chairperson

Acting Chairperson as of May 22, 2000

Gregory J. Celia, Jr., Secretary

Russell S. Howell, Assistant Secretary

COMMISSIONERS

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Joseph J. Borgia

Theotis W. Braddy

Carl E. Denson

Elizabeth C. Umstattd

Sylvia A. Waters

Daniel D. Yun

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Homer C. Floyd, Executive Director

Acting Chairperson
RAQUEL OTERO de YIENGST
Secretary
GREGORY J. CELIA, JR.
Executive Director
HOMER C. FLOYD



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MESSAGE FROM THE CHAIRPERSON

The Honorable Tom Ridge
Governor, Commonwealth of Pennsylvania

The Honorable Members of the General Assembly
Commonwealth of Pennsylvania

Dear Governor Ridge and
Members of the General Assembly:

We are pleased to submit to you the Annual Report of the Pennsylvania Human Relations Commission for Fiscal Year 1999–2000, pursuant to Section 7(k) of the Pennsylvania Human Relations Act.

Your continued funding for Program Revision Requests supported on-going initiatives to improve customer service and to increase efficiency. The Commission was immersed in two, separate multi-year projects that were designed to improve our overall process and to automate our case processing and management system by developing computer networks.

The demand for PHRC assistance to communities and local officials for effective responses to statewide tension incidents continues at a steady pace. On occasion, the demand was higher than the supply of staff the Commission had to offer. This fiscal year, the Commission was able to alleviate this demand somewhat by putting into circulation two PRR-funded training videos and supplemental materials for schools and communities. The PA Task Force on Civil Tension, a multi-agency partnership that PHRC coordinates, continued its leadership role in monitoring and reporting tension incidents.

Although the Commission's backlog was slightly reduced by a record number of closings that was achieved by the hard work and dedication of our staff, unlawful discrimination remains a serious problem in Pennsylvania. The Commission continues to work closely with business, government agencies and organizations in developing programs to provide equal opportunity and to promote diversity. At the same time, the disturbing trend of public denial of the extent and impact of discrimination continues.

The Commission and its staff remain dedicated in achieving our mandated mission to prevent and eliminate unlawful discrimination and to promote goodwill among the people of the Commonwealth. This annual report information demonstrates the Commission's achievements in carrying out this mandate, including securing \$13 million in remedies for victims of discrimination.

We ask for your continued support and leadership in this effort, including the provision of necessary funding and support needed to serve appropriate remedies for victims of discrimination.


Raquel Otero de Yienst
Acting Chairperson

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COMMISSION HIGHLIGHTS

The Pennsylvania Human Relations Commission (PHRC) is mandated to enforce the Commonwealth's laws that prohibit discrimination because of race, color, religion, ancestry, age (40 and above), sex, national origin, disability, known association with a person with a disability, use of guide or support animals because of the blindness, deafness or physical disability of the user or because the user is a handler or trainer of support or guide animals, possession of a diploma based on passing a general education development test, retaliation, familial status or refusal or willingness to participate in abortion procedures. The PHRC's jurisdiction covers employment, housing and commercial property, public accommodation, education and monitoring of community tension situations.

There are two main approaches utilized by the PHRC to seek compliance with the law: (1) the receipt, investigation, conciliation and, when necessary, litigation of formal complaints of discrimination filed by aggrieved persons, the Attorney General or the PHRC; and (2) the publication of regulations and guidelines as well as the provision of technical assistance to organizations or individuals in order to promote and encourage voluntary compliance with the law and to foster positive intergroup relations.

The PHRC promotes compliance with the law through programs in employment, housing and commercial property, public accommodation, education and community services. In each of these areas, unlawful discrimination poses serious problems for the Commonwealth as a whole. PHRC programs are designed to meet the needs these problems create.

In the 1999–00 fiscal year, 6,569 new complaints were filed; added to the 10,026 pending cases carried over from the previous fiscal year, this brought the total caseload to 16,595. The record closing of 7,205 cases was achieved through the dedication and hard work of staff. The Commission closed the fiscal year with 9,390 pending cases.

Additionally, 38,609 informal complaints were processed by staff, many of which were resolved or referred without the need for a formal complaint.

Twenty-five percent of the cases were closed as unlawful practice found and adjusted or adjusted without a formal finding. The total dollar amount awarded to alleged victims of discrimination, after a finding of discrimination or through settlement before a formal finding, was \$13,358,481. There were 26,584 individuals who secured jobs, promotions, reinstatements, financing or housing units, or benefitted from training or policy changes.

Complaints dismissed on the basis that no probable cause was found to credit the allegations accounted for 50 percent of the closings. The remaining 25 percent were closed for lack of jurisdiction, administratively or for other reasons. Detailed compliance activity statistics begin on page 3.

PHRC actively addressed its mandate to monitor and prevent racial tension situations and community conflict related to bigotry and intolerance. PHRC staff provided intervention, technical assistance and coordination with local and state police and community leaders. Across the Commonwealth during this fiscal year, 351 intergroup tension incidents in 43 of our 67 counties were reported to PHRC. With this total increasing from 340 incidents reported to the Commission last fiscal year, the Commission is greatly concerned with the increase and the type and severity of the occurring incidents.

Additional tension statistics and analysis are given in the Community Services Section on pages 27–28.

Equal opportunity is a vital element of our basic civil rights. It is a commitment illustrated with the creation of the PHRC in 1955 and the commitment is carried out today.

COMPLIANCE

The bulk of the Commission's workload is focused on the investigation of unlawful discrimination complaints filed by the citizens of the Commonwealth. There are many steps that need to be taken with each new case the Commission receives. Case processing and management for each case is labor intensive. Improvements to the Commission's internal processes and procedures over time continue to help provide a more effective and efficient work product. But the Commission is committed to making more changes and improvements for the future.

Case Management System Development

The Commission received funding for the design, development, installation and implementation of a Case Management, Processing and Tracking System, or CMS. Development began in January 2000.

The CMS project will build on the results of a Business Process Re-Engineering study which reviewed PHRC's case processing procedures and recommended steps, including automation to streamline case processing.

The basic CMS project objectives are:

- Automate the collection of case information, incorporating checks and edits to insure data integrity, confidentiality and validity while speeding up the overall process;
- Automate the steps needed to process case information;
- Generate standard documents required during case processing rather than creating, maintaining and reproducing paper documents;
- Provide immediate access to information about a case for any authorized user throughout PHRC;
- Provide case status information that allows supervisors and managers to determine accountability;
- Generate statistical reports for periodic reporting and ad hoc reporting, for both inter- and intra-agency needs;
- Maintain images of paper products received as part of a case and make them accessible electronically, allowing review throughout PHRC without the need for photocopying or physically moving paper files from one office to another;
- Transfer data electronically to federal funding agencies and other state and local agencies, as appropriate;
- Develop a system that can be maintained and supported by PHRC staff.

The targeted completion date for the CMS project is October 2001.

An integral part of the CMS project is staff participation during different stages of development.

Project activities completed by June 30, 2000 included:

- Creation of the CMS Review Group with management and union representatives from all functional areas of the Commission. This group reviews consultant work products throughout the project and makes recommendations to the Executive Director;
- Completion of the Stakeholder Analysis phase, meeting with all available staff in the Regional Offices and Headquarters to identify needs;
- Completion and acceptance of the *Requirements Document* based on the information acquired during the Stakeholder Analysis;
- Commencement of the Functional Design phase with the preparation of data flow diagrams and entity relationship diagrams for review by staff.

A detailed report of the Commission's Compliance work follows.

COMPLIANCE STATISTICS

BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION JULY 1, 1999 – JUNE 30, 2000

BASIS	EMPLOYMENT		HOUSING COMMERCIAL PROPERTY		PUBLIC ACCOMMO- DATIONS*		EDUCATION**		STATE TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
Race or Color	900	15	99	34	114	44	4	14	1,117	17
Religion	52	1	4	1	6	2	2	7	64	1
National Origin	117	2	16	6	4	2	2	7	139	2
Age	742	12	1	0	0	0	0	0	743	11
Abortion	0	0	0	0	0	0	0	0	0	0
G.E.D.	0	0	0	0	0	0	0	0	0	0
Sex	829	14	11	4	17	7	3	11	860	13
Disability	828	14	62	21	60	23	11	39	961	15
Association w/person(s) with Disability	37	1	3	1	1	0	0	0	41	1
Guide or Support Use Animals	0	0	1	0	0	0	0	0	1	0
Multiple***	2,246	37	68	23	58	22	5	18	2,377	36
Retaliation	234	4	9	3	1	0	1	4	245	4
Familial Status	0	0	21	7	0	0	0	0	21	0
Lack of Jurisdiction	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0
TOTAL	5,985	100	295	100	261	100	28	100	6,569	100

* Includes elementary and secondary schools.

** Includes secondary education only.

*** Cases in this category include all those in which the basis of the charge of discrimination is two or more of any of the above reasons.

GEOGRAPHICAL DISTRIBUTION OF CASES BY REGION JULY 1, 1999 – JUNE 30, 2000

AREA OF JURISDICTION	NUMBER OF COMPLAINTS DOCKETED				
	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
Employment	917	1,549	1,445	2,074	5,985
Housing/Commercial Property	97	93	105	0	295
Public Accommodations*	61	79	121	0	261
Education**	10	5	13	0	28
ALL AREAS	1,085	1,726	1,684	2,074	6,569

Region I includes 23 contiguous counties in western Pennsylvania, with its office located in Pittsburgh.

Region II includes 39 contiguous counties in central and northeastern Pennsylvania, with its office located in Harrisburg.

Region III includes 5 contiguous counties located in southeastern Pennsylvania, with its office located in Philadelphia.

* Includes elementary and secondary schools

** Includes secondary education only

COMPLIANCE STATISTICS

INFORMAL INQUIRIES
JULY 1, 1999 – JUNE 30, 2000

INQUIRIES	REGION I	REGION II	REGION III	STATE TOTAL
Telephone	12,342	9,836	10,918	33,096
Letters	205	908	1,354	2,467
Walk In	222	359	2,465	3,046
TOTAL	12,769	11,103	14,737	38,609

RACE/NATIONAL ORIGIN AND GENDER OF COMPLAINANTS
JULY 1, 1999 – JUNE 30, 2000

RACE/GENDER PROFILE	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
Black Males	170	208	416	229	1,023
Black Females	187	214	484	183	1,068
White Males	263	415	172	21	871
White Females	367	599	250	17	1,233
Asian/Pacific Islander Males	0	2	10	0	12
Asian/Pacific Islander Female	2	7	13	0	22
Indian/Alaskan Native Males	1	2	0	0	3
Indian/Alaskan Native Females	1	1	0	0	2
Undeclared or Other Race Males	26	99	133	754	1,012
Undeclared or Other Race Females	33	150	201	857	1,241
Undeclared Gender	35	29	5	13	82
TOTAL	1,085	1,726	1,684	2,074	6,569

NATIONAL ORIGIN/ GENDER PROFILE	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
East Indian Males	0	0	3	0	3
East Indian Females	0	0	4	0	4
Hispanic Males	2	36	35	29	102
Hispanic Females	3	25	18	17	63
Undeclared or Other National Origin Males	458	691	693	974	2,816
Undeclared or Other National Origin Females	587	945	926	1,041	3,499
Undeclared Gender	35	29	5	13	82
TOTAL	1,085	1,726	1,684	2,074	6,569

COMPLIANCE STATISTICS

DISTRIBUTION OF DOCKETED CASES BY COUNTY
JULY 1, 1999 – JUNE 30, 2000

COUNTY	NUMBER OF CASES DOCKETED				
	EMPLOYMENT	HOUSING/ COMMERCIAL PROPERTY	PUBLIC ACCOMMODATIONS*	EDUCATION	TOTAL
Adams	14	1	1	0	16
Allegheny	1,002	52	38	5	1,097
Armstrong	15	2	1	0	18
Beaver	91	9	1	0	101
Bedford	12	0	0	0	12
Berks	137	5	7	0	149
Blair	60	3	0	0	63
Bradford	7	0	0	0	7
Bucks	313	24	9	0	346
Butler	61	0	0	0	61
Cambria	65	3	3	1	72
Cameron	2	0	0	0	2
Carbon	10	1	0	0	11
Centre	36	0	4	1	41
Chester	199	9	2	0	210
Clarion	9	1	0	0	10
Clearfield	33	0	0	0	33
Clinton	10	0	2	1	13
Columbia	21	0	1	0	22
Crawford	27	4	1	0	32
Cumberland	161	3	2	0	166
Dauphin	396	20	21	0	437
Delaware	258	8	17	5	288
Elk	12	0	0	0	12
Erie	102	9	4	2	117
Fayette	47	2	2	0	51
Forest	0	0	0	0	0
Franklin	60	3	2	0	65
Fulton	0	1	0	0	1
Greene	10	1	1	0	12
Huntingdon	19	0	0	0	19
Indiana	16	0	1	1	18
Jefferson	14	1	0	0	15
Juniata	6	1	0	0	7
Lackawanna	74	2	4	0	80
Lancaster	114	9	10	0	133
Lawrence	29	1	2	0	32
Lebanon	29	4	1	0	34
Lehigh	168	4	1	0	173
Luzerne	116	4	7	0	127

COMPLIANCE STATISTICS

DISTRIBUTION OF DOCKETED CASES BY COUNTY
JULY 1, 1999 – JUNE 30, 2000

COUNTY	NUMBER OF CASES DOCKETED				
	EMPLOYMENT	HOUSING/ COMMERCIAL PROPERTY	PUBLIC ACCOMMODATIONS*	EDUCATION	TOTAL
Lycoming	37	1	5	1	44
McKean	14	2	0	0	16
Mercer	43	3	0	0	46
Mifflin	16	1	1	0	18
Monroe	38	1	1	1	41
Montgomery	535	27	15	1	578
Montour	8	0	0	0	8
Northampton	75	4	3	0	82
Northumberland	20	1	2	0	23
Perry	4	0	1	0	5
Philadelphia	969	41	70	7	1,087
Pike	4	3	2	0	9
Potter	2	0	0	0	2
Schuylkill	41	0	1	0	42
Snyder	4	0	0	0	4
Somerset	13	1	0	0	14
Sullivan	5	0	0	0	5
Susquehanna	3	0	0	0	3
Tioga	7	1	0	0	8
Union	8	0	0	0	8
Venango	21	1	1	0	23
Warren	11	0	0	0	11
Washington	57	3	3	1	64
Wayne	11	0	0	0	11
Westmoreland	141	6	5	1	153
Wyoming	5	0	0	0	5
York	138	12	6	0	156
Out of State	0	0	0	0	0
ALL COUNTIES	5,985	295	261	28	6,569

* Includes elementary and secondary schools.

COMPLIANCE STATISTICS

**TOTAL OCCURRENCES OF ALLEGATIONS BY REGION*
JULY 1, 1999 – JUNE 30, 2000**

TOTAL NUMBER OF COMPLAINTS DOCKETED	REGION I		REGION II		REGION III		HEADQUARTERS		STATE TOTAL	
	1,085		1,726		1,684		2,074		6,569	
ALLEGATIONS	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
Race/Color	433	23	462	15	723	26	503	17	2,121	18
Religion	17	1	36	1	72	2	43	1	168	2
National Origin	30	2	120	4	124	4	109	4	383	4
Age	528	28	862	28	519	19	594	20	2,503	24
Sex	338	18	627	20	530	19	671	22	2,166	20
Disability	307	17	607	20	464	17	584	20	1,962	18
Retaliation	211	11	324	11	359	13	492	16	1,386	13
Familial Status	5	0	21	1	11	0	0	0	37	1
GED	0	0	0	0	0	0	0	0	0	0
TOTAL	*1,869	100	*3,059	100	*2,802	100	*2,996	100	*10,726	100

* Because many complaints allege a multiple basis such as race and sex or disability, race and age, etc., the total number of occurrences will be greater than the total number of cases docketed. This chart details the total number of times each protected class is named in complaints of discrimination.

COMPLIANCE STATISTICS

CLASSIFICATION OF RESPONDENTS IN DOCKETED CASES
JULY 1, 1999 – JUNE 30, 2000

RESPONDENT CATEGORY	CASES	
	NUMBER	%
EMPLOYMENT CASES (TOTAL)	5,985	100
Amusement and Recreation Places	90	2
Banks/Financial Institutions/Lenders/Mortgagors	211	4
Construction and Skilled Trades	244	4
Drinking and Eating Places	204	3
Colleges/Universities/Vocational/Trade Schools (Public and Private)	168	3
Police/Fire/Ambulance (State/City/Township/Sheriff)	80	1
Hotels/Motels/Resorts	115	2
Insurance Companies	117	2
Housing/Apartment Complexes/Condos/Real Estate Agents and Companies	119	2
Employment Agencies	4	0
Manufacturing Companies (Food Products/Clothes/Furniture/Appliances)	1,300	22
Media (Newspapers/TV/Radio/Book Companies/Magazines/Marketing/Advertising)	170	3
Forestry/Fishing/Trapping/Mining	50	1
Personal Services	278	5
Medical Services (Doctors/Dentists/Hospitals/Clinics/Pharmacies)	650	11
Retail Stores	556	9
Secondary Schools and School Districts (Public and Private)	214	4
Public Transportation/Public Utilities	475	8
Unions	64	1
Business and Repair Services	69	1
Membership Organizations	122	2
Attorneys and Legal Organizations	77	1
State Government	200	3
County Government	198	3
City and Municipal Government	61	1
Township Government	33	0
Miscellaneous	116	2

COMPLIANCE STATISTICS

CLASSIFICATION OF RESPONDENTS IN DOCKETED CASES
JULY 1, 1999 – JUNE 30, 2000

RESPONDENT CATEGORY	CASES	
	NUMBER	%
HOUSING/COMMERCIAL PROPERTY CASES (TOTAL)	295	100
Owners and Individuals	80	27
Real Estate Companies/Agents	20	7
Banks/Mortgagors and Credit Unions	9	3
Government (City/County/State)	18	6
Development Corporations	5	2
Housing Authorities	23	8
Management Companies/Condos/Homeowner Associations	39	13
Specific Apartments/Condos/Trailer Parks	95	32
Miscellaneous	6	2
PUBLIC ACCOMMODATIONS CASES (TOTAL)	261	100
Hotels/Motels/Resorts	12	5
Eating/Drinking Places	39	15
Recreation/Amusement Places	11	4
Retail Stores	42	16
Personal Services (Beauty/Health)	11	4
Secondary Schools/School Districts	71	27
Police/Fire/Ambulance (State/City/Township/Sheriff)	9	3
Doctor's Office/Medical Services	19	7
Public Transportation/Public Utilities (Gas/Phone/Cab)	8	3
Banks/Financial Services	12	5
Government (City/County/State)	23	9
Newspapers	0	0
Miscellaneous	4	2
EDUCATION CASES (TOTAL)	28	100
Colleges/Universities, Private	7	25
Colleges/Universities, Public	10	36
Vocational Business/Technical/Trade	10	36
Public Schools, Secondary	1	3

COMPLIANCE STATISTICS

CASES CLOSED BY REGION
JULY 1, 1999 – JUNE 30, 2000

REGION	TYPE	EMPLOYMENT		HOUSING		PUBLIC ACCOMMODATIONS		EDUCATION		TOTAL	
		NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
Pittsburgh	ADM	173	16	5	9	15	16	3	19	196	16
	NPC	542	52	18	31	31	33	11	69	602	49
	ADJ	336	32	35	60	47	51	2	12	420	35
	Total	1,051	100	58	100	93	100	16	100	1,218	100
Harrisburg	ADM	260	16	20	22	21	22	0	0	301	17
	NPC	845	54	44	50	47	49	5	63	941	53
	ADJ	477	30	25	28	28	29	3	37	533	30
	Total	1,582	100	89	100	96	100	8	100	1,775	100
Philadelphia	ADM	319	23	12	15	23	20	3	27	357	22
	NPC	645	45	29	37	55	50	6	55	735	45
	ADJ	462	32	38	48	33	30	2	18	535	33
	Total	1,426	100	79	100	111	100	11	100	1,627	100
Headquarters*	ADM	990	39	0	0	1	50	0	0	991	38
	NPC	1,217	48	19	66	0	0	0	0	1,236	48
	ADJ	347	13	10	34	1	50	0	0	358	14
	Total	2,554	100	29	100	2	100	0	100	2,585	100
Total	ADM	1,742	26	37	15	60	20	6	17	1,845	25
	NPC	3,249	49	110	43	133	44	22	63	3,514	50
	ADJ	1,622	25	108	42	109	36	7	20	1,846	25
	Total	6,613	100	255	100	302	100	35	100	7,205	100

ADJ Settled after a finding of Probable Cause or Adjusted prior to a formal finding.

NPC No Probable Cause

ADM Administrative (Cases closed as withdrawn, untimely, lacking jurisdiction, docketed in error, failure to locate, failure to cooperate, moot, referred to Equal Employment Opportunity Commission (EEOC) and cases that have gone to state or federal court.)

* Cases assigned to Headquarters are generally those which are dual filed with the EEOC for which EEOC has the responsibility to investigate and PHRC holds its complaint in abeyance pending EEOC's decision.

LENGTH OF TIME FROM DOCKETING TO COMMISSION'S FINAL RESOLUTION
JULY 1, 1999 – JUNE 30, 2000

TOTAL DAYS DOCKETING TO RESOLUTION	NUMBER OF CASES CLOSED	PERCENTAGE OF TOTAL	CUMULATIVE PERCENTAGE
60 days or less	397	6	6
61 to 90 days	374	5	11
91 to 120 days	525	7	18
121 to 300 days	2,007	27	45
301 to 365 days	317	5	50
366 to 730 days	1,659	23	73
731 days plus	1,926	27	100
TOTAL CASES	7,205	100	—

COMPLIANCE STATISTICS

**TOTAL IMPACT FIGURES
JULY 1, 1999 – JUNE 30, 2000**

AREA OF JURISDICTION	AMOUNT IN DOLLARS				
	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
Employment	\$ 1,632,281	\$ 3,430,182	\$ 3,634,881	\$ 4,470,179	\$ 13,167,523
Housing/Commercial Property	14,581	16,547	26,068	76,602	133,798
Public Accommodations	3,440	32,412	20,507	—	56,359
Education	0	801	0	—	801
TOTAL	\$ 1,650,302	\$ 3,479,942	\$ 3,681,456	\$ 4,546,781	\$ 13,358,481

**TOTAL MONETARY RESOLUTIONS WITH BENEFITS SUMMARY
JULY 1, 1999 – JUNE 30, 2000**

CATEGORY	AMOUNT IN DOLLARS				
	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
RESTORED PAY: Back pay or front pay	\$ 73,984	\$ 168,403	\$ 73,414	\$ 1	\$ 315,802
NEW HIRE: 1 year wage/salary	98,400	250,440	85,950	48,000	482,790
PROMOTION: 1 year wage differential	50,474	45,772	74,871	19,750	190,867
REMEDIAL RELIEF: Pension payments, medical insurance, reimbursement of insurance premiums, life insurance, etc.	13,487	397,317	38,262	115,053	564,119
REINSTATEMENT/RECALL: 1 year wage/salary	179,317	574,919	428,698	6,578	1,189,512
PROJECTED MONETARY: Future insurance contributions, pension contributions for the next year, etc.	23,598	134,742	124,656	53,234	336,230
ACTUAL MONETARY: One-time cash settlement, attorney fees, training, tuition cost, etc.	1,203,615	1,907,177	2,812,490	4,286,301	10,209,583
COMPENSATORY DAMAGES: Out-of-pocket expenses, filing expenses, additional expenses incurred by complainant because of the act of harm, additional travel, parking, uniforms, etc.	6,950	1,172	43,115	17,864	69,101
PUNITIVE DAMAGES: Court-ordered damages	477	0	0	0	477
TOTAL	\$ 1,650,302	\$ 3,479,942	\$ 3,681,456	\$ 4,546,781	\$13,358,481

COMPLIANCE STATISTICS

**CASES CLOSED WITH TOTAL NON-MONETARY RESOLUTIONS
JULY 1, 1999 – JUNE 30, 2000**

CATEGORY	NUMBER OF COMPLAINTS				
	REGION I	REGION II	REGION III	HEADQUARTERS	STATE TOTAL
Policy Changes*	18	31	9	7	65
Training/Apprenticeships	9	10	3	0	22
Religious Accommodations	0	0	1	0	1
Seniority	0	8	1	1	10
Job Referrals	4	0	1	0	5
Union Membership	2	1	0	0	3
Reasonable Accommodations*	8	13	9	2	32
EEOC/HUD/PHRC POSTINGS*	17	8	2	3	30
OTHER: Employment reference, apology, purge personnel file, improved communications, admittance to public accommodation or membership, punitive action (example: harasser transferred to another area, etc.)	84	188	183	41	496
TOTAL	142	259	209	54	664

* Please note that policy changes, accommodations or postings can impact a larger number of people in addition to the complainant.

SELECTED CASE EXAMPLES BASIS AND OUTCOME OF COMPLAINTS

The top five categories of allegations in the newly docketed complaints for Fiscal Year 1999–00 were: multiple basis (i.e., race and sex or age and disability) (36 percent), followed by race/color discrimination (17 percent), disability discrimination (15 percent), sex discrimination (13 percent) and age discrimination (11 percent).

The following scenarios were actual docketed cases, investigated and resolved by the Commission in the fiscal year; they are illustrations of only a part of the Commission's entire 16,595 caseload.

RACE/COLOR-BASED COMPLAINTS

Tameka¹ had worked for a manufacturing warehouse for five years before getting her first promotion with the company as a warehouse traffic coordinator. Tameka was assigned shipping duties and also to the new product development team. Eight months later, **Scott** took the position of transportation manager and immediately began to find fault with Tameka's performance. Tameka was the only Black person subordinate to Scott and she was the only employee who was not given an official job description. Scott instructed Tameka that she should allocate 50 percent of her time to developing the new product line, but offered no support or assistance for her varied duties. Six months later, **Harry** Thomas, the corporate traffic manager, placed Tameka on a five-week probation; failure to pass the probation would mean a discharge. During her probationary period, Tameka's responsibilities had been significantly increased with no guidance on how to properly perform the assignments, she had been required to train and supervise new personnel, all of her work was over-scrutinized and negative documentation against her job performance was written each day. During her probation period, the company refused to give her the pay increase given to all of her White colleagues. The day her probation period ended, Tameka was discharged from her position, and she felt because of her race. After filing her complaint with the Commission, Tameka received a settlement of \$15,000.

While driving in their car, **Joy and Paul Phuong's** car was hit by a vehicle that was illegally backing up in the middle of a one-way street. The accident caused substantial damage to the vehicle. The driver of the other car admitted fault in the accident and a claim for property damages was initiated with the insurance company. From the time the Phuongs' claim was filed, the insurance company purposefully delayed processing the Phuongs' claim. The Phuongs' auto repair center contacted the insurance company on numerous occasions without any results. A month after the accident, the

insurance company issued an appraisal survey on Joy and Paul's vehicle. The total damages were \$5654.10 by the insurance company's estimate. While waiting for their car to be fixed, Joy and Paul were in touch with their auto center. The auto center employees told Joy and Paul that the insurance agent, **Michael**, and other insurance company personnel have been harassing and intimidating the employees of the auto center because they "helped the Chinese." A few days later, Joy and Paul were informed by the auto center that the insurance company would only pay 50 percent of the property damages and that they were being deemed 50 percent negligent. That same day, in a phone conversation with Susan of the auto center, Michael asked Susan, "Why are you helping those type of people?" When Susan asked what he meant, Michael said, "You know, the Chinese community." Susan complained on the Phuongs' behalf to Michael's supervisors and other management personnel about the insurance company's blatant racial discrimination. Since the accident, the Phuong's have been deprived of the use of their car. After filing their complaint with the Commission, the Phuongs received a \$7,845 settlement and got their car fixed.

As a temporary worker for a package delivery service, **Terrance** performed the duties of a revenue auditor associate for more than six months. While there, he had been complimented on his good work performance and satisfied all of the company's stated criteria for the position. The company posted three vacant positions for permanent revenue auditor associate positions. Terrance applied for one of the vacancies but was denied an interview. The successful White candidates had no prior experience performing the duties of revenue auditor associate. Terrance met with **Faith**, the Director of Finance, and asked why he had not even been interviewed for the position. Faith explained that the company needed persons with a college degree or at least some college education in order that they are able to grow within the position and the company. Terrance pointed out that at least one of the successful White candidates had no college education, but was hired. In his race-based, refusal to promote complaint, Terrance stated that the delivery company had an established practice of hiring from within the company; however, the revenue auditor is an entry level position and Terrance felt he was denied the position because he is Black. In settlement, Terrance received the promotion and \$2,500.

Felicia had worked as a stylist for the same hair-styling salon chain for nine years. After working for four years, she was

¹ All names have been changed to comply with confidentiality requirements of the Pennsylvania Human Relations Act.

SELECTED CASE EXAMPLES BASIS AND OUTCOME OF COMPLAINTS

promoted to assistant manager. Four years later, the manager was discharged. Without being given an opportunity to apply for the open position, Felicia was informed that **Maggie** Evans, a White female who had been working for the salon chain for less than two years, was promoted to the manager position. Felicia filed her complaint with the Commission because she felt she was more qualified for the position and also had more experience and seniority, but that she was denied the promotion because of her race, African-American. Felicia was promoted and received an increase in her salary of \$11,537.46.

Eddie worked for a manufacturing company on the assembly line. After working for the company for about two years, the warehouse manager, **Marc**, told him he was being discharged because he was late and there were mistakes in his assignments. When Eddie met with Marc, he asked that he be re-assigned to the shipping section where his work was mistake-free instead of being fired. When Eddie made the request, he knew that a White co-worker, **Tony**, who also worked on the assembly line, had abandoned his job for three consecutive days and was not disciplined. Tony had also falsified a time sheet and was paid for nine hours overtime that he did not work. Tony was still employed by the company. After filing his race-based discharge complaint, Eddie was reinstated at his salary of \$18,720.

AGE-BASED COMPLAINTS

Steven had worked for a car dealership for over 22 years in sales. During his last year of employment with the company, **Richard**, the general manager, began to exclude him from a significant portion of a new sales course that was being offered. Steven was told he was not in the classes because of his age and that he was “too old to change.” Steven was repeatedly subjected to remarks about his age, such as, “I don’t understand why Steven is still around here at his age.” Steven was removed from floor traffic and was required to work from his home and could sell by appointment only, severely reducing his commissions. Eventually, Steven was put on part-time employment and constantly asked by management personnel about retiring. Near the end of the year, Richard discharged Steven because “things were not working out, with the cost of insurance and other things.” By the time Steven filed his age-based discharge complaint with the Commission, his position had been filled with a full-time younger employee. Steven received a settlement of \$35,000.

Evan had been working as a scheduler for an engineering company for four years. The job included reviewing, moni-

toring, analyzing and reporting on the computer-generated schedules provided by contractors. During the summer of his fifth year with the company, the only other remaining scheduler resigned. When the other scheduler resigned, Evan told the office supervisor, **Radcliffe**, that he could handle the remainder of the scheduling duties at the office and he requested the opportunity to do so. Radcliffe informed him that the company had not made a decision on how to proceed. For the next year, Evan was the only scheduler working in the office. At the end of the year, the company hired **David**, a new, 33-year-old employee. Two weeks after David started, Evan was told by the office supervisor that he was being laid off at the end of August. Radcliffe told him that he was under pressure to downsize the staff due to a reduction of work at the office. Radcliffe told Evan his performance had been good and that it had no bearing on the decision to lay him off. In fact, he was told that other work would soon be available. Evan was 66 years old and had no plans to retire. When Evan was laid off, he was given encouragement that he would soon be recalled, that he would be reinstated with full benefits including seniority, vacation and 401k plan entitlements. When Evan filed his age-based lay-off complaint, he had completed the work schedules for the company; the projects already scheduled were work for the next two years. In settlement, Evan received \$13,494, plus \$1,506 in attorney’s fees for a combined \$15,000 and references.

Martin had been employed for 24 years, the last eight years as a shipment receiver, for a grocery store chain. The job duties included receiving and scanning all store merchandise, operating a fork lift and power jack and matching merchandise invoices with the items received. Martin, 55, was never disciplined and received positive performance evaluations. For the last five years of his employment, younger supervisors and co-workers began a campaign of unrelenting harassment, particularly from **Jason**, the assistant store manager. Jason would make comments: “You are too old to do it;” “They hired the handicapped when they hired you.” With the help of co-workers, Jason would call Martin several times a day on the telephone and keep repeating, “Hello, Hello” and then hang up. Jason gave Martin conflicting instructions. Jason would talk loudly to Martin and bang on the trash compactor when Martin was on the phone so that he could not carry on a conversation. Martin complained to **Jack** Adams, the store manager, about Jason’s behavior. Jack came to his area and banged on the trash compactor, then said, “I can see why that bothers you.” Jack did nothing to stop Jason’s behavior. Martin would come into work in the morning and there would be trash on his desk and in his work area. If Martin left his smock at his desk, someone would put batteries, razor blades or aspirin in it, forcing

SELECTED CASE EXAMPLES BASIS AND OUTCOME OF COMPLAINTS

him to check his smock every day before he left, so he would not be accused of theft. Martin requested a promotion on numerous occasions; he was told he would not be promoted because “nobody could get the receiver job done as well as he could, and they had no one they could trust.” Martin began to check and re-check his work two and three times because he was afraid of making a mistake. Near the end of the five years of harassment, Jason told Martin, “I’m going to get you out of here one way or another.” Martin left and sought help from a medical facility. When he returned after a six-week medical absence, a co-worker told him that Jason told people that he went “cuckoo” and “nuts,” thus violating his confidential personnel file. He began receiving numerous get-well cards from people at work. Martin walked out of the grocery store and filed a complaint with the Commission. He received a settlement of \$60,000.

Elisa was a machine operator for a manufacturing company. During her six years with the company, Elisa maintained a satisfactory job performance and attendance record. For the first four years, she had received a raise each year. The next two years Elisa did not receive a raise. When she asked the general manager for the reason why she did not receive a raise, he replied it was because the company’s production was not doing well. However, Elisa discovered that all of the younger machine operators on her shift had received their raises for both years. Elisa was the oldest operator at age 54. After filing her age-based complaint, Elisa received \$412.10 in restored pay and a promotion of \$824.40 in her salary for a total of \$1,236.50.

Carla, 53, was hired as an account executive in the sales department of a health insurance company. She worked for the company five years in this position. While at the company, Carla never received a written job performance evaluation. She had won many awards and was also told that her work was excellent. In her last year with the company, **Devon**, age 30, became president of the company. Soon after he took office, Devon discharged four of the 12 employees in the sales department; their ages were all between 55 and 60 years old. All of these employees were replaced with younger employees. With the discharge of the four older employees, all of the employees remaining in the sales department were under 30 years of age except Carla. Three months later, Devon discharged Carla. When she asked Devon why she was being discharged, he refused to give her a reason. He said, “I’d rather not go into it.” Several weeks after her discharge, Carla found out that a 24-year-old female was hired for her job. After filing her age-based complaint, Carla received a settlement of \$36,000.

SEX-BASED COMPLAINTS

Jolene and other female drivers at a bus company were being harassed by another driver, **Sam**. She filed an internal grievance with management. After Jolene filed her grievance, she was not allowed to “make up” hours when her bus routes were canceled, extra work was assigned to workers with less seniority and she was assigned to buses that were in disrepair. On three separate occasions, she had informed her supervisor, **Matt**, that the speedometer in her bus was broken. He told her that he would not authorize the repair and that she should just “stay with the flow of traffic.” A week later, Jolene was issued a written warning for insubordination because of complaints that had been received. The company changed her schedule by 15 minutes. Because she felt that it was the responsible thing to do, she let the parents on her route know of the change. Some of the parents were unhappy with the change and they complained to management. Matt informed Jolene that she was discharged; the reason given was because she had been speeding on the Turnpike. Jolene was not issued a speeding ticket. Other drivers at the company had been issued speeding tickets, but were not discharged. After filing her gender-based harassment complaint, Jolene was reinstated to her \$17,050 salary and was given \$2,131 in lost pay, plus another \$4,604 for insurance and pension contributions for a combined \$23,785 settlement.

Carmen was employed by a state agency for over 20 years. Carmen applied for a transfer to a supervisor position; a few months later she was notified that she had not been selected for the promotion and would not be transferred. She learned that **Matthew**, the previous acting supervisor, had been promoted to supervisor. Carmen had more experience than Matthew did as a supervisor. Carmen applied for a promotion to another position. Three months later, she was notified that she would not be selected for promotion. Carmen learned that **Warren**, a previous staff specialist, was the successful candidate. Warren held a supervisory position for less than the minimum requirement of one year, prior to his promotion. To Carmen’s knowledge she was the only female who was interviewed for these two positions and there were no female supervisors in the agency’s units. Knowing that she met all of the requirements and experience for both positions, Carmen filed a gender-based complaint with the Commission. In settlement, Carmen received \$17,659 in back pay and benefits and \$9,301 in attorney fees for a combined \$26,960 settlement.

Adam was employed at a college. He alleged that he was the victim of numerous rumors of having inappropriate rela-

SELECTED CASE EXAMPLES BASIS AND OUTCOME OF COMPLAINTS

tions with students. Adam was concerned about the effect this would have on his reputation and requested the president of the college to investigate the matter. He was told to just let it die down. Adam was later informed that the yearly fund-raising softball game with the college's women's softball team would not be scheduled. He was told that his department could not fraternize with female students, which further fed the rumor mill. Adam continued reporting the allegations and rumors to the college president, but no action was taken. After filing a gender-based harassment complaint, Adam received a \$40,000 settlement.

Anita had been employed as the assistant principal at a high school for seven years. The school board posted the position of high school principal. Prior to the start of the school session, the school board appointed a man—**David**—to the position, who was not an employee of the district. At the time David was appointed principal, Anita, the only female administrator, felt she was not offered the position because she was a woman. Once school began, Anita met with Superintendent **Perry** to discuss a number of school-based issues including her lack of promotion. After their initial meeting, Mr. Perry started postponing their weekly meetings and her memos on certain issues were returned. When Anita questioned him about the current status, Mr. Perry said he would set up regular meetings among Anita, David and himself. Mr. Perry never scheduled any such meetings. As the school year progressed, Mr. Perry failed to provide Anita with information necessary to allow her to perform essential functions of her job. As an example, Mr. Perry failed to inform Anita of times that teacher interviews were scheduled and then informed the school board at a public meeting that she had not been available for the interviews. Mr. Perry consistently questioned Anita's authority and decisions in regard to discipline in front of parents and students. After filing a gender-based refusal to promote complaint, Anita was placed in the middle school assistant principal position at a \$50,000 salary.

Judith was hired as a secretary to **John**, a vice president in a financial office. She received regular raises and performed well in the position. **Ellis**, a junior manager, let everyone know he "was in love" with Judith. He would massage her shoulders, kiss her and tell her that he was fighting the urge to touch her all day. Judith voiced her objection and put the incident in writing to John. John didn't want to speak about the incident. Judith put a sealed copy in her personnel file. Months later, Ellis was transferred to another department. Judith was promoted and her supervisor responsibilities required her to work with Ellis. When she complained to **Tom**, the new Finance VP, he directed all communications

between Ellis and Judith to go through her new supervisor, **Ben**. Weeks later, Ellis became her supervisor. Judith met with the company's human resources director, **Ernesto**. After she explained the situation, Ernesto said he would investigate her complaint. Later that day, Ernesto issued her a written reprimand and put it in her file. Two days later, Judith met with **Mr. Wilson**, the president of the company. She told Mr. Wilson that because of her discomfort of Ellis, she could not work for him. Mr. Wilson said that it was "unfortunate" that the initial incident was handled the way it was, but that it was "more unfortunate" that "you let your emotions get the better of you." When she asked him for alternatives to having to work for Ellis, he gave her neither remedy nor alternative. After filing her gender-based harassment complaint, she was reinstated at \$32,000 salary and received \$8,640 in benefits, pension payments, medical insurance, reimbursement of insurance premiums and life insurance for a combined \$40,640 settlement.

DISABILITY-BASED COMPLAINTS

Mick had quadriplegia following a spinal cord injury and used a wheelchair for mobility. He applied for a full-time secondary education teacher position and became a substitute teacher in the interim. He was told that his application for a full-time position would be kept active year to year. After four years on the substitute teacher list, Mick applied for a social studies teacher position. A month after his initial application, Mick was advised by a school board member that the school was seeking to fill two teaching positions. Mick met all stated requirements. Mick was never interviewed for them. Two weeks before the start of the new school session, he was told that he had not been chosen for the position. He learned later that he had not been chosen because the school was not up to federal accessibility codes. Two non-disabled substitute teachers were hired to fill the positions. After filing his disability-based, refusal-to-hire complaint, Mick was hired by the school district at a salary of \$37,057.

Connie was hired as a cook and cashier at a fast food restaurant. After working there for six years, she went on sick leave to have a mastectomy for breast cancer. A month after her surgery, Connie went back to work without her doctor's permission. Because of the heavy load of work, she was forced to quit. Nine months later, **Ron**, her previous general manager, called her and offered her a job as the morning opener for the restaurant. Days before Connie was to start her new position, Ron called her and said that her job offer had been rescinded because the district manager

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said the restaurant does not rehire former managers. After talking with past and current employees, Connie found out that the restaurant had indeed rehired two former managers. Connie believed she was not rehired because of her past history of breast cancer. After filing her complaint with the Commission, Connie was reinstated at \$14,450 and was reimbursed for \$1,356 for pension payments, medical insurance, reimbursement of insurance premiums and life insurance for a total \$15,916 settlement.

Brenda applied for the position of case manager at a medical center's admitting department. She was interviewed by **Kevin** in Admitting and **Trish** in Human Resources. When Brenda asked about a salary, she was told that salary was negotiable. After her interviews she was given an employment application to complete, which solicited information concerning disability. Brenda indicated that she had a hearing impairment. Four weeks later Brenda was notified that the position was filled. A few days later, Brenda called Trish in the human resource department. Trish told Brenda that she was rejected for consideration of the position because her salary requirements had been too high. Brenda stated that this could not be the reason, because they had discussed salary and she was told it was negotiable. After Brenda filed her disability-based refusal to hire complaint against the medical center, she was hired for the case manager's position at \$29,640.

Roger filed a disability-based public accommodation case against the borough in which he lived. He alleged he could not ride his electric scooter to and from work due to a lack of accessible ramps and that the borough had failed to comply with federal and state accessibility requirements. After a lengthy negotiation process, the borough has, at its expense, installed accessible ramps along the route traveled by Roger as he commutes to work. The borough has made great progress in installing accessible ramps throughout the community. With over 1,000 corners needing ramps, there are about 625 corners remaining to be completed. The borough plans to install accessible sidewalk ramps throughout the community within the next three years, at an estimated cost of \$500,000. The draft budget for the borough's fiscal year 2000 includes an appropriation of \$250,000 to complete half of the required work. The balance of the project costs will be spread over no more than two additional budget years. Finally, the borough has revised its policies to be more responsive to the needs of the disability community.

MULTIPLE-BASED COMPLAINTS

Ismail was hired as a senior manager for a cable company.

He was the only employee who was not American-born and was one of the older workers. Ismail was subjected to harassment and derogatory remarks regarding his religion (Hinduism), his eating of Indian food, the perfume he wore and foreigners in general. After several weeks of the harassment, he contacted the Human Resources Department, but they failed to take any action. At the end of the year, the company withheld Ismail's full bonus, even though he had met his goals. Negative incidents began occurring more frequently. Information that he needed for his job was withheld. He was excluded from meetings. Management refused his requests for meetings. His office was moved away from the staff he supervised. And, he was removed from the company organization charts. After filing a race, religion, national origin and age complaint with the Commission, his supervisor, **Jennifer**, removed all Ismail's primary job responsibilities and turned his position into simple clerical functions. Ismail received a settlement of \$60,075, an amount that included attorney fees and cost for tuition.

Glenn was hired at a fast food chain as an assistant manager. After eight weeks of training **Cleo** became his immediate supervisor. She reported to **Alex**, the Area Manager. Cleo subjected Glenn and two other African-American male employees to verbal harassment and discrimination by telling them graphic details of her sex life and making sexual jokes. Glenn complained to Alex. Cleo was not warned or disciplined. After a few weeks, Cleo resumed the sexual harassment. Glenn requested a transfer. He also complained about not receiving an overdue raise. Cleo told him that she would speak to Alex. Later, Glenn asked Alex about the status of his request and discovered that Alex knew nothing about it. Glenn again requested a transfer. Alex said he would explore the option of a transfer. Glenn told Alex that he would give his two-week notice if the transfer was denied. A few days later, another supervisor called Glenn at home and told him that Cleo had taken him off of the schedule for the entire month, with no explanation. When he again asked about his transfer, Alex replied that no other store manager wanted an assistant manager with an attitude who didn't want to work. Alex told Glenn that he was "electing to accept" his two-week notice, effective immediately. When Glenn reminded him that he had asked for a transfer, he told him that he was "accepting" his notice instead. After filing a race, gender and retaliation complaint, Glenn was reinstated at his salary of \$23,920 plus received lost pension payments, medical insurance, reimbursement of insurance premiums and life insurance in the amount of \$6,458.40 for a combined settlement of \$30,378.40.

Willie was a truck driver. After working for a trucking

SELECTED CASE EXAMPLES BASIS AND OUTCOME OF COMPLAINTS

company for 13 years, Willie developed a non-job related disability, sigmoid resection and colostomy. He was released by his doctors to return to work with a 15-pound lifting and no strenuous work restriction for a two-month period. The company refused to accommodate these restrictions and kept Willie on a short-term paid medical leave. In a phone conversation, **Gary**, the co-owner of the company, told Willie that he didn't think he could do the job. At the end of Willie's short-term paid medical leave, the company again refused to reinstate Willie and informed him that his leave had been extended for another 12 weeks on a paid basis with continued health coverage for the next three months. Gary agreed to hold Willie's job for four months, but said he would fill it with someone else if Willie could not perform the essential job functions at the end of that period. Near the end of Willie's extended 12-week leave, he had to go back into the hospital to have his colostomy reversed and would not be able to return to work by Gary's deadline date. Gary terminated Willie. After filing an age and disability-based complaint, Willie was reinstated into his former position and salary of \$24,440.

LeShaun worked for a security company as a security guard. After working for the company for two years, the company hired two White male security guards and LeShaun was asked to guide their training program. One guard, **Larry**, who had been there for only one month, was promoted to supervisor. The other guard, **Daryl**, took a dislike to LeShaun and used derogatory remarks and abusive language toward her. Soon after Larry was promoted, he reduced her hours from full- to part-time. LeShaun not only lost salary, but also lost the benefits that accompanied a full-time position. One evening, Larry called LeShaun at home and told her he needed her to come in and fill in for a guard who had called off work. LeShaun told him that she was not feeling well and had taken over-the-counter cold medication and shouldn't drive. Larry told her he would come to her house and pick her up; he said he needed someone to just watch the

security monitors during her shift. At the end of her shift, Larry told LeShaun that Daryl had filed a report that he had smelled alcohol in LeShaun's work area. Larry then discharged LeShaun. At the time she was discharged, LeShaun was the only Black female security guard working the 11 p.m. to 7 a.m. shift. After filing her race and gender complaint, LeShaun was reinstated into her security guard position on a different shift, received a pay increase and received lost vacation time and pay for a combined settlement of \$12,576.

Michelle was the manager of the training and testing division at a manufacturing company. During her early employment with the company, Michelle became involved in a consensual personal relationship with **Jack**, who was the personnel director for the company. After dating for two years, their relationship ended soon after Jack was promoted to one of the vice president positions with the company. Subsequently, Michelle became pregnant in another relationship. During her pregnancy and after Michelle had her baby, Jack told her he had reservations about her ability to continue to work and be productive, despite the fact that Michelle had just been given a performance bonus prior to the birth of her child. After Michelle returned to work from her parental leave, Jack began to find fault in her division's work product and with her ability to guide production. Michelle heard from other colleagues that Jack had been telling other company officers that now that she was a mother, Michelle had "lost her competitive edge" and that she often was "sidetracked" from her work responsibilities. Michelle worked for approximately six months after her return to work. During a weekly staff meeting, Jack called her out of the meeting and told her that her employment was being terminated at the close of business that day because her division had suffered a dropping production rate in new products. Michelle filed a complaint with PHRC on the basis of gender, pregnancy and retaliation. She received a \$50,000 settlement from her company and was also given a recommendation by the company president at another development firm.

LEGAL ACTIVITIES

The Pennsylvania Human Relations Commission's Legal Division is responsible for providing the Commission with the legal services necessary to fulfill the Commission's legal mandates. Legal Division attorneys participate in pre-hearing investigations and conferences, conciliation and settlement activities, formal discovery, preliminary and public hearings before the Commission, court appeals from final Commission orders, subpoena enforcement actions, and numerous other activities involving the Commission's legal interests.

The Legal Division participated in 36 pre-hearing conferences, seven public hearings and two motion hearings. The Division prosecuted three rule to show cause proceedings (where respondent fails to answer the complaint). Legal staff considered 270 probable cause recommendations, of which 114 were approved, 69 were returned for additional investigation and 87 were denied. Legal staff responded to 130 motions and reviewed 258 requests for preliminary hearing. The Commission approved 15 conciliation agreements and consent orders submitted by legal staff.

As of July 1, 1999, the Legal Division was either prosecuting or defending six cases in Commonwealth Court and one case in the Pennsylvania Supreme Court. There were seven new cases filed in Commonwealth Court, four in the Supreme Court and one in Federal Court during the past fiscal year. Of these cases, 11 were resolved in Commonwealth Court and one in the Supreme Court. At the end of the fiscal year, seven cases remained in Commonwealth Court, one in the Pennsylvania Supreme Court and one in Federal Court.

During the past fiscal year, the Legal Division put a successful close to a case which had been remanded to the Commission from Commonwealth Court and then re-appealed to that Court. In *United Brotherhood of Carpenters and Joiners of America v. Pennsylvania Human Relations Commission*, 693 A.2d 1379 (Pa. Cmwlth. 1997), the Commonwealth Court had affirmed a Commission decision finding that the Respondent union discriminated against the Complainant because of his age by failing to place the Complainant's name sequentially on an out-of-work list and giving referrals instead to union members who were not receiving social security and pension benefits. Because the receipt of social security and pension benefits are highly correlative of age, the Court held that the Commission acted reasonably in finding that the union discriminated against the Complainant based on his age. The Court did, however, remand the case to the Commission for a further consideration of the damages due the Complainant as a result of this discrimination.

Upon reconsideration, the Commission reaffirmed its original order on damages. The Respondent then re-appealed to Commonwealth Court. Prior to argument, the Common-

wealth Court ordered the case to go into its new mediation program. This was the first Commission case to undergo the court mediation process. The mediation resulted in a conciliation agreement and the appeal was discontinued.

The Legal Division continued the Commission policy of enforcing final orders where necessary to achieve compliance. In *Allison v. Pennsylvania Human Relations Commission*, 716 A.2d 689 (Pa. Cmwlth. 1998), *appeal denied*, 1999 Pa. LEXIS 541 (Pa. March 3, 1999), reported on last year, the Respondents refused to make any effort to comply with the final order of the Commission. The order included both private damages payable to the Complainant and civil penalties payable to the Commonwealth. The Legal Division instituted an enforcement action in Commonwealth Court, which was granted during the past fiscal year. The Legal Division was preparing to begin execution proceedings on the judgment when the Complainant chose to execute the judgment privately.

In a second enforcement case, *PHRC v. Rutkowski*, No. 483 M.D. 1999, the Respondent also refused to make any effort at compliance with a Commission final order. As in *Allison*, the final order included both private damages and civil penalties. The Legal Division filed an enforcement action in Commonwealth Court. The Respondent, who had failed to appear at the public hearing, argued that the Commission lacked jurisdiction to enter the order. Commonwealth Court, in an unreported opinion, held that since the Respondent had proper notice of the public hearing and had failed to make a timely, direct appeal of the final order, he could not attack the validity of the order in an enforcement proceeding. Commonwealth Court granted enforcement of the order. The Respondent appealed this decision to the Pennsylvania Supreme Court, which declined to hear the appeal in July 2000. During the pendency of the Supreme Court appeal, the Legal Division had the resulting judgment filed in the county where the Respondent resides, and anticipates executing on the judgment if the Respondent continues to refuse compliance.

The Legal Division set a precedent during the past fiscal year by arranging for and participating in the first case in which live video testimony was taken at a public hearing. The case involved two of the Complainant's witnesses, who resided out of state, and the use of live video feeds avoided the sizable problems and expense associated with compelling an out of state witness to appear at a hearing in Pennsylvania.

The Legal Division was again busy complying with the many subpoenas for documents annually served on the Commission. The Division complied with 638 subpoenas for documents, in both open and closed Commission cases. The majority of these were handled in Headquarters, which is where the Commission's closed cases officially reside.

LEGAL ACTIVITIES

The Legal Division also recommended the issuance of 44 subpoenas for documents by staff, which were required to obtain necessary evidence during the course of Commission case investigations. In three cases, where compliance could not otherwise be had, the Legal Division filed enforcement proceedings in Commonwealth Court and thereby obtained compliance.

The Legal Division provided legal assistance in drafting Commission policies and practices and in analyzing relevant legislation and case law for impact on the Commission's operations.

As reported previously, the Commission is under a statutory mandate to develop and publish "a list of words, phrases, symbols and the like" which are unlawful under the Pennsylvania Human Relations Act, when used in housing advertisements, together with specific examples of such illegal advertisements. This mandate requires that the Commission first publish the list as guidelines and then as formal regulations. Legal Division staff attached to the Commission's Housing Division has spearheaded this effort.

The required Guidelines, containing the list and the examples, were published in the October 17, 1997 issue of the *Pennsylvania Bulletin*. During the 1998–99 fiscal year, the Housing Division legal staff rewrote the Guidelines as proposed regulations and began the extensive legal proceedings required to turn them into binding Regulations. These proceedings were successfully completed during the past fiscal year, resulting in the list being published as final regulations in the July 8, 2000 issue of the *Pennsylvania Bulletin*.

The Housing Division legal staff also provided the legal expertise necessary to create and publish as Guidelines a

citation system designed to provide a remedy in cases involving unlawful housing advertisements in instances where the complainant is not actively seeking the housing accommodation. The Guidelines were published in the October 10, 1998 issue of the *Pennsylvania Bulletin*. These Guidelines have now been rewritten as proposed regulations by the Housing Division legal staff and were published for initial public comment during the past fiscal year.

The Legal Division continued to educate the public about civil rights, in general, and the requirements of the Pennsylvania Human Relations Act, in particular. It routinely answered individual inquiries, provided speakers at seminars, Continuing Legal Education programs for attorneys, and other appropriate forums. Members of the Legal Division made 46 public presentations to such organizations and groups such as the Fayette County Court and County employees, the Lancaster and Dauphin County Bar Associations, the Urban League, the Community College of Philadelphia, the Hanover Area Management Club, the Federal Bar Association, the Pennsylvania Association of Mutual Insurance Companies and the Pennsylvania Bar Institute (regional seminars on employment law and on representing tenants and landlords). It also made various in-house presentations on appropriate legal topics at Commissioner and staff training sessions.

The Legal Division continues to offer internship opportunities to paralegal and law students. These opportunities are flexibly structured, generally available the year round, and provide invaluable experience in the field of civil rights. They are often conducted in conjunction with school internship programs, which allows participants the additional benefit of earning school credit toward their degrees.

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Outreach to the general public remained a priority with the Commission as a customer service. Staff also provided technical assistance in housing, employment, education and community tension and intergroup relations.

The Commission's ability to reach a world-wide market became a reality on Thursday, June 15, as the Commission's website debuted at www.phrc.state.pa.us. The website was designed with a multiple-color string of "people" images that are tied to the first five introductory features of Phase I:

- **About the Commission** which identifies the PHRC Commissioners, the four office locations and the mission and history of the Commission.
- **Publications** features 17 of the Commission's current required posters and informational pamphlets. Within the coming months, the Commission's last eight annual reports will be added to this section. An Information Request Form is also available for ordering original and/or multiple copies of PHRC's documents.
- **Am I a victim of unlawful discrimination and what do I do?** is the most involved section of the website. This section offers users four options: the opportunity to view real life case examples of discrimination (which are actual scenarios of cases the Commission has investigated); a definitions section of "technical PHRC jargon;" a description of the Commission's complaint process; and where to go to file a complaint.
- **Where to file, Directions to Offices** provides an inter-active map of the 67 counties in Pennsylvania with a link to the regional office that serves them. Listed under each of the regional offices are extensive, written directions to each office location.
- **Frequently Asked Questions (FAQs)** includes questions most-often heard by intake and investigative staff. This section is grouped into 11 sub-categories to help pinpoint topic areas for the user.

At the end of the fiscal year, the Commission's Phase II web development began.

The Commission's web site, which meets national accessibility standards known as Bobby, is hosted on the Commonwealth's server.

Additionally, as part of the outreach to each of these programs, 2,036 informational mailings were sent to employers, the real estate industry, government agencies, schools and colleges, the media as well as potential complainants.

A closer look at PHRC's technical assistance for the fiscal year is as follows:

EMPLOYMENT

Last fiscal year, employment-related complaints comprised 91 percent of the caseload that the Commission received. As investigative staff was working with numerous employers as they investigated cases, they also worked to ensure that these employers were made aware of the various training programs the Commission had to offer, as well as the proper posting requirements, informational materials and other resources that the Commission has to offer.

The Commission's three regional offices played a key role with this effort.

HOUSING/COMMERCIAL PROPERTY

A variety of continuing and new issues were the focal point Housing and Commercial Property Division this past fiscal year.

New House at the Old Address

On March 6, 2000, the Commission's Housing Division was officially renamed the Housing and Commercial Property Division (HCPD) to more accurately reflect the actual responsibility of the Division with regard to the coverage of the PHRAct.

Awards and Recognition

The HCPD Division ended the fiscal year just as it began it by receiving national recognition. In July 1999, the U.S. Department of Housing and Urban Development (HUD) honored the Commission with a 1999 Best Practices Award for its *Immediate Referral System Project*. This project made use of an existing system for the reporting of a broad range of statewide civil tension incidents as well as a substantial network of agencies and organizations. A specialized form for the reporting of housing-related incidents that involved cases of hate-motivated threats, coercion or intimidation was developed as a supplement to the existing incident report form.

The fiscal year ended with PHRC being notified that it had again received a "Simply the Best" award from HUD. The 2000 Best Practice award, which was scheduled for presentation in August 2000, was given for a website development project by the Pa. Inter-Agency Task Force on Civil Tension (see page 24). The website that is being developed received HUD's attention because it will feature an ability to actually report bias-related incidents on the website itself. Of those incidents, the ones that involve housing-related harassment, intimidation or coercion will be able to be immediately referred to HUD electronically, thus helping HUD to more aggressively enforce federal Fair Housing laws. The website is scheduled for on-line operation in early fall 2000. The site will also include detailed information about the Pa. Inter-Agency Task Force on Civil Tension as well as offer many

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practical, helpful resources for schools and communities working to prevent or respond to hateful acts.

Also, during the York City Human Relations Commission's 25th anniversary celebration on October 26, 1999, PHRC received "The Special Commission Award" for the role the Housing and Commercial Property Director played in creating the York Commission's ordinance as well as helping it gain substantial equivalency with HUD.

At the annual EEOC/FEPA Conference in Miami, PHRC's Executive Director, Homer C. Floyd, received from EEOC Chairwoman Ida L. Castrol the Chairwoman's Award on the occasion of EEOC's 35th Anniversary. The award was "in recognition of lifelong service and commitment to the cause of civil rights."

Advertising

An ongoing project throughout the fiscal year was the preparation and review process for converting the Commission's housing advertising guidelines into regulations and to have them published per Act 34. After the review process was completed, the regulations for the Commission's Housing Accommodations and Commercial Property were published days on July 8, just days into the next fiscal year.

Another requirement of Act 34 is for the PHRC to provide advisories on housing advertisements. In Fiscal Year 1998–1999, staff assisted with 211 advisories; this past fiscal year, only 41 requests for advisories were received. Staff responded to advisory requests that included clearly impermissible terminology such as "no children" (familial status), age and religious terms (located near ***** church), but also terms that have never been impermissible such as "quiet street" or "walk-in closets."

One of the key reasons that can be attributed to the decrease in advertising advisories is the continued response by staff to requests and provide field seminars and presentations on the topic. This subject continued to be the topic of choice for several Boards of Realtors, homebuilder associations and newspapers.

Disability and Accessibility Issues

As the number of disability-related complaints continue to represent a large percentage of housing complaints, Commission staff are continually involved in educational activities and partnerships.

The Commission's three Regional Directors, HCPD supervisors and the director participated in eight statewide forums sponsored by the Governor's Disability Housing Work Group. The HCPD Director continues as the designated liaison to the Governor's Disability Agenda Work Group. The HCPD Director has also served in an advisory capacity for Common Ground, a coalition building effort for

persons with disabilities. In March 2000, the HCPD Director was designated to represent PHRC on the Stakeholders Board of Labor and Industry in preparation for regulations for the newly adopted Uniform Construction Code.

Seminars on a number of disability-related issues were held for a variety of groups. Topics included the planning and zoning officers regarding accessibility and group homes, testing for disability accessibility as well as the impact of court decisions and regulations. PHRC also took part in a federal audit conducted by Government Accounting Office to determine the effectiveness of accessibility laws.

A noticeable area that PHRC has received recent complaints involves group homes. Some of the complaints have also involved community tension, including an arson attempt in one group home situation. PHRC is exploring a recent zoning trend to "freeze out" group homes for persons with disability by restricting the use to "housing for older persons" or in one instance, "religious use."

Public facilities, especially municipal buildings, continue to be the sites which are the basis of complaints which received attention in part due to PHRC's role in enforcing accessibility as required under ADA, and Title VIII of federal law as well as the Uniform Construction Code.

Enforcement

The numbers of cases that are docketed with the Housing and Commercial Property Division represent approximately four percent of the Commission's caseload. The basis of these complaints varies. Examples of HCPD cases include:

- Probable cause was issued in a case in which the complainants allege the respondent made illegal inquiries regarding their "green card" status to avoid paying a housing insurance claim. The case settled for over \$70,000, which included repayment of complainant's outstanding mortgage.
- In another case involving both national origin and color, a township agreed to a \$15,000 settlement the day of the public hearing. The investigation developed evidence that suggested respondents improperly overloaded complainant's septic system, then refused her the opportunity to connect the septic system to a new trailer on the grounds the system "was defective."
- Probable Cause was issued in a case where a zoning board allegedly rejected only one variance request—that of a woman who needed to build an addition on her home because she now needed to use a wheelchair.
- A case was placed on the public hearing docket where it was alleged that a condominium association refused to allow a resident to put a chair lift into his unit at his own expense. The public hearing was held and was awaiting a

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decision at the end of the fiscal year.

- In another case currently on the public hearing docket, a visually impaired couple alleged that they were unable to refinance their mortgage because the companies refused to provide them documents in a format which accommodated their blindness.
- In an unusual coincidence, two cases are now on the public hearing docket for two married couples, each with a spouse who is a wheelchair user. While traveling independently of each other, each couple filed complaints against the same motel for being inaccessible.
- Probable Cause was issued in two cases where a woman alleged that neighbors put up KKK and other offensive signs as well as confederate flags when she showed her home to a prospective Black buyer. The case is currently awaiting public hearing.

TEAPOTS, the HUD automated case system, was placed on the Internet and staff began to access it in December 1999. HUD recently praised PHRC for its “full implementation.” Cases are placed on TEAPOTS at docketing and are immediately available to staff and HUD. This expedited dual filing of Commission-initiated complaints. Immediately after notice, HCPD staff is then able to access HUD files on HUD-initiated deferrals.

Education, Training and Technical Assistance

Hate crime situations involving real estate licensees are on the rise, as they have become the victims of threats or harmful actions because they have shown available housing properties to minorities in non-traditional areas.

In addition to activity involving disability issues, there has been a continuing increase in demands for educational materials, training and technical assistance designed to meet the emphasis on voluntary compliance.

Staff conducted numerous training sessions that included assistance to the U.S. Department of Agriculture with the implementation a new deferral agreement with HUD; a “New Immigrants” seminar for the Chester County Legal Services; and conducted a number of training sessions for local human relations commissions across the state. Staff is involved in researching the issue of predatory lending and has conducted meetings on the problem with other agencies and/or advocates.

HCPD sponsored a videoconference on April 17, 2000 to celebrate Fair Housing month as training for HCPD and local CHR/FHC staff. HUD regional staff also participated.

The HCPD Director, after completing the FBI’s “Community Partner” program, was appointed the statewide liaison from the Inter Agency Task Force on Civil Tension to the 15 Counter-Terrorism Task Forces. PHRC Regional

Directors are the local liaisons to the task forces in their region. The HCPD Director was asked to assist the FBI and the Office of Administration in establishing an InfraGard program in central Pennsylvania. This program is designed to provide resources to private business and governmental agencies to safeguard against cyberterrorist attacks.

EDUCATION/COMMUNITY SERVICES

The three key functions of PHRC’s Division of Education and Community Service are to:

- Provide informational sessions and training programs to schools, communities and government agencies;
- Coordinate prevention and response for bias-related incidents that can lead to racial and civil tension; and
- Promote equal educational opportunity.

Informational Outreach and Training

The Division of Education and Community Services continues to provide numerous presentations, media interviews and training sessions on a number of topics and to a variety of audiences throughout the Commonwealth. During the fiscal year, 160 such sessions were provided for a total of 17,340 people. Many of these presentations were the result of the Harrisburg Regional Office’s continuing emphasis on educational outreach to public schools.

There is a continuing demand for presentations on prevention and response to hate crimes, organized hate group activity and other forms of civil tension, with 113 sessions provided for 6,884 people. Many of the requests for these presentations have come from schools, colleges and universities.

Other common requests were for topics such as:

- Sexual Harassment (11 sessions for 2,211 people, including extensive training for Commonwealth employees in the Pa. Department of Education and the Pa. Department of Banking)
- In-depth training for law enforcement personnel on Pennsylvania’s “Hate Crime Law,” the Ethnic Intimidation Act (Four sessions for 125 people).

Division staff played a prominent role in the planning and implementation of the one-day “Region of Diversity Conference” held on October 28, 1999, at the Harrisburg Area Community College. The event was a project of The Susquehanna Conference and was co-sponsored by PHRC, the Pa. Department of Education, the Pa. Commission on Crime and Delinquency and the Institute for Cultural Partnerships.

This conference was an intense examination of diversity in an eight-county region of southcentral Pennsylvania, including presentations on demographic change, psychological and

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historical perspectives and brief personal accounts from a diverse group of presenters. Breakout sessions, first by “sectors” such as youth, business, community, media and law enforcement, and then by geographic areas, yielded many insights and action ideas.

The proceedings of this conference were printed and distributed, and the conference format serves as a model process for in-depth analysis and community-based planning for welcoming new forms of diversity.

Staff have been asked increasingly to address religious groups and high school student groups sometimes in response to hate incidents, sometimes to aid their diversity awareness and unity activities. A Lutheran Synod, United Methodist Women and the Interfaith Group for Justice along with the Future Family, Career and Community Leaders of America are examples.

Our capacity to provide quality presentations and training was enhanced this year with the completion and distribution of two, new videotape resources with accompanying training materials.

The first of these two videos, “Stopping the Hate with Harmony,” was the recipient this year of two prestigious awards, the “Communicator Award” and the “ADDY.” The video focuses on the full range of bias-related incidents that occur in Pennsylvania’s schools and communities. Viewers are challenged to realize that attitudes and stereotypes reflected in everyday social interactions form a foundation for tensions that can erupt in public settings; organized hate group activity; unlawful discrimination; and even hate crimes. Effective models of prevention and response already existing in Pennsylvania schools and communities are highlighted.

The second video, titled “The 4 Rs: Reading, ‘Riting, ‘Rithmetic & Respect,” addresses bias-related incidents in Pennsylvania’s elementary and secondary schools. The video presents a series of “lessons” and “assignments,” including commentary from expert professionals and highlighting model approaches that have proven successful in some Pennsylvania schools.

Both videotape resources include guides for trainers with suggested Q&A and exercises that can be used to reinforce learning. On September 22, 1999, a pilot video training session was conducted to gain focus-group feedback and input on training materials, and the materials were revised accordingly prior to printing and distribution.

Approximately 1,600 videos were distributed during the fiscal year to school districts, colleges/universities, libraries, and civil rights and community organizations. Videos were distributed at key organizational meetings and conferences; including the Pa. Student Assistance Program (SAP) Confer-

ence, the Pa. Black Conference on Higher Education and an “Educating Migrant, Refugee, Immigrant and English Language Learners” Conference sponsored by the state Department of Education.

The videos are available now for loan from many library systems, and from PHRC itself. Regional training sessions in the effective use of these new resources are being planned for the coming year for those persons and organizations that have received them.

Civil Tension Prevention and Response

Of special concern is the high level of youth involvement in hate activity. For the 1993–98 period 31 percent of the victims of hate crimes, 63 percent of offenders were age 20 or younger and 19 percent of offenders were under age 16. PHRC staff has worked extensively with school districts, community resources and the Governor’s Partnership for Safe Children to address the causes of hate crime and develop early intervention programs.

The single most significant way that PHRC fulfills its legislated mandate to address racial and civil tension is by continuing to convene and coordinate the Pa. Inter-Agency Task Force on Civil Tension (Tension Task Force).

This year Division staff prepared for and presided over 11 meetings of the Tension Task Force. In order to build a stronger sense of collaboration and to familiarize member agency representatives with other agencies, monthly meetings were held alternately at PHRC’s Headquarters and at the offices of other member agencies of the Task Force. This year meetings were held at the Office of Attorney General, the Pa. Emergency Management Agency Headquarters, the Harrisburg Regional Office of PHRC and at the Training Academy of the Pa. State Police.

A key member of the Tension Task Force, Captain Robert P. Hague of the Pa. State Police (PSP), retired during the year and the Task Force welcomed Lt. Barry Staub as PSP’s new Heritage Affairs Officer.

A Five-Year Hate Crime Report was released jointly by PHRC and the PA Office of Attorney General. The report showed a gradual decline in the number of hate crimes reported in Pennsylvania over the past five years. In some areas of the Commonwealth, however, reported hate crimes increased in number. The report noted concerns regarding under-reporting in many communities, and posed a series of recommendations that included continuing training for law enforcement personnel, school-based and community-based programming such as peer mediation and conflict resolution and improved relationships between community and law enforcement leaders.

A new staff person was added to the Education/Community Services Division in July of 1999, with primary responsibility

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for developing an automated database system for the compilation and analysis of bias-related incidents reported to the Tension Task Force. This project had been initiated by a special work group of the Tension Task Force. The database development project is now near completion, in part due to some technical assistance received from staff in the Office of Attorney General.

Another joint project for PHRC and the Office of Attorney General has been the development of a website for the Pa. Inter-Agency Task Force on Civil Tension. The site is projected to become active in the early fall of 2000.

Key features of the site will be:

- Pages describing the Task Force — “Who We Are” and “What We Do”
- Basic information and definitions of key terms such as “Bias-Related Incident” and “Hate Crime”
- Resources — Brochures and documents such as “Ethnic Intimidation is Illegal in PA” (in both English and Spanish) and PHRC’s “Legal Extracts” document that gives details on PA’s Ethnic Intimidation statute. Resources will also include PHRC’s two videos, locations of mediation/conflict resolution agencies throughout Pennsylvania and links to the websites of member agencies of the Task Force and other related websites.
- A feature that allows the user to make a very simple report of a bias-related incident and guidance as to how and where a formal report or complaint can be filed. This feature allows for the identification of any incidents that involve housing-related harassment, coercion or intimidation, which can be referred immediately to HUD for enforcement action.

PHRC and the Tension Task Force were involved in extensive Y2K preparations and planning, in light of widespread conjecture that organized hate groups and other extremist groups may try to take advantage of any infrastructure failures. PHRC staff were full participants in preparedness exercises at the PEMA Emergency Operations Center (EOC) in September of 1999, and as a result established multiple communication systems among potential PHRC responders as well as other members of the Tension Task Force. Manuals with extensive documentation of Division and Agency-wide contacts at the community level were assembled and on hand for PHRC personnel who staffed a communications cell at the PEMA EOC on December 31 and January 1. Although the Y2K transition was remarkably non-eventful, numerous benefits resulted from our preparations, including the assembly of comprehensive contact manuals, development of communication protocols, orientation to PEMA emergency response procedures and resources and the strengthening of inter-agency

relationships.

PHRC and the Tension Task Force continued their involvement in the training of law enforcement personnel. On February 2, 2000, a one-day training conference was conducted in Berks County. PHRC Headquarters staff collaborated with Pittsburgh Regional staff for a June 26, 2000, presentation at a Symposium on Hate Crime in Pittsburgh, which was sponsored by The Center for Victims of Violent Crimes.

At the statewide level, a workshop was presented for law enforcement at the annual Crime Prevention Conference of the Pa. Commission on Crime and Delinquency. Technical assistance was provided to the PA Chiefs of Police Association in the design of a training module for police chiefs on the increasing cultural diversity of Pennsylvania communities and its implications for effective policing approaches.

PHRC staff were called on twice during the year to provide training on hate crimes and organized hate groups for the Pa. Department of Corrections’ staff in state correctional institutions.

A defector from a white supremacist organized hate group contacted Education/Community Services staff as part of “coming clean” and starting his life over. PHRC convened a debriefing session with him for state and federal law enforcement and representatives from several civil rights groups.

Significant staff time and effort was allocated to participation with the Pa. Attorney General’s School Violence Task Force, which was initiated this year. PHRC staff worked especially on summarizing research and posing recommendations relating to the relationship of diversity and demographic change to strategies of school violence prevention.

A chronology document summarizing significant events in the history of the Pa. Inter-Agency Task Force on Civil Tension, beginning in 1964, was completed this year. This document will be a helpful tool for orienting people to the role and work of the Tension Task Force.

Education and Community Services staff, in both the Headquarters office and in the three regional offices, continue to provide technical assistance in the field for situations involving racial, civil and/or inter-group tension. Our particular expertise in assisting communities facing public rallies by organized hate groups and the tensions they create was valuable to the three communities where Ku Klux Klan rallies were held this year: Johnstown (8/99), Meadville (5/00) and Warren (6/00).

Illustrations of Civil Tension Responses and Unity Activities

At the invitation of the Chair of the Warren County Commissioners and the County Sheriff, PHRC staff together

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with the PSP Heritage Affairs Officer met with government and community leaders to help them prepare for the Klan rally and to create a permanent unity coalition. The committed participation of elected, religious, civic and government leaders as well as schools resulted in a unity event that drew over 500 people on the day of the Klan rally, which served as a clear message of rejection to the Klan.

Staff continued to work closely with local unity coalitions in developing both their short-term and long-term activities. The responses of unity groups were often pivotal in supporting victims of hate incidents and in calming tensions that can ripple through an entire community after an incident. In their own community and in several others, the Altoona Unity Coalition has sponsored “cultural panels” in which everyday people of all backgrounds tell their story. The Clarion County Ethnic Tolerance Coalition organized town/gown conversations and community seminars addressing cultural awareness and hate crimes/groups. Chambersburg United provided support for staff by forwarding resources and nationwide news articles from the Internet. The Unity Coalition of the Poconos stays in close communication with area schools and assists in addressing inter-group tensions among students and in providing multicultural programming.

Equal Educational Opportunity

In order to develop a more refined vision for the Education/Community Services Division, and especially for PHRC’s work in the area of Equal Educational Opportunity, two “Education/Community Services Summits” were conducted this year. These meetings were the first joint planning sessions of their type, involving all three PHRC Regional Directors, all three regional Education/Community Services Supervisors as well as all headquarters division staff. The summits were held on November 22–23, 1999, and again on January 19–20, 2000. Detailed documentation was assembled on the results of these summits and a comprehensive list of activities that could strengthen the division’s work has been assembled for prioritization and consideration. Follow-up meetings in the coming fiscal year are planned in order to make choices on priorities for statewide, coordinated implementation.

At the request and direction of PHRC’s Commissioners, a Commissioners’ Training Institute on Education was conducted on April 24, 2000. An extensive set of materials was assembled and provided to Commissioners in advance of the institute, including numerous abstracts and articles on current, relevant research. There was discussion on a menu of possible ways in which work in the area of education can be strengthened.

PHRC continues its Educational Equity Project, working proactively with 10 selected school districts. Several meetings were held this year with the Mid-Atlantic Equity Center, in

order to develop technical assistance strategies to better enable these districts to address persistent inequities in areas such as academic achievement test scores, disproportional assignment by race/ethnicity to special education and/or gifted programming and discipline actions taken by race/ethnicity. Staff met this year with a new staff person of the Mid Atlantic Center to brief her of the history of the MAC/PHRC partnership and the Educational Equity to apprise her of current PHRC internal discussions and the results of our Education/Community Services Summits.

Division staff continues to create “Equal Educational Opportunity Profiles,” including statistical charts that monitor trends over time with respect to various equity indicators. Racially disaggregated data on the 1999 PSSA testing in the areas of reading and math for all 5th, 8th and 11th grade students in the Commonwealth was obtained from the Pa. Department of Education. This data is a key element of the profiles that are developed for the school districts participating in the Educational Equity Project.

Meetings were held in May 1999, with the Office of Civil Rights (OCR) of the U.S. Department of Education in order to explore potential partnership and collaboration. Of particular interest was OCR’s “proactive docketing,” which has some similarities to PHRC’s Educational Equity project.

Another way that the Education and Community Services Division works on equal educational opportunity is to provide assistance to PHRC compliance staff in reference to complaint investigations involving educational institutions as respondents. This year some progress was made, including obtaining specialized data and documents and offering consultation regarding possible terms for the adjusted settlements of some complaints. In a very focussed, compliance-related initiative, Education/Community Services Division staff in our headquarters office are exploring with staff in the Harrisburg Regional Office the development of a teaming approach to respond to complaints of school-based racial harassment.

Division staff participated in the Pennsylvania Black Conference on Higher Education’s 29th Annual Conference in Harrisburg February 23–26, 2000, and continue to provide information and assistance to that organization as it relates to equal opportunity in higher education as well as campus-based tension prevention and response.

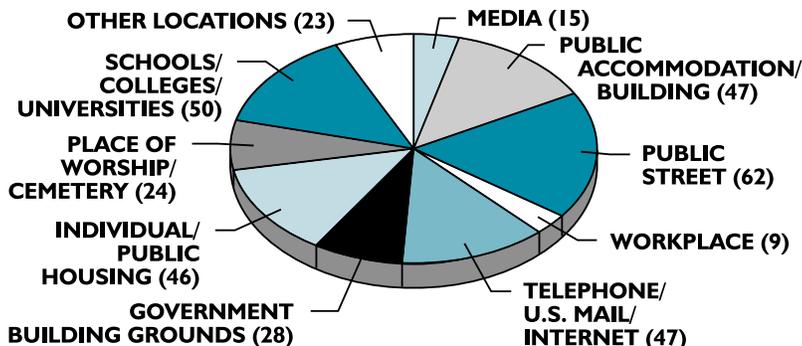
TECHNOLOGY

A major project of the EDP Systems Administration Office was preparing for the transition to the year 2000. Years of preparation and planning paid off: PHRC suffered no malfunctions as a result of the start of the new year.

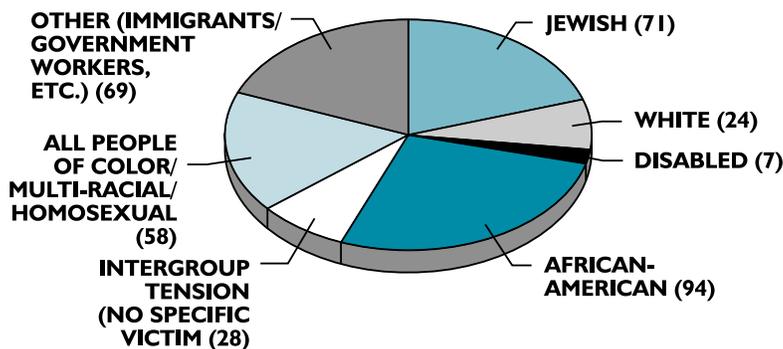
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Of the total incidents, the following is the statistical breakdown of tension situations by location, targeted groups, race/ethnicity/identity of alleged offenders and the types of offenses.

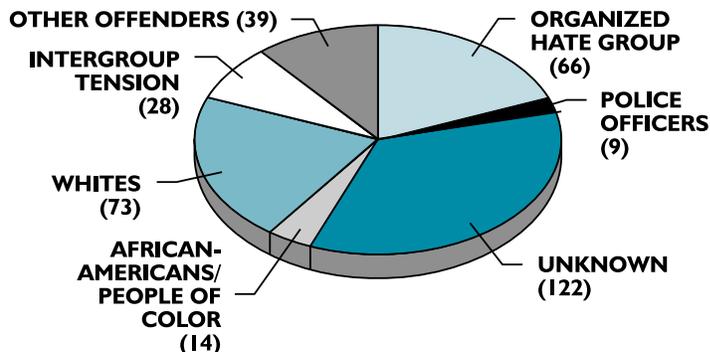
Location of Tension Incidents



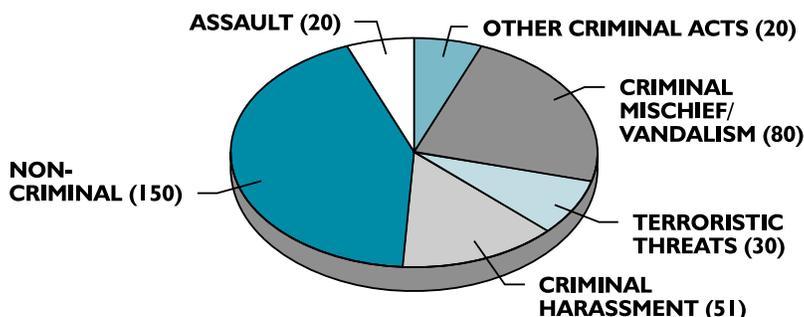
Target Group in Tension Incidents



Race/Ethnicity/Identity of Alleged Offenders in Tension Incidents



Offense in Tension Incidents



THE COMMISSIONERS

On May 16, Governor Tom Ridge accepted the resignation of the Rev. Dr. Robert Johnson Smith as both Chairperson of the PHRC and also as a Commissioner after 35 years of service.

In April 1965, Dr. Smith was first appointed as a Commissioner by then-Governor William W. Scranton. He was re-appointed to four consecutive five-year terms as a Commissioner, which was culminated by the late Governor Robert P. Casey's appointment as Chair on March 22, 1990.

In addition to his work with the Commission, Dr. Smith had served as a chaplain with the U.S. Army from 1941–1945. Starting in 1956, Dr. Smith served as the senior minister for the Salem Baptist Church in Jenkintown until his retirement in 1996. For 25 years (1960–1985), Dr. Smith also worked as a counselor with the Philadelphia School District.

Dr. Smith holds two Honorary Doctor of Divinity degrees, one Doctor of Ministry Degree, three master degrees and two bachelor degrees. His list of credentials includes 17 former community service positions, nine organizational memberships, 16 awards and citations and four published theses.

Dr. Smith has championed the cause of civil rights in Pennsylvania and worldwide. For over 50 years, he has reached out and touched people's lives. The impact he has had on the Commission will be forever felt and his presence will be missed.

In May, Dr. Raquel Otero de Yiengst of Sinking Spring began serving as the Acting Chairperson of the Commission and continued to do so throughout the fiscal year. The other officers were Secretary Gregory J. Celia Jr. of Lancaster and Assistant Secretary Russell S. Howell of Lititz. The remaining Commissioners included M. Joel Bolstein of Philadelphia; Joseph J. Borgia of Erie; Theotis W. Braddy of Camp Hill; Carl E. Denson of Bethel Park; Elizabeth C. Umstaddt of Villanova; Sylvia A. Waters of Oberlin; and Dr. Daniel D. Yun of Huntingdon Valley.

The Pennsylvania Human Relations Act requires that the Commission is nonpartisan and that no more than six of the 11 Commissioners be from the same political party. By historical custom, the Commission's composition reflects a varied geographic representation; a diverse racial, religious and ethnic mix; a representation of both sexes; a variety of professional backgrounds; and a demonstrated interest in civil rights.

Commissioners are appointed by the Governor and are confirmed by the state Senate. They are responsible for representing and enforcing the Pennsylvania Human Relations Act and the Fair Educational Opportunities Act.

When implementing this role, Commissioners perform four major functions: 1) policy making; 2) oversight; 3) adjudication; and 4) public liaison. Each of these functions is

complex, sensitive and critical to the success of the Commission's mission: to eliminate, prevent and remedy the effects of unlawful discrimination throughout the Commonwealth.

During 1999–00 the Commission held 42 public hearings and pre-hearing conferences. An additional 21 cases that were approved for public hearing reached settlement prior to conducting a public hearing.

Commission findings and orders after public hearings resulted in the following findings:

Margaret Downey-Schottmiller v. Chester County Council of the Boy Scouts of America, Docket No. P3986

The Commissioners voted 7–2 on the Final Order in *Downey-Schottmiller v. Chester County Council of the Boy Scouts of America*. Ms. Downey-Schottmiller claimed that she was refused membership as a volunteer in the Boy Scouts organization because she refused to sign a section of the Boy Scouts application which required a declaration of her belief in God. Ms. Downey-Schottmiller's religious belief is non-theist and she alleges that her refusal to sign the declaration was the basis for the denial by the Boy Scouts. Ms. Downey-Schottmiller also claimed that her minor son was refused a Boy Scout membership because of his non-theist religious belief. When issuing the Final Order, the Commissioners ruled that the Chester County Council of the Boy Scouts of America was not a public accommodation as defined in the Pennsylvania Human Relations Act and were not subject to the Commission's jurisdiction and the case was dismissed.

James A. Sposito v. Fell Township Zoning Board, Docket No. H5486

The Commissioners voted unanimously to dismiss the case in *Sposito v. Fell Township Zoning Board*. Two components of the PHRAAct were implicated in Mr. Sposito's allegations: public accommodation under Section 5(i) and the housing provisions under Section 5(h) (Commercial Property). Mr. Sposito properly stated a claim of public accommodation, but given the stipulated fact that since 1996 the respondent Zoning Board was in a totally accessible facility, his allegation that he was denied the services of the public accommodation because of his alleged disability was moot. It is moot because under the public accommodation provision of the PHRAAct, the only available remedy is a cease and desist order. Since the parties stipulated that the Zoning Board holds its meetings in an accessible location, there is no public accommodation case or controversy present. With regard to the commercial property aspect of this complaint, Mr. Sposito failed to state a claim. His relationship with the Zoning Board was solely that of a user of a public accommodation.

THE COMMISSIONERS

Estate of Joseph Ponas v. United Brotherhood of Carpenters & Joiners of America, Local 261, Docket No. E61335A

In an original ruling in *Estate of Joseph Ponas v. United Brotherhood of Carpenters & Joiners of America, Local 261*, the Commission found that the United Brotherhood of Carpenters and Joiners of America had discriminated against Mr. Ponas because of his age and awarded him back pay that totaled \$10,940.80. The respondent appealed the Order to Commonwealth Court. Commonwealth Court then affirmed the Commission's finding that the respondent had discriminated against Mr. Ponas. However, the Court remanded the matter back to the Commission for consideration of certain testimony and reconsideration of the award of back pay. After a review of the case testimony, the Commission determined that the original order of \$10,940.80 in damages should remain the same and approved this Final Order.

Serena Scott v. Nick Saflin, Docket No. H6515

In her complaint, Ms. Scott alleged that Mr. Saflin discriminated against her by refusing to rent her an apartment because of her race, Black. During the public hearing, the testimony of Ms. Scott and her witnesses was both evasive and contradictory. After a review of the case testimony, the Commission ruled that Ms. Scott had not proven discrimination in violation of the PHRA and dismissed the case.

Victoria Saidu-Kamara v. Parkway Corporation, Docket No. E77300D

In her complaint, Ms. Saidu-Kamara claimed sex-based disparate discipline for violating work rules for sleeping on the job. Supervisory discretion in the imposition of punishment led to some employees receiving verbal warnings while others were not afforded that advantage. While males received verbal warnings, Ms. Saidu-Kamara did not. Thus liability was imposed for her termination. However, on the issue of damages, for a period, Ms. Saidu-Kamara did not seek alternative employment, thereby failing for that period of time to mitigate her damages. When she finally did seek alternative employment, the employment she found paid her more than she would have earned had she not been terminated by Parkway. Accordingly, only a cease and desist order and verifiable out-of-pocket expenses in the amount of \$276 were awarded.

Helena M. Whitest v. Children's Hospital of Philadelphia, Docket No. E80048D

Ms. Whitest claimed that she was not selected for the position of senior medical technologist because of her race, African American. Children's Hospital of Philadelphia articulated that it needed a person of particular experience in hematology. When applicants were tested for hematology

skills, Ms. Whitest scored lower than the person selected. The individual selected also had greater hematology experience. Ms. Whitest failed to prove that the reasons offered by Children's Hospital for selecting someone other than Ms. Whitest were a pretext for race-based discrimination. The Commission voted unanimously to dismiss the case.

Daniel B. Shutts v. Capone Realty Company, Docket No. H6579

Mr. Shutts claimed that he was denied the opportunity to rent a one-bedroom apartment from Capone Realty Company because of his sex, male. In this case, a majority of the Commissioners found direct evidence of sex-based discrimination in the form of statements made by Capone Realty Company's resident manager at the time Mr. Shutts was inquiring about an apartment. Capone Realty Company was ordered to cease and desist from discrimination because of an applicant's sex and to pay Mr. Shutts \$500 in compensatory damages for the humiliation he suffered. Further, the Commissioners ordered Capone Realty Company to post "Fair Housing Practice" notices alongside any "For Rent" signs, and to include the "Equal Opportunity in Housing" symbol in any ads it ran for apartments it owns. The Commission voted 6 to 2 in favor of Mr. Shutts.

Darlene Sweigart v. Nicholl, Docket No. H7407

In her complaint, Ms. Sweigart alleged that she was discriminated against due to familial status when Mr. Nicholl refused to allow her to rent an apartment because she has children. The parties agreed that there were no outstanding factual issues and that legal liability could be determined by each party filing briefs. Essentially, Mr. Nicholl admitted that he had not rented the apartment to Ms. Sweigart because of the children. After review of the briefs, the Commission adopted a Final Order finding liability on the part of Mr. Nicholl and approved the Final Order in regard to liability. Subsequently a public hearing on the issue of damages was held on July 13, 2000.

James D. Whitman v. Buckwalter Construction, Inc., Docket No. E67927H

In his complaint, Mr. Whitman alleged that Buckwalter Construction refused to recall him to work because of his non-job related disability in violation of the PHRA. During the public hearing, Mr. Whitman did not show that Buckwalter Construction's articulated reasons (lack of work and business opportunities) were pretextual. Also Buckwalter Construction established that Mr. Whitman had in fact been recalled on two occasions. After a review of the record and briefs, the Commission ruled that Mr. Whitman had failed to prove a violation of the PHRA and dismissed the case.

Alicia Cintron v. Solid Waste Services, Inc., d/b/a J.P. Mascaro & Sons, Docket No. E79969D

In her complaint, Ms. Cintron alleged that Mascaro & Sons refused to hire her for the position of recycling truck driver because of her sex, female. The Commissioners found that Mascaro & Sons had utilized sex-based hiring procedures and that Mascaro & Sons had improperly thrown away records it was required to keep. The Commissioners found

that Mascaro & Sons did not refuse to hire Cintron because of her sex, but because Cintron’s driving record, in effect, disqualified her from being a recycling driver. The remedy ordered in the Commission-approved Final Order required Mascaro & Sons to cease and desist from sex-based discrimination in the hiring process and from disposing of documents it is required to keep. Further, Cintron was awarded \$140.50 for verifiable out-of-pocket expenses.

***THE COMMISSIONERS’ WORKLOAD
JULY 1, 1999 – JUNE 30, 2000***

Commission Meetings12

Compliance Sessions12

Consent Orders/Decrees and Conciliation Agreements Approved.....17

Review of Staff Action in Making Disposition of Complaints7,205

Review and Determination of Petitions for Reconsideration of Complaint Disposition and Requests for Public Hearing206

Motions224

Cases Closed on Motion9

Cases Placed on Public Hearing Docket61

Cases Settled After Public Hearing Approval.....21

Final Orders Approved after Public Hearing10

Total Rules to Show Cause Resulting in Liability and Subsequently Settled.....7

* Pre-Hearing Conferences and Public Hearings Conducted.....42

* Includes those Pre-Hearing Conferences and Public Hearings conducted by Commission Hearing Panels and Hearing Examiners.

ADMINISTRATION

Management of Commission staff was guided by Executive Director Homer C. Floyd, who was responsible for the case processing system, technical assistance, information, outreach and assistance to the public, media, federal/state/local agencies and government, speaking engagements and general administrative actions.

Assisting Mr. Floyd in the Executive Office were Special Assistant to the Executive Director Louise Oncley, Personnel Director Iris H. Cooley, Administrative Officer Peter J. O'Neill, Director of Information Laura J. Treaster and EDP Systems Administrator Arthur A. Wagner.

Managers of program units were Director of Compliance Thomas Myers, Chief Counsel Elisabeth S. Shuster, Esquire, Director of Education/Community Services Daniel M. Welliver and Director of Housing and Commercial Property Raymond W. Cartwright. Carl H. Summerson, Esquire served as Permanent Hearing Examiner and Phillip A. Ayers, Esquire served as Permanent Hearing Examiner/Panel Advisor.

Pennsylvania residents who filed complaints of discrimination had their cases processed in one of the Commission's three regional offices.

In the Pittsburgh Regional Office, George A. Simmons served as Regional Director of the case processing and activities in 23 western Pennsylvania counties. Compliance

supervisors were Terrance McDaniel and Joseph Retort. Leon Grant was the Housing supervisor and Robert Fulton was the Intake supervisor. Katherine Fein, Esquire was the supervising attorney.

In the Harrisburg Regional Office, Kaaba Brunson served as Regional Director of the case processing and activities in 39 central and northeastern Pennsylvania counties. Compliance supervisors were D. Monica Powell, Edward Zook, Mary Nancarrow and Arberdella WhiteDavis. Kenneth Connor was the Housing supervisor, James Andrews was the Education/Community Services supervisor, Marva Gaymon was the Intake supervisor and Francine Ostrovsky, Esquire was the supervising attorney.

In the Philadelphia Regional Office, Sandra Holman Bacote served as regional director of the case processing and activities in the five southeastern Pennsylvania counties. Compliance supervisors were Arlene Adlin, Gary Martin and Craig Winn. Juan Xu served as Intake supervisor. Carlene Neal was Education/Community Services supervisor, Traxsene Martinez was Housing supervisor and Michael Hardiman, Esquire was the supervising attorney.

Personnel actions during the 1999–00 fiscal year included 17 appointments, nine resignations, eight retirements, seven promotions, four terminations, one transfer and one reassignment.

CONTINUING ISSUES

In past annual reports, the Commission has supplied specialized data in this section on issues of continued interest. Information about sexual harassment cases and the types of disability allegations that were made are highlighted. This fiscal year, a new report has been developed on the number of race occurrences in all of the Commission’s newly-docketed cases.

SEXUAL HARASSMENT

In the past fiscal year, 570 complaints of sexual harassment were filed with the Commission, which represents a 9.6 percent decrease compared to 631 cases filed in the 1998–99 fiscal year. Of the cases that were docketed, 496 complaints were filed by women and 74 by men. Employment cases accounted for the most sexual harassment allegations with 562 cases, followed by public accommodations with five, education with two and housing with one.

SEXUAL HARASSMENT FILINGS BY COUNTY* JULY 1, 1999 – JUNE 30, 2000

COUNTY	TOTAL
Philadelphia	85
Allegheny	74
Montgomery	46
Bucks	33
Delaware, Lehigh (22 cases each)	44
Dauphin	26
Chester, Cumberland (19 cases each)	38
Luzerne	18
Erie	16
Berks, Westmoreland (15 cases each)	30
York	14
Blair, Butler, Lackawanna, Lancaster (12 cases each)	48

COUNTY	TOTAL
Cambria, Northampton, Schuylkill (7 cases each)	21
Centre, Mercer (6 cases each)	12
Fayette, Monroe (5 cases each)	10
Clinton, Venango, Washington (4 cases each)	12
Clearfield, Columbia, Franklin, Jefferson, Mifflin (3 cases each)	15
Adams, Beaver, Crawford, Huntingdon, Indiana, Juniata, Lawrence, Lycoming, McKean (2 cases each)	18
Bedford, Cameron, Clarion, Elk, Greene, Lebanon, Pike, Snyder, Wayne, Wyoming (1 case each)	10
Total	570

* If a county is not listed, there were no sexual harassment cases docketed during this fiscal year.

CONTINUING ISSUES

DISABILITY ALLEGATIONS

The following chart indicates the types of disabilities alleged to have been the basis for discrimination, based on federal reporting categories.

**DISABILITY OCCURRENCES*
JULY 1, 1999 – JUNE 30, 2000**

TYPE OF DISABILITY	NUMBER OF OCCURRENCES
Emotional Impairment	193
Nonparalytic Orthopedic Impairment	136
Back Impairment	115
Regarded as Disabled	110
Neurological Impairment	68
Record of a Disability	64
Heart/Cardiovascular Impairment	54
Diabetes	53
Association with a person with a disability	40
Cancer	36
Learning Disability	34
HIV/Blood Disorders	31
Hearing Impairment	31
Vision Impairment	31

TYPE OF DISABILITY	NUMBER OF OCCURRENCES
Epilepsy	29
Gastrointestinal/Renal Impairment	28
Past Alcoholism/Drug Addiction **	23
Asthma	21
Multiple Sclerosis	16
Respiratory/Pulmonary Impairment	15
Disfigurement	14
Cerebral Palsy	12
Allergies	10
Chemical Sensitivities	10
Paralysis	10
Speech Impairment	7
Uncategorized Impairments	82
TOTAL	1,273

* The total of occurrences is higher than the cases docketed under the disability basis category. These figures also include cases filed in the multiple basis category.

** Current users of illegal drugs are not protected under the PHRAAct.

**RACE OCCURRENCES FROM JULY 1, 1999 – JUNE 30, 2000
BY REGION AND JURISDICTION**

RACE AREAS	BLACK				WHITE				OTHER				ASIAN				INDIAN				COLOR			
	E	H	P	S	E	H	P	S	E	H	P	S	E	H	P	S	E	H	P	S	E	H	P	S
Region 1	248	44	34	1	36	15	0	0	6	0	0	1	2	0	0	0	1	0	1	0	9	0	2	1
Region 2	334	32	29	2	38	0	2	0	8	3	3	0	5	0	0	0	3	0	0	0	3	0	0	0
Region 3	546	35	67	2	44	7	0	0	6	0	2	0	18	0	0	0	1	0	0	0	0	0	0	0
HQ	410	0	0	0	32	0	0	0	14	0	0	0	9	0	0	0	0	0	0	0	19	0	0	0
Statewide	1,538	111	130	5	150	22	2	0	34	3	5	1	34	0	0	0	5	0	1	0	31	0	2	1

There are four areas of jurisdiction used in the chart above:

- E – Employment
- H – Housing
- P – Public Accommodation
- S – Education

LEGISLATION

Under Section 7(k) of the Pennsylvania Human Relations Act (PHRA), the Commission is mandated to make legislative recommendations to the state General Assembly.

The Commission supported **Senate Resolution 90, Printer's No. 1224**, which would designate September 25, 1999, as Unity Day in Pennsylvania. The Commission has helped to organize and has worked extensively with Unity Coalitions from many counties across the state on various issues, especially when hate activity or an organized hate group has been in their community.

Once again, the Commission voted to support **Senate Bill 941, Printer's No. 1120**, or the Prevention of Hate Activity Fund. This measure defines what hate activity is and establishes the PHRC as the entity that would receive the funds in the suggested amount of \$1 million dollars. This version of the bill differed slightly from previous versions; this legislation was less problematic than previous versions, which required the Commission to issue grants.

The Commission also supported **Senate Bill 553, Printer's No. 579**, which proposes to amend the state's Ethnic Intimidation Act to include "other bias-related offenses" on the basis of "actual or perceived" disability, ancestry or sexual orientation.

House Bill 117, Printer's No. 942, which is the legislation that would require additional police training in recognizing

persons with disabilities, was also on the Commission's legislative agenda as staff began on the first stage of development for the course that is to be offered.

The Commission unanimously supported **U.S. Senate Bill 622** or the Hate Crimes Prevention Act of 1999. If enacted Senate Bill 622 would provide nationwide penalties for certain hate crimes based on race, color, religion, gender, sexual orientation or disability. Section 4 of the proposed Hate Crime Prevention Act amends Section 245 of Title 18 of the federal crime code to set penalties for persons who, whether or not they are acting under color of the law, willfully cause bodily injury to any person or, through the use of fire, a firearm, or an explosive device, attempt to cause such injury because of the actual or perceived (1) race, color, religion or national origin of any person, or (2) religion, gender, sexual orientation or disability of any person, in connection with interstate or foreign commerce.

The Commission continues to seek legislation which would provide remedies for employment, public accommodations and education discrimination similar to those provided by state and federal law for housing discrimination, and comparable with federal civil rights law in employment and other discrimination. The absence of these remedies is forcing increasing numbers of complainants to seek relief in federal court, at great inconvenience to them and respondents.

ADVISORY COUNCILS

Advisory Councils to the Commission are authorized under Section 7(i) of the Pennsylvania Human Relations Act. PHRC Advisory Councils have been involved in a number of community projects, including working with local school districts on recruitment and cultural awareness programs, sponsoring and conducting a variety of community awareness programs, addressing tension situations, holding employment workshops, participating in training programs and referring complaints and other issues to Commission staff for investigation and resolution.

Some of the activities that PHRC advisory councils participated in were:

On June 17, 2000, the Harrisburg Regional Office of PHRC held an Open House for local Human Relations Commissions and for the five PHRC Advisory Councils located in the Harrisburg Region. Orientation to PHRC and networking among these local agencies and councils proved valuable for the participants, and strengthened a sense of collaboration and shared challenge.

Blair County Advisory Council referred complaints to PHRC relevant to employment and housing as well as reporting hate group activity in the county. As in past years, they continue to coordinate and assist with efforts on the Interfaith Committee of Altoona, Community Resource Board and the Blair County Unity Coalition in eliminating discrimination and bigotry in the county.

Centre County Advisory Council continues to refer complaints to PHRC relevant to employment and housing as well as reporting hate activity in the county.

Johnstown Advisory Council assisted in coordinating the annual Dr. Martin Luther King remembrance program and the annual Fighting Fund for Freedom Banquet with the local NAACP branch. Additionally, the Council continues to work closely with the Southern Alleghenies Unity Coalition in combating and reporting hate activity in the Johnstown area, in Cambria County and surrounding counties. The Council continues to refer complaints to PHRC relevant to employment and housing. The Council is working with the local NAACP Branch, the Johnstown Police Department and the city government in developing strong police-community relations in the aftermath of allegations of police profiling of Black drivers by the police department.

Montgomery County Advisory Council held a kick-off of the Martin Luther King Day of Service Project 2000 at Norristown Borough Hall. Twenty-eight representatives from schools, churches, synagogues, nonprofit organizations, civic organizations and corporations participated in the November 5th event. The project was co-sponsored by PHRC and the Greater Philadelphia Martin Luther King Day of Service Project. The Council is in its second year of encouraging residents throughout Montgomery County to

commemorate this holiday by being of service in the community. Chairperson, Reverend Dr. Robert Johnson Smith, II, said, "That *a day on and not a day off* is forever changing the way in which we celebrate the holiday." Todd Bernstein, Director of the Greater Philadelphia Martin Luther King Day of Service Project said, "We need to honor Martin Luther King's memory by thinking beyond the day."

After an incident involving Asian and Black students at a fraternity house, the Council was invited to speak at Drexel University on November 16, 1999. They discussed what responsibility the community, school and students have, examined who is affected by these actions, and identified short and long range goals.

Seventy-five people attended a civil rights symposium entitled, "Combating Discrimination" held on October 20, 1999. Co-sponsors of the event with PHRC were the Eastern Coalition of NAACP Branches, the Housing Association of Delaware Valley, the Philadelphia OIC, the Greater Philadelphia Urban League and the Philadelphia chapter of the National Alliance of Black Social Workers. Topics included employment, housing, education, public accommodation issues, police accountability and hate crimes.

The Human Rights Awards Luncheon sponsored by the Montgomery County Advisory Council and PHRC was held on May 11, 2000 in Horsham. The Council honored residents who have made a contribution in the areas of civil rights, equal opportunity, improvement of inter-group relations, promotion of human dignity and community action.

The Advisory Council has worked diligently to assist persons victimized by racial tension and anti-semitism in Montgomery County.

Northampton County Advisory Council sponsored a panel discussion on hate crimes at the Cathedral Church of the Nativity and rallied the community to respond to hate graffiti. After fires were set on the campus of a local college, the Council was asked to assist in defusing tension between Black and White students on campus. The Council continues to refer complaints to PHRC relevant to employment and housing as well as reporting hate activity in the county.

York County Advisory Council continues to work closely with the York City Human Relations Commission (YCHRC) in dealing with discrimination issues and was represented at the YCHRC's annual awards luncheon. Several Council members participated in a holiday get-together and a spring festival with the local YWCA, YCHRC, York County United and Hanover United. The Council continues to refer complaints to PHRC relevant to employment and housing as well as reporting hate activity in the county.

ADVISORY COUNCILS

The Advisory Councils and their members are as follows:

BLAIR COUNTY ADVISORY COUNCIL

Chairperson: Ronald V. Miller

- | | |
|--------------------|-------------------------|
| Virginia H. Day | Joel Kormanski, Esquire |
| Tammy Jo Dell | Debra Latterner |
| Donna D. Gority | Joan Pine |
| Jeannie Green | Thomas Riley |
| Gerald J. Gutshall | Diana Rodriguez |
| Dr. Susan Hill | Debbie Schaffer |
| Sandy Johnson | Susan Van Scoyoc |
| Kurtis R. June | Frank X. Simmons |

CENTRE COUNTY ADVISORY COUNCIL

Chairperson: Dr. Terrell Jones

- | | |
|----------------|------------------------|
| Carmen Borgas | Lynn Myers |
| Tineke Cunning | David Peery |
| Jolley Harris | Ronald V. Pifer |
| Huey Jones | Thelma Price |
| James Locker | Dr. Joanne Tosti-Vasey |

JOHNSTOWN ADVISORY COUNCIL

Chairperson: Verna Carter

- | | |
|-----------------------------|--------------------------|
| Clayton Dovey, III, Esquire | Georgia Stenger, Esquire |
| Bruce G. Haselrig | Dr. Merrily K. Swoboda |
| Joan Kosmac | Dave Wilson |
| James E. Porcher | Jeffrey Wilson |
| Calvin McCray | Dr. Gerald L. Zahorchak |
| Thomas C. Slater | |

MONTGOMERY COUNTY ADVISORY COUNCIL

Chairperson: Rev. Robert Johnson Smith II

- | | |
|-------------------------------|--------------------------|
| Dr. Bernadine Ahonkhai | Harriett Luker |
| Dr. Clair Brown | Dorothy McCabe |
| Sgt. Al Butman | Rabbi Gregory Marx |
| Rev. Msgr. Michael J. Carroll | Rev. James Pollard, Sr. |
| Deanne Comer | Harvey Portner |
| Mattie N. Dixon | Rev. Rock Schuler |
| Dorothy Freedman | Evelyn Slade |
| Thomas Garrett | Rabbi Harold B. Waintrup |
| Barton Hertzbach, Esquire | Evelyn Warner |
| Jeung Hi Kim | Judith White, Esquire |

NORTHAMPTON COUNTY ADVISORY COUNCIL

Chairperson: Esther M. Lee

- | | |
|-----------------|---------------------------|
| Clarine Boyer | William L. Lee, Sr. |
| Vivian W. Butts | Ulysses (Harold) Levy |
| Nick DiVietro | Fred Middleton |
| Pat Kozero | Dr. Eric Jozef Ziolkowski |

YORK COUNTY ADVISORY COUNCIL

Chairperson: Stanley Sexton

- | | |
|--------------------|-----------------|
| Cathy L. Ash | Michael Johnson |
| Cynthia Bair | Morris Ramsey |
| James Booth | Rayda Rivera |
| Stephen Busch | Toni Smith |
| Frances Courtright | Maxine Thumser |
| Ruthe E. Craley | James Tompkins |
| Leafos Grant | M. Baba Whisler |
| Allyn Hankin | Jerri Zimmerman |

ADVISORY COUNCILS

People who believe that they have been the victim of unlawful discrimination in employment, public accommodation, housing, commercial real estate, contracting as an independent contractor regulated by the Bureau of Professional and Occupational Affairs or education because of race, color, religion, ancestry, age (40 and above), sex, national origin, nonjob related disability, relationship or association with a person with a disability, possession of a general education development diploma (GED) as compared to a high school diploma, willingness or refusal to

participate in abortion or sterilization or familial status (families with children under age 18) may contact one of the three Pennsylvania Human Relations Commission regional offices to file a complaint of discrimination. (A detailed county map of the Commonwealth is located on the inside, back cover to indicate which regional office serves each county.) People with disabilities may request reasonable accommodations to assist them during the processing of these complaints.

HEADQUARTERS	PITTSBURGH	HARRISBURG	PHILADELPHIA
Pennsylvania Place 301 Chestnut Street Suite 300 Harrisburg, PA 17101-2702	11th Floor State Office Building 300 Liberty Avenue Pittsburgh, PA 15222-1210	Riverfront Office Center 1101-1125 South Front Street 5th Floor Harrisburg, PA 17104-2515	711 State Office Building Broad & Spring Garden Streets Philadelphia, PA 19130-4088
(717) 787-4410 (VOICE) (717) 783-9308 (TT)* (717) 787-4087 (TT)*	(412) 565-5395 (VOICE) (412) 565-5711 (TT)*	(717) 787-9784 (VOICE) (717) 787-7279 (TT)*	(215) 560-2496 (VOICE) (215) 560-3599 (TT)*
Homer C. Floyd Executive Director	George A. Simmons Regional Director	Kaaba Brunson Regional Director	Sandra Holman Bacote Regional Director

THE PENNSYLVANIA HUMAN RELATIONS COMMISSION IS A STATE AGENCY.
THERE IS NO CHARGE FOR ITS SERVICES.

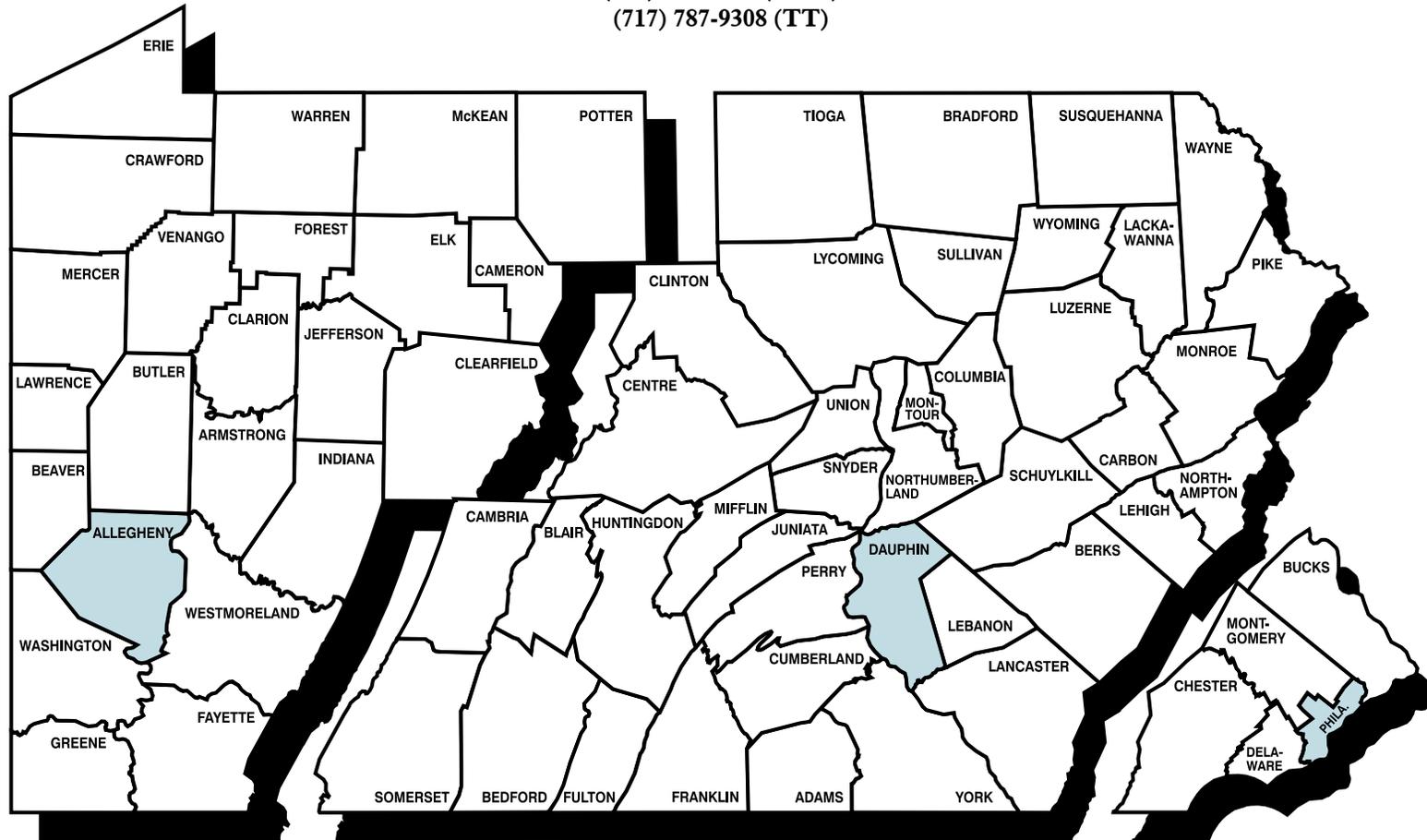
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