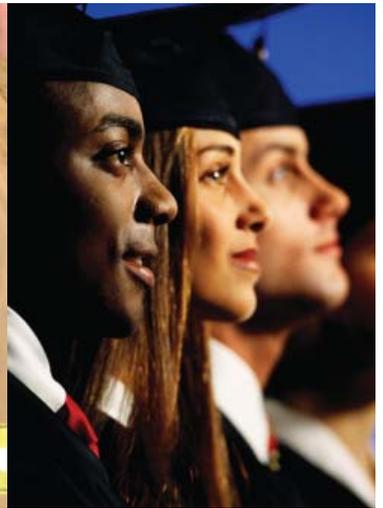




# pennsylvania

HUMAN RELATIONS COMMISSION



## Annual Report 2007-2008



**T**he mission of the Pennsylvania Human Relations Commission is to administer and enforce the Pennsylvania Human Relations Act and the Pennsylvania Fair Educational Opportunities Act through investigation, identification and elimination of unlawful discrimination and the promotion of equal opportunity for all persons.



**Executive Director Homer C. Floyd**

**Commissioners:**

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**Vice Chairperson Raquel O. Yiengst**

**Secretary Dr. Daniel D. Yun**

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Dear Governor Rendell and Members of the General Assembly,

We live in challenging times framed equally by unparalleled financial crisis and transformative social change. The Pennsylvania Human Relations Commission is realizing the significant effects of both as we simultaneously process discrimination complaints and work to expand cultural awareness, while addressing hate activity through our education and outreach initiatives.

As the Leadership Conference on Civil Rights has noted in its recent report evaluating the history and current status of the civil rights movement, we cannot continue to focus our efforts solely on the issues of race, ethnicity, age, disability and gender: we must broaden our perspective as citizens of the world to embrace Human Rights for every individual. We must address the inequities that stem from homophobia, bias against immigrants, economic and class distinctions, as well as combat the stereotypes that continue to diminish members of more traditional minorities.

We are striving for equality in the midst of a cultural shift that is defined by opposing views on legislation designed to protect Pennsylvanians on the basis of their “sexual orientation and gender identity or expression.” It has long been my belief that the work of combating discrimination and bias must be focused on protecting the most vulnerable and least well understood individuals from the tyranny and assaults of the majority.

At the beginning of the 21<sup>st</sup> century, we are struggling through the last great civil rights battle which will finally recognize the inherent worth, dignity and value of lesbian, gay, bisexual and transgender people. The conflict is fierce and our opponents reflect a classic resistance to change in the status quo. Segregationists fought against equality for people of color, while insensitivity and prejudice allowed many Americans to resist advances for women, people with disabilities, ethnic and religious minorities, and older citizens.

Now we are faced with a choice each of us must make in our personal lives; we can either ignore blatant discrimination against a besieged minority, or we can take a stand for fairness and justice by speaking out against unacceptable prejudice that separates us from more progressive states and nations. We can continue to lose business revenues and population to places that welcome the contributions and talents of sexual minorities, or we can join 20 other states that acknowledge the importance of protecting and embracing every individual.

Each of us knows gay people in our workplaces, our houses of worship, our community organizations and our extended families. Can we afford any longer the social costs of pretending that they don't exist? Can we continue to force them to lead double lives constantly concerned about losing their jobs, being forced from their homes, being denied an education, or service in a restaurant or hotel?

The time is long overdue to include “sexual orientation and gender identity or expression” in our state nondiscrimination statutes. The PHRC strongly supports this legislation and urges every Pennsylvanian to look beyond the fear of those who are different to support the right of everyone in the commonwealth to find employment, have a place to live, be served in public accommodations, and get an education without the fear of being denied these basic human rights because they are lesbian, gay, bisexual or transgender. Achieving equality uniformly in Pennsylvania is a high priority for this agency, and our commissioners and staff will continue the work that moves us closer to this goal with every year that passes.

A handwritten signature in black ink that reads "Stephen A. Glassman". The signature is fluid and cursive.

Stephen A. Glassman  
Chairperson



Dear Governor Rendell and Members of the General Assembly,

Unlawful discrimination takes on different forms and finds new targets with every era. If discrimination is the enemy of equal opportunity, like any enemy in any war, it changes with the times. It uses the technology and trends of the day, changing methods and hiding places as each is exposed.

Historically, the largest number of discrimination complaints filed has been in employment, with the highest number based on race, followed closely by sex and disability. That has not changed. Discriminatory acts such as harassment, failure to hire or unequal pay still happen, though they have become increasingly subtle and difficult to prove. But as the population changes, bringing an increase in diverse cultures and traditions, groups such as Hispanics and people who practice Islam face discrimination in growing numbers.

And discrimination is not only the enemy of a fair and just society, but of economic growth. If Pennsylvania does not have adequate laws and policies to protect our citizens, or if we cannot effectively enforce existing laws and do not welcome diversity, we are not as welcoming to potential residents and job-creating businesses as our competitor states might be.

That makes the job of the Pennsylvania Human Relations Commission as relevant and important today as it was when it was created by legislation passed over 50 years ago.

This report describes our work enforcing Pennsylvania's anti-discrimination laws and educating the public, law enforcement, educators, business and community leaders and advocates on issues related to equal opportunity and diversity.

Our successes this year include processing and closing 4,339 cases, providing 7,895,543 Pennsylvanians with \$10,384,666 in lost wages, damages and other compensation for illegal discrimination. Our average case settlement rate of 36 percent exceeded the federal rate of 19.5 percent and the national average for peer agencies of 21.6 percent for the federal fiscal year.

In recognition of our successful efforts to combat discriminatory predatory lending, the U.S. Department of Housing and Urban Development awarded the commission a \$310,000 grant to continue the work. The grant funded a study of lending practices in three counties and helped enable additional efforts to identify and expose illegal discriminatory lending practices.

We invite you to review this report and examine the forms discrimination is taking today in Pennsylvania, the targets of discrimination and bias, and our challenges as we seek to provide equal opportunity for all Pennsylvanians.

A handwritten signature in black ink that reads "Homer C. Floyd". The signature is written in a cursive, flowing style.

Homer C. Floyd  
Executive Director





## Who is the Pennsylvania Human Relations Commission?

The Pennsylvania Human Relations Commission enforces commonwealth laws that prohibit discrimination: the Pennsylvania Human Relations Act, which encompasses employment, housing, commercial property, education and public accommodations; and the Pennsylvania Fair Educational Opportunities Act, which is specific to postsecondary education and secondary vocational and trade schools.

In general, the law prohibits discrimination based on race; color; religious creed; ancestry; age (40 and over); sex; national origin; familial status (only in housing); handicap or disability and the use, handling or training of support or guide animals for disability. Retaliation for filing a complaint, opposing unlawful behavior or assisting investigations is also illegal.

The law also empowers the commission to track incidents of bias that may cause community tension and to educate the general public, law enforcement, educators and government officials in order to prevent discrimination and foster equal opportunity.

The commission consists of administrative, legal and investigative staff, overseen by an executive director in Harrisburg and regional directors in Harrisburg, Philadelphia and Pittsburgh.

Eleven commissioners, appointed by the Governor and confirmed by the Senate, act as public liaisons, set policies to be implemented by staff and resolve some cases that are not settled voluntarily. The commission is independent and nonpartisan, with no more than six commissioners from one political party. The commission chairperson is appointed by the governor, and a vice-chairperson, secretary and assistant secretary are elected by commissioners each year.



**pennsylvania**  
HUMAN RELATIONS COMMISSION

## Overview

This report gives a snapshot, not only of the work of the PHRC in enforcing the law, tracking bias and promoting equal opportunity, but of the state of discrimination in Pennsylvania: What form is discrimination taking? Where is it happening and to whom?

Discrimination hurts Pennsylvanians. It may take the form of lending practices that force low-income minorities and the elderly out of their homes; firing a qualified worker after discovering she is pregnant; denying accessible parking to someone with a disability; harassing a neighbor who wears a religious head covering, speaks with an accent or behaves in ways not stereotypical for his or her gender; or testing students in ways that hurt minorities and privilege the majority. The list could go on and on. Regardless of how discrimination manifests itself, it is a problem that still plagues our communities, schools and workplaces.

To the extent that citizens are aware of their rights and willing to file discrimination complaints, these statistics and information give a sense of the problems we need to address and what PHRC is doing to address them with the limited resources available for the task.



# The Who, What and Where of Discrimination

PHRC began the fiscal year with 4,658 cases pending from previous years, and added 3,956 cases to our investigation docket over the course of the year. We closed 4,339 cases this year, and ended the year with 4,393 cases pending.

## Employment Discrimination

Pennsylvania businesses have come a long way toward accommodating differences in culture, gender, religion and other characteristics of their workers. But illegal discriminatory policies and practices still exist, are often subtle and difficult to prove, and adversely affect multitudes of people.

PHRC initiated investigations of 3,337 complaints<sup>1</sup> of employment discrimination, including 6,453 separate allegations of discriminatory acts. These acts included nearly 3,000 allegations of discriminatory dismissals, over 1,300 harassment allegations, over 1,000 claims of unequal terms of employment (including pay), 561 alleging discriminatory discipline, and nearly 200 claims of failure to make reasonable accommodations for disability.

We investigated complaints of employment discrimination based on race filed by 1,067 people, including 942 by those identifying themselves as Black or African-American; 936 sex discrimination complaints, including 757 filed by women; 762 complaints of age discrimination; 738 disability-related complaints; 156 based on ancestry, including 111 people who identified themselves as Latino or Hispanic; 151 on national origin, including 31 Puerto Ricans; and 98 complaints based on religion, of which the largest single number, 34, were filed by those practicing Islam.

Allegations of retaliation for filing complaints, cooperating with investigations, or opposing unlawful behavior accounted for 931 complaints.

As part of legal orders issued after public hearings, and terms of confidential settlements agreed to by employers, the commission required numerous employers statewide to train their management and staff in cultural sensitivity and diversity, and to establish, publicize and enforce policies prohibiting discrimination and abolish discriminatory practices and procedures. As part of just one case settlement, a company enacted new policies providing less discriminatory service to almost eight million customers in Pennsylvania and over 36 million worldwide.

## Housing Discrimination (includes credit lending)

Housing complaints make up the second largest number of complaints received by PHRC each year. Housing discrimination takes many forms, including landlords refusing to rent or sell to certain groups; evictions; government entities or landlords denying accessible parking to tenants or homeowners with disabilities; and harassing neighbors whose actions deny people their right to enjoy their housing. It also

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<sup>1</sup> Complaints filed by an individual are only counted once in the total number. However, discrimination allegations may have more than one basis, or protected class such as race, sex or age, and complaints may allege more than one act of harm, such as dismissal, demotion, discipline, etc. Therefore, complaints may be listed more than once in breakdowns of complaint type and basis.

includes discriminatory lending practices including predatory lending, in which deceptive practices are aimed at groups such as low-income Hispanics, African-Americans or the elderly, in order to lure them into loans they cannot afford.

Predatory lending is an age-old practice, but has been the focus of growing media attention as its effects have been vividly illustrated by skyrocketing foreclosure rates. In recognition of our previous successes combating predatory lending, the U.S. Department of Housing and Urban Development awarded PHRC a \$310,000 grant to fund continued efforts in this arena. The grant included dedicated funds to evaluate trends in mortgage originations and foreclosures in Philadelphia, Allegheny and Berks counties. This work continued through the year.

Our investigations have included allegations of illegal predatory lending practices including complaints of contractors and mortgage lenders targeting black and hispanic female homeowners who had established equity in their homes. Homeowners claimed to have been lured by seemingly attractive refinancing offers that actually consumed their equity with hidden fees. This practice is known as equity stripping.

Other complaints alleged that black and hispanic homeowners were courted by builders, developers, lenders, service agencies and insurers, sometimes acting together, to lure them into relocating from neighboring states. Hidden, often exorbitant fees and inflated home prices led to high foreclosure rates. Those said to be involved in the schemes allegedly profited from the fees and re-sale of the foreclosed homes.

Many of our predatory lending investigations have been slowed by concurrent criminal investigations of federal law violations.



Our focus has turned to outreach and training to help homebuyers and real estate and lending practitioners recognize and avoid illegal practices. Commission staff shared their expertise in this area, holding a number of training sessions and making presentations for groups statewide and at national conferences throughout the year.

Predatory lending is just one of the ways in which individuals and groups are deprived of their fair housing rights by illegal discrimination.

Of 311 housing complaints filed this year, 132 were disability-related, primarily filed by those with mobility impairments, or mental or cognitive disabilities. Of 105 complaints based on race, 89 were filed by those identifying themselves as black or African-American. Thirty-seven complaints were filed on the basis of sex, all but five by women. The remaining complaints were 36 filed in retaliation, 20 based on familial status (currently only included as a protected class in housing), 19 based on national origin, eight based on ancestry, and five each based on religion and age.

## Commercial Property Discrimination

Of 48 complaints of discrimination in commercial property, 43 were related to disability. The remaining five were based on race and retaliation. Discrimination in commercial property, like that in housing, takes the form of different credit or financing terms, and refusal of services such as denial to rent or lease. Commercial property complaints can be filed by contractors or developers who are denied permits when they intend to



build facilities to serve certain populations, such as those with disabilities.

## Public Accommodations Discrimination

Services at public facilities — schools, restaurants, theaters, stores, parks, government entities and a host of other places — are still denied to people because of race. They are denied because someone doesn't exhibit characteristics typical of their gender, because they practice a particular religion or are from a particular country, and because people with disabilities simply cannot access them.



Still others are harassed for trying to enjoy the same access to facilities or services as their peers.

Of 206 complaints of discrimination in public accommodations, 84 were disability-related; 79 were on the basis of race; 28 in retaliation for complaints; 14 on the basis of sex; and 11 based on religion.

However, the numbers do not tell the whole story, particularly for people with disabilities. In many instances, people are not aware that they have the right to enjoy the same facilities and services as their peers. A number of our cases represent an advocate or advocates filing a complaint in order to make business owners aware of their legal obligations to make reasonable accommodations in order to serve people with disabilities.

Recognizing that individuals and business owners are often unaware of their legal rights or obligations, and that designing or retrofitting buildings to be accessible can present financial and other challenges that seem daunting, the commission held a series of events across the state, titled *Bridging the Gap Between Architects and Advocates: an All-Access Pass to the Future of Barrier-Free Design*. These events brought together disability rights advocates, architects and civil rights law experts to examine barriers to accessibility in public buildings and creative, affordable solutions being applied at places like Pennsylvania private and public universities.

## Education Discrimination

Cyberbullying is a vivid example of how discrimination evolves with the times and technology. Students use cell phone text-messaging and photos, e-mail and posts on social networking Web sites to harass and bully their peers, often anonymously and without thought to the consequences for perpetrator or victim.

This form of discrimination is particularly damaging because messages can be instantly forwarded and viewed by huge networks of people, both in and outside the school environment. Because of the potential for harm and relatively recent emergence of this form of discrimination, commission legal staff conducted a number of training sessions and seminars for k-12 and higher education professionals on the legal precedents and implications of cyberbullying.

Additional training for students and educators, described in greater detail in the outreach section



of this report, focused on appreciating diversity, conflict resolution, cultural competency and other topics important to the success of today's educational institutions.

Complaints of education discrimination largely fall within the public accommodations provisions of the law, and are described in those statistics. Complaints related to vocational or technical education on the secondary level, and higher education make up a smaller portion of the complaints in our yearly caseload, but nonetheless are an indicator of some of the challenges presented by discrimination in educational institutions.

In education this year, 54 cases involved 95 counts of discrimination. The largest group was based on race or color, with 30 complaints, followed by 12 complaints of sex-based discrimination, and 16 disability-related complaints. Three complaints were based on ancestry, two on religious creed and six on retaliation.

Eighty-six separate discriminatory acts were alleged in education. They included harassment, expulsion, denial of scholarships, denial of admission, failure to make reasonable accommodations, failure to offer courses, failure to make records available and application of different grading criteria.

The statistics and information that follow give a more in-depth view of the year's discrimination investigations, public outreach and the legal processes involved in resolving cases.



## Outreach: Promoting Equal Opportunity, Addressing Conflict

The Human Relations Act requires the commission not only to enforce the laws that prohibit discrimination, but to educate the public on avoiding discrimination and dealing with situations and events that may lead to community tension.

Three primary ways in which we do so are monitoring incidents that may lead to inter-group tensions, educational outreach and facilitating communication among groups.

Our outreach tools and methods include the following:

- formal, PHRC-organized groups that meet regularly, including the PA Inter-Agency Task Force on Civil Tension, the Disability Stakeholders' Taskforce, and seven regional Advisory Councils
- PHRC-sponsored events such as seminars on topics such as discriminatory lending, civil rights law and cultural competency
- presentations at conferences, seminars, community forums, festivals, etc.
- media outreach and publications
- formal training mandated by legal orders or settlements for employers, educational entities, lending institutions, housing providers, etc.
- training upon request from businesses, law enforcement agencies, schools and community groups

### Civil Tension Task Force

PHRC convenes the PA Inter-Agency Task Force on Civil Tension, a partnership with the PA State Police, the PA Attorney General's office, and numerous public and private advocacy organizations and community groups. This network of agencies meets monthly to monitor and address incidents that occurred over the month around the state and are seen as having the potential to create tension. These "bias incidents" range from hate crimes such as assault, murder or institutional vandalism in which bias is the motivation, to the public display of messages or symbols deemed offensive to particular groups, to rallies or gatherings that may draw protests or provoke violent opposition.

The group hears presentations and shares practices that inform their work promoting diversity, resolving conflict and addressing such issues as rapid demographic change and responses to violence or hate. Task force members regularly share information on reported incidents with groups in the community who may be able to work together to address possible tension.

Bias reports are received by PHRC by e-mail, phone and fax and through media reports. Report forms and information are available online at [www.stopbias.org](http://www.stopbias.org). In response to Pennsylvania's growing Latino population and increasing incidents of anti-immigrant sentiment, PHRC made a Spanish version of the report form available this year.

One example of interagency collaboration to address civil tension occurred in late 2007 and early 2008, in response to State Police concerns about racial tensions in Williamsport. PHRC staff partnered with State Police and community leaders to develop a plan to improve police-community relations. The groups continue to work together to implement the plan.

In another example in June 2008, PHRC monitored growing tensions in the Scranton–Wilkes-Barre area following unrelated incidents, including widespread distribution of white supremacist literature and anti-Semitic graffiti painted on the doors of a local synagogue. PHRC staff shared their expertise on hate crimes and diffusing group tensions at a community summit hosted by the Wilkes-Barre NAACP chapter, and Luzerne County Diversity Commission. Prior to the event, white supremacist groups announced



Following are a map of of bias incidents reported by county in 2007-2008, and a chart illustrating the targeted groups or basis of reported bias.

## Promoting Diversity in Schools: Closing the Achievement Gap

When an area in the state is affected by rapid demographic change; a school district consolidation brings together disparate economic or ethnic groups; or when escalating school violence raises concern, PHRC responds with outreach to schools and surrounding communities. Often at the request of the community or school, PHRC assists school district personnel in developing disciplinary and other policies to resolve conflicts, reduce tensions, promote acceptance of differences and provide equal educational opportunities for all.



In 2007, PHRC worked with school districts in Allegheny County to plan for the impending closing of Duquesne High School. Staff assisted the districts in planning for re-districting, busing students, records transfer and mitigating racial tensions.

PHRC staff, advisory council members and task force partners conducted 12 trainings called *Student Identification and Resolution of Issues Together*, or SPIRIT, designed by the U.S. Justice Department, in school districts including Philadelphia, Lower Merion, West Shore, State

College, Warwick, Canton, Spring Grove and York.

PHRC staff, partnering with the PA Center for Safe Schools and other Civil Tension Task Force participants, assisted Warwick School District in developing a comprehensive plan to maintain a safe, respectful school environment.

Legal issues in education are changing rapidly with technological developments, demographic change and changes to federal and state laws. A PHRC education attorney presented legal perspectives on bullying and cyberbullying to six groups of educational administrators and leaders statewide. She provided civil rights education updates and legal overviews and in-depth training to four statewide groups of postsecondary education leaders, and a legal perspective on cultural competency and the achievement gap to the Department of Education's Homeless Children's Initiative coordinators.

## Tackling Disability Rights and Challenges: Making PA Accessible

PHRC convenes Pennsylvania's Disability Stakeholders' Taskforce, a group of advocates, consumers and service providers, both public and private, who work together to foster equal opportunity for people with disabilities. The group meets quarterly to share information and bring their collective expertise to bear on the challenges to accessibility in employment, education and other aspects of life with disabilities.

This year, the group's meetings were held in Harrisburg, in Philadelphia at Temple University, and in Reading in conjunction with the World Congress on Disabilities Expo. Presentations and discussion topics

included traumatic brain injury, autism spectrum disorder, developmental disabilities, assistive technology, negotiating the school system for children with disabilities, crime against people with disabilities and pending legislation.

Commission attorneys, fair housing specialists, and Chairperson Stephen Glassman, an architect by profession, collaborated with partners from Pennsylvania architecture firms, the U.S. Department of Housing and Urban Development and the Disability Rights Network to provide a series of events across the state, titled *Bridging the Gap Between Architects and Advocates: an All-Access Pass to the Future of Barrier-Free Design*.

These events brought the collective expertise of experts in civil rights law and architecture and design to bear on barriers to accessibility in public buildings. They offered attendees advice on their legal responsibilities and creative, affordable solutions being applied at places like Pennsylvania private and public universities.



In November 2007, the commission issued a resolution urging the President and Governor to support the United Nations Convention on the Rights of Persons with Disabilities. The resolution, acknowledging that people with disabilities have historically been stigmatized, marginalized and denied equal opportunity, called for government commitment to righting those wrongs through public initiatives.

The stated purpose of the convention is “to promote, protect protect and ensure the the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent

dignity.”

The commission also encouraged the legislature to support proposed Pennsylvania legislation that would consolidate services to people with disabilities under one entity within the Office of Administration.

## Advisory Councils: Equal Opportunity Ambassadors

Seven regional advisory councils extend the reach of the commission into communities around the state. Their work is especially important, given the large geographic areas covered by the three PHRC regional offices. The councils, located in Blair, Cambria, Centre, Monroe, Montgomery, Northampton and York counties, act as liaisons and equal opportunity ambassadors, promoting the work of PHRC and advising the commission on issues in their communities.

Advisory council members are local civil rights, community, education and law enforcement leaders recommended by PHRC regional office leadership, and approved by vote of the commissioners. They participate in PHRC-sponsored outreach and training events and host their own events, such as the Montgomery County Advisory Council’s annual Civil Rights Awards Luncheon and the Blair County Advisory Council’s annual Civil Rights Awards Dinner.

Other activities this year included working with State College to expand anti-discrimination ordinances, working for the creation of county-wide human relations commissions in York and Berks counties and helping reinstate school resource officers in Johnstown to foster safer schools.

PHRC worked during the course of 2007-2008 to lay the groundwork for advisory councils to be formed in Western Pennsylvania. The locations of current advisory councils are shown on the map on the last page of this report.



## Legislative Outreach: Promoting Fair Laws in PA

PHRC attorneys analyze proposed legislation that would either amend the Pennsylvania Human Relations Act or affect groups of people protected under the act. Commissioners often vote to support or oppose proposed legislation, and communicate their concerns to the general assembly and the governor.

During the 2007-2008<sup>1</sup> legislative session, the commission supported a number of proposed bills, including:

- House Bill 1400, which would amend the PHRA to add sexual orientation and gender identity or expression to protected classes
- House Bill 280, which would amend the PHRA to add marital or familial status to protected classes in employment
- House Bill 51, which would establish a \$1 million fund for PHRC's use in the prevention of hate activity
- House Bill 435, which would regulate the collection, use and dissemination of genetic information by insurance providers and prohibit discrimination in insurance provision on the basis of genetic information

The commission opposed:

- House Bills 1958 and 2064, which would establish English as the commonwealth's official language

Other bills, intended to prevent bullying in schools and the public display of offensive symbols, were supported with amendments recommended in order to recognize constitutionally protected speech.

## Amending the PHRA: A Matter of Basic Fairness

The primary focus of PHRC legislative outreach during the 2007-2008 fiscal year was encouraging passage of bills that would amend the PHRC to include marital and familial status in employment, and sexual orientation and gender identity or expression in employment, housing and public accommodations.

A 2005 study<sup>2</sup> showed that mothers are 44 percent less likely to be hired than non-mothers and are offered \$11,000 less in salary. The commission feels strongly that a person's marital status should not be relevant when they are considered for a job or assigned a pay level. The only considerations should be whether the person is qualified and able to perform the duties of the job.

Similarly, a person's sexual orientation, gender identity or expression should not be a factor in whether or not they are considered for employment, housing or service in a public accommodation. These are matters of basic fairness and equal opportunity.

<sup>1</sup> The legislative session spans more than one state fiscal year.

<sup>2</sup> Shelly Correll, "Getting a Job: Is There a Motherhood Penalty?"; proceedings of American Sociological Association annual meeting, Philadelphia, August 2005.

While it is possible in some instances to bring complaints of sex discrimination in matters of marital or familial status and sexual orientation, gender identity or expression, doing so has not always been effective. Expressly banning such discrimination is the only effective way to end it.

The commission continued to oppose legislation that would negatively affect immigrants and their children, including establishing English as an official language. Much of the legislation that has been proposed with the intent of curbing illegal immigration would actually have the unintended effect of encouraging illegal discrimination against citizens on the basis of their race, ancestry or national origin.



## PHRC Legal Process: In Brief

PHRC attorneys provide the expertise necessary to enforce nondiscrimination laws. Our attorneys provide assistance during investigations, prosecute complaints that go to public hearing and Commonwealth Court, respond to public requests for information filed under the Right-to-Know Law, and otherwise uphold the commission's interests in state and federal courts.

Our attorneys provide general legal advice and assistance to commissioners and staff, including analyzing relevant state and federal cases; analyzing proposed legislation which would either amend PHRC laws or affect operations; and drafting relevant amendments regulations, policy statements and guidelines. Attorneys train investigators on applicable laws and theories of discrimination, evidence, retaliation, harassment and probable cause.

PHRC attorneys are also key in educational outreach and training, giving numerous presentations to the general public as well as our commissioners and staff, civil rights professionals, educators, law enforcement, lending professionals, architects, real estate professionals, etc. on wide-ranging legal topics from predatory lending to cyberbullying. (see outreach on page 25).

## Law, by the Numbers

In 2007-2008, PHRC attorneys dealt with **2,479** case-related matters, including:

- **235** PHRC Rule to Show Cause proceedings resulting in findings of liability in **13** cases.
  - If a respondent does not file a timely answer to a complaint, as the law requires, the commission issues a Rule to Show Cause. Respondents must file an answer or risk having a finding of liability made against them.
- Review of **676** cases under investigation, providing staff or commissioners a written legal opinion in each.
- Response to **115** motions to dismiss filed by respondents who felt PHRC lacked jurisdiction.
- Handling **189** requests for subpoenas made by investigators who were unable to voluntarily obtain necessary information from respondents or other sources.
  - In eight of these instances, commission attorneys filed subpoena enforcement actions in Commonwealth Court. Five actions were successful and three were still pending at the end of the fiscal year.
- Compliance with **482** subpoenas served on PHRC from private parties.
  - These subpoenas are normally served in connection with cases taken into court by complainants, either before or after a commission finding.
- Reconsideration of **172** requests for dismissal. Of these, **12** requests were granted and **160** denied.
  - Investigations may result in dismissal or settlement of a complaint, or a finding of probable cause. A complainant has the right to request that the commission reconsider a dismissal.
- Held one preliminary hearing to review possible breach of settlement in eight consolidated cases.
  - In cases that have settled, a party may request that PHRC determine if the settlement agreement has been breached.
  - Attorneys review the requests and recommend that the commission either grant or deny the request. In ruling on these requests, the commission may hold a preliminary hearing to determine whether probable cause exists or whether a settlement agreement has been breached.
- Reviewed **284** requests for probable cause, approving **147** of the requests and denying **29**. Another **108** requests were returned for additional investigation.
  - If an investigation results in a proposed finding of probable cause, the proposed finding will be reviewed for legal sufficiency.
- Finalized **86** consent orders.
  - PHRC is statutorily required to achieve voluntary, reasonable settlements of complaints. Settlement agreements may be expressly approved by the commission as a consent order. This normally occurs after a finding of probable cause has been made. These orders have the force of a

PHRC final order.

- Participated in **38** prehearing conferences and **21** public hearings.
- If settlement efforts fail, the case is placed on the commission's public hearing docket and assigned to an attorney for prosecution. Prosecution involves the full range of legal discovery activity to prepare for the hearing. There were **69** cases on the public hearing docket at the beginning of the fiscal year. Another **46** cases were added during the year and **62** cases were removed from the docket.

The fiscal year began with **three** PHRC cases pending in Commonwealth Court. **Fifteen** new cases were filed, including petitions for review of PHRC public hearing decisions, housing discrimination cases in which the parties chose a trial in Commonwealth Court instead of a PHRC public hearing, subpoena enforcement actions. Of the **18** pending cases, **11** were resolved and seven remained on the Commonwealth Court docket at the fiscal year end.

There were three appeals pending in the Pennsylvania Supreme Court at the beginning of the fiscal year. All three were resolved and no new appeals were filed.

## The Public Hearing Process

The law requires the commission to make every effort to conciliate between parties before a public hearing, and in most instances these efforts are successful. However, PHRC conducted 21 public hearings during 2007-2008.

Forty-six cases were placed on the public hearing docket during the year. Of all docketed cases, whether newly docketed or held over from the prior year, 26 cases settled before going to hearing. Settlement terms are confidential.

In a public hearing, cases are heard by either a panel of three commissioners or a permanent hearing examiner. In each instance, the panel or hearing examiner issues a recommendation after reviewing evidence presented in the hearing and any post-hearing briefs filed by the parties. Commissioners then vote either to adopt these recommendations — along with stipulations, findings of fact, conclusions of law and opinions — and issue a Final Order, or to remand the issue for further consideration.

Final Orders are legally binding, and if respondents do not comply or appeal, the commission may seek enforcement in Commonwealth Court.

## Final Orders After Public Hearing '07-08

Following are summaries of Final Orders the commission issued in 2007-2008. Monetary amounts are rounded to the next highest dollar.

**Eva Villanueva v. Borough of Bristol**, November 20, 2007. Eva Villanueva filed a complaint alleging that the Borough of Bristol denied her reasonable accommodation for her disability by failing to provide the disability parking space she needed to access and enjoy her home. The commission ordered the Borough of Bristol to cease and desist discriminating in this way against people with disabilities, to pay Villanueva \$10,000 in compensatory damages for humiliation and suffering, and to pay a \$1,500 civil penalty. The commission petitioned Commonwealth Court to enforce the order.

**Tracy L. Dixon v. Circle Bolt & Nut Company Inc.**, January 29, 2008. Tracy Dixon alleged sex-based discrimination in the form of a hostile work environment, and that Circle Bolt & Nut Company Inc. had fired



her in retaliation for complaining about work conditions. The commission found that Dixon had proven illegal discrimination and ordered Circle Bolt & Nut to end the practice of illegal retaliation and to pay Dixon \$23,290 in lost wages, plus interest. Circle Bolt & Nut appealed the order in Commonwealth Court. Commonwealth Court affirmed the order, and Circle Bolt & Nut appealed to the Pennsylvania Supreme Court, where it was still pending on publication of this report.

**Glenda & Raymond Brown, Jr. and Raymond Brown III, individually and on behalf of Vaughan Brown v. Emanuel Hertzler**, April 22, 2008. The Brown family's complaint alleged that Emanuel Hertzler refused to rent a home to them on the basis of their race, African-American. The commission found that Hertzler had illegally discriminated against the Browns and ordered him to cease his illegal practices, prominently post and distribute the commission's Fair Housing Practices notices, report regularly to the commission on the status of all of his rental properties and provide copies of advertisements for any available properties. Hertzler was also ordered to pay \$2,000 each in compensatory damages for embarrassment and humiliation to Glenda and Raymond Brown, Jr., and \$1,000 compensatory damages to Vaughan Brown, their minor son who testified at the public hearing. Hertzler was also ordered to pay the Browns \$240 for expenses.

The commission sought enforcement by Commonwealth Court. The Browns subsequently withdrew their complaint.

## Liability Findings

The following final orders were issued finding respondents liable after they failed to answer complaints against them as required by law, then failed to appear in public hearings.

**Theresa Smith-Jennings v. Francisco Cordice**, August 27, 2007. Theresa Smith-Jennings filed a complaint alleging that her neighbor, Francisco Cordice had discriminated against her, harassing her on the basis of her sex. Cordice was ordered to cease making false reports and sex-based derogatory comments, and interfering with Smith-Jennings' fair housing rights. The commission ordered Cordice to pay Smith-Jennings \$15,000 in compensatory damages for humiliation and suffering, and \$1,133 for expenses. He was also ordered to pay a \$750 civil penalty.

**Frances Sellecchia and Amy Richards v. Bally's Pizza Place**, September 26, 2007. Bally's Pizza Place failed to answer complaints of sexual harassment and constructive termination filed against it by former employees Frances Sellecchia and Amy Richards. The commission ordered Bally's to file timely answers to any future complaints, and to pay Sellecchia \$15,000 and Richards \$7,088 in back pay, plus interest and expenses. The commission petitioned Commonwealth Court to enforce the order.

**Sonjia Steiner-Westfall v. Danvic Management** (doing business as Charlie O's), September 26, 2007. Sonjia Steiner-Westfall filed a complaint alleging that she was paid unequal wages and terminated from her position at Charlie O's because of her sex. Charlie O's was ordered to end their discriminatory practices and answer any future complaints. The business was also ordered to pay Steiner-Westfall \$74 in travel expenses and \$12,310 plus interest to compensate for unequal pay and lost wages. The commission petitioned Commonwealth Court to enforce the order.

**Donna M. Miller v. Mountain Marketing Inc., President Sharon Levine and Paul Levine**, March 17, 2008. In Donna Miller's complaint against her employer, Mountain Marketing, her supervisor and the company's president, she alleged sexual harassment and constructive discharge, meaning she considered the environment to be so hostile she was forced to quit. The commission ordered Mountain Marketing to end its practice of failing to provide and atmosphere free of sexual harassment, and failing to respond to complaints. The Levines were ordered to cease and desist aiding and abetting sexual harassment, and jointly with the company to pay Miller \$7,886, plus interest in compensation for back pay and lost vacation pay and \$105 for expenses. At the time of this writing, the commission had not yet held a hearing on the matter of seeking enforcement.

## Dismissed Complaints

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The following orders were issued dismissing complaints after the commission found that the complainants had not produced sufficient evidence to prove their claims.

**Linda Shaub v. Plunkett's Place**, issued July 23, 2007.

Linda Shaub filed a complaint against her employer, Plunkett's Place, alleging that she was sexually harassed and terminated in retaliation for complaining about the harassing behavior.

**Craig McCollum v. Ciba Vision**, December 18, 2007. McCollum, an African-American, filed a complaint alleging that in terminating him from his sales representative position, Ciba Vision discriminated against him because of his race.

**Russel Handy v. Harsco Corporation**, (doing business as Taylor-Wharton), March 17, 2008. Russel Handy, an African-American, filed a complaint alleging that his discipline and termination from Taylor-Wharton were illegal discrimination on the basis of his race.

**Jose Santiago v. Temple University Hospital**, May 20, 2008. Jose Santiago's complaint against Temple University Hospital alleged that the hospital fired him because of his Puerto Rican national origin.



## Case Statistics

### Complaints by Category, Protected Class, and Region\*

Category of Harm	Protected Class	Central Office	Haris-burg	Phila-delphia	Pitts-burgh	Total
Commercial Property	Disability - Has a Disability		4		38	42
	Has a Record of Disability				1	1
	Race				3	3
	Retaliation				2	2
Education	Ancestry		1	2		3
	Color		1			1
	Disability - Has a Disability		6	3	3	12
	Regarded as Having a Disability			2		2
	Race		9	10	9	28
	Religious Creed		1	1		2
	Retaliation		3	2	1	6
	Sex		4	2	6	12
	Employment	Age	1	336	220	202
Ancestry			103	40	11	154
Color			15		2	17
Disability - Has a Disability			242	189	128	559
Has a Record of Disability			22	9	1	32
Regarded as Having a Disability			61	8	10	79
Related to Someone with a Disability			9	6	6	21
Related to Someone with a Record of Disability			1	2		3
Related to One Regarded as Having a Disability			1	1	2	4
GED					2	2
Multiple Class				15	31	46
National Origin		3	71	59	17	150
Other			1		1	2
Race			379	386	250	1015
Religious Creed			31	48	19	98
Retaliation	1	388	326	190	905	
Sex		409	316	201	926	

\*Regional offices and the counties they serve are found on the last page of this report. Complaints are filed in regional offices, and those listed as filed with the central office were reassigned due to special considerations.

## Complaints by Category, Protected Class, and Region (cont.)

Category of Harm	Protected Class	Central Office	Haris-burg	Phila-delphia	Pitts-burgh	Total	
Housing	Age		1	4		5	
	Ancestry		7	1		8	
	Color		2			2	
	Disability - Has a Disability		50	30	35	115	
	Has a Record of Disability				1	1	
	Is Related to Someone Who Has a Disability		5	4	2	11	
	Familial Status		12	6	2	20	
	Multiple Class			2	1	3	
	National Origin		2	14	3	19	
	Race		24	49	29	102	
	Religious Creed		1	2	2	5	
	Retaliation		13	14	9	36	
	Sex		10	19	8	37	
	Public Accommodation	Ancestry		5	5	2	12
		Color		2			2
Disability - Has a Disability			23	15	41	79	
Disability - Is Regarded as Having a Disability				2	2	4	
Disability - Is Related to Someone Who Has a Disability			1			1	
Multiple Class				2		2	
National Origin			3	2		5	
Race			21	30	29	80	
Religious Creed				8	3	11	
Retaliation			7	11	12	30	
Sex			5	4	6	15	
Use of Guide/Support Animal				2		1	3
<b>Total*</b>		5	2294	1872	1324	5494	

\*The total number of complaints shown here is higher than the total number of docketed cases, because allegations involved in a specific case may include discrimination based on more than one factor such and race and sex. Here, each protected class basis shows as one complaint.

Only complaints docketed during the 2007-2008 fiscal year are included. Cases filed, but not yet docketed do not appear here, nor do cases still open from previous years.



## Case Closures by Settlement Type and Region

Closing Category	Complaint Type	Central Office	Harris-burg	Phila-delphia	Pitts-burgh	Total
Settled After Probable Cause (PC) finding	Commercial Property		1			1
	Education		3			3
	Employment		16	27	5	4
	Housing	3	6	12	11	32
	Public Accommodation		4	3	1	8
		3	30	42	17	92
Settled Prior to PC finding	Commercial Property			1	1	2
	Education		1	6	1	8
	Employment		534	487	256	1277
	Housing		31	63	39	133
	Public Accommodation		22	19	24	65
			588	576	321	1485
Administrative	Commercial Property		1	1		2
	Education		2	4	6	12
	Employment	5	172	207	75	459
	Housing	1	14	25	7	47
	Public Accommodation		176	13	3	192
		6	365	250	91	712
No PC finding	Commercial Property	1			2	3
	Education		7	9	8	24
	Employment		813	438	533	1784
	Housing	2	95	45	38	180
	Public Accommodation		22	29	28	79
Total		3	937	521	609	2070

Cases are closed in several ways. In cases described as settled above, the parties reached a mutually agreed upon settlement, either before a finding of probable cause (PC) to credit the complainant's allegations, or after. In cases described as no PC finding, the evidence offered was not sufficient to support the complainant's allegations of discrimination. Cases described as administrative closings include withdrawn complaints and those in which a complainant opts to file in state or federal court. Cases in which decisions are made after a public hearing are included in these figures.

Our average case settlement rate of 36 percent exceeded the federal rate of 19.5 percent and the national average for peer agencies of 21.6 percent for the federal fiscal year.

### Cases Closed by Case Age

Age Ranges	Total	% of total
months 0-3	556	13%
months 4-6	889	20%
months 6-12	920	21%
years 2	1255	29%
years 3	481	11%
years 4+	238	5%
Total	4,339	

During 2007-2008, the commission made a concerted effort to resolve a backlog of older cases, closing nearly 2,000 cases that had been under investigation for over two years, and in which complainants had chosen not to exercise their right to file in court after one year.

## Impact of Case Closures

Office	Benefit type	Amount	Number of people benefited*
Central	Monetary	\$20,156	4
Harrisburg	Monetary	\$4,080,144	606
	Nonmonetary	\$0	24,279
Pittsburgh	Monetary	\$1,352,004	6,164
	Nonmonetary	\$7,398	13,072
Philadelphia	Monetary	\$4,896,046	601
	Nonmonetary	\$28,917	7,850,817
Total	Monetary	\$10,348,350	7,375
	Nonmonetary	\$36,315	7,888,168
Grand Total		<b>\$10,384,665</b>	<b>7,895,543</b>

Case settlements and final orders issued by the commission may provide direct monetary benefit to complainants, such as back pay, tuition, attorney fees or other expenses. In housing cases, complainants may receive damages awarded for humiliation and embarrassment.

Other benefits of case settlements may be monetary, or have an assigned monetary value, but not in the form of direct payments to complainants. Examples of nonmonetary impact might be the installation of a ramp, making a business accessible to customers with disabilities.

Other nonmonetary benefits may not be able to be assigned a monetary value, such as employee training, discipline for a harasser, purging of personnel files, etc.

\*Numbers of people benefited by nonmonetary benefits include projected numbers of people who will benefit, such as the number of customers a business has yearly or the number of students in a school district.

**PHRC case settlements benefit the individuals who have suffered illegal discrimination as well as their communities, schools and workplaces that adopt fairer, more equitable policies as a result of the settlement.**

### Lukus Cases: U.S. Equal Employment Opportunity Commission Cases Awaiting Disposition

Complaints initially filed with the U.S. Equal Employment Opportunity Commission and also filed with PHRC are entered into PHRC's database as "Lukus" cases, but PHRC does not conduct a simultaneous investigation. Once the EEOC closes a Lukus case, PHRC either concurs with their finding and closes the case, or docket the case for PHRC investigation. This preserves complainants' rights to have their claims investigated as violations of state law.

Lukus cases require administrative work on the part of PHRC, but are not included in other statistics in this report. In 2007-2008, there were 2,892 Lukus cases filed and 4,846 cases closed.



## Cases Docketed by County and Type

County	Commercial Property	Education	Employment	Housing	Public Accommodation	Total filed in County
Adams	23		13	1	22	59
Allegheny	6	11	441	48	35	541
Armstrong			5			5
Beaver			28	2	3	33
Bedford			9	1		10
Berks		2	117	12	4	135
Blair			18	1		19
Bradford			4			4
Bucks		1	113	16	13	143
Butler			25	2	1	28
Cambria			18	1	1	20
Cameron			3			3
Carbon			4	1	3	8
Centre		1	23	1		25
Chester		1	68	7	2	78
Clarion			3			3
Clearfield			7			7
Clinton			9			9
Columbia			12			12
Crawford			9		1	10
Cumberland	2	1	125	7	7	142
Dauphin	11	6	346	8	13	384
Delaware		3	143	24	8	178
Elk			11			11
Erie		1	37	6	2	46
Fayette			21	2		23
Forest			1			1
Franklin		1	44	5	4	54
Greene			1			1
Huntingdon			2			2
Indiana			12		1	13
Jefferson			4	1		5
Juniata			2	1		3
Lackawanna			44	5	1	50
Lancaster	1		129	2	8	140
Lawrence	1		13	1	4	19
Lebanon		1	30	1		32
Lehigh			69	9	4	82

## Cases Docketed by County and Type (cont.)

County	Commercial Property	Education	Employment	Housing	Public Accommodation	Total filed in County
Luzerne			83	8	5	96
Lycoming			26	1		27
McKean			5	1		6
Mercer		2	32			34
Mifflin		1	4	2		7
Monroe		2	35	7	2	46
Montgomery		5	275	24	13	317
Montour			4	1		5
Northampton		1	38	3	3	45
Nothumberland		3	9	3		15
Perry			4			4
Philadelphia		6	528	44	28	606
Pike			9	3		12
Potter			2			2
Schuylkill			19	2		21
Snyder			10			10
Somerset			6			6
Sullivan			1			1
Sudquehanna			3	1		4
Tioga			4	1	1	6
Union	1		6		1	8
Venango			4	2		6
Warren			5			5
Washington			30	9	2	41
Wayne			4			4
Westmoreland			52	5	4	61
Wyoming			7			7
York	3	2	119	12	8	144
Total	48	51	3287	294	204	3884



## Acts of Harm: What Form is Discrimination Taking?

Acts of harm, or the actual discriminatory act alleged in a complaint, and the basis of discrimination are described in the tables that follow.

Employment Acts of Harm — 6485															
Termination = 2980		Demotion = 79		Failure to hire = 225		Discipline = 561		Terms of employment = 995		Harassment = 1317		Reasonable Accommodation = 197		Other * 131	
Race	600	Age	21	Disability	64	Race	142	Race	263	Sex	448	Disability	182	Race	47
Retaliation	566	Disability	15	Age	56	Retaliation	138	Retaliation	193	Race	300	Religious Creed	8	Retaliation	29
Sex	542	Retaliation	13	Race	32	Age	84	Sex	171	Retaliation	181	Retaliation	4	Sex	17
Age	527	Sex	13	Sex	26	Sex	74	Age	156	Age	133	Age	1	Disability	11
Disability	478	Race	10	Retaliation	22	Disability	58	Disability	112	Disability	104	Race	1	Multiple Class	8
National Origin	93	Ancestry	3	Ancestry	10	Ancestry	28	Ancestry	37	Ancestry	55	Sex	1	Age	7
Ancestry	86	Multiple Class	2	Religious Creed	6	National Origin	24	National Origin	37	National Origin	50			Ancestry	6
Religious Creed	58	National Origin	2	National Origin	5	Religious Creed	5	Multiple Class	11	Religious Creed	31			National Origin	3
Multiple Class	15			Multiple Class	3	Multiple Class	5	Religious Creed	9	Multiple Class	10			Religious Creed	2
Color	12			GED	1	Color	3	Color	6	Color	5			Other	1
Other	2														
GED	1														

\* Other includes aid and abet, refusal to admit to apprenticeship program, bid denial, breach of agreement, compel or coerce, English-only rule, unlawful inquiry (marital status, medical information, or otherwise), intimidation, failure to investigate, other language or accent issue, failure to place by temporary agency, and failure to provide or permit union representation.

## Acts of Harm (cont.)

Housing Acts of Harm — 419 total													
Retaliation 8		Discrimination 172		Eviction 71		Harassment 29		Predatory Lending 12		Reasonable Accommodation 62		Other* 65	
Filed a PHRC Complaint	4	Race	55	Race	24	Race	17	Race	5	Disability	57	Disability	20
Other-wise Opposed Unlawful Activity	4	Disability	45	Disability	17	Sex	4	Age	2	Other	4	Race	18
		Sex	26	Retaliation	14	Retaliation	4	Multiple Class	2	National Origin	1	Familial Status	8
		National Origin	17	Sex	7	Familial Status	2	Sex	2			Religious Creed	5
		Retaliation	12	Familial Status	4	Disability	1	Disability	1			Retaliation	5
		Familial Status	6	Ancestry	2	National Origin	1					Sex	3
		Ancestry	4	Religious Creed	2							Color	2
		Age	4	National Origin	1							Other	2
		Religious Creed	3									Multiple Class	1
												National Origin	1

\* Other includes aid and abet, circulate statements or advertisements indicating preference or discrimination; elicited information containing questions or entries prohibited by the Pennsylvania Human Relations Act, misrepresented availability of housing or commercial property for inspection, sale or lease; refused to finance or insure housing or commercial property; refused to sell housing or commercial property; and refused to show housing or commercial property.



## Acts of Harm (cont.)

Public Accommodation Acts of Harm — 262 total													
Services Denied 61		Services Different 35		Reasonable Accommodation 59		Admittance Denied 14		Evict 2		Harassment 58		Other * 33	
Race	23	Race	22	Retaliation	1	Use of Guide/Support Animal	1	Retaliation	2	Race	25	Race	10
Disability	16	Ancestry	5	Race	2	Sex	1			Disability	10	Ancestry	6
Retaliation	11	Retaliation	3	Disability	32	Race	4			Sex	9	Disability	4
Religious Creed	5	Sex	2	Color	1	Disability	7			Retaliation	7	Retaliation	4
Use of guide/support animals	2	National Origin	1	Accessibility	23	Ancestry	1			Religious Creed	3	Religious Creed	3
Ancestry	1	Religious Creed	1							National Origin	2	National Origin	2
National Origin	1	Use of guide/support animals	1							Color	1	Sex	2
Sex	1									Multiple Class	1	Use of Guide/Support Animal	2
Multiple Classes	1												

\* Other includes accused of shoplifting, posting illegal notice, privileges revoked, racial profiling, price of goods, conditions of goods, terms and conditions of service.

Education Acts of Harm — 86 total											
Expulsion 16		Suspension 9		Harassment 33		Admission Denied 5		Reasonable Accommodation 6		Other * 17	
Disability	6	Race	5	Race	19	Race	2	Disability	5	Race	9
Race	4	Sex	2	Sex	5	Disability	2	Ancestry	1	Sex	2
Sex	4	Color	1	Disability	4	Retaliation	1			Retaliation	2
Religious Creed	1	Disability	1	Retaliation	2					Disability	2
Retaliation	1			Religious Creed	2					Ancestry	2
				Color	1						

\* Other includes failure to award scholarship, failure to promote student, failure to offer course, failure to permit participation in extracurricular activity, failure to provide financial aid, denial of parental rights, failure to inform or involve parents, failure to make records available of inspection, failure to provide service, and application of different criteria for grading or other evaluation.



## Basis of Discrimination: Protected Classes

### Age

Age of complainant	Employment	Housing	Total
40-42	51		51
43-45	51		51
46-48	70		70
49-51	98	1	99
52-54	99		99
55-57	84		84
58-60	106	3	109
61-63	66		66
64-66	42		42
67-69	33		33
70-72	28	1	29
73-75	21		21
76-78	9		9
79-81	2		2
82-84	2		2
Total	762	5	767

### Ancestry

Ancestry	E	H	PA	ED	Total
Acadian/Cajun			1		1
African	5		1	2	8
American or United States	11	1			12
Arab		1			1
Asian	2				2
Bosnian		1			1
Chinese	2				2
Cuban	2				2
Dominican	2				2
Ethiopian	1				1
Haitian	2				2
Hispanic	85	2	4	1	92
Indian	3	1	1		5
Irish	1				1
Israeli	1				1
Italian	4				4
Jamaican	2				2
Jordanian	1				1
Korean			1		1
Latino	7		1		8
Moroccan	2				2
Multiple			1		1
Pakistani	1				1
Peruvian	1				1
Polish	1				1
Puerto Rican	13	2			15
Relationship to other race	1				1
Romanian	1				1
Russian	1		1		2
Slavic	1				1
Spanish	1		1		2
West Indian	1				1
Yugoslavian	1				1
Total	156	8	12	3	179

**E = Employment**

**H = Housing**

**PA = Public Accommodations**

**ED = Education**

**CP = Commercial Property**

### Other Protected Classes

	Employment	Public Accommodations	Total
Use of Guide/Support Animal		3	3
GED	2		2



## Basis of Discrimination: Protected Classes (cont.)

### Disability

Disability/ Impairment Type	Commercial Property	Education	Employment	Housing	Public Accommodations	Total — 854
Visual			12	6	3	21
Mobility	11	1	195	23	38	268
Neurological		17	164	27	10	218
Cognitive		2	28	2	3	35
Hearing			27	1	6	34
Multiple/Other	31		206	24	17	278
	42	20	632	83	77	854

### Familial Status\*

Familial Status	H	Total
Designee of parent or other person having custody	8	8
Individual not yet 18 living with parents or guardian	2	2
Parent or other person having legal custody	10	10
Total	20	20

\* Familial status is currently a protected class only in housing, though PHRC supports proposed legislation that would amend the law to include familial status in employment.

**E = Employment**

**H = Housing**

**PA = Public Accommodations**

**ED = Education**

**CP = Commercial Property**

### Retaliation

Retaliation	E	H	PA	ED	CP	Total
Assisted Investigation	67	1	2			70
Filed PHRC Complaint	186	18	9	1	1	215
Otherwise Opposed Unlawful Activity	659	17	19	3	1	699
Provided Information	17			2		19
Testified	2					2
	931	36	30	6	2	1,005

## National Origin

National Origin	E	H	PA	Total
Africa	6			6
Albania	2			2
Bosnia, Herzegovina	3			3
Bulgaria	1			1
Cambodia	1			1
Cameroon	1			1
Chile	1			1
China	2	6		8
Croatia	2			2
Dominica	1			1
Dominican Republic	4			4
Ecuador	1			1
Egypt	3			3
Ethiopia	1			1
Germany	2			2
Ghana	3			3
Greece	1			1
Guinea	1			1
Guyana	2			2
Haiti	2		2	4
Hungry	1			1
India	7	3		10
Indonesia	1			1
Italy	3			3
Jamaica	6	1		7
Japan	1			1

National Origin	E	H	PA	Total
Korea - Republic of		4	2	6
Liberia	3			3
Mexico	3			3
Netherlands	1			1
Nigeria	3			3
Pakistan	2			2
Panama	1			1
Philippines	1	1		2
Poland	2			2
Portugal	1			1
Puerto Rico	31	1		32
Romania	3			3
Russian Federation	3	2		5
Saint Lucia	1			1
Sierra Leone	1			1
Singapore	1			1
Spain	1			1
Syrian Arab Republic	1			1
Trinidad and Tobago	1		1	2
Turkey	1			1
United Kingdom	1			1
United States	22	1		23
Vietnam	4			4
Yugoslavia	1			1
Total	151	19	5	175

## Religion\*

Religion	E	H	PA	ED	Total
7th Day Adventist	2				2
Agnosticism	2				2
Amish			1		1
Atheism		1			1
Baptist	2		1		3
Christianity	17	1		1	19
Full Gospel			2		2
Hinduism	1	1			2
Islam	34	1	3	1	39
Isrealite	3				3
Jehovah Witness	5	1			6
Judaism	12				12

Religion	E	H	PA	ED	Total
Non-Christian	4				4
Pentecostal	4				4
Protestantism	2				2
Quaker	1				1
Roman Catholicism	4				4
Strongly held belief			1		1
Wiccan	1				1
Yahweh	1				1
non-catholic	1				1
Total	98	5	8	2	113

\*As characterized by the complainant.



## Basis of Discrimination: Protected Classes (cont.)

### Race\*

Race	E	H	CP	PA	ED	Total
African-American	831	83	3	72	26	1,015
African-American Female	33	1		1		35
African-American Male	13	2		1		16
American Indian*	3					3
Arabic or Middle Eastern	2					2
Asian	11			2		13
Bi-Racial	6	1				7
Black	65	3		2		70
Caucasian	89	7		3	2	101
Complainant's race and known association with another person	13	8		1		22
Pacific Islander	1					1
Total	1,067	105	3	82	28	1,285

**E = Employment**

**H = Housing**

**PA = Public Accommodations**

**ED = Education**

**CP = Commercial Property**

\*As characterized by the complainant.

### Sex

Sex	E	H	PA	ED	Total
Female	636	32	9	3	680
Female Pregnant	121		2	2	125
Male	179	5	4	7	195
	936	37	15	12	1,000

## Inquiries

In 2007-2008 PHRC received over 31,000 inquiries about possible discrimination or community tension. These inquiries were received from walk-ins to the three regional offices, phone calls, letters, faxes and e-mails.

### Inquiries

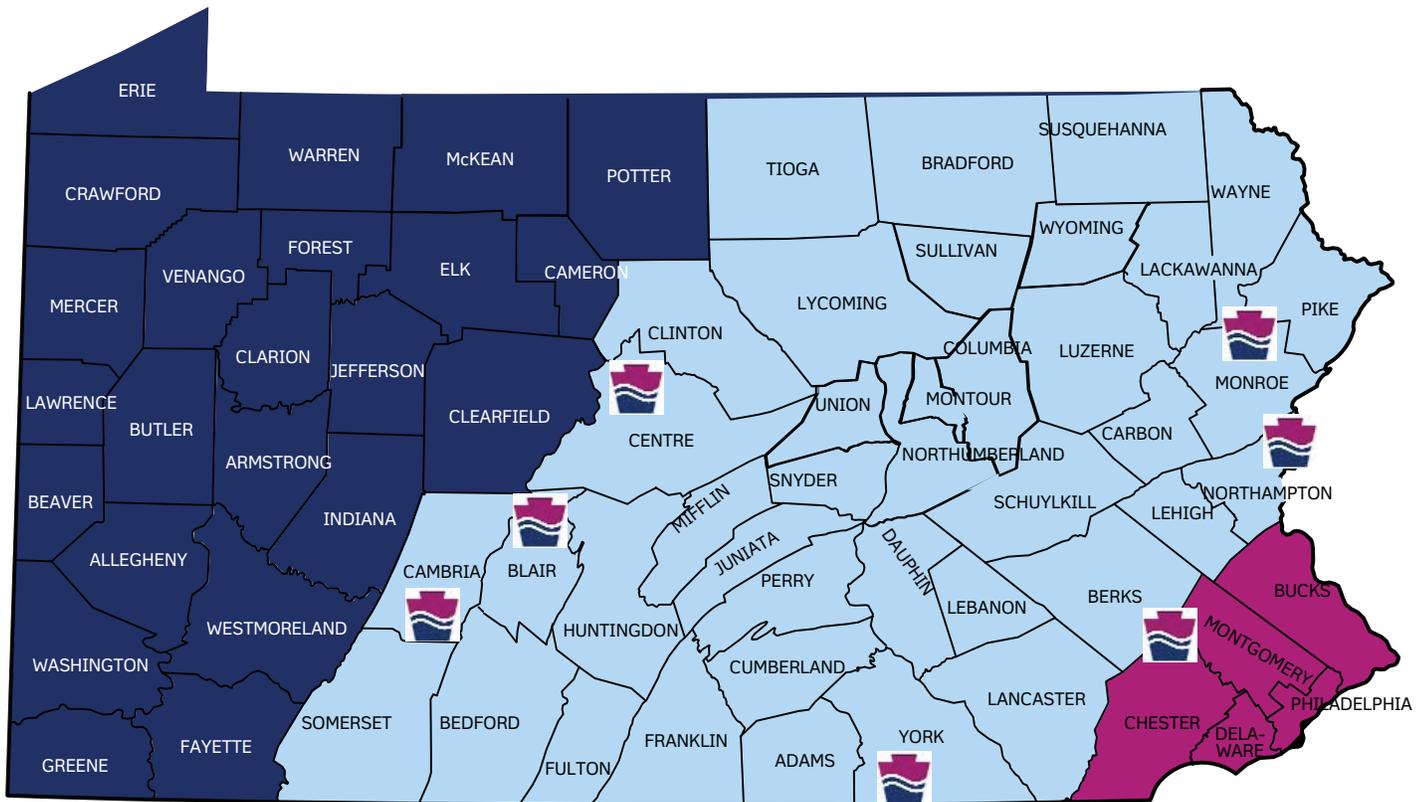
Walk-ins	2,788
Mail	3,080
Fax/e-mail	977
Phone	24,797
<b>Total non-Web</b>	<b>31,642</b>

Inquiries shown here do not include requests from media, legislative offices, general inquiries, requests for publications (other than Web site downloads) or requests submitted under the Right-to-Know Law.

### Web site inquiries

Web site visitors	84,663
Web site downloads	205,444
Web site hits	5,708,644

# Pennsylvania Human Relations Commission Regional Office Coverage



 Counties Served by  
**Pittsburgh Regional Office**  
 11th Floor, State Office Building  
 300 Liberty Avenue  
 Pittsburgh, PA 15222-1210  
 (412) 565-5395  
 (412) 565-5711 TTY users only

 Counties Served by  
**Harrisburg Regional Office**  
 Riverfront Office Center, 5th Floor  
 1101-1125 South Front Street  
 Harrisburg, PA 17104-9784  
 (717) 787-9784  
 (717) 787-7279 TTY users only

 Counties Served by  
**Philadelphia Regional Office**  
 110 North 8th Street, Suite 501  
 Philadelphia, PA 19107  
 (215) 560-2496  
 (215) 560-3599 TTY users only

**Central Office:**  
 301 Chestnut Street, Suite 300  
 Harrisburg, PA 17101-2702  
 (717) 787-4410  
 (717) 787-4087 TTY users only  
[www.phrc.state.pa.us](http://www.phrc.state.pa.us)

 **Advisory Council Locations:**  
 Blair, Cambria (Johnstown), Centre, Mont-  
 gomery, Monroe, Northampton and York  
 counties





**pennsylvania**  
HUMAN RELATIONS COMMISSION

[www.phrc.state.pa.us](http://www.phrc.state.pa.us)

