

Annual Report

2014-2015: A Fiscal Year in Review



Florida Commission on Human Relations



Our 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



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Our 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.



United in One Goal:
Equal Opportunity and Mutual Respect

Message from our Leadership

FAIR TREATMENT, EQUAL ACCESS AND MUTUAL RESPECT ARE THE BENCHMARKS OF THE COMMISSION'S COMMITMENT TO THE PEOPLE OF FLORIDA.

For 46 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.

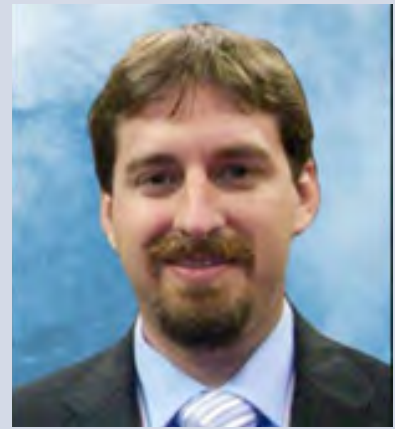
Under the enthusiastic leadership of our appointed Commissioners, the Commission has an outstanding track record of success and accountability. We are continually maximizing our efforts -- doing more with less -- to meet the constantly-changing needs of the Sunshine State.

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. 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.

Michael Keller
Chair

Michelle Wilson
Executive Director



Role of the *Commission*

THE FLORIDA COMMISSION ON HUMAN RELATIONS CONTINUE TO BE AN INVALUABLE RESOURCE



*FCHR has **investigated**
more than
76,000
cases since it was
statutorily
established in 1969 to
address discrimination.*

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 76,000 cases since it was statutorily established in 1969 to address discrimination.

Overseen by 12 Commissioners appointed by the Governor and confirmed by the Florida 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. Work-sharing agreements between FCHR and two federal partners – the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development – help 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 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 that required by an investigation. If mediation proves unsuccessful, the Commission investigates the complaint and, upon completion, issues its finding of either "reasonable cause" or "no reasonable cause." After either determination, the complainant may choose to pursue the matter with the Division of Administrative Hearings as an entirely new proceeding – with "reasonable cause" determinations also carrying the option of filing a case in civil court.

Whatever the final outcome of the case, 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 case-loads on crowded court dockets and even helps state agencies avoid costly litigation resulting from state employee discrimination claims.

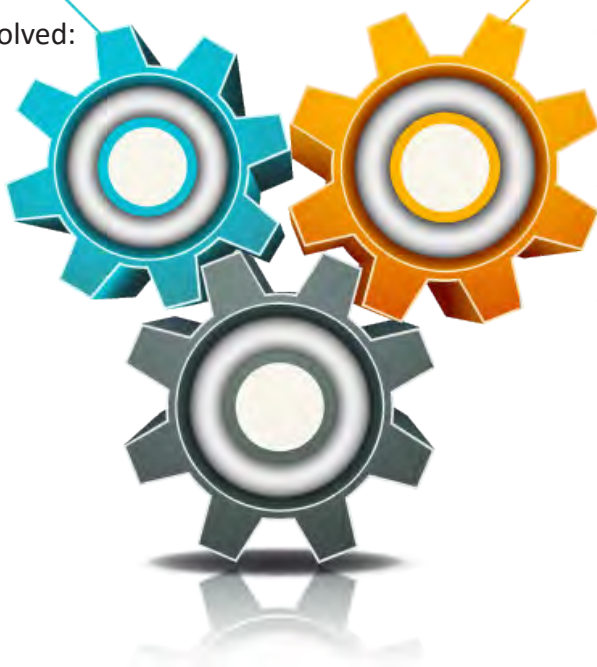




FY 2014-2015 Performance Highlights

Incoming and Outgoing Case Statistics

- Cases received/resolved:
1,372 (received)
1,205 (resolved)



Legislative Long-Range Program Plan (LRPP) Measures

- Percent of cases resolved within statutory timeframes: 71% (overall) (Standard: 75%)
- Number of inquiries/investigations: 9,994 (Standard: 10,000)
- Percent of determinations upheld by DOAH: 91.7% (Standard: 80%)



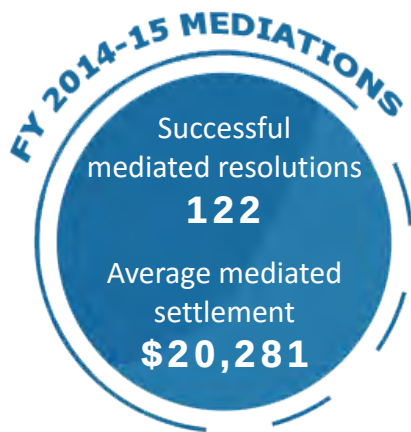
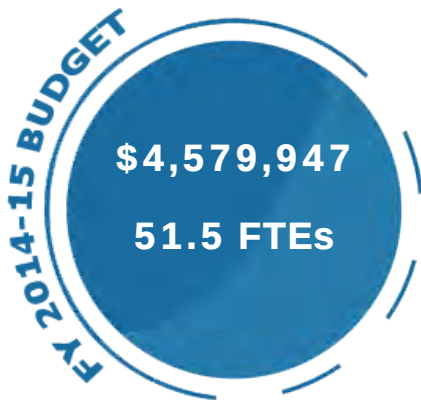
2015 Return on *Investment* (ROI)

COST AVOIDANCE FOR FLORIDA STAKEHOLDERS

The Florida Commission on Human Relations offers mediation services to resolve discrimination complaints. This important role assures Florida citizens and visitors that their rights are protected, while fostering a favorable climate for job creators, businesses and state agencies by preventing costly lawsuits. During the past fiscal year, the Commission has helped

Florida stakeholders avoid over 17 million in avoided litigation expenses. For FY 2014-15, the Return On Investment (ROI) was 286% - which means that for every \$1 the state provides in FCHR's annual budget, the Commission has returned an additional \$2.86 to the state through its successful mediation alone!

ROI / COST AVOIDANCE CALCULATION



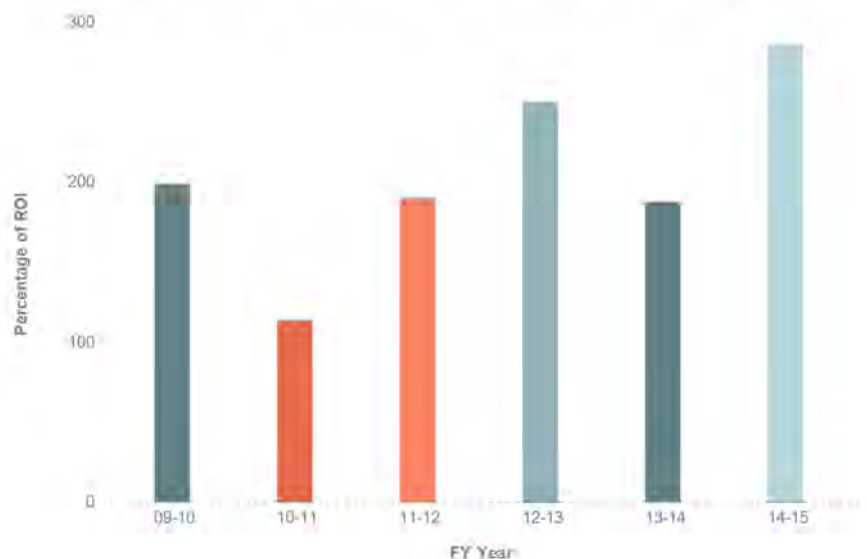
FY 2014-15 COST AVOIDANCE ESTIMATE

Average court-awarded damages*	\$165,144
Average FCHR mediation settlement	- \$20,281
Average avoided cost per mediation	\$144,863
Number of mediated resolutions	x 122
TOTAL COST AVOIDED	\$17,673,286

Note: Does not include potential litigation costs avoided as a result of FCHR's timely closure of 588 "no cause" cases during the past fiscal year

**EEOC's FY 2014 Performance and Accountability Report; average total monetary recovery of discrimination lawsuits; does not include attorney fees or court costs.*

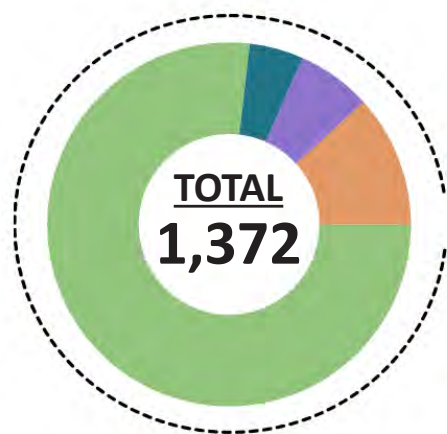
FCHR's Return On Investment (ROI) 2009-2015



FY 2014-15 - By the Numbers

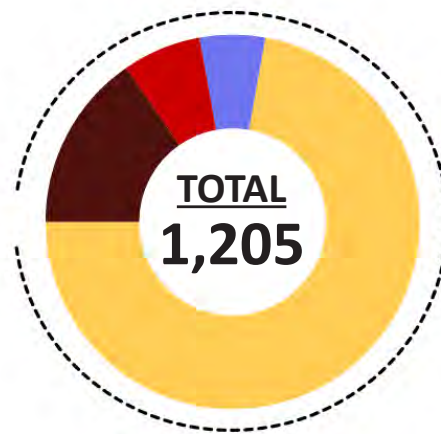


Incoming Cases



1054	Emp.	870
66	P.A.	68
91	W.B.	82
1211 Sub-Total 1020		
161	Housing	185

Cases Resolved



Average Length of Investigation (days)

164



145



130



161



74



148

TOTAL

Average Percent of Cases Resolved Within Statutory Compliance

72%

74%

28%

68%

92%

71%

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



Employment Cases by Resolution Type FY 2014-15

Employment Cases by Resolution Type	
No Cause Finding Issued	645
Cause Finding	147
Administrative Closures	228
Total	1,020

Housing Cases by Resolution Type FY 2014-15

Housing Cases by Resolution Type	
No Cause Finding Issued	123
Cause Finding	0
Administrative Closures	62
Total	185

Cases Received by Type of Bases FY 2014-15

Age	295
Color	89
Disability	485
Fam. / Mar	37
Nat. Origin	157
Race	400
Religion	53
Retaliation	655
Sex	374
Total Basis	2,545

Total Number of Inquiries and Investigations - FY 2014-15 (Long-Range Performance Plan [LRPP] Measure)

	Employment	Housing	
Completed Investigations	1,020	185	1,205
Intake Closures + Referrals	194	152	346
Technical Assistance (CMS) + Deferrals	1,210	7,233	8,443
Total Inquiries + Investigations			9,994



FY 2014-15 - By the Numbers

CONTINUED...

Top 10 Counties for Employment, Public Accommodations (PA), Whistle-blower (WB) & Housing

FY 2013-14 & 2014-15 Comparisons

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

Top 10 Emp./PA/WB Counties FY 2014-15	
County	# Cases
Leon	258
Orange	242
Duval	149
Escambia	113
Palm Beach	105
Miami-Dade	101
Hillsborough	91
Bay	81
Broward	76
Pinellas	70

Top 10 Housing Counties FY 2014-15	
County	# Cases
Miami-Dade	47
Hillsborough	24
Orange	17
Broward	13
Collier	11
Sarasota	9
Seminole	8
Leon	7
Polk	7
Lee	6

**Housing Cases Resolved by Basis Type
FY 2014-15**

Disability	117
Race	46
Familial Status	22
National Origin	20
Sex	18
Retaliation	15
Color	6
Religion	6
Total Bases:	250

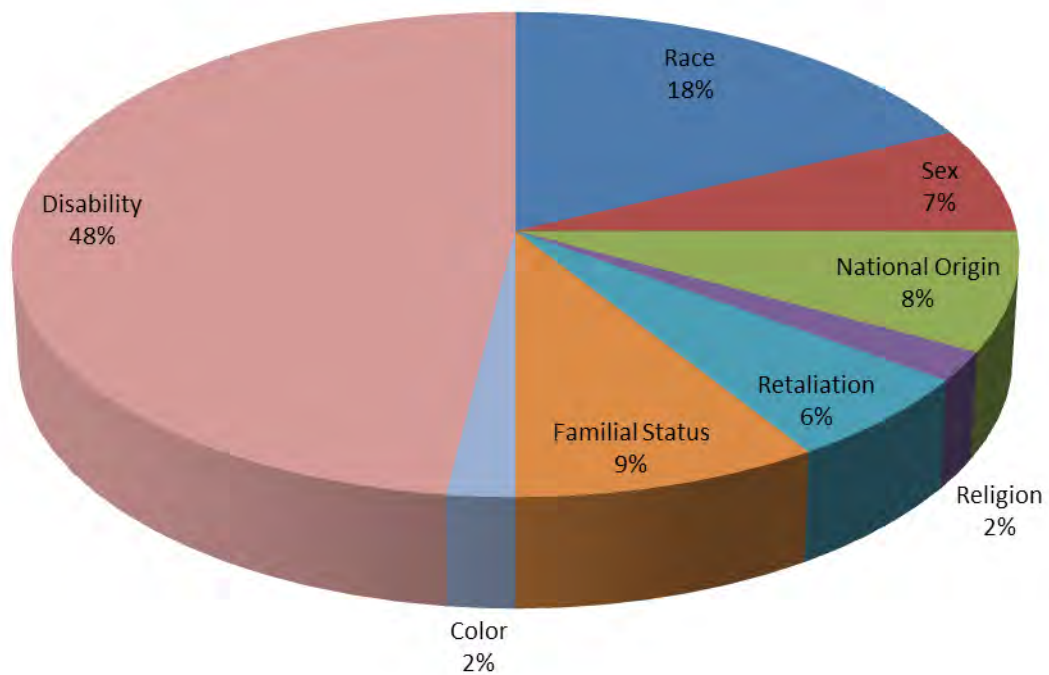
**Employment, Public Accommodations and
Whistle-blower Cases Resolved by Basis Type
FY 2014-15**

Retaliation	573
Disability	364
Race	346
Sex	340
Age	287
National Origin	115
Color	73
Religion	33
Marital Status	23
Total Bases:	2,252

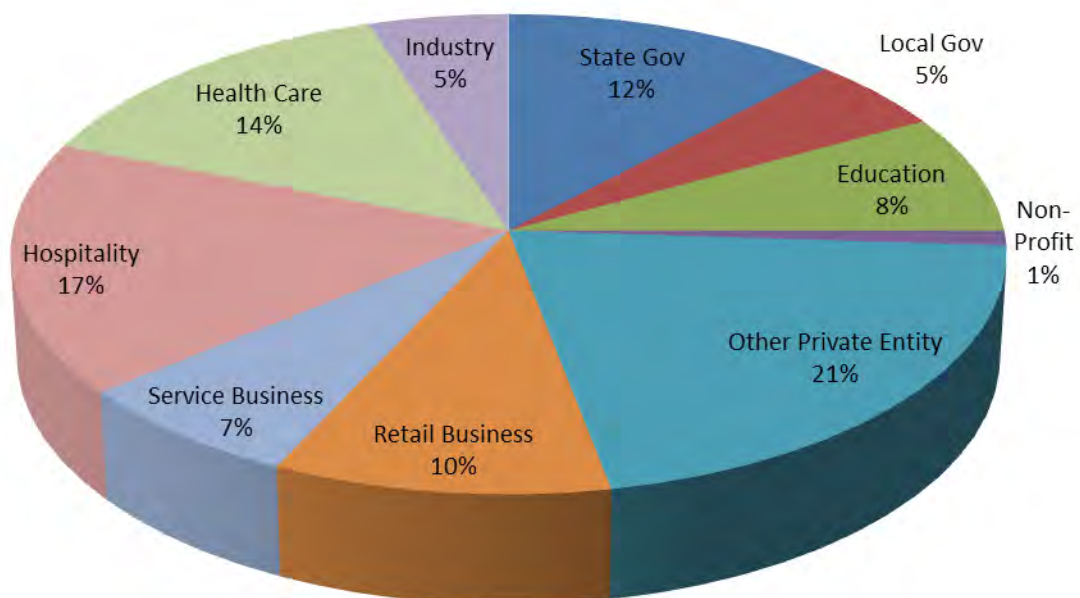


“Fair treatment, equal access and mutual respect are the benchmarks of the Commission’s commitment to the people of Florida”

Housing Cases by Resolution Type FY 2014-2015

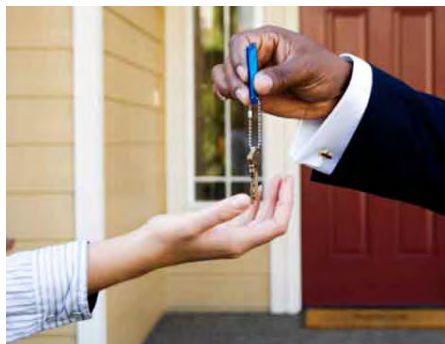


Industry Type by Distribution FY 2014-2015



Sampling of *Commission Cases*

UNITED IN ONE GOAL: EQUAL OPPORTUNITY AND MUTUAL RESPECT



HOUSING - DISABILITY

A disabled Complainant received a Housing Choice Voucher for a one-bedroom unit on the third floor. Complainant submitted a doctor's note to the housing authority stating the medical need for a live-in aide and requesting a reasonable accommodation for a two-bedroom unit on the first floor. Additionally, the Complainant's daughter submitted several other disability certifications. The housing authority, using its process for considering reasonable accommodation requests, provided the Complainant with a reasonable accommodation packet to complete. The housing authority ultimately denied the requested accommodation because it indicated that Complainant failed to complete the entire packet of information. **RESULT:** The Commission found reasonable cause because the information submitted by Complainant was sufficient to show that he is disabled and that the accommodation was necessary.



WHISTLE-BLOWER RETALIATION

Complainant participated in an investigation conducted by Respondent's Office of Inspector General relating to a whistle-blower activity. Two months later, Respondent terminated Complainant's employment due to, as Respondent indicated, "excessive absenteeism". Documentation of four unscheduled absences was submitted, but the form indicated that although the leave was not planned, it had been approved by the Complainant's supervisor. **RESULT:** The Commission issued a fact-finding report indicating that the Respondent failed to demonstrate that Complainant's absences were excessive, that the Respondent had followed a progressive discipline policy or that the Complainant's termination was justified under the circumstances.



EMPLOYMENT - RELIGION

Complainant requested to be allowed to be away from work to attend mass, which Respondent allowed at the time of the request. Soon thereafter, Respondent began reducing Complainant's work hours, giving him every Friday off prior to the slow season. Complainant alleged that he was constructively discharged because of his continued reduction in hours. He also received a written warning with several work deficiencies without evidence of prior notice and was locked out of the refrigerator. **RESULT:** The Commission found reasonable cause because there was no evidence that the Complainant was disciplined or coached for work deficiencies prior to requesting a religious accommodation.

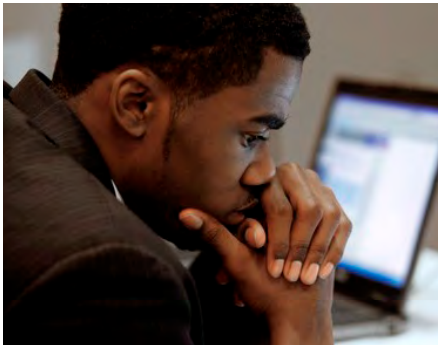
Sampling of *Commission Cases*

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EMPLOYMENT - AGE

A 58-year old Complainant was laid off. Respondent claimed that a younger manager was better suited for the position that Complainant had previously held. Evidence, however, showed that the younger employee had less experience than the Complainant in managing the appropriate department. Respondent offered Complainant the opportunity to think about another position, but never actually offered the Complainant another position. **RESULT:** The Commission found reasonable cause.



EMPLOYMENT - RACE

Complainant (black) was terminated for paying for moon pies after he had already eaten them. Another employee (white) had received more disciplinary write-ups than the Complainant, but was not disciplined or terminated as Complainant was. Respondent failed to provide any evidence to refute the differential treatment between the two employees. **RESULT:** The Commission found reasonable cause.



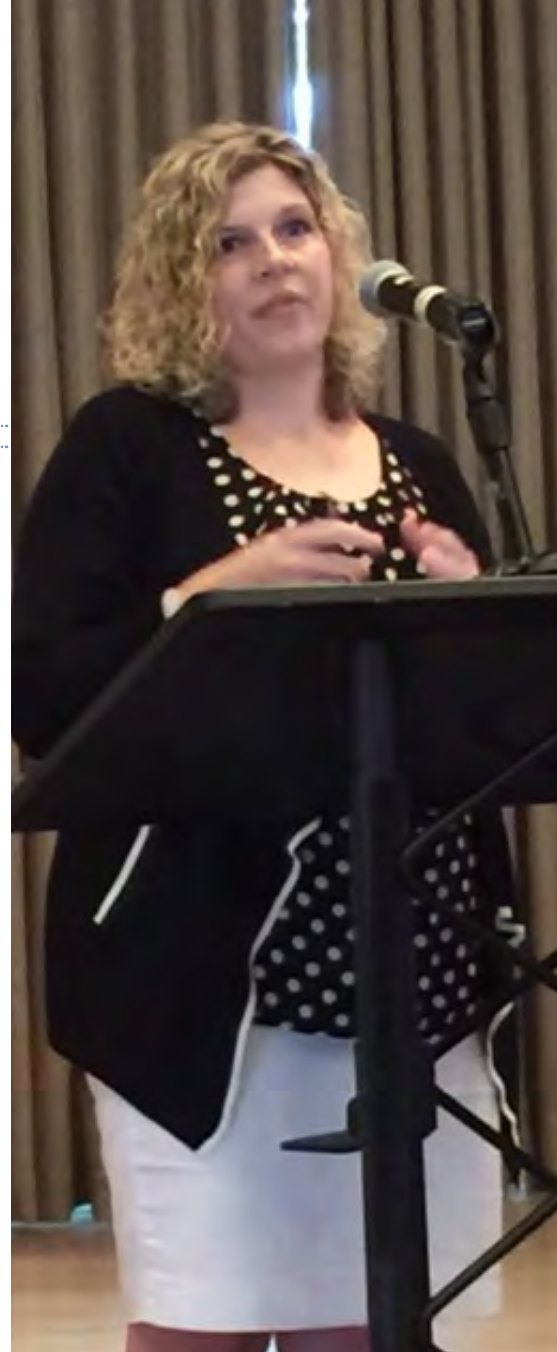
FCHR Reaches Out to Floridians

FCHR CONTINUES TO MAKE ITS PRESENCE FELT IN THE SUNSHINE STATE

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 fair housing training, employment discrimination resources to businesses, sexual harassment training and presentations on the 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:

- EEOC Tampa 50th Anniversary Celebration-Tampa: Commission Singer
- Fair Housing Seminar for the Capital City Apartment Association (scheduled)
- FAMU Management Seminar 2015
- FCHR Capitol for a Day Event in Tallahassee
- Fair Housing Training in Pensacola
- Fair Housing Summit in Orlando
- Fair Housing Training in Sarasota
- City of Tallahassee Comprehensive Housing Workshop
- FSU Pro Bono Fair
- Fair Housing and Foreclosure workshop-Tallahassee
- Meeting with Tallahassee Mayor Marks
- Florida First Capital Finance Corporation, Inc.
- Palmetto Mobile Home Club, Inc.
- FAHRO Training
- Catholic Charities of Central Florida
- Florida Realtors Association
- 8th Annual ACCORD Freedom Trail Luncheon commemorating the 50th Anniversary signing of the landmark Civil Rights Act of 1964 - St. Augustine: Commissioner Steele



*FCHR staff cross the state to explain how the **Commission** serves as the foremost resource on **human relations** for the state of Florida.*



FCRHOF, 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 inducting them into the Florida Civil Rights Hall of Fame. As someone who has personally and professionally benefited from the works of these pioneers, I join all Floridians in distinguishing the contributions of these heroes who led the way in improving our state and country for the better."- Michelle Wilson, Executive Director of the Florida Commission on Human Relations.

On May 13, 2015, Reubin O'D Askew, Edward Daniel Davis and Sallye Brooks Mathis and were officially inducted into the Florida Civil Rights Hall of Fame for 2015.

Reubin O'D Askew (1928-2014)--Reubin O'Donovan Askew was born in 1928 in Muskogee, Oklahoma. In 1937, he moved with his mother and five siblings to Pensacola, Florida. Mr. Askew served in two branches of the United States military, in both houses of the Florida Legislature, through an unprecedented two terms as Governor, as United States Trade Ambassador and as an Eminent Scholar in Florida Government and Politics at Florida State University. During his tenure as Florida's 37th Governor, he became known as a progressive reformer for his forward-thinking leadership on civil rights, tax reform, judicial and executive reorganization and open accountable government. While serving in the Governor's Office, he brought African Americans more fully into state government leadership. In 1971, Governor Askew appointed Athalie Range as Secretary of the Department of Community Affairs, making her the first African American since Reconstruction and the first woman ever to head a state agency in Florida. In 1975, he appointed Joseph Hatchett to the Florida Supreme Court; Hatchett was the first African American to serve on the state's highest judicial body. In 1978, Governor Askew appointed Jesse McCrary Jr., an African-American former assistant attorney general, to fill a vacancy in the office of Secretary of State; McCrary was only the second African American to serve in this position and in the

Florida Cabinet. In addition, Governor Askew appointed McCrary as well as Freddie Grooms, an African American professor, to the 1978 Constitution Revision Commission. In addition to many other honors and awards, in 1994, the Reubin O'D Askew School of Public Administration and Policy at Florida State University was named for him and the Reubin O'D Askew Institute on Politics and Society was established at the University of Florida.

Edward Daniel Davis (1904-1989)-- Edward Daniel Davis was born in Thomasville, Georgia and moved to Florida at an early age. An author, educator and businessman, Mr. Davis was best known for his unyielding civil rights crusades that helped desegregate the University of Florida, raise the salary of black teachers to the level of whites and increase black voter registration. He was educated at Paine College in Augusta, Georgia and Northwestern and Columbia universities. He worked as high school principals in St. Augustine, Tampa and Ocala from 1929 to 1942. He was fired as head of Howard Academy in Ocala in 1942 because he led the Florida State Teachers Association in a legal move to obtain equal pay for black instructors. Starting in 1949, he was instrumental in a nine-year fight that he called one of his "most frustrating experiences" to open the University of Florida School of Law to minority students. He founded the Florida Voters League, which was a key factor in black voter registration increasing from about 40,000 in the early 1960s to more than 300,000 in 1964. In 1978, he retired as president, yet remained board chairman, of the Central Life Insurance Company, the only black-owned insurance company in the state. In 1981 he published his book, *A Half Century of Struggle for Freedom in Florida*, a treatise on his civil rights battles. In 1986, he accepted the first Governor's Distinguished Black Floridian Award at a Martin Luther King Jr. observance in St. Augustine, Florida.

Sallye Brooks Mathis (1912-1982)--Sallye Brooks Mathis was born in Jacksonville, Florida on May 18, 1912. She received an Associate of Arts Degree from Bethune-Cookman University, went on to study at the Tuskegee Institute and graduated from the Florida Agricultural and Mechanical University. She enjoyed a 28-year career as a teacher in the Duval County Public School system, where she taught elementary school students and high school history at Matthew Gilbert High School. She served in the NAACP, leading voter registration initiatives and organizing local events, as well as served as a member of the League of Woman Voters. Her commitment to the cause of civil rights led the local NAACP Chapter to name an annual community service award in her honor. In 1967, she became one of the first women and African Americans elected to the Jacksonville City Council. While serving on the City Council, she initiated legislation for a Citizens' Police Review Board, free public toilets and equal job opportunities in public agencies. She also fought for reduced bus fares for senior citizens. Her service to education was recognized by the naming of a Jacksonville school, the Sallye B. Mathis Elementary School, in her honor.

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.





2015 Legislative Session in Review

- During the 2015 Legislative Session, the Florida Legislature passed the following bills that were of interest to the Commission:
- Pregnancy discrimination (HB 625/SB 982): Codifies (amends the Florida Statutes) the decision of the Supreme Court from 2014 that discrimination based on pregnancy is prohibited under the Florida Civil Rights Act. Applies to employment and public accommodations. (Ch. 2015-68, Laws of Florida)
- Service animals (HB 71/SB 414): Clarifies what constitutes a service animal (dog and miniature horse), provides penalties for persons interfering with the use of a service animal and provides penalties for someone who misrepresents the use or training of a service animal. (Ch. 2015-71, Laws of Florida)

Planning for the Future

Continue to conduct thorough, high-quality and timely investigations of discrimination complaints:

In recent years, despite deep reductions in both staff and fiscal resources, the Commission has been able to utilize innovative management approaches to improve the timeliness and quality of discrimination complaint determinations and resolutions. This remains the Commission's top priority. The Commission's mediation services enable parties to resolve their disputes expeditiously and at a substantially reduced cost. The Commission's staff works diligently to meet statutory timelines for completing cases because failure to do so not results in delayed resolution for the parties and can potentially result in costly litigation for businesses. Future budget cuts will inevitably have an adverse impact on the Commission's ability to continue to conduct timely and quality investigations.

Promote greater public understanding of discrimination issues and laws and engage community members and leaders to address intergroup tensions and discrimination:

- ***Outreach, Education and Training***

Within budgetary and staff constraints, the Commission's units (Legal, Employment, Housing and the Office of Communications) provide outreach, education and training 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 other governmental agencies is critical to reaching as many customers as possible without extensive use of the Commission's limited budget dollars. Some training and public awareness forums, primarily in partnership with private and other public entities, were conducted statewide to improve the public's knowledge of discrimination issues facing Florida today; however, such efforts had to be significantly reduced over the past several years due to budget cuts.



- ***Communications***

During Fiscal Year 2014-15, the Commission continued to see an increase in media impressions, including print, television, radio, newsletter and electronic media outlets throughout the state. Topics covered included fair housing, elder discrimination, hate crimes, civil rights laws, sexual harassment, community events, the Florida Civil Rights Hall of Fame and information about the Commission's programs and services. The Commission developed and distributed opinion editorials to media outlets across the state on a variety of issues, including the Florida Civil Rights Hall of Fame, pregnancy discrimination, Fair Housing Month (April) and the 50th anniversary of the passage of the Civil Rights Act of 1964 (July). Electronic communications—including email, Twitter and Facebook—were sent to hundreds of grassroots, human rights, human resources and legal organizations and associations statewide on various discrimination topics and changes to civil rights laws. Target audiences for communications and outreach efforts include Florida's housing industry, business owners, employers and employees, residents of and visitors to Florida, local community groups and organizations, state and local public governmental entities, elected officials, teachers and students at all educational levels. Over the next five years, the Commission anticipates, as resources allow, increasing media and communications outreach efforts to inform the public of its



Planning for the Future

CONTINUED...

services and describe human and civil rights issues in Florida by:

- Engaging in social media and online networks to develop partnerships with local organizations and engage community members and stakeholders;
- Informing individuals, businesses, housing providers and communities of their rights and responsibilities via various media outlets and outreach efforts;
- Partnering with other governmental agencies at the state and local levels and private entities to provide information to the public;
- Engaging the Legislature through dialogue and timely information.

• **Direct Support Organization (DSO)**

Pursuant to section 760.06(4), Florida Statutes, the Commission has the authority to accept gifts, bequests, grants or other payments, public or private to help finance its activities. Given this statutory authority, the Commission is considering the establishment of a Direct Support Organization (DSO) to assist it in achieving its mission of preventing discrimination in Florida. Since the loss of its Community Relations Services Unit as a result of position and budget cuts, the Commission has had few resources available to educate businesses, organizations and communities about discrimination laws and employer responsibilities. Training and outreach efforts could be offered on a much wider scale through grant dollars and donations. A DSO would give the Commission greater flexibility in its attempts to access private and public fund and grant opportunities that are not readily available to the Commission at present because of its governmental status. Successful creation of a DSO and future receipt of donated dollars would enable the Commission to engage in research, outreach and other innovative educational activities.

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 efficiency, effectiveness and accountability by operating under a Governance Policy model that requires setting annual goals and compliance assessments of goal achievement
- Complying with state public meetings and public records statutory mandates to provide for open and equal access to Commission operations and activities



Florida Commission on Human Relations

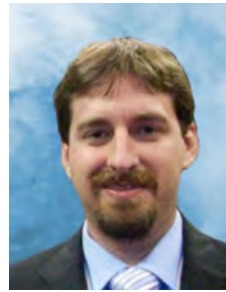
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