



Florida Commission on
Human Relations

ANNUAL REPORT



2014: A FISCAL YEAR IN REVIEW



Contents

2	Message from Our Leadership
3	Role of the Commission
4	FY 2013-14 FCHR Performance Highlights
5	Return on Investment
6	FY 2013-14 – By the Numbers
8	FY 2012-13 & 2013-14 Comparisons
11	Sampling of Commission Cases
12	FCHR Reaches Out to Floridians
13	Florida Civil Rights Hall of Fame
14	2014 Legislative Review
14	Planning for the Future
Back	Commissioners



Mission

To prevent unlawful discrimination by ensuring that all people in Florida are treated fairly and have access to opportunities in employment, housing and certain public accommodations; and to promote mutual respect among groups through education and partnerships.



Vision

To serve as the foremost resource on human relations for the state of Florida



Core Values

- Every individual is to be treated with dignity and respect.
- The service we provide is impartial and high-quality.
- Communication with the public is open and honest.
- Everyone -- accuser and accused alike -- is entitled to fair consideration and equal treatment.

Message from Our Leadership

Greetings!

For 45 years, the Florida Commission on Human Relations has steadfastly reinforced its mission to prevent discrimination in employment, housing and certain public accommodations.

The Commission continually strives to ensure that persons in Florida have access to the many services and facilities that should be available to and enjoyed by all, and that everyone is treated fairly and equally without regard to gender, color, race, national origin, religion, age, disability, or familial or marital status.

Under the enthusiastic leadership of our appointed Commissioners, the Commission has an outstanding track record of success and accountability. We are continually maximizing our efforts -- doing more with less -- to meet the constantly-changing needs of the Sunshine State.

With the continued hard work of our productive and innovative staff, we are Florida's leading resource in human rights – a state leader for our increasingly diverse state. Fair treatment, equal access and mutual respect are the benchmarks of the Commission's commitment to the people of Florida and we are committed to helping build and maintain sustainable, inclusive and peaceful communities across the entire state.

We want to extend our thanks to the Florida Commission on Human Relations team for their continued hard work, diligence and enthusiasm towards serving all Floridians. Without them and their efforts, the accomplishments highlighted in this document could not have been achieved.



Gilbert "Gil" Singer
Chair

A handwritten signature in black ink, appearing to read 'Gilbert Singer', followed by a large checkmark.

Michelle Wilson
Executive Director

A handwritten signature in black ink, appearing to read 'Michelle Wilson', written in a cursive style.

Role of the Commission

The Florida Commission on Human Relations (FCHR) continues to evolve into an invaluable resource – not just for aggrieved individuals but also for Florida’s business community and state government itself. It has investigated more than 75,000 cases since it was statutorily established in 1969 to address discrimination.

Overseen by 12 Commissioners appointed by the Governor and confirmed by the Senate, FCHR conducts its business primarily under the authority of three Florida laws:

- Florida Civil Rights Act (Part I, Chapter 760 and section 509.092, Florida Statutes) for allegations of discrimination in employment and public accommodations
- Florida Fair Housing Act (Part II, Chapter 760, Florida Statutes) for allegations of discrimination in housing
- Florida Whistle-Blower’s Act (Section 112.31895, Florida Statutes) for allegations of improper retaliation against state agency whistle-blowers

The Commission is the state’s leading anti-discrimination agency. A work-sharing agreement between FCHR and two federal partners – the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development – helps ensure that complaints are properly investigated without duplication, whether they are initially filed with the Commission or one of these federal agencies.

The Commission’s activities are all directed toward a simple goal: eliminating conflict. Conflict that may involve FCHR can arise in numerous ways – a woman believes her employer has sexually harassed her . . . a renter believes he has been denied housing because of his race or age or religion . . . a state government employee believes she has been fired simply because she complained of wrongdoing by a co-worker.

These and other types of allegations may fall under the jurisdiction of FCHR. When a complaint is properly filed, the Commission offers mediation to the parties -- a process that often produces a mutually agreeable resolution in much less time than the time required by an investigation. If mediation proves unsuccessful, the Commission will investigate the complaint and, upon completion, will issue its finding of either “rea-



sonable cause” or “no reasonable cause.” After either determination, the complainant may choose to pursue the matter with the Division of Administrative Hearings – with “reasonable cause” determinations also carrying the option of filing a case in civil court as an entirely new proceeding. Whatever the final outcome, the Commission provides an important service to all parties involved:

- For the person who feels so wronged that he or she chooses to file a complaint, FCHR provides a neutral forum for that complaint to be investigated and the person’s rights to be protected.
- For the business accused of a discriminatory act, FCHR represents a chance to resolve the matter quickly by providing an impartial and timely investigation that avoids potentially costly litigation.
- For the Florida taxpayer, by providing an impartial and timely investigation, FCHR helps limit caseloads on crowded court dockets and even helps state agencies avoid costly litigation resulting from state employee discrimination claims.



FY 2013-14 Performance Highlights



Incoming and Outgoing Case Statistics

- Cases received/resolved:
1,350 (received)
1,410 (resolved)
- From October 1, 2013 to September 30, 2014, FCHR submitted 765 (102%) of the 750 contracted cases for U.S. Equal Employment Opportunity Commission.

Legislative Long-Range Program Plan (LRPP) Measures

- Percent of cases resolved within statutory timeframes: 56% (overall) (Standard: 75%)
- Number of inquiries/investigations: 10,714 (Standard: 10,000)
- Percent of determinations upheld by DOAH: 86.7% (Standard: 80%)

Inventory Statistics – Backlog

The following statistics analyze the backlog of open cases under active investigation at the end of each month. Backlog is defined as the percentage of open cases that have exceeded their statutory compliance limit.

- Employment: 18%
- Housing: 48%
- Public Accommodations: 59%
- Working Inventory: 25%
(working inventory includes all housing, employment, public accommodations and whistleblower cases under active investigation)

Return on Investment

Cost Savings for Florida: A Conservative Estimate

The Florida Commission on Human Relations offers mediation and conciliation services to resolve discrimination complaints. This important role assures employees that their rights are protected, while fostering a favorable climate for job creators by preventing costly lawsuits. Since 2007, the Commission has helped Florida stakeholders avoid \$86.7M - over \$12M per year - in litigation expenses. For FY 2013-14, the Return On Investment (ROI) was 188% - which means that for every \$1 spent in the Commission's budget, the Commission has returned an additional \$1.88 to the state through its mediation and conciliation services alone!

FY 2007-2008 to FY 2013-2014: Seven-Year Period

CASES MEDIATED AND CLOSED

Successful mediation resolutions:	727
Average mediated settlement:	\$14,758
"No Cause" cases (timely closed):	6,871

COST AVOIDANCE ESTIMATE

Average damage award (in court):*	\$134,125
Average FCHR mediation:	- \$14,758
Average saved through mediation:	\$119,367
Number of mediation resolutions:	x 727
COST SAVINGS TO BUSINESS:	\$86,779,809

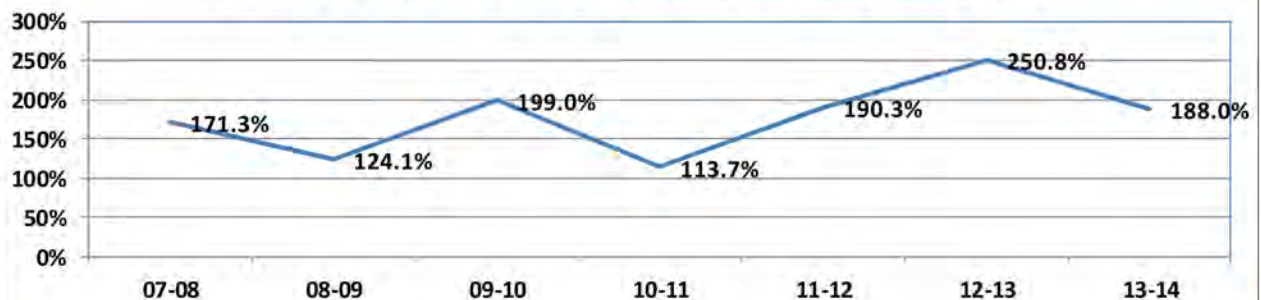
FCHR BUDGET/FTEs

2013-2014	\$ 4,214,875	50.5
2012-2013	\$ 4,003,498	48.5
2011-2012	\$ 3,881,248	48.5
2010-2011	\$ 4,355,259	53.5
2009-2010	\$ 4,337,704	55.5
2008-2009	\$ 5,013,681	60.5
2007-2008	\$ 5,827,845	64.0

Note: Does not include potential litigation costs avoided as a result of FCHR's timely closure of 6,871 "no cause" cases over the 7-year period

*Bureau of Justice Statistics, U.S. Department of Justice, for 2006 discrimination cases; does not include attorney fees or court costs

FCHR's Return on Investment (ROI) - 2007-2014



ROI = Annual Cost Avoidance - FCHR Annual Budget / FCHR Annual Budget
(where Annual Cost Avoidance = \$134,125 - Average annual mediated settlement amount x # of successful mediated resolutions)

FY 2013-14 - By the Numbers

Incoming Cases

	Emp.	P.A.	W.B.	Subtotal	Housing	Total
FY 2013-14	1,070	68	87	1,225	125	1,350

Cases Resolved

	Emp.	P.A.	W.B.	Subtotal	Housing	Total
FY 2013-14	1,098	70	61	1,229	181	1,410

Average Length of Investigation

	Emp.	P.A.	W.B.	All Emp.	Housing	Total Avg.
FY 2013-14	164	182	127	185	114	139

Average Length of Cases Resolved Within Statutory Compliance

180 days - Employment /Public Accommodations
 90 days - Whistle-blower
 100 days - Housing

	Emp.	P.A.	W.B.	All Emp.	Housing	Total Avg.
FY 2013-14	59%	68%	19%	48%	64%	56%



Employment Cases by Resolution Type FY 2013-14

No Cause Finding Issued	851
Cause Finding	159
Settlements w/Benefits	57
Withdrawals w/Benefits	43
Admin: Withdrawals w/o Benefits	39
Admin: No Jurisdiction	14
Admin: Notice of Right to Sue	61
Admin: Filed Suit	0
Admin: Failure to Cooperate	0
Admin: Other Type of Closure	5
Total	1,229

Housing Cases by Resolution Type FY 2013-14

No Cause Finding Issued	128
Reasonable Cause Finding Issued	11
Successful Conciliations	2
Withdrawals w/Benefits	12
Admin: Withdrawals w/o Benefits	7
Admin: No Jurisdiction	0
Admin: Failure to Cooperate	0
Admin: Other Type of Closure	21
Total	181

2013-14 - By The Numbers

Continued...



Cases Received by Type of Bases - FY 2013-14

	Age	Color	Disability	Fam./ Mar	Nat. Origin	Race	Religion	Retaliation	Sex	Total Basis
FY 2013-14	309	67	401	15	130	403	43	554	367	2,325

EEOC Contract - FY 2013-14

Cases Submitted for Credit	765 of 750
Total %	As of September 1, 2014 102%

Total Number of Inquiries and Investigations - FY 2013-14

(Long-Range Performance Plan [LRPP] Measure)

	Employment	Housing	
Completed Investigations (all units)	1,229	181	1,410
Intake Closures + Referrals	410	119	529
Technical Assistance (CMS) + Deferrals	966	7,809	8,775
Total Investigations + Inquiries			10,714



FY 2012-13 & 2013-14 Comparisons

Top 10 Counties for Employment & Housing FY 2012-13

Top 10 Emp./PA/WB Counties FY 2012-13	
County	# Cases
Leon	240
Orange	113
Escambia	75
Volusia (tie)	62
Bay (tie)	59
Alachua	56
Seminole (tie)	50
Polk (tie)	50
Okaloosa (tie)	49
Duval	36

Top 10 Housing Counties FY 2012-13	
County	# Cases
Miami-Dade	39
Bay	19
Orange	15
Brevard	13
Sarasota	12
Broward	10
Seminole	9
Collier	7
Volusia (tie)	6
Polk (tie)	6

Top 10 Counties for Employment & Housing FY 2013-14

Top 10 Emp./PA/WB Counties FY 2013-14	
County	# Cases
Leon	304
Orange	210
Duval	153
Escambia	128
Hillsborough	113
Palm Beach (tie)	93
Broward (tie)	93
Bay	89
Miami-Dade	84
Seminole	62

Top 10 Housing Counties FY 2013-14	
County	# Cases
Miami-Dade	43
Broward	15
Hillsborough (tie)	10
Brevard (tie)	10
Leon (tie)	9
Collier (tie)	9
Okaloosa (tie)	8
Lee (tie)	8
Sarasota (tie)	8
Orange (tie)	7

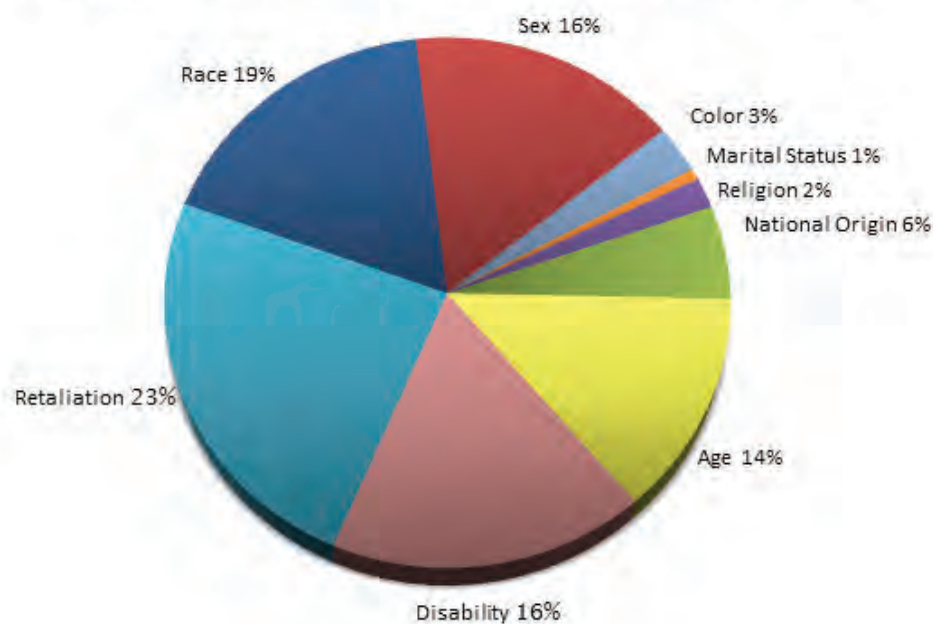
Housing Cases Resolved by Basis Type

FY 2013-2014	
Race	43
Sex	22
National Origin	25
Religion	10
Retaliation	16
Familial Status	19
Color	9
Disability	151
Total Bases:	295

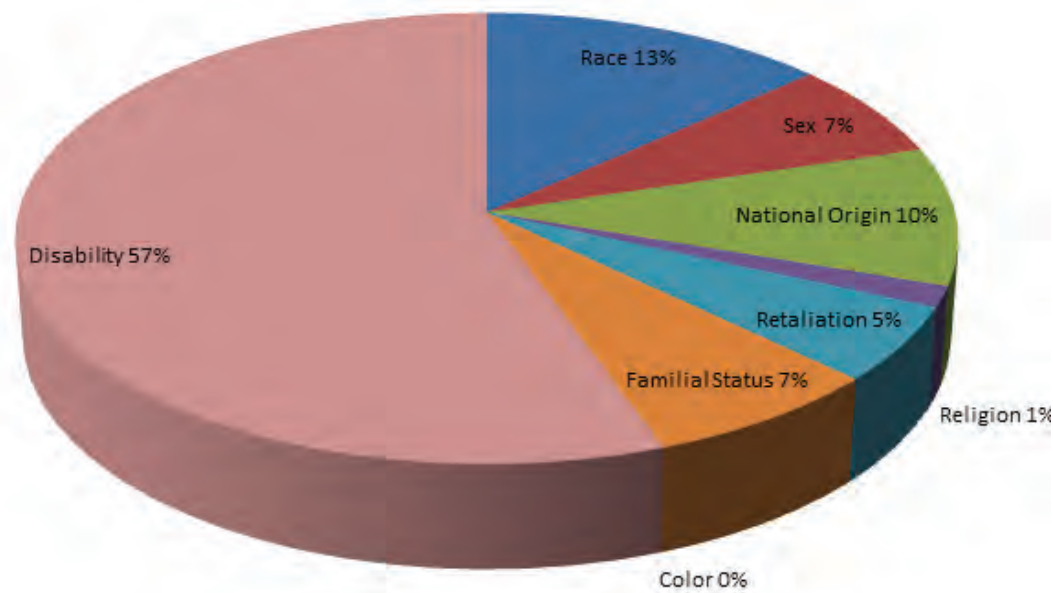
Employment, P.A., & W.B. Cases Resolved by Basis Type

FY 2013-2014	
Race	406
Sex	378
National Origin	119
Religion	47
Retaliation	565
Marital Status	10
Color	46
Age	303
Disability	432
Total Bases:	2,306

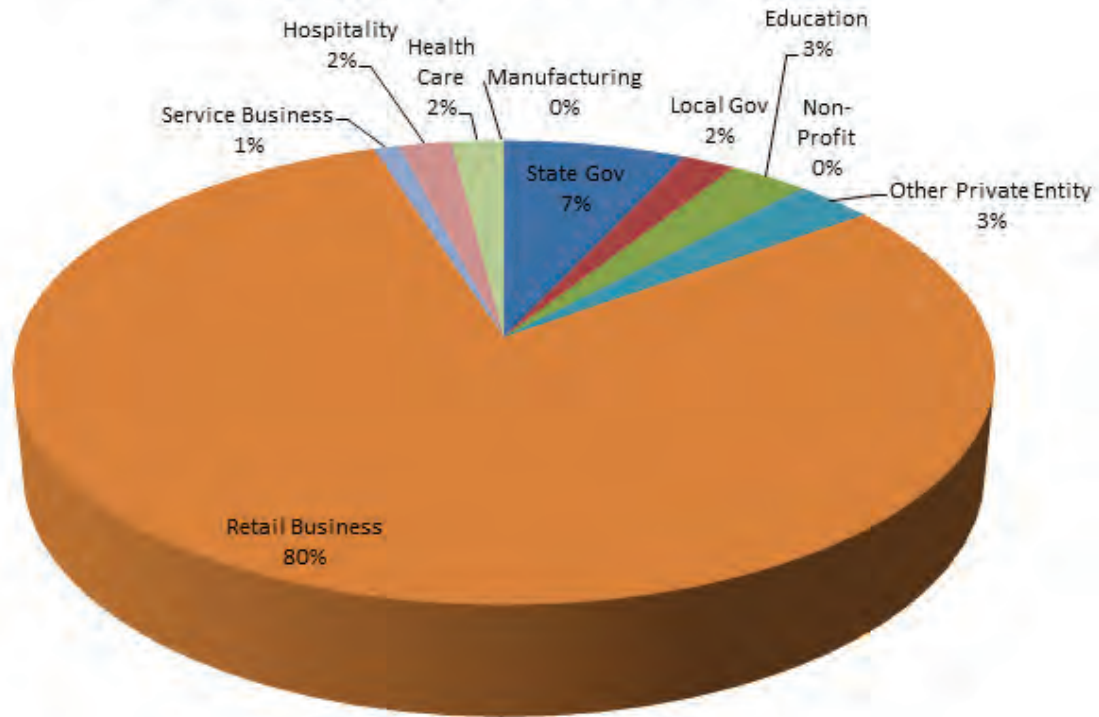
Employment Cases by Basis/Resolution Type FY 13-14



Housing Cases by Basis/Resolution Type FY 13-14



Industry Type by Distribution FY 13-14





Sampling of Commission Cases

Housing-Disability

A disabled man requested and obtained permission from his landlord to live with a service animal in his condominium. The owners of the condominium issued a letter to the man requiring him to use the service elevator rather than the passenger elevator like other residents when his service animal was with him. **RESULT:** The Commission found reasonable cause that the condominium owners discriminated against the disabled man due to his handicap.

Employment-Disability

A company hired a housekeeper and her duties included dusting, washing dishes, making beds, doing laundry, sweeping, mopping, etc. Shortly after being hired, the woman contracted a bacterial infection that caused her to be out of work. Once she recovered, the woman was terminated because the employer felt that her immune condition made her unsuitable for the work. **RESULT:** The employer admitted that it considered the woman to be contagious and decided she would not be a candidate to continue working because her allergy had not changed. The Commission found reasonable cause based on disability.

Employment-Sex

A woman, who was a nurse, alleged that she was harassed because of her sex when her direct supervisor approached her from behind, hugged her and fondled her breasts. The woman said she reported the behavior to her supervisor, but nothing was done to remedy the situation, so she resigned due to the sexually aggressive environment. During the investigation, it was found that the employer had no means by which employees could report sexual harassment and there were no policies or procedures related to harassment or discrimination. **RESULT:** The Commission

found reasonable cause based on sex and harassment allegations.

Employment-Race

An employee, who worked his way up from a laborer to foreman, alleged that his supervisor repeatedly said the word “n****r” during working hours, despite the employee’s requests that the term not be used around him. The employee reported the behavior to the president of the company; four days later the employee was terminated. **RESULT:** The Commission found reasonable cause that the employee was discriminated against based on his race and was retaliated against for engaging in a protected activity.

Employment-Age

A 66-year old female secretary alleged that her supervisor would make rude and unwanted remarks regarding her age. He often called her “the old lady” and told her that she “eats old people stuff.” **RESULT:** Statements made by witnesses supports the Commission’s finding of reasonable cause that the secretary endured a history of inappropriate age-related remarks on a continuous basis by members of management.

Public Accommodation-Race

A family reunion consisting of over 50 black individuals was being held at a hotel. Several party members became involved in an altercation, after which all of the party members - including those who had been resting quietly in their rooms - were instructed to leave the hotel. **RESULT:** The inconsistency of facts and statements from the hotel employees supported the Commission’s finding of reasonable cause.

FCHR Reaches Out To Floridians

The FCHR continues to make its presence known throughout the Sunshine State. Even without a Community Relations Services unit, FCHR staff has continued to maximize outreach and educational efforts by offering training in the areas of fair housing, employment discrimination, sexual harassment, complaint process and the benefit the Commission provides to the state.

Here are just a few of the outreach efforts provided by FCHR staff in its effort to share our story and to tell others how we serve as the foremost resource on human relations for the state of Florida:

- Fair Housing Investigation in a Nutshell;" Tampa
- Understanding Discrimination for HR Professionals;" Tallahassee
- Fair Housing Training (homeowners association requirement from settlement agreement with Department of Justice); River-view (Hillsborough County)
- Second Statewide Human Trafficking Summit; in partnership with the Florida Department of Juvenile Justice and the Interagency Workshop on Human Trafficking (FCHR acknowledged as a supporter); Tampa
- AFMA Conference, Presentation by Executive Director to Conference Attendees (telephonic presentation)
- Philippines Human Rights Workers; Lunch and Tour of Commission and Presentation by FCHR Staff (outreach efforts, training, Hall of Fame, how the Commission operates, our Commissioners); Tallahassee
- Fair Housing Training for Volunteers of America (operates two properties administered by the Veterans Administration); Tallahassee
- MLK Festival "Be the Change...Live the Dream," FCHR Education and Outreach Table; Tallahassee
- Fair Housing Presentation by Commissioner Valle, Downing Frye-Realty, Inc.; Naples
- Presentation by Executive Director to the "I Heard Your Cry" non-profit association; Tallahassee
- Fair Housing Enforcement for Public Sector Attorneys; Tampa
- Fair housing workshop at "I Heard Your Cry" non-profit association; Tallahassee
- FSU Pro Bono Fair (FCHR legal staff); Tallahassee
- Fair Housing Workshop, Pinetta Elementary School; Madison County
- Fair Housing Summit Presentation; Orlando
- Fair Housing Training for Capital City Apartment Association; Tallahassee
- Haitian Festival, in partnership with the City of Orlando Office of Community Affairs and Human Relations; Orlando





Florida Civil Rights Hall of Fame

Florida Civil Rights Hall of Fame: ~Once again, the gathering was a great success~

"Many individuals have made a positive impact on the civil rights movement in Florida, and it brings me great pride to once again recognize them by the induction to the Florida Civil Rights Hall of Fame. As someone who has personally and professionally benefited from the works of these pioneers, I join Lt. Governor Lopez-Cantera in recognizing their contributions that improved our state and country for the better."- Michelle Wilson, Executive Director of the Florida Commission on Human Relations.

On May 14, 2014, Lt. Governor Carlos Lopez-Cantera honored this year's inductees into the Florida Civil Rights Hall of Fame during a ceremony in the Cabinet Meeting Room at the Florida State Capitol.

Robert B. Hayling, James Weldon Johnson and Asa Philip Randolph were this year's inductees. Governor Scott chose these three individuals from a list of distinguished nominees submitted by the Florida Commission on Human Relations for their significant contributions to the improvement of life for minorities and all citizens of the great state of Florida.

The ceremony was opened up by Shonda Knight, co-anchor at WCTV in Tallahassee, followed by the invocation presented by Reverend Dr. Joseph T. Wright, Pastor of Jerusalem Baptist Church. After Leon High School Marine Junior Reserve Officer Training Corp's Presentation of Colors, the Pledge of Allegiance was led by Miss Addison Snipes, followed by America the Beautiful performed by Omega Forbes. Dr. Reginald Ellis, Assistant Professor of History, Florida A&M University, was the keynote speaker. Lt. Governor Lopez-Cantera presented commemorative letters and plaques to Dr. Robert B. Hayling; Lisa Ransom (on behalf of James Weldon Johnson); and Charles Spencer (on behalf of Asa Philip Randolph).

As authorized in Florida law, the Governor is to select up to three inductees from among 10 finalists submitted by the Florida Commission on Human Relations. The Commission encourages Floridians to nominate individuals who have made significant contributions and provided leadership toward Florida's progress and achievements in civil rights.



2014 Legislative Review

Pregnancy Discrimination - This past legislative session, pregnancy discrimination was the Commission's top legislative priority. HB 105 by Representative Lori Berman (D-Boynton Beach) and SB 220 by Senator Geraldine Thompson (D-Orlando) made discrimination based on pregnancy in areas of employment and public accommodations a prohibited act under the Florida Civil Rights Act of 1992 (FCRA). The bills progressed throughout the legislative process until the very end of session, voted out of seven legislative committees and by the full Senate. On April 17, 2014, several weeks before the end of the 2014 legislative session, the Florida Supreme Court ruled that the FCRA did, indeed, provide protection for pregnancy-related discrimination. The sponsors of the legislation, FCHR staff, other champions and proponents of the bill and several key legislators fought to have the court opinion codified in law by enacting HB 105/SB 220. However, the House Rules Committee did not place the bill on the House Special Order Calendar, which would have allowed the bill to be taken up for a full House vote. Therefore, neither bill was enacted by the Legislature. Given the decision of the Florida Supreme Court, however, pregnancy discrimination is now deemed a prohibited act under FCRA.

Planning for the Future



- 1. Continue to conduct thorough, high-quality and timely investigations of discrimination complaints:**
 - Utilizing innovative management approaches
 - Offering voluntary mediation services for mutually acceptable and speedier resolutions
 - Ensuring timely case closure to help avoid costly litigation for the parties
- 2. Promote greater public understanding of discrimination issues and laws and engage community members and leaders to address inter-group tensions and discrimination:**
 - Providing education and outreach opportunities to businesses, employers and the housing industry relating to their legal responsibilities under federal and state discrimination laws
 - Forming partnerships with private sector entities and governmental agencies is critical to reaching those most in need of our services
- 3. Promote public confidence in Commission services through excellent Customer Service:**
 - Improving customer service efforts and outcomes through staff training, continuing education and the use of technology
 - Ensuring even greater managerial efficiency, effectiveness and accountability, while operating under the FCHR Governance Policy
 - Ensuring meetings of the Commission are open to the public and subject to Florida's open government laws relating to access, notice and requests for meeting records

COMMISSIONERS

2013-2014



Gilbert Singer,
Chairman
Tampa



Michael Keller,
Vice Chairman
Tampa



Gayle Cannon
Lake City



Dr. Donna Elam
Orlando



Dr. Onelia Fajardo-Garcia
Miami



Dr. Elena Flom
Cocoa Beach



Rebecca Steele
Jacksonville



Billy Whitefox Stall
Panama City



Derick Daniel
Tallahassee



Tony Jenkins
Lake Mary

Florida Commission on Human Relations

4075 Esplanade Way, Room 110
Tallahassee, FL 32399

Phone: (850) 488-7082 / Toll-Free: 1-800-342-8170 / Fax: (850) 488-5291

Web Site: <http://fchr.state.fl.us>

E-mail: fchrinfo@fchr.myflorida.com

For those with communication impairments:

The Florida Relay Service Voice (statewide): 711

TDD ASCII: 1-(800) 955-1339

TDD Baudot: 1-(800) 955-8771