
Office of Human Rights

www.ohr.dc.gov

Telephone: 202-727-4559

Description	FY 2013 Actual	FY 2014 Approved	FY 2015 Proposed	% Change from FY 2014
Operating Budget	\$2,653,882	\$2,901,549	\$3,404,909	17.3
FTEs	23.4	28.0	33.0	17.9

The mission of the D.C. Office of Human Rights (OHR) is to eradicate discrimination, increase equal opportunity, and protect human rights in the city.

Summary of Services

The D.C. OHR investigates and resolves complaints of discrimination in employment, housing, places of public accommodation, and educational institutions, pursuant to the D.C. Human Rights Act of 1977 and other numerous local and federal laws. OHR also prevents discrimination by providing training and education to District government employees, private employers, workers, and the community at-large regarding their rights and responsibilities under the law. OHR monitors compliance with the Language Access Act of 2004 and investigates allegations of non-compliance with this Act by District government agencies. The agency also investigates complaints and conditions causing community tension and conflict that can lead to breaches of the peace. The Commission on Human Rights is the adjudicatory body that decides private sector cases after OHR has found “probable cause” of discrimination.

The agency’s FY 2015 proposed budget is presented in the following tables:

FY 2015 Proposed Gross Funds Operating Budget, by Revenue Type

Table HM0-1 contains the proposed FY 2015 agency budget compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

Table HM0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
General Fund						
Local Funds	2,169	2,327	2,595	3,138	543	20.9
Total for General Fund	2,169	2,327	2,595	3,138	543	20.9
Federal Resources						
Federal Grant Funds	416	323	307	267	-40	-13.0
Total for Federal Resources	416	323	307	267	-40	-13.0
Private Funds						
Private Donations	0	4	0	0	0	N/A
Total for Private Funds	0	4	0	0	0	N/A
Gross Funds	2,585	2,654	2,902	3,405	503	17.3

*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2015 Proposed Full-Time Equivalents, by Revenue Type

Table HM0-2 contains the proposed FY 2015 FTE level compared to the FY 2014 approved FTE level by revenue type. It also provides FY 2012 and FY 2013 actual data.

Table HM0-2

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change
General Fund						
Local Funds	22.4	22.6	25.6	30.6	5.0	19.5
Total for General Fund	22.4	22.6	25.6	30.6	5.0	19.5
Federal Resources						
Federal Grant Funds	1.3	0.8	2.4	2.4	0.0	0.0
Total for Federal Resources	1.3	0.8	2.4	2.4	0.0	0.0
Total Proposed FTEs	23.6	23.4	28.0	33.0	5.0	17.9

FY 2015 Proposed Operating Budget, by Comptroller Source Group

Table HM0-3 contains the proposed FY 2015 budget at the Comptroller Source Group (object class) level compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

Table HM0-3
(dollars in thousands)

Comptroller Source Group	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
11 - Regular Pay - Continuing Full Time	1,020	1,198	1,186	1,832	645	54.4
12 - Regular Pay - Other	726	552	904	742	-162	-17.9
13 - Additional Gross Pay	6	15	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	378	376	519	590	71	13.8
15 - Overtime Pay	0	0	0	0	0	N/A
Subtotal Personal Services (PS)	2,130	2,141	2,609	3,164	555	21.3
20 - Supplies and Materials	18	18	10	10	0	3.7
31 - Telephone, Telegraph, Telegram, Etc.	3	4	0	0	0	N/A
40 - Other Services and Charges	286	173	109	66	-43	-39.4
41 - Contractual Services - Other	146	301	172	165	-7	-3.9
70 - Equipment and Equipment Rental	2	17	2	0	-2	-100.0
Subtotal Nonpersonal Services (NPS)	455	513	293	241	-51	-17.6
Gross Funds	2,585	2,654	2,902	3,405	503	17.3

*Percent change is based on whole dollars.

Program Description

The Office of Human Rights operates through the following 3 programs:

Equal Justice – provides education and awareness and investigates, adjudicates, and provides compliance services to people who live, work, and/or conduct business in the District of Columbia so that they are informed of, and may have timely resolution of, discrimination complaints.

This program contains the following 8 activities:

- **Intake** – provides intake, referral, and counseling services to complainants who live, work, and/or conduct business in the District of Columbia so that they may have timely and quality assessments of their complaints;
- **Mediation** – provides mediation services to complainants and respondents in an attempt to resolve potentially unlawful discriminatory practices and avoid costly and time-consuming investigations and litigation;
- **Investigations** – conducts full investigations whenever prima facie evidence has been established for each complaint brought to the Office of Human Rights. This applies to cases in employment, public accommodations, educational institutions, and language access;
- **Fair Housing** – investigates complaints and provides outreach and education to people who live, work, or conduct business in the District on matters relating to alleged violations of federal and local fair housing laws;
- **Research and Compliance** – conducts compliance reviews of, provides training on, and performs research related to human rights law as well as mandates issued by the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development;
- **Public Education** – provides awareness, education, training, and public information to ensure a workforce environment free of discrimination in the District;
- **Public Information (Anti-Bullying)** – coordinates bullying prevention initiatives throughout the District; and
- **Language Access Oversight** – provides information, education, monitoring, and enforcement services pertaining to the D.C. Language Access Act and its implementation and applicability.

Commission on Human Rights – provides adjudication services through an administrative, trial-type hearing conducted before a hearing examiner or a panel of commissioners. The Commission rules and can issue injunctive relief and award damages (if discrimination is found) to people who live, work, or conduct business in the District of Columbia.

Office of Human Rights (Agency Management) – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Program Structure Change

The Office of Human Rights has no program structure changes in the FY 2015 proposed budget.

FY 2015 Proposed Operating Budget and FTEs, by Program and Activity

Table HM0-4 contains the proposed FY 2015 budget by program and activity compared to the FY 2014 approved budget. It also provides the FY 2013 actual data.

Table HM0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014
(1000) Office of Human Rights (Agency Management)								
(1010) Personnel	10	10	11	0	0.1	0.1	0.1	0.0
(1030) Property Management	22	21	23	2	0.2	0.2	0.2	0.0
(1040) Information Technology	20	20	21	1	0.2	0.2	0.2	0.0
(1050) Financial Services	20	20	21	1	0.2	0.2	0.2	0.0
(1055) Risk Management	10	10	11	0	0.1	0.1	0.1	0.0
(1080) Communications	10	10	11	0	0.1	0.1	0.1	0.0
(1085) Customer Service	123	123	132	9	1.1	1.1	1.1	0.0
(1090) Performance Management	177	187	181	-6	1.0	1.0	1.0	0.0
Subtotal (1000) Office of Human Rights (Agency Management)	393	403	410	8	3.0	3.0	3.0	0.0
(2000) Equal Justice								
(2010) Intake	304	283	65	-218	1.6	3.1	1.1	-2.0
(2020) Mediation	195	559	466	-93	1.2	5.1	5.1	0.0
(2030) Investigations	1,160	892	1,453	561	8.7	8.6	14.4	5.8
(2050) Fair Housing	179	220	107	-112	2.2	3.1	1.2	-1.8
(2060) Research and Compliance	47	106	22	-84	0.2	1.0	0.0	-1.0
(2070) Public Education	9	102	179	77	1.1	1.1	2.1	1.0
(2080) Public Information	0	0	122	122	0.0	0.0	1.0	1.0
(2090) Language Access Oversight	19	13	228	215	2.2	0.0	2.0	2.0
Subtotal (2000) Equal Justice	1,913	2,175	2,642	468	17.3	22.0	27.0	5.0
(3000) Commission on Human Rights								
(3010) Human Rights Commission	348	324	352	28	3.1	3.0	3.0	0.0
Subtotal (3000) Commission on Human Rights	348	324	352	28	3.1	3.0	3.0	0.0
Total Proposed Operating Budget	2,654	2,902	3,405	503	23.4	28.0	33.0	5.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Note: For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2015 Proposed Budget Changes

The Office of Human Rights' (OHR) proposed FY 2015 gross budget is \$3,404,909, which represents a 17.3 percent increase over its FY 2014 approved gross budget of \$2,901,549. The budget is comprised of \$3,137,909 in Local funds and \$267,000 in Federal Grant funds.

Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2014 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The FY 2015 CSFL adjustments to the FY 2014 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

OHR's FY 2015 CSFL budget is \$2,699,650, which represents a \$105,020, or 4.0 percent, increase over the FY 2014 approved Local funds budget of \$2,594,630.

CSFL Assumptions

The FY 2015 CSFL calculated for OHR included adjustment entries that are not described in detail on table 5. These adjustments were made for increases of \$100,391 in personal services to account for Fringe Benefit costs based on trend and comparative analyses and the impact of cost-of-living adjustments implemented in FY 2013, and \$4,628 in nonpersonal services based on the Consumer Price Index factor of 2.4 percent.

Agency Budget Submission

Increase: The proposed budget includes an increase of \$29,835 in Local funds nonpersonal services, primarily in the Equal Justice program. This increase is comprised of \$27,103 in Other Services and Charges and \$2,732 in Supplies and Materials, primarily to support the Youth Bullying Prevention Act of 2012 and the agency's office supplies and printing needs. In addition, the personal services budget was increased by \$14,664 to cover projected salary steps and Fringe Benefits adjustments.

The Federal Grant funds nonpersonal services increased by \$33,831 in Contractual Services - Other in the Equal Justice program, due to an increase in the Memorandum of Understanding (MOU) with the Office of the Attorney General to provide litigation, advice-giving and programmatic support. Additionally, the personal services budget was adjusted by \$1,472 to support the transfer of salary expenses from Regular Pay – Continuing Full Time to Regular Pay – Other to prevent a potential personal services shortfall at the end of the fiscal year.

Decrease: The proposed budget includes a reduction to Local funds of \$44,498 in Contractual Services - Other due to a reduction in the mediator contract. The Federal Grant funds budget reflects a reduction of \$75,222, primarily in Other Services and Charges, due to the revised FY 2015 IT assessment from the Office of the Chief Technology Officer and a reduction in professional service fees covering the service agreement for equipment, temporary legal services, and a contract with SkillsSoft.

Mayor's Proposed Budget

No Change: The Office of Human Rights' budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

District's Proposed Budget

Enhance: The Office of Human Rights' FY 2015 proposed Local budget includes an increase of \$438,259 and 5.0 FTEs to support the implementation of the Fair Criminal Record Screening Act of 2014. This legislation serves to assist the successful reintegration of formerly incarcerated District residents into the community by removing barriers to gainful employment. Some areas of concern include prohibiting the consideration of a job applicant's arrest record during the hiring process and restricting an employer's inquiry into a job applicant's prior convictions before a conditional offer of employment. OHR will serve as the authority for enforcing compliance and will impose fines on violators of this act.

FY 2014 Approved Budget to FY 2015 Proposed Budget, by Revenue Type

Table HM0-5 itemizes the changes by revenue type between the FY 2014 approved budget and the FY 2015 proposed budget.

Table HM0-5
(dollars in thousands)

DESCRIPTION	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2014 Approved Budget and FTE		2,595	25.6
Other CSFL Adjustments	Multiple Programs	105	0.0
LOCAL FUNDS: FY 2015 Current Services Funding Level Budget (CSFL)		2,700	25.6
Increase: To support program initiatives	Multiple Programs	30	0.0
Increase: To adjust personal services	Multiple Programs	15	0.0
Decrease: To adjust Contractual Services budget	Multiple Programs	-44	0.0
LOCAL FUNDS: FY 2015 Agency Budget Submission		2,700	25.6
No Change		0	0.0
LOCAL FUNDS: FY 2015 Mayor's Proposed Budget		2,700	25.6
Enhance: To implement the Fair Criminal Record Screening Act of 2014	Equal Justice	438	5.0
LOCAL FUNDS: FY 2015 District's Proposed Budget		3,138	30.6
FEDERAL GRANT FUNDS: FY 2014 Approved Budget and FTE		307	2.4
Increase: To adjust Contractual Services budget	Equal Justice	34	0.0
Increase: To adjust personal services	Multiple Programs	1	0.0
Decrease: To align budget with projected grant awards	Equal Justice	-75	0.0
FEDERAL GRANT FUNDS: FY 2015 Agency Budget Submission		267	2.4
No Change		0	0.0
FEDERAL GRANT FUNDS: FY 2015 Mayor's Proposed Budget		267	2.4
No Change		0	0.0
FEDERAL GRANT FUNDS: FY 2015 District's Proposed Budget		267	2.4
Gross for HM0 - Office of Human Rights		3,405	33.0

(Change is calculated by whole numbers and may not add up due to rounding)

Agency Performance Plan¹

The agency's performance plan has the following objectives for FY 2015:

Office of Human Rights (OHR)²

Objective 1: Shorten response times and strengthen quality controls for all internal programs, including investigations, mediations, and Language Access compliance.

Objective 2: Prevent discrimination by promoting awareness of, and compliance with, local and federal antidiscrimination laws through increased outreach and awareness activities. (One City Action Plan 3.1.5)

KEY PERFORMANCE INDICATORS

Office of Human Rights²

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 YTD ³	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Average cost per mediation ^{4,5}	Not Available	Not Available	\$744.66 ⁶	\$594.75	\$495.62	\$495.62
Average cost per Language Access training ⁷	Not Available	Not Available	\$1,514.83 ⁸	\$1,116.61	\$1,075.58	\$932.14
Median case review score ⁹	90%	92%	94.5%	95%	96%	96%
Average percent of backlogged cases at any point in time (private and public sector) ¹⁰	7.2%	8%	6.9%	4%	0%	0%
Percent of OHR complainants satisfied with the agency's customer service	92%	95%	95.9%	95%	95%	95%
Percent of mediations that lead to settlement agreements	40%	40%	46.2%	44%	44%	45%
Percent of District agencies with "very good" score on new Language Access compliance rating	Not Available	70%	Not Available	75%	80%	85%

Commission on Human Rights

Objective 1: Adjudicate cases with probable cause findings, determine damages associated with cases, and adjudicate all criminal background check cases.

KEY PERFORMANCE INDICATORS

Commission on Human Rights

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 YTD ¹¹	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percent of reductions in the total inventory of cases adjudicated at the Commission ¹²	50%	50%	92.3%	85%	90%	95%
Percent of adherence to operational efficiency targets, based on diagnostic analysis (cases docketed/suggested number of cases docketed)	Not Available	95%	81%	95%	98%	98%
Number of months, on average, that is used as a guideline for completion of Commission cases	16	15	16	15	15	15

Performance Plan Endnotes:

¹This Performance Plan includes the Office of Human Rights and the Commission on Human Rights.

²For the purpose of the FY 2014 Performance Plan, the Equal Justice Program (2000) budget division is also included in the Office of Human Rights (1000).

³Data is current as of June 30, 2013.

⁴In FY 2013, with two FTE mediators and 5 stipend mediators, OHR averages 8-9 mediations per week, or 33 mediations per month. With an additional .75 FTE Mediator, OHR can increase its mediations calendar to 40 per month, or a projection of 480 for FY 2014. In FY 2015, OHR expects to increase mediations to 48 per month, or a goal of 756 mediations. In FY 2016, OHR expects to maintain this goal.

⁵Performance Measures for Human Rights Commissions Executive Session on Human Rights Commissions and Criminal Justice Kennedy School of Government, Harvard University August 2007 Benchmarks - Many commissions have contracts with the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD) to investigate complaints of suspected employment and housing discrimination. The EEOC pays \$580 per case as of 2008, but limits payment according to the size of an agency's inventory and the age of those cases.

⁶Cost calculation: $((.625 * \text{salary of Mediation team } (\$159,429)) + \$15,000 \text{ (Mediation stipend)}) / 326 \text{ mediations in FY 2013 to date} = \$535.06.$

⁷In FY 2013, with two LA Program Staff FTEs (Director and Analyst), OHR conducted 33 trainings.

⁸Cost calculation: $(\text{Fixed costs of salary} + \text{training prep} = \$41,730) + (\text{Variable costs} = \$8,249 = \text{hourly trainings}) / \text{number of trainings (YTD=33)} = \$1,514.83.$

⁹The industry standard is 93 percent, based on the Equal Opportunity Commission's 2010 Performance Accountability Report.

¹⁰In FY 2013, this measure was converted from a raw number to a percentage. This methodology is more accurate and a better way to manage performance based on industry standards. The industry standard is 46 percent for private sector and 30 percent for public sector appeals, based on the Equal Opportunity Commission's 2010 Performance Accountability Report.

¹¹Data is current as of June 30, 2013.

¹²Captures percentage decrease in FY 2013, or, as of October 1, 2013.