

P H R C

**Pennsylvania
Human Relations
Commission**

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Annual Report

Mission Statement

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

It is agreed that it is Commission policy that staff should carry out the mission in a courteous, responsive and professional manner.

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The Commissioners



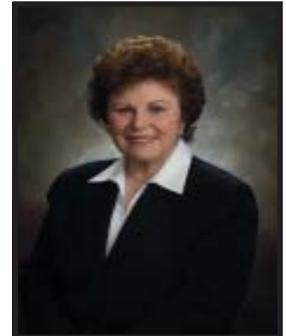
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Chairperson
New Oxford
Adams County



Raquel Otero de Yiengst
Vice Chairperson
Sinking Spring
Berks County



Daniel D. Yun
Secretary
Huntingdon Valley
Montgomery County



Toni Gilhooley
Assistant Secretary
Harrisburg
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Timothy Cuevas
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Rev. James Earl Garmon, Sr.
Pittsburgh
Allegheny County



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Philadelphia County



S. Kweilin Nassar
Pittsburgh
Allegheny County



Daniel L. Woodall, Jr.
Norristown
Montgomery County

The PA Human Relations Commission (PHRC) is required to enforce two Pennsylvania laws (Pennsylvania Human Relations Act and the Pennsylvania Fair Educational Opportunities Act) that prohibit discrimination because of:

race, color, religion, ancestry, age (40 and above), sex,

national origin, disability, known association with a person with a disability, use of guide or support animals because of the blindness, deafness or physical disability of the user or because the user is a handler or trainer of support or guide animals, possession of a

diploma based on passing a general education development test, retaliation, familial status or refusal or willingness to participate in abortion procedures.

introduction

The Commission's jurisdiction covers employment, housing and commercial property, public accommodation, education and monitoring of community tension situations.

There are two key methods the Commission uses to implement the law: (1) the receipt, investigation, resolution, conciliation and litigation of formal discrimination complaints filed by harmed individuals, the Pennsylvania Attorney General or the Commission itself; and (2) the publication of regulations and guidelines as well as the provision

of community outreach and technical assistance to organizations or individuals to promote and encourage voluntary observance with the law and to promote positive intergroup relations.

Unlawful discrimination poses serious problems for the entire Commonwealth. PHRC programs are designed to meet the needs these problems create.

Under Section 7(k) of the Pennsylvania Human Relations Act, the Pennsylvania Human Relations Commission (PHRC) is required to

report annually to the Governor and General Assembly on the caseload statistics and details of the Commission's work on discrimination investigation and its response to bias-related incidents. The data contained in this annual report is based on case investigations and community outreach and technical assistance completed during the fiscal year that dates July 1, 2005 to June 30, 2006.

Message from the Executive Director

Dear Governor Rendell and Members of the General Assembly:

Fiscal Year 2005-2006 focused the Commissioners and staff of the Pennsylvania Human Relations Commission in two areas: the ongoing challenges of eliminating unlawful discrimination in the Commonwealth and the recognition of the Commission's 50th Anniversary.

Much has changed for the better in the past 50 years, and the Commission can rightly claim that it has taken a leadership role in fostering that change. Significant cases have been processed through the Commission's public hearing procedures and the courts of the Commonwealth resulting in numerous precedent setting judicial decisions that have brought about dramatic and far reaching change. This change has positively impacted not only the lives of the individuals and groups victimized by the discriminatory acts but also the lives of all of the citizens of the Commonwealth.

But, while the Commission is justly proud of all that it has been part of accomplishing, we remain painfully aware of the many forms of discrimination that have yet to be eradicated. Indeed, the present reality is that, although much of the more overt discrimination has been eliminated, far too many people hold onto the fears and prejudices that motivated this discrimination. Now, these fears and prejudices simply show themselves in subtler forms that are more difficult to detect and abolish.

It is the Commission's experience that this prejudice and fear of those who are different continues to negatively impact the ways in which many individuals see and respond to others. Such beliefs, whether articulated or not, frequently are used to justify the continuing existence of unequal treatment. It is the continuing existence of just such prejudice and discrimination, with its attendant consequences, that means the work of the Commission is not yet done. Both education and enforcement continue to be critically important parts of the Commission's mission.

Many, of course, have recognized the value of diversity and have embraced the Commonwealth's public policy of providing equality of opportunity. The challenge for the Commission, and for the many human rights advocates, public and private corporate and non-corporate entities and individual citizens who have lent their voices to the struggle for equality of rights, is to find the best; ways for us all to work together using all appropriate means to eradicate unlawful discrimination within the Commonwealth. At its core, this continuing struggle to achieve equality of rights involves a continuing struggle for us all to learn to appreciate and respect others, not only those who are most like us but also those who are most different from us.

Therefore, pursuant to Section 7(k) of the PHRA Act, I am proud to submit to you the 2005-2006 Annual Report of the Pennsylvania Human Relations Commission. The Commission continues to undertake the tough challenges of discrimination today, as it has in the past, and we continue to ask you for your support of our mission. Thank you.



Homer C. Floyd

Homer C. Floyd
Homer C. Floyd
Executive Director

WORK AT A GLANCE

July 1, 2005 - June 30, 2006

PHRC cases pending on 7/1/2005	5,236
Lukus cases pending on 7/1/2005	4,069
Total cases pending on 7/1/2005	9,305

PHRC cases docketed in 2005-2006	3,887
Total Caseload	13,192

2005-2006 Lukus filings	3,398
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TOTAL CASELOAD ACTIVITY BY PHRC	16,590
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PHRC cases closed in 2005-2006	4,507
•Employment	3,919
•Housing	351
•Commercial Property	7
•Public Accommodation*	164
•Education (Post Secondary)*	66

Lukus filings closed in 2005-2006	2,008
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Total cases pending on 6/30/2006	10,075
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Number of PHRC Inquiries	32,541
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IMPACT

Total Number of Persons Benefited	32,768
Monetary	24,715
Non-Monetary	8,053

Total Financial Impact (in dollars)	\$7,955,589.29
Monetary	\$7,929,063.85
Non-Monetary	\$26,525.44

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

Pennsylvania is proud to be an equal opportunity employer supporting workforce diversity.

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

Message from the Chairperson

Dear Governor Rendell and Members of the General Assembly:

This year we celebrated the 50th Anniversary of the Pennsylvania Human Relations Commission as we continue the struggle to achieve equal opportunity and to end bias and discrimination in this great Commonwealth. We are proud to say that as a state agency we have been in the forefront of many of the efforts that have led to significant change for minorities and women since our non-discrimination laws were enacted in 1955.

Nonetheless, evidence of continuing discrimination and its consequences is not hard to find today. Whether one looks at lower average wages in minority communities, the achievement gap between Whites, Blacks, and Hispanics in education, or continuing segregation and unlawful lending practices in housing, the evidence is right in front of us.

Here is the challenge that the Commission sees as it continues its work to end unlawful discrimination. How do we accomplish our goals when too many believe they are not responsible for the problem in the first place, that there is nothing left to accomplish, and that those who are the victims of discrimination are themselves responsible for the consequences of their continued victimization?

To further compound the challenge are the different perceptions of equal opportunity in our nation. A Gallup survey shows us that 58% of Whites think that life for Blacks is improving while only 33% of Blacks agree. Nearly 80% of Whites believe that African Americans have equal opportunity for jobs, compared with 46% of Blacks who believe that.

The Commission continues to tackle the challenge of discrimination today as it has in the past half century. From its inception, the PHRC has had a two pronged approach. As stated in our first annual report in 1957, “the Law authorizes the Commission to develop a comprehensive educational program designed to eliminate prejudice against persons or groups because of race, color, religion, national origin, age, or ancestry. Then, where acts of discrimination in employment do occur, the Commission is authorized to seek compliance with the law through conference, conciliation and persuasion, and if necessary, formal hearings and a court action”.

While both the protected classes and the areas we cover have increased, the two prongs of our statutory authority remain critical components in ending discrimination and bias. Education remains a prime focus of our work. And when education alone fails, prosecution remains an essential tool in the adjudicatory process. The staff and Commissioners of the Pennsylvania Human Relations Commission are devoted to our unique dual mission of eradicating discrimination and ensuring equal opportunity in the Commonwealth while working to further expand the protected classes in our statutes to include “sexual orientation and gender identity or expression”.

Racism, sexism, ageism, homophobia, and assumptions about people with disabilities all continue to diminish our appreciation of one another and our willingness to work together to achieve a climate where we are judged by our accomplishments and our contributions, not by our differences. Hopefully, in the next 50 years, we will address these deficiencies and look back with pride on the expansion of the rights and responsibilities we have embraced as a nation, fully including each individual in our commitment to eliminate discrimination in every corner of our society.



Stephen A. Glassman

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

Stephen A. Glassman
Chairperson

In fiscal year 2005-2006, the Commission continued to perform a valued service to the citizens of Pennsylvania. The Commission's workload continues to be focused on the investigation of complaints of unlawful discrimination filed by citizens of the Commonwealth.

Case processing and management for each case is labor intensive. In fiscal year 2002, PHRC implemented a new case management system (CMS) and the Commission is experiencing the benefits of CMS. CMS provided a tool for more effective case management and case tracking. Great emphasis was placed on managing the workload and this effort has paid off with a consistently declining average age of the pending inventory. The Commission developed a strategy to reduce the number of cases that were two years old or older. PHRC has been successful in completing the investigation of older cases and reducing its case inventory.

In fiscal year 2005-2006, 75 percent of the cases closed were pending with the Commission for two years or less. Timeliness and quality are not mutually exclusive but interdependent and this is evidenced by the fact that Commission compares very favorably to EEOC and other state civil rights agencies in both quality and quantity of case investigations. The Commission continues to excel in the quantity and quality of the settlements secured for complainants and far exceeds both EEOC and other state agencies in this category.

Commission Case Load

Inquiries

Throughout the fiscal year, each of the four Commission offices are contacted either by phone, by an in-office visit, by mail or by Email. Pennsylvania citizens who need to file a complaint with PHRC make many of the contacts. Others are citizens in need of services that are not within PHRC's jurisdiction, while others are simply calling with questions about their civil rights. PHRC refers to these types of contacts as Inquiries.

Lukus Filings

On an annual basis, the Commission maintains a federal government contract with the federal Equal Employment Opportunity Commission (EEOC). Each fiscal year, the Commission must process and track all paperwork on the cases where EEOC is conducting the active investigation, but the Commission has a supporting role. These types of cases are referred to as Lukus cases. PHRC does not investigate the complaint,

however, staff time is required to oversee these complaints. PHRC must reserve the right to docket, serve and require an answer if necessary. This chart details the Commission's Lukus complaints that were processed and monitored during the fiscal year.

INQUIRIES					
July 1, 2005 - June 30, 2006					
Type	Pittsburgh	Harrisburg	Philadelphia	Central	Total
In Office	304	1,082	1,971	3	3,360
Mail	1,050	1,201	1,088	17	3,356
Other	135	110	0	0	245
Telephone	10,240	9,080	5,046	1,214	25,580
Total	11,729	11,473	8,105	1,234	32,541

Cases vs. Counts

Commission staff must file and docket the complaints related to unlawful discrimination it receives. A complaint is filed on the date a verified complaint is received. A complaint is docketed with PHRC when it is placed into active investigation.

In CMS, one complaint is referred to as a case – each may contain multiple counts. A count consists of one act of harm (*ie. discharge, failure to promote, etc.*) and one protected class (*ie. race, religion, disability, etc.*). CMS complaints are still distinguished by jurisdictional area: employment, education, housing, commercial property and public accommodations.

For every one complaint that is received by the Commission, over 54 percent of those complaints involve two or more individual counts of discrimination. This adds to the complexity of the case investigation as each individual count must be investigated.

Complex cases require a large volume of staff time and extraordinary resources to complete. For example, a woman alleges she was sexually harassed and then terminated because of her gender (female) and age (47). In order to conduct a thorough investigation, each individual allegation or count must be investigated. This means the Commission's investigator must examine both counts. S/he must examine the issue of sexual harassment and whether the age of the woman played a factor in her discharge. The woman may not be able to substantiate an age-based discharge, but evidence may exist to support her claim of sexual harassment. Either way, both elements in this one case must be investigated, documented and analyzed in order to complete the investigation to determine if one – or both – counts have value in the case.

Lukus Activity	
July 1, 2005 - June 30, 2006	
Activity	Total
Filings	3,398
Closings	2,008
Total	5,406

Cases and Counts by Jurisdiction										
July 1, 2005 - June 30, 2006										
Jurisdiction	Pittsburgh		Harrisburg		Philadelphia		Central		Total	
	Cases	Counts	Cases	Counts	Cases	Counts	Cases	Counts	Cases	Counts
Commercial Property	7	8	0	0	0	0	0	0	7	8
Education	13	21	15	47	18	25	1	2	47	95
Employment	844	1,447	1,198	2,694	1,149	1,812	8	10	3,199	5,963
Housing	175	213	139	160	154	191	0	0	468	564
Public Accommodation	61	70	39	58	65	75	1	1	166	204
Total	1,100	1,759	1,391	2,959	1,386	2,103	10	13	3,887	6,834

Protected Class Types in Alleged Complaints

With the improved reporting capabilities that CMS has, the Commission is able to provide many more details about the types of allegations that are made in the individual complaints PHRC receives during the fiscal year. Because of the many areas of jurisdiction that PHRC has, the volume of statistics is also large as well. To review the detailed protected class statistics for fiscal year 2005-2006, they are located on the back pages of this annual report.

Protected Class of Complaints by Jurisdiction

July 1, 2005 - June 30, 2006

Jurisdiction	Protected Class	Pittsburgh	Harrisburg	Philadelphia	Central	Total
Commercial Property	Disability - Has	3				3
	Race	2				2
	Religious Creed	1				1
	Sex	1				1
Education	Ancestry		2			2
	Color		2			2
	Disability - Has	5	5	4		14
	Disability - Regarded as			1		1
	National Origin	1	4	4		9
	Race	4	6	10	1	21
	Religious Creed		1	2		3
	Retaliation	4	3	2		9
Employment	Sex	2	3	1		6
	Age	223	345	242		810
	Ancestry	9	92	47		148
	Color	2	1	21		24
	Disability - Has	140	225	181		546
	Disability - Record of	2	21	1		24
	Disability - Regarded as	12	48	15		75
	Disability - Related to	4	9	6		19
	Disability - Related to, Regarded as		1	1		2
	GED	2	3			5
	Multiple Class	9		9		18
	National Origin	11	45	52		108
	Other	2				2
	Race	253	270	426		949
	Religious Creed	17	19	35		71
	Retaliation	199	283	281		763
	Housing	Sex	203	377	271	2
Age		5	2	7		14
Ancestry		1	21	6		28
Color			2			2
Disability - Has		46	22	41	2	111
Disability - Regarded as				1		1
Disability - Related to		4	5	3		12
Familial Status		10		11		21
National Origin		4		17		21
Race	96	69	73		238	

Protected Class of Complaints by Jurisdiction

July 1, 2005 - June 30, 2006

Jurisdiction	Protected Class	Pittsburgh	Harrisburg	Philadelphia	Central	Total
Housing	Religious Creed	4		7		11
	Retaliation	10	26	10		46
	Sex	11	2	9		22
	Use of Guide/Support Animal	1	1			2
Public Accommodation	Ancestry	1	2			3
	Color		1			1
	Disability - Has	13	13	15	2	43
	Disability - Regarded as			1		1
	Disability - Related to	3				3
	Multiple Class	2				2
	National Origin	1	2	3		6
	Race	37	16	41	1	95
	Religious Creed	1		4		5
	Retaliation	4	4	4	1	13
	Sex	4	5	2		11
	Trainer of Guide/Support Animal			1		1
	Use of Guide/Support Animal	1	1			2

Sexual Harassment Complaints

The Commission consistently receives requests for the number of complaints each fiscal year involving sexual harassment. The number of docketed cases increased slightly from 200 cases this fiscal year to 244.

Sexual Harassment Complaints Docketed

July 1, 2005 - June 30, 2006

County	Total	County	Total
Philadelphia	44	Cumberland, Westmoreland (7 cases each)	14
Allegheny	26	Lycoming	6
Montgomery	25	Berks, Chester (5 cases each)	10
Lancaster	12	Adams, Beaver, Franklin (4 cases each)	12
Bucks, Dauphin, Delaware (11 cases each)	33	Blair, Lackawanna, Northampton, Schuylkill (3 cases each)	12
Lehigh, York (9 cases each)	18	Erie, Fayette, Jefferson, Snyder, Warren, Washington, Wyoming (2 cases each)	14
Luzerne	8	Butler, Cambria, Centre, Clearfield, Lawrence, Mercer, Northumberland, Potter, Susquehanna, Wayne (1 case each)	10
		TOTAL	244

Cases Docketed by County

During the fiscal year, Commission staff also document how many complaints are filed in each Pennsylvania county and in what areas of jurisdiction the complaints are made.

Docketed Cases by County

July 1, 2005 - June 30, 2006

County	Employment	Housing	Commercial Property	Public Accommodation	Education	Total
Adams	17	5		5		27
Allegheny	434	59	5	29	5	532
Armstrong	5	1				6
Beaver	26	5		6		37
Bedford	9					9
Berks	100	2			2	104
Blair	24	3		1		28
Bradford	3					3
Bucks	94	24		5	2	125
Butler	16	3	1			20
Cambria	16	2			1	19
Cameron	3					3
Carbon	3	2		1		6
Centre	21	2		3	1	27
Chester	93	9		5		107
Clarion	20	1		2		23
Clearfield	14	1		1	2	18
Clinton	1					1
Columbia	12				2	14
Crawford	11					11
Cumberland	98	7		8	3	116
Dauphin	259	10		4		273
Delaware	148	14		12	4	178
Elk	7					7
Erie	72	6	1	4		83
Fayette	23	2		1		26
Franklin	22			1		23
Fulton	2					2
Greene	5			1		6
Huntingdon	2					2
Indiana	12	5		1	1	19
Jefferson	9	3		1		13
Juniata	1					1
Lackawanna	45	4				49
Lancaster	137	7		5	3	152
Lawrence	20	1				21
Lebanon	28	1		1		30
Lehigh	54	7		7	2	70
Luzerne	64	8		2		74
Lycoming	17	2		2		21

Docketed Cases by County

July 1, 2005 - June 30, 2006

County	Employment	Housing	Commercial Property	Public Accommodation	Education	Total
McKean	2					2
Mercer	23	1			1	25
Mifflin	3					3
Monroe	21	80			1	102
Montgomery	277	36		11		324
Montour	1					1
Northampton	37	2				39
Northumberland	16					16
Perry	4			1	1	6
Philadelphia	525	57		31	12	625
Pike	6	3		1		10
Potter	4	1		2		7
Schuylkill	23	2		1	1	27
Snyder	6	1				7
Somerset	5	1				6
Susquehanna	2	1				3
Tioga	5	2				7
Union	2	2				4
Venango	11	1				12
Warren	13			2		15
Washington	25	3		2	2	32
Wayne	3	2				5
Westmoreland	85	9		4	1	99
Wyoming	5					5
York	92	11		1		104
Out-of-State*	56	57		2		115
Total **	3,199	468	7	166	47	3,887

Cases Closed

The Commission closes cases in a number of different ways. The case can be closed after a voluntary settlement is reached between the complainant and respondent. The case can be closed as no cause, which means that based upon all of the documents and witness testimony collected during an investigation, substantial proof of discrimination was not found. Or, the case can be closed administratively, because the complainant withdraws his/her allegations or opts to go into state or federal court. Cases are also closed after a decision is reached after a public hearing.

Case Closures by Jurisdiction and Type

July 1, 2005 - June 30, 2006

Closure Type	Jurisdiction	Pittsburgh	Harrisburg	Philadelphia	Central	Total
Settled After a Probable Cause Finding	Employment	7	15	17	0	39
	Housing	3	6	2	10	21
	Public Accommodation	0	2	2	0	4
SUB-TOTAL		10	23	21	10	64
Settled Before a Probable Cause Finding	Education	1	2	8	0	11
	Employment	190	347	467	1	1005
	Housing	47	23	37	2	109
	Public Accommodation	19	9	22	0	50
SUB-TOTAL		257	381	534	3	1,175
Administrative	Commercial Property	0	0	1	0	1
	Education	2	0	6	2	10
	Employment	152	188	235	5	580
	Housing	9	16	29	13	67
	Public Accommodation	24	5	14	2	45
SUB-TOTAL		187	209	285	22	703
No Probable Cause	Commercial Property	2	3	1	0	6
	Education	3	14	25	3	45
	Employment	766	827	698	4	2,295
	Housing	47	66	36	5	154
	Public Accommodation	18	18	26	3	65
SUB-TOTAL		836	928	786	15	2,565
TOTAL CASE CLOSURES		1,290	1,541	1,626	50	4,507

Case Age

Through the use of CMS, staff has seen a reduction in the time it takes to file a complaint with PHRC as well as a reduction in the age of PHRC's overall caseload. The following statistics show the age of cases closed during the fiscal year and include the time period from when the complaint was docketed to the final resolution of the complaint.

Age of Cases Closed from the Beginning of a Complaint to Final Resolution

July 1, 2005 - June 30, 2006

Time Period	Cases Closed	Percentage of Total	Cumulative Percentage
0 to 90 days (3 months)	446	10	10
91 to 182 days (4-6 months)	828	18	28
183 to 365 days (6 months to 1 year)	839	19	47
366 to 730 days (2 years)	1,197	27	74
731 to 1,096 days (3 years)	730	16	90
1,097 days to ??? (4 years+)	446	10	100
Total	4,486	100	

Financial Impact of Case Investigation

At any time during a case investigation by the Commission, a settlement can be reached between the complainant and the respondent. There are two basic types of settlement: those with a monetary impact – or actual dollar amount – that the complainant receives and non-monetary impact, which covers any benefits that are gained, but are not received directly by the complainant. Examples of a monetary impact are: lost wages, insurance contributions or a cash settlement that is received directly by the complainant. An example of non-monetary impact is a building that is remodeled to be accessible to wheel chair users.

The Commission prides itself on its outstanding settlement rate each year. PHRC has Work-Sharing Agreements with the Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD). PHRC’s settlement rate far exceeds the national average of state and local, as well as federal agencies.

Total Monetary and Non-Monetary Impact			
July 1, 2005 - June 30, 2006			
Office	Type	Amount	People Benefitted
Pittsburgh	Monetary	\$1,806,401.42	997
	Non-Monetary	\$5,153.00	5,104
Harrisburg	Monetary	\$2,797,690.50	3,055
	Non-Monetary	\$0.00	2,074
Philadelphia	Monetary	\$3,274,260.93	543
	Non-Monetary	\$21,372.44	467
Central	Monetary	\$50,711.00	20,120
	Non-Monetary	\$0.00	408
Total	Monetary	\$7,929,063.85	24,715
	Non-Monetary	\$26,525.44	8,053
Grand Total		\$7,955,589.29	32,768

outreach and initiatives

Legal

The Legal Division provides legal assistance during the investigation of complaints, prosecutes complaints that go to public hearing and to trial before Commonwealth Court and upholds the Commission’s interests in state and federal courts.

The Legal Division also provides general legal advice and assistance, and routinely analyze relevant

state and federal cases that may impact the Commission. Similarly, legal analyses are provided for any proposed legislation which would either amend the Pennsylvania Human Relations Act or which could have an effect on the Commission’s operations.

The Pennsylvania Human Relations Act mandates that a respondent file an answer to any complaint that is filed against it. If a timely answer is not filed, the Commission’s regulations allow a Rule to Show

Cause to be issued. The Rule requires a respondent to either file an answer or risk having a finding of liability made against it. Legal Division attorneys provided legal support for Commission staff in 320 Rule to Show Cause proceedings during the past fiscal year. Additionally, Legal Division attorneys were asked to review some 553 cases that were under investigation. In each case, a written legal opinion was provided in answer to the specific staff request.

If a respondent believes that the Commission lacks jurisdiction over a complaint, a motion to dismiss may be filed. This motion may be filed at any time during the proceedings. Legal Division attorneys responded to 139 motions to dismiss.

The Commission always attempts to obtain needed information voluntarily. If a Commission investigator is unable to voluntarily obtain necessary information, the investigator may request that the Commission issue a subpoena for the information. During the past fiscal year, Legal Division attorneys handled 103 of these requests.

The Legal Division is responsible for complying with the large number of subpoenas for documents that are served on the Commission from private parties. These subpoenas are normally served in connection with a case that has been taken into court by the complainant, either before or after the Commission issued a finding. During the past fiscal year, Legal Division attorneys responded to 656 of these subpoenas.

Once the Commission completes its investigation, it will either dismiss the complaint or issue a finding of probable cause. A complainant has the right to request that the Commission reconsider the dismissal of the case. In cases that have settled, a party may request that the Commission determine if the settlement agreement has been breached. These requests are reviewed by a Legal Division attorney, who recommends that the Commission either grant or deny the request. The Legal Division provided recommendations for 412

of these requests during the past fiscal year.

If an investigation results in a proposed finding of probable cause, the proposed finding will be reviewed by a Legal Division attorney for legal sufficiency. Commission attorneys reviewed 303 requests for probable cause.

The Commission began the past fiscal year with 19 cases pending in Commonwealth Court. There were 11 cases filed in Commonwealth Court during the fiscal year. These included petitions for review of Commission public hearing decisions, housing discrimination cases filed by the Commission under the removal provisions of Section 9(d.1) of the PHRA (which allows either party to choose a trial in Commonwealth Court instead of a Commission public hearing), subpoena enforcement actions and various miscellaneous actions. Of the 30 pending cases, 21 were resolved and nine were still on the Commonwealth Court docket as of June 30, 2006.

There were three appeals pending in the Pennsylvania Supreme Court at the beginning of the fiscal year. Three new appeals were filed and four appeals were resolved. Two appeals were still pending at the end of the fiscal year.

In *New Corey Creek Apartments v. PHRC*, the Commission prevailed when the Pennsylvania Supreme Court denied New Corey Creek Apartments' petition for allowance of appeal from the decision of Commonwealth Court. Commonwealth Court had upheld the Commission's award of \$39,513 in damages for unlawful housing discrimination.

This case is important for its holding that a victim of discrimination does not have to exhibit actual physical symptoms before an award of damages for humiliation and embarrassment may be granted. The Court reasoned that the appropriateness of such damages is "extremely fact-specific" and credited the Commission's determination that this evidence justified an award of \$25,000 for the victim's humiliation and embarrassment.

In *Spanish Council of York, Inc. v. PHRC*, Commonwealth Court upheld the Commission's final order finding that the Spanish Council had unlawfully terminated one Complainant because of his race and a second Complainant in retaliation for her having supported the first Complainant.

The Court upheld the Commission's use of a mixed motive analysis, under which liability may be found where it is shown, by a preponderance of the evidence, that an unlawful discriminatory reason (race, sex, age, etc.) was a motivating factor in the adverse employment action. This is significant since it allows for liability where the employer also had valid, nondiscriminatory reasons for the adverse action, in addition to its unlawful discriminatory reasons. As a result, the Commission's award of \$14,993.76 to the first Complainant and \$70,689 to the second was upheld by the Court.

In *Associated Rubber, Inc. v. PHRC*, the Commission issued a final order, in August, 2004, finding that Associated Rubber had unlawfully discriminated against the Complainant because of his age. Commonwealth Court

reversed the Commission's decision. The Commission appealed the reversal to the Pennsylvania Supreme Court.

The Commission claimed that Commonwealth Court had applied the wrong burden of proof and had not given proper deference to the Commission as the finder of fact. The Supreme Court agreed with the Commission and remanded the case to Commonwealth Court, during the past fiscal year, for consideration of the case under the appropriate burden of proof and standard of review. The case was still pending in Commonwealth Court at the end of the fiscal year.

The Commission's ongoing litigation, involving school desegregation and educational equity within the School District of Philadelphia, continued under the Memorandum of Understanding ("MOU") between the Commission and the School District. The MOU was approved by Commonwealth Court in March, 2004. Under the terms of the MOU, the School District is required to submit annual status reports regarding its efforts to demonstrate compliance with the law. The Commission is required to analyze these reports and submit its assessment as to the School District's compliance.

The School District submitted its second annual Status Report on December 14, 2005. The Commission immediately began its assessment of the report, as required by the MOU. The Commission met with the School District on several occasions to discuss the Report and, in particular, transportation issues associated with desegregation.

The Commission submitted its Assessment of the School District's December, 2005, Status Report on June 23, 2006. The Commission had a number of concerns about the Report but believed that the School District had, overall, met its reporting requirement under the MOU.

The School District's third annual status report is due in December 2006.

For the past several years, the Commission has implemented a Predatory Lending and Mortgage Lending Discrimination Initiative. The Initiative's objective is to investigate and, if necessary, engage in enforcement actions against any mortgage lender, mortgage broker, home improvement company, and/or other relevant entity that is involved in predatory lending practices which violate the PHRA. In addition, the Initiative has an educational component designed to educate the general public in order to prevent future incidents of predatory lending.

The Legal Division has also been instrumental in prosecuting those complaints for which probable cause was found and settlement could not be reached. During the past fiscal year, the Commission secured a major legal victory when Commonwealth Court issued its decision in *McGlawn v. Pennsylvania Human Relations Commission*. In this case, Commonwealth Court upheld a Commission final order that held a mortgage broker liable for unlawful predatory lending under the PHRA.

This Commonwealth Court decision established, for the first time, that certain predatory lending practices violate the PHRA. In addition, Commonwealth Court expressly adopted the analytical model utilized by the Commission for establishing a cause of action in cases involving these practices.

Finally, the decision offered a great deal of detail regarding the meaning of predatory lending and upheld the authority of the Commission to award damages for humiliation and embarrassment, to access a civil penalty and to provide relief to similarly situated persons in predatory lending cases.

The Court did order the Commission to recalculate the interest portion of the damage award to comply with applicable law concerning the rate and length of time for which interest may be granted.

In regard to the educational component of the Initiative, the Commission and Commission attorneys have engaged in extensive educational and outreach efforts to staff, industry groups and residents of Pennsylvania.

The Commission has established cooperative relationships with a number of federal, state, and local agencies to combat predatory lending.

Attorneys made 40 presentations to both Commission staff and numerous fair housing advocacy groups, lending agencies, equal rights advocacy groups, schools and various segments of the court system.

Information Technology

The technical staff of EDP Systems Administration continued a wide range of support for computer users throughout the Commission. This included troubleshooting, upgrades, documentation and training for all desktop applications, research and implementation of new applications, and advice on development for internal applications and operations.

Throughout the year, upgrades and changes were made to improve general operations and security operations. We began the acquisition process for hardware, software, and services for a new firewall.

By far, the most significant sustained effort during the year was the deployment of new desktop computers throughout the four PHRC offices. We worked with

three vendors to coordinate the acquisition, deployment, and retrieval of equipment. Technical staff spent nearly six months reviewing new hardware and software, preparing and testing procedures and programs to automate portions of the deployment process, migrating network shares and services to support the new equipment, and developing and revising procedures and documentation to back up and recover user data. The hard work paid off as the deployment was completed on schedule and no user data was lost.

For the Case Management System (CMS), development of enhancements was limited due to budget constraints. A few improvements were completed by a new employee hired to fill our Database Analyst position.

Scanning operations were upgraded and documentation improved.

We hosted, for several days, members of the Florida Commission on Human Relations who were interested in the design and operations of CMS. We also sent to the Seattle Office for Civil Rights, electronic files for loading and running CMS along with system documentation and user documentation.

Planning for the transition to EEOC's new information management system, IMS, began during the year. We worked with EEOC to develop a new data transfer file format to support direct transfer of case information from CMS to IMS. By the end of the year we completed IMS training provided by EEOC.

Education and Community Services

Informational Outreach and Training

The Division of Education and Community Services (DECS) continues to provide presentations, media interviews and training sessions on a variety of topics in order to fulfill that part of PHRC's mission which directs the agency to "promote equal opportunity for all persons." These services are tailored to meet the needs and requests of a variety of audiences throughout the Commonwealth.

This year, DECS staff conducted 58 presentations, interviews and training sessions. These outreach activities directly reached a total of 3,408 Pennsylvanians, and thousands more through media interviews. Strongest demand this past fiscal year was for information, presentations and intervention in response to racial and inter-group tension including responding to demographic change and organized hate group activity; effective bullying prevention and response to harassment in schools; and law enforcement and community relations.

Other areas frequently addressed included creating and maintaining unbiased and harassment-free work and educational environments; diversity and cultural competency; and equal educational opportunity.

PA Inter-Agency Task Force on Civil Tension

The single most significant way that PHRC fulfills its legislated mandate to prevent the escalation of racial tension is by convening and coordinating the PA Inter-Agency Task Force on Civil Tension (Task Force).

The Task Force consists of numerous local, state and federal agency representatives. Agencies represented on the Task Force are law enforcement and administrative agencies, as well as some non-governmental agencies.

What all of these agencies have in common are the knowledge, skills, and resources for the prevention and response to bias-related incidents, inter-group tension, and/or civil unrest.

The Task Force meets monthly to review the bias-related incidents reported during the previous month. Strategies for both prevention and response are developed and implemented, and relationships among Task Force members are strengthened in order to facilitate the exchange of information and counsel regarding incidents that have created or will likely create significant inter-group tension. The Task Force also participates in the development and presentation of training for law enforcement personnel, municipal officials and community leaders.

This year, PHRC staff convened and facilitated 12 meetings of the Task Force. In order to strengthen relationships among participating member agencies, the hosting of monthly meetings continues to be rotated among the agencies.

By far the two largest issues addressed by the Task Force this year were immigration and law enforcement/community relations. Beginning in July, the Task Force reviewed the London subway bombings with an eye to their affect here in the United States. That was followed quickly with a presentation on the new Memorandum of Understanding for Law Enforcement and Community in Bloomsburg that now binds the municipal police force to an agreement with the community-at-large and Bloomsburg University administration and students.

Also addressed was a presentation by the US Justice Department – Community Relations Service (now available on DVD) titled: “Responding to Allegations of Racial Profiling: Building Trust between the Police and the Community.”

Later issues addressed included the international outrage and conflict ignited by a Danish newspaper’s cartoon depiction (and subsequent publication in the Philadelphia Inquirer) of the prophet Mohammed; the display of the Confederate flag in public secondary schools; identification of ways in which the Task Force could collaborate with the Governor’s Center for Local Government Services to provide training for municipal officials; human trafficking; community responses to announced hate group activity (most notably the announcement of a march in York by a white supremacist group that failed to materialize and the announcement by the Knights of the Ku Klux Klan to hold a rally in Gettysburg in September 2006); and law enforcement-minority community relations.

Town Meetings and Community Initiatives

Last year, DECS and members of the Task Force provided leadership in the facilitation of a public ‘Town Meeting’ in Hazleton. This year saw a continuation of that dialog, as well as an expansion of those efforts into neighboring Wayne County.

In early 2005, DECS staff began receiving calls for assistance from families in Lake Ariel, Wayne County. Families from the

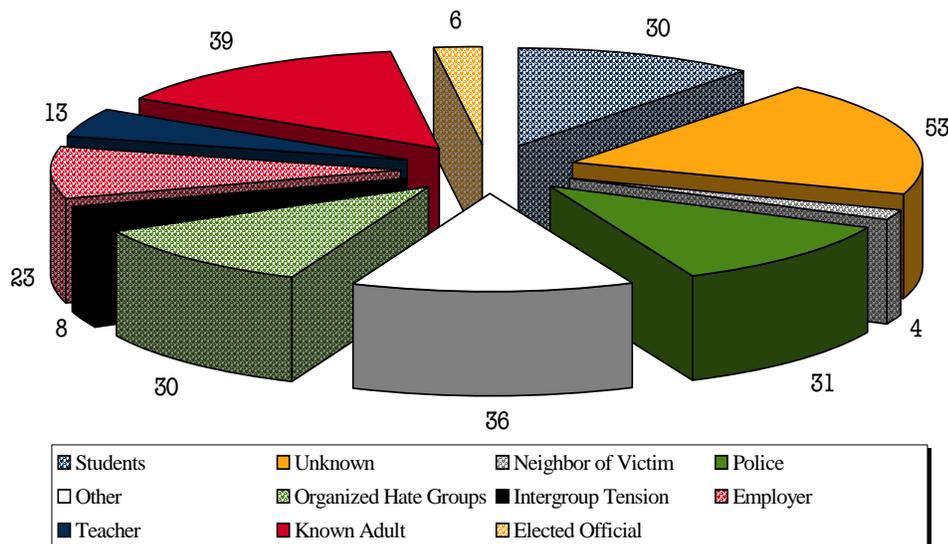
surrounding metropolitan areas of New York and New Jersey are relocating to the rural Pocono Mountains region of Pennsylvania, and what began years ago as a vacation community has evolved into a year-round residential community. In addition to diversity based on race, ethnicity and language, cultural differences between small town Pennsylvania and new residents from metropolitan New York and New Jersey are bringing human relations challenges – particularly in schools and communities, and resulting in increased tensions in both.

In August 2005, DECS staff, accompanied by colleagues from the United States Justice Department Community Relations Service, went to Wayne County to meet with local government and school officials. They were joined that evening by 13 partners from the Task Force and staff from the PHRC Harrisburg Regional Office to conduct a public “Town Meeting” in the Western Wayne Senior High School auditorium.

DECS staff and the other facilitators including the PA State Police observed and photographed graffiti on the road surface leading directly into the “Town Meeting” site. The graffiti was spray-painted in white paint and said: “KKK” and “White America” in letters approximately 3 feet high.

Attendance at the Wayne County town meeting reached an estimated 200 people. Community members selected working committees on which they wished to serve, and

Identity of Alleged Offenders in Bias-related Incidents



realized that while there was much work ahead, they had, at the very least, met and engaged in a dialog where before there had been open hostility or silent suspicion. DECS staff and members of the Task Force continue to provide technical assistance and programming as needed. As of this writing, PHRC has heard from residents who are experiencing a new-found sense of empowerment and community.

Civil Tension Prevention and Response

Immigration and the false identification of minorities as “illegal aliens” became a hot-button issue this past fiscal year.

In the spring, a famous food vendor in Philadelphia put a sign in his window that stated: “This is America. Order in English.” The vendor complained about the ‘influx’ of Spanish-speaking residents in what had once been an Italian neighborhood. The response was international. Media outlets broadcast public forums; newspapers ran countless editorials and responses. There were political campaign photo-ops.

Toward the end of the academic year, students at the University Park campus of the Pennsylvania State University (Penn State), and Kutztown University of Pennsylvania both held “illegal alien” events.

At Penn State, students were asked to play a game of “Catch An Immigrant” by apprehending a game participant wearing an orange T-shirt to identify them as an “illegal alien”. Under pressure from the PHRC, the ACLU, and on-campus student groups, organizers of the event recognized the value of changing their approach, and the ‘game’ was changed to an informational table in the student union building.

At the eastern end of the Commonwealth, Kutztown University students held an ‘Affirmative Action bake sale’ that resulted in a protest march across the campus. The University’s response was to conduct an open forum with University administrators, faculty and students. DECS staff consulted with faculty and administrators, and presented classroom programs on discrimination, cultural competency, and the Ethnic Intimidation Act.

DECS staff and partner agencies responded to both incidents, providing outreach, planning and intervention services, working with concerned students and faculty, and opening discussions with administrators in order to ensure that the civil rights of all persons were not abridged.

The City of Hazleton adopted its “Illegal Immigration Relief Act” (IIRA). The ordinance will require that all city government business be conducted in English; fine businesses who hire illegal aliens and limit business contracts for

five years for the first offense and 10 years for the second offense; and fine landlords up to \$1,000 per person per day for renting to illegal aliens. The City is also considering amending its landlord/tenant ordinances to require that all documents be in English, and that all renters within the city limits appear before the Codes Enforcement officer to verify their citizenship and/or residency status.

SPIRIT School Intervention

SPIRIT is a school intervention model originally designed by the Community Relations Service of the U. S. Justice Department. The “SPIRIT” program continued to be a significant initiative of the Task Force for the year. The acronym stands for “Student Problem Identification and Resolution of Issues Together,” and the model involves an intensive, two-day process in which students identify problems and develop potential, realistic solutions. A student advisory group is formed to work with school administrators to implement some of the solutions proposed by the students. These student advisory groups receive ongoing support from participating Task Force agencies and from local community members.

This year, members of the Task Force convened two SPIRIT programs: one at Shippensburg High School in response to racial tensions, including a student wearing a Confederate flag t-shirt to school; and at Susquehannock High School in York County in response to growing racial tensions. At Shippensburg, SPIRIT was preceded by an informational public forum and followed by a teacher in-service.

DECS staff also presented comprehensive equal opportunity programs focusing on discrimination, privilege, social inequality, hate crimes, and cultural competency at over a dozen secondary and post-secondary schools. Division staff also presented programs and workshops at conferences and in-services around the Commonwealth.

Support for Local Task Forces

DECS staff and others from the Task Force continued to encourage, support and facilitate the ongoing development of several regional task forces modeled after the statewide Tension Task Force. The York County Task Force continues to move forward, and the Reading/Berks Conflict Resolution Task Force was successful in its identification of a permanent meeting site and sponsor in the County Commissioners. In Berks County, discussions are well under way with the County Commissioners concerning the potential for the creation of a local Human Relations Commission with enforcement powers.

Basic Education Policy Developments

DECS staff have continued to monitor developments in education policy more closely over this past year. PHRC regularly attend meetings of the PA State Board of Education and perform policy analysis on emerging issues related to PHRC’s areas of jurisdiction.

Complaint forms for education cases were developed this year and posted on the Commission’s website to use. Production of additional web content included brochures on bullying, clarification

of the DECS services, an education case overview for new PHRC investigator trainees, and consolidated information on cultural competency for teachers and teacher trainers.

DECS Counsel also presented “Bullying: A Legal Perspective” workshop for approximately 75 school and law enforcement participants at the annual state-wide Safe Schools Conference. In addition, she also presented a workshop for the National Coalition of Title I/Chapter I Parents Region III titled “Equal Opportunity in Education – A Pennsylvania Agency’s Approach”.

Other work included ongoing negotiations in case conciliations, and providing research, information and guidance in a number of complicated and multi-layered issues – the discriminatory use of school ‘zero tolerance’ policies; gender-based/gender-motivated hate crimes; and additional case reviews to determine precedents and PHRC strategies. PHRC staff also met with noted author/professor Cheryl Dellasega to discuss joint ventures on relational aggression, particularly in young girls. DECS legal staff attended the PA State Board of Education and PA Achievement Gap Effort (PAGE 1) meetings, provided guidance to school administrators in districts where parents have alleged that their students are experiencing a hostile environment, and began researching the legal implications of the State Board of Education’s plan to require passing the Pennsylvania System of State Assessment (PSSA) scores to graduate from high school. In addition, an analysis of the “Minority Education Incentive Act”

was provided to the Commission in November of 2005.

With assistance from DECS legal staff that included legal research on issues related to women firefighters' access to equitable sleeping quarters, bathrooms and other facilities, DECS Director presented four, 4-hour trainings on Gender Discrimination and Harassment at the Fourth Annual Pennsylvania Women Firefighters Training Weekend.

Other Basic Education Activity

DECS staff continues to produce "Equal Educational Opportunity Profiles" on request, including statistical charts that monitor trends over time at the school district level with respect to various equal educational opportunity indicators, such as test score, dropout, graduation and personnel data. This task has been facilitated by the increasing availability of PA Department of Education data via the Internet, including PSSA reading, math and writing test score data. This data is now readily available in a form that is disaggregated by race/ethnicity, limited English proficiency status, and special education status.

DECS staff continues to be in great demand for professional development training for instructional staff in many school districts, and as presenters at significant, statewide conferences for educational professionals.

In August 2005, DECS staff met with curriculum developers and other key staff at the U.S. Department of Defense Educational Activity offices in Arlington, Virginia to discuss equal educational opportunity, cultural

competency and the achievement gap. Preliminary research had indicated that educational programming provided to dependents of military, diplomatic and other internationally-placed families showed that minority students tested far above their civilian counterparts.

In June 2006, staff and leadership of the PHRC met with the Commonwealth's top education officials to discuss PHRC's position on requiring all PA students to take the PA System of State Assessment (PSSA) examinations in order to graduate. Staff provided consultation and assistance in the development of a teacher in-service training curriculum on cultural competency development to be piloted throughout Pennsylvania.

Other workshops and outreach programs presented by Division staff included: "Pennsylvania's New Hate Crime Definition: Implications for Victim Services Professionals"; "Developing and Maintaining an Unbiased Work Environment: Sexual, Racial and Other Forms of Unlawful Harassment"; and "Hate Crime Law and Pennsylvania's Ethnic Intimidation Statute" to law enforcement professionals.

PHRC Regional Office Activity in Education and Community Services

Each of PHRC's three regional offices remains tremendously active with respect to the agenda for the Education and Community Services.

Harrisburg Regional Office DECS staff participated in a 'town hall'-style meeting at Penn State's Dickinson School of Law, focused

on concerns raised by law students of color who have had negative experiences in the community because of their race; he was also instrumental in working with the Pennsylvania Department of State in making cosmetology licensing exams available in Spanish.

PHRC Regional Office supervisors have focused on a myriad of issues, from responding to concerns over the use of police canine units inside public schools to the revitalization of the Advisory Councils across the Commonwealth to supervising investigatory staff.

The staff of the Regional Offices responded to innumerable requests for information, provided programming in every subject area under the jurisdiction of the Commission.

Pittsburgh Regional Director and staff continue to participate actively in the FBI's "Adopt-a-School" school safety initiative, working collaboratively with many agencies on addressing factors relating to establishing a safe, respectful learning environment within schools. There is broad participation involving many governmental and non-governmental agencies and organizations. The Pittsburgh Regional Office also continues to maintain a strong position of leadership with respect to law enforcement and community relations in western Pennsylvania.

Housing and Commercial Property

The Housing and Commercial Property Division continued its education and outreach efforts on the growing problem of predatory lending. Because of the complexities often involved, PHRC developed user-friendly informational products to help cut through the legal-ease of this issue.

After the appropriate public comment period, the Commission distributed the final version of the agency's Unlawful Discriminatory Predatory Lending and Reverse Redlining Guidelines to key partners in the real estate, financial or legal world: the Pennsylvania Bar Association, Pennsylvania Bar Institute and all of the law schools in Pennsylvania; the Pennsylvania Department of Banking, federal Housing and Urban Development, the Pennsylvania Association of Realtors, local fair housing advocacy programs and fair housing councils.

The Commission asked for assistance from these groups to help distribute this valuable information to their memberships. Commission staff worked with a representative from the Pennsylvania Bar Institute to develop CLE courses on predatory lending in at least three regions of the state.

Additionally, the John Marshall Law School in Chicago, Illinois, notified the Commission that it would begin to distribute the Commission's informational materials on predatory lending to

all their students in classes on financing and predatory lending. In addition they are being incorporated into the curriculum of a national seminar on Predatory Lending being conducted by the law school.

Commission staff participated in the Subcommittee on Programs of the Predatory Lending Task Force of Central Pennsylvania. The committee was meeting to discuss revisions of the criteria for new mortgage products designed for victims of predatory lending. The project is a pilot for eight counties in central Pennsylvania and is funded by Fannie Mae. Fannie Mae has committed itself to purchase \$1,000,000 of these mortgages. Commission staff is being advised of this effort in order to refer possible complainants who would benefit.

Additionally, in conjunction with the Predatory Lending Task Force, Commission staff is also working on distributing information about the possible harmful affects of "payday lending" which is also on the rise in the Commonwealth. A payday loan or cash advance is a small, short-term loan (typically up to \$500) without a credit check that is intended to bridge the borrower's cash flow gap between pay days.

As a high number of housing and commercial property cases are filed with PHRC based on disabilities, staff conducts a number of educational outreach programs for disability advocates as well as advocates for seniors.

One such project was the beginning of a dialogue with the state Department of Transportation regarding the agency's disability placard guidelines. Currently, these guidelines state that a municipality "may" issue signs at the request of the person and enforce them. PHRC is working to have the language modified to either identify the request as a "reasonable accommodation" and an explanation of the possible complaints or, at a minimum, directing municipalities in the guidelines to check federal, state and/or local laws on the issue of "reasonable accommodation as well as citing existing case law.

Last fiscal year, the Commission unveiled the new accessibility website. The website identifies the level of legally mandated accessibility of a building or commercial property in the Commonwealth. It is designed for use by architects, builders, real estate industry personnel, building owners, developers and the general public in order to ensure voluntary compliance.

In November, at the World Congress and International Exposition on Disability in Philadelphia, the Commission provided a live demonstration of the accessibility website to attendees. This demonstration was live for the thousands of Expo attendees.

Additionally, the issue of housing for older persons has become a major issue as increasingly larger numbers of new housing units are

becoming housing for older persons, thus excluding families with children. Commission staff monitored many of these new developments for compliance to state laws.

As the state's demographics continue to change, the Commission has translated numerous informational materials into Spanish to assist new housing and commercial property renters and owners.

Lastly, Commission staff worked closely with the York County Community Against Racism (YCCAR) in its efforts to create a proposal for a York County Commission on Human Relations. Promotional materials for the new proposal, media interviews, speeches and meetings were held by PHRC to lend its support to this endeavor.

The Commissioners

PHRC Commissioners are responsible for representing and enforcing the Pennsylvania Human Relations Act and the Fair Educational Opportunities Act. When implementing this role, Commissioners perform four major functions: 1) policy making; 2) oversight; 3) adjudication; and, 4) public liaison.

S. Kweilin Nassar of Pittsburgh was sworn in on Friday, July 15th, as the 10th Commissioner on the 11-member Commission panel. Ms. Nassar's appointment as a PHRC Commissioner is her third appointed position for the Commonwealth.

Previously, she was the Arab-American representative on the PA Heritage Affairs Commission and was a member of the PA Department Health's Health Risk Reduction Advisory Committee.

Ms. Nassar has received the Antonian Silver Medal, the second highest award of the Antiochian Orthodox Christian Archdiocese of

North America. She has also received awards from the Arab American Cultural and Educational Center from the Islamic Center of Pittsburgh.

Ms. Nassar's term will expire on November 13, 2007 because she is completing a former Commissioner's resigned position.

On November 14th, Daniel L. Woodall, Jr. of Pottstown, Montgomery County, was appointed to complete the 11-member Commission panel.

Mr. Woodall is the business manager of Laborers' Local 135 of Norristown and vicinity and is president of the Laborers' District Council of the metropolitan Area of Philadelphia and vicinity.

Mr. Woodall's term will expire on November 14, 2010.

Mr. Woodall replaced Commissioner Theotis Braddy of Camp Hill, Cumberland County,

who had served as a Commissioner since 1999.

The officers for the Commission in 2005-2006 were: Chairperson Stephen A. Glassman of New Oxford, Adams County; Vice Chairperson Raquel Otero de Yiengst of Sinking Spring, Berks County; Secretary Dr. Daniel D. Yun of Huntingdon Valley, Montgomery County; and, Assistant Secretary Toni Gilhooley of Harrisburg, Dauphin County.

The remainder of the Commissioner panel was: David A. Alexander and Rev. James Earl Garmon, Sr. of Pittsburgh, Allegheny County; M. Joel Bolstein and J. Whyatt Mondesire of Philadelphia, Philadelphia County; Theotis W. Braddy of Camp Hill, Cumberland County; and, Timothy Cuevas of Bethlehem, Northampton County.

During the 2005-06 fiscal year, the Commissioners issues the following final orders.

Karen Green v. North Philadelphia Health System, Case No. 200200633

The Complainant, Ms. Green, alleged that North Philadelphia Health System failed to offer her a reasonable accommodation of her religion. North Philadelphia Health System is a small community hospital that requires employee identification badges to display the photograph of the employee. Ms. Green’s religion prohibits her from voluntarily submitting to being photographed.

Ms. Green applied to become a nurse with NPHS and when she refused to allow her picture to be taken for her employee identification badge, she was terminated. The PHRC found that NPHS could have accommodated Ms. Green’s religious practice without incurring undue hardship

and awarded Ms. Green \$60,438.02 in lost back pay plus interest, ordered that Ms. Green be reinstated into the next available nursing position and pay her front pay of \$1,090.80 a week until either Ms. Green rejected such an offer or such an offer was made. The PHRC also awarded Ms. Green \$5,389.28 for reasonable out-of-pocket expenses she incurred, and \$72.00 in certifiable travel expenses. Finally, the PHRC ordered that NPHS train management employees to properly investigate whether there can be an accommodation of individual religious practices.

Elvis Rojas v. Scotland Yard Security, Case No. 200403930

Mr. Rojas alleged that he was terminated from his position as a Security Guard because of his sex, male and his ancestry, Hispanic. After Scotland Yard Security failed to answer Mr. Rojas’ complaint, a Rule to Show Cause was issued. Again, Scotland Yard Security

failed to answer the complaint resulting in a finding of default liability against Scotland Yard Security.

A Public Hearing was held to determine the appropriate damages to be awarded to Mr. Rojas. The PHRC ordered Scotland Yard Security to cease and desist from failing to timely file answers to complaints that may be filed against it. Also, Rojas was awarded \$11,572.88 in lost back pay, plus interest. Finally, Rojas was also awarded \$36.40 for certifiable travel expenses.

Brenda M. Burney v. Pennsylvania Department of Revenue, Case No. 199902863

Ms. Burney had alleged that she was terminated from her permanent part-time position as a Clerk I with the Department of Revenue because of her race, African American. A hearing panel recommended to the full PHRC that Ms. Burney failed to

**THE COMMISSIONERS' WORKLOAD
JULY 1, 2005 - JUNE 30, 2006**

Commission Meetings12
 Compliance Sessions12
 Consent Orders/Decrees and Conciliation Agreements Approved.....9
 Review of Staff Action in Making Disposition of Complaints.....4,507
 Review and Determination of Petitions for311
 Reconsideration of Complaint Disposition and Requests for Public Hearing
 Motions98
 Cases Closed on Motion5
 Cases Placed on Public Hearing Docket35
 Cases Settled After Public Hearing Approval32
 Final Orders Approved after Public Hearing11
 Total Rules to Show Cause Resulting in Liability and Subsequently Settled3
 * Pre-Hearing Conferences and Public Hearings Conducted31
 * Includes those Pre-Hearing Conferences and Public Hearings conducted by Commission
 Hearing Panels and Hearing Examiners
 Number of Days of Pre-Hearing Conferences and Public Hearings.....30

prove that she had been discharged because of her race.

A considerable issue in this case dealt with who the Hearing Panel found credible. In this instance, there were nine separate areas that led to the conclusion that Ms. Burney lacks credibility. Generally, Ms. Burney attempted to compare herself with one other employee. While Ms. Burney was indeed similarly situated in a number of respects, in several critical areas they were not. The negative performance ratings Ms. Burney had been given were supported by the evidence as was that she had been terminated for legitimate reasons rather than, as alleged, because of her race.

The full PHRC accepted the Hearing Panel's recommendation and dismissed Ms. Burney's claims concluding that any variance in treatment Ms. Burney experienced was attributable to non-racial factors.

Wilmer Baker v. The Frog Switch Manufacturing Co., Case No. 199800386

After consideration of Respondent's appeal of Commission's December 21, 2004 finding that the Respondent had retaliated against Complainant and award of damages, the Commonwealth Court vacated the finding and remanded the matter to the Commission for reconsideration of its Final Order. The Court's remand generally instructed the PHRC to conduct a proper "winnowing and sifting" of the evidence. More specifically, the Court expressed the concern that essential credibility determinations

had not been made and critical conflicts in the evidence were not resolved.

After a full review of the record, the Hearing Panel recommended that the PHRC's December 21, 2004 finding be reversed because the Complainant has not proven discrimination in violation of the PHRA. Essentially, the Hearing Panel found that the Complainant lacked credibility and that the Respondent's exercise of discretion was reasonable under the circumstances. Accordingly, the full Commission accepted the recommendation of the Hearing Panel.

Omar Bronson v. Masso Detective Agency, Case No. 200200713 Enforcement Determination Hearing

In this case, the Respondent had not complied with the Commission's order dated November 23, 2004, which ordered the Respondent to cease and desist from discriminating against African Americans, awarded back pay in the amount of \$29,988 plus 8% interest, awarded front pay in the amount of \$1,638 for a period of three years, an award of \$120 in costs incurred with filing of the complaint and additional and appropriate sensitivity training for Respondent and its employees.

After a hearing, the Commission ordered the Respondent to comply with those portions of its December 23, 2004 Final Order affirmed by Commonwealth Court within 30 days and further ordered that Respondent's failure to comply shall operate to authorize

enforcement proceedings in Commonwealth Court.

Edward McFadden v. Natale Christy, Case No. 200027608 Enforcement Determination Hearing

In this case, the Respondent had not complied with the Commission's Order dated October 26, 2004 which ordered the Respondent to cease and desist from discrimination by coercing individuals not to rent to persons due to their race, to pay actual damages to Complainant in the amount of \$1,485, pay embarrassment and humiliation damages in the amount of \$25,000 and pay a civil penalty in the amount of \$3,000.

After a hearing, Hearing Commissioner Yiengst recommended a finding to the full Commission. The Commission ordered the Respondent to comply with its October 26, 2004 Order and ordered that Respondent's failure to comply shall operate to authorize enforcement proceedings in Commonwealth Court.

Tanika Vallati & Marilyn Noto v. Lamar Poder, Case Nos. 200302403, 200302412

Ms. Vallati and Ms. Noto alleged that soon after they rented an apartment from Mr. Yoder, he engaged in acts of sexual harassment so severe that they suffered medical complications, lost their jobs due to missing work, and were forced to move out. Mr. Yoder retaliated by refusing to return their security deposit and delaying their

access to a dryer they had rented. Mr. Yoder failed to respond to both the complaints and subsequent rule to show cause orders, resulting in findings of default liability against him.

A consolidated public hearing was held to determine appropriate damages to be awarded to Ms. Vallati and Ms. Noto. A cease and desist order was entered against Mr. Yoder. Also, Ms. Vallati and Ms. Noto shared awards of \$350 for the security deposit, \$85 for moving expenses, \$45 for additional dryer rental and \$10,000 for humiliation and embarrassment.

Additionally, Ms. Vallati was awarded \$630 in lost wages, and Ms. Noto was awarded \$5,184 in lost wages associated with her job loss and \$104 in wages lost while attending the public hearing. Finally, a civil penalty of \$1,500 payable to the PHRC was assessed against Mr. Yoder.

John J. Palmer v. Dayton Parts, Inc., Case No. 200101410

Mr. Palmer alleged that he was terminated from his position as a Roll Cell Operator because of his race, African American. A Hearing Panel recommended a finding against Mr. Palmer after concluding that Dayton Parts, Inc. had a zero tolerance policy against threats of violence in the workplace and that Mr. Palmer had threatened another employee.

After reviewing the treatment of several other employees for various

infractions, the Hearing Panel found that Mr. Palmer was not treated any less favorable than other employees who also had threatened other employees. Accepting the Hearing Panel's recommendation, the PHRC found that Dayton Parts, Inc. had not terminated Mr. Palmer because of his race and dismissed his complaint.

Charlotte Sellers v. County of Bucks, Neshaminy Manor Home, Case No. 19982554

The Complainant, Ms. Sellers, alleged that the Respondent failed to hire her for the position of Health Care Supervisor because of her age, 58. The Complainant further alleged that the Respondent's actions violated Section 5 (a) of the PHRA.

The primary issue in this case was whether the Respondent's decision maker unlawfully discriminated against the Complainant when she recommended two other individuals for the position of Health Care Supervisor.

After reviewing the record, the Hearing Panel recommended to the full Commission that the decision maker did not act with age bias and the decision to hire the other individuals was supported by the record. The full Commission accepted the Panel's recommendation and dismissed the complaint.

Aida Armani v. Raya and Haig Salon, Docket No. E85465D

The Complainant alleged that the Respondent unlawfully

discriminated against her in the terms and conditions of her employment, subjecting her to a hostile work environment and constructively discharged her because of her sex, female. On June 30, 2004, PHRC issued an Order that determined that the Respondent violated the PHRA by allowing the existence of a hostile work environment and constructively discharging the Complainant because of her sex, female.

Specifically the Order provided: "Having found that the Complainant has met her burden of showing by a preponderance of evidence that Respondent created a hostile work environment and that she was constructively discharged, we move to the issue of remedy. In the instant case, a finding of liability will be entered against the Respondent and the Commission, pursuant to 16 Pa. Code Section 42.111(9) and 1 Pa. Code Section 35.128, orders that this matter be reopened for the purpose of the parties presenting additional information on the question of appropriate damages."

Thereafter, after a hearing on the issue of damages, the Hearing Panel recommended a cease and desist order, an award of \$156,421 which represented back pay from April 25, 1997 to December 31, 2000 plus 6% interest, an award of \$259.20 which represented verifiable reasonable out-of-pocket expenses, and an order of training for Respondent's management employees. The full Commission accepted the hearing Panel's Recommendation.

Legislation

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

The Commission voted to support House Bill 1806, P.N. 2357 would amend the Pennsylvania Human Act (PHRA) to add “genetic information” to the list of protected categories each time the list appears in employment related sections of the Act.

The term “genetic information” would be defined to mean: any information relating to genes, gene products and inherited characteristics that may derive from an individual or a family member. This term would include, but would not be limited to:

(1) Information regarding carrier status and increased likelihood of future disease or increased sensitivity to any substance.

(2) Information derived from: laboratory tests that identify mutations in specific genes or chromosomes; physical medical examinations; family histories; inquiries; tests of gene products; and direct analysis of genes or chromosomes.

With the increasing development and use of DNA and other types of genetic testing, combined with the ease of obtaining samples for such testing, with or without the owner’s knowledge and permission, there is an ever increasing risk that this information will be used to

discriminate against a person because of the person’s genetic predisposition to develop a future disability or disease. This is especially true in the area of employment, where the risk of future absences and increased benefit costs may convince an employer not to hire or retain an employee because the employee has a genetic predisposition toward developing a disabling condition.¹ An employer may well choose to do this, as a potential cost saving measure, despite the fact that the employee is currently healthy and may never even develop the condition.

What this bill would do is ban discrimination in employment on the basis of the potential for developing future disabilities. This is a logical and sound extension of the Act’s disability provisions. It must be remembered that inexpensive, easily available methods of genetic testing were not available at the time the disability provisions were added to the Act in 1974. DNA testing, for example, was not even developed until the 1980s. Therefore, there was no real way to determine a person’s predisposition to develop a disability or disease and no reason for the legislature to include a prohibition in the Act at that time.

Throughout the fiscal year, the Commission closely followed the hot-button topic of immigration and other related issues. In October, PHRC voted to oppose House 2089, P.N. 2879, which was a proposed English Only bill. This legislation was similar to previous

English Only bills that had been introduced in other legislative sessions. While everyone recognizes that English is the official language of the United States, government entities would be discouraged from the use of or the preference of having material available in other languages such as Spanish or Korean.

The Commission voted to oppose this legislation because of the unfavorable circumstances that could arise from the requirements of this bill.

Commission staff was asked to participate in various panels across the state to discuss the issue of immigration. As the issue heated up, the Commission issued an opinion editorial piece to numerous newspapers across the state on this issue. The following is an excerpt:

...The Commission does not condone or support illegal immigration. The Commission, however, does view the current policy debate on immigration through a specific historical lens. In 1956, if you were African American, Jewish, a woman, or from any number of non-European countries, you had difficulty finding employment, were excluded from renting or owning a home in many neighborhoods, and were often forced to attend schools that were either physically segregated or educationally inferior. Daily life activities, that we now take for granted, were denied to many through ignorance, rudeness, overt hostility and humiliation or, often, outright exclusion.

The Commission has sought to ensure that a person's race, skin color, national origin, or ancestry did not result in such patently unfair discrimination.

Unfortunately, those who are different from the majority, who are the most disenfranchised and the least able to protect or speak for themselves, are the ones most likely to become the targets of discrimination. Immigrants are simply the current target, whether they are Hispanic, Asian, African, or Middle Eastern. They are not the first. They will, unfortunately, not be the last.

The Commission's assessment of various legislative initiatives and, more pointedly, our assessment of the tone and tenor of much of the public debate, suggests that the impetus for action comes from the same type of prejudice and fear that has had such demonstrable and unfortunate consequences in the past. Much of the proposed legislation and public debate is centered on punishing both those who are here illegally and those who provide them with employment, food and housing. Inevitably, these laws will unfairly ensnare many individuals who are living here legally and will encourage aggressive behavior against anyone perceived to be an illegal immigrant.

Reform, to be truly effective, must be broader in its approach; punitive action, alone, will not solve the problem. It will simply encourage people to "obey" these new laws by treating anyone who looks or sounds "foreign" as if they are also "illegal." This is not only bad social policy. It is also unlawful under the Pennsylvania

Human Relations Act and other state and federal laws. States and municipalities should not be focused on passing legislation concerning the rights of illegal immigrants. This is a uniquely federal issue which should be dealt with on the national level.

The Commission believes that a thorough analysis of the health, safety, economic, social, and cultural consequences of most of the legislative proposals being made on illegal immigration in Pennsylvania will show that they may in fact be unconstitutional and are likely to do more harm than good. This is also true for the various "English Only" laws being proposed in Pennsylvania.

These laws have been presented in conjunction with legislation that intends to discourage illegal immigration. This is an unfortunate and inappropriate association, as restrictions on the use of languages other than English will be detrimental to all residents, including many people who are American citizens and/or who are legally residing in Pennsylvania communities. Puerto Ricans, for example, are US citizens by birth and their official language is Spanish.

Legitimate concerns about immigration reform ought to be addressed. But they should be discussed in an environment that is founded on shared democratic principles of respect and inclusion. This Commonwealth was founded and has prospered on such principles. If, as it appears, the focus is on the status of those immigrants who have not arrived in this country through a legally

approved process, any legislative action should be clearly limited to address this concern on the narrowest terms possible and on terms that minimize possible adverse consequences on a Commonwealth full of immigrants and the descendants of immigrants who are here legally.

It is also imperative that any new legislative action include provisions that would penalize those who, under the guise of seeking to comply with the new laws, intentionally or unintentionally engage in discrimination against individuals simply because of their ancestry or because they may look or sound like they were not born here.

The Pennsylvania Human Relations Commission continues to lead Pennsylvanians in our collective struggle to achieve equal rights for all. In doing so we recognize that, at its core, this continuing struggle involves learning to appreciate, respect, and value the contributions of others — not only those who are most like us, but also those who are most different from us.

As the fiscal year came to an end, the Pennsylvania House of Representatives' Republican Majority Policy Committee began to hold hearings on immigration around the state. The Commission was asked to testify on its position at the July 26th in Whitehall.

The Commission was also actively involved with members of the House and Senate on two pieces of legislation that would add sexual orientation, gender identity or expression as an additional protected class under the PHRA Act.

Advisory Councils

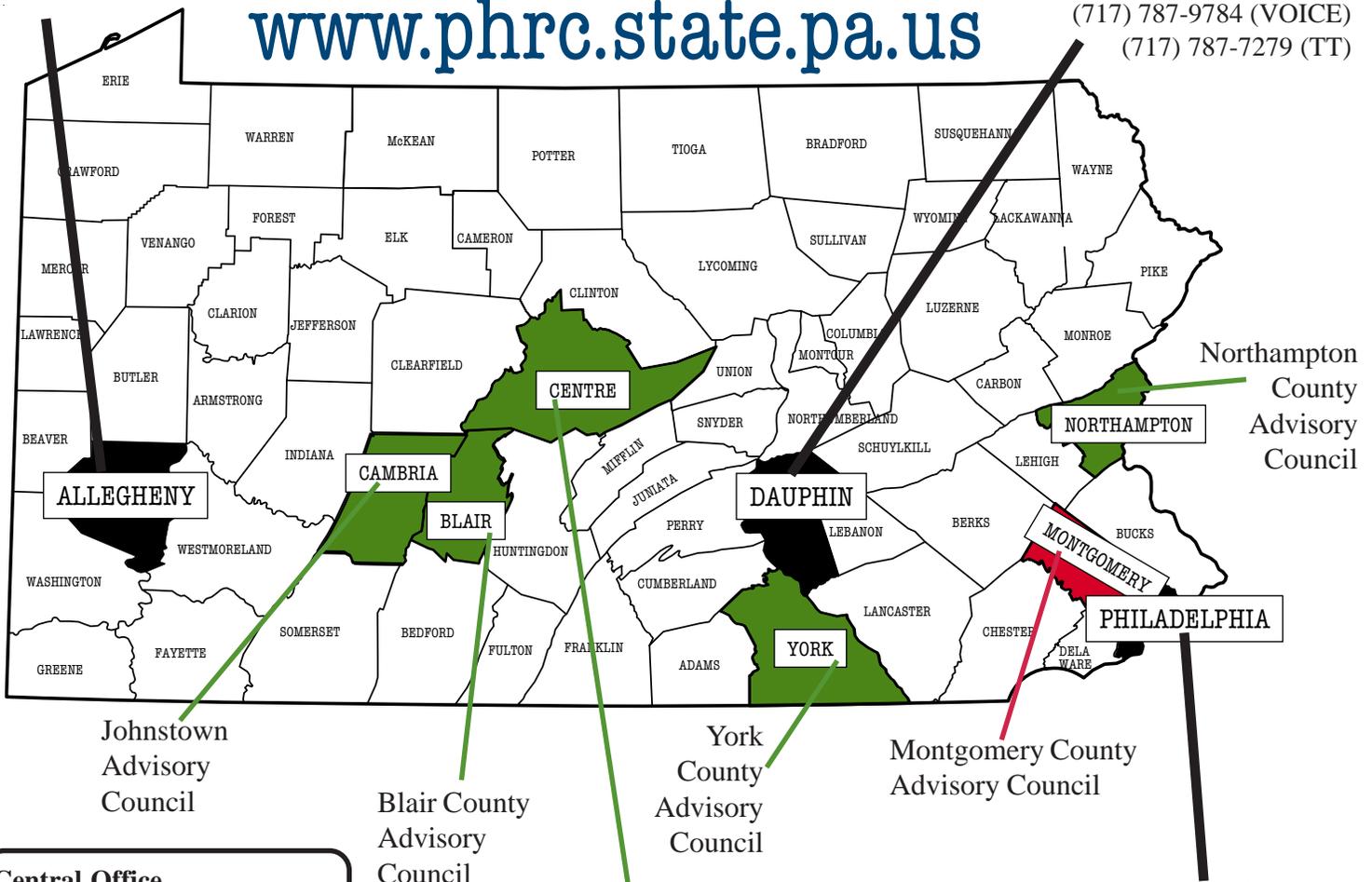
Advisory Councils to the Commission are authorized under Section 7(i) of the Pennsylvania Human Relations Act. PHRC Advisory Councils have been involved in a number of community projects, including working with local school districts on recruitment and cultural awareness programs, sponsoring and conducting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

The Commission currently has six, active Advisory Councils: Blair County Advisory Council; Centre County Advisory Council; Johnstown Advisory Council; Montgomery County Advisory Council; Northampton County Advisory Council; and, the York County Advisory Council. This state map indicates where the advisory councils are located throughout the state.

Pittsburgh Regional Office
 11th Floor State Office Building
 300 Liberty Avenue
 Pittsburgh, PA 15222-1210
 (412) 565-5395 (VOICE)
 (412) 565-5711 (TT)

Harrisburg Regional Office
 Riverfront Office Center-5th Floor
 1101-1125 South Front Street
 Harrisburg, PA 17104-2515
 (717) 787-9784 (VOICE)
 (717) 787-7279 (TT)

www.phrc.state.pa.us



Central Office
 Pennsylvania Place - Suite 300
 301 Chestnut Street
 Harrisburg, PA 17101-2702
 (717) 787-4410 (VOICE)
 (717) 783-9308 (TT)

Philadelphia Regional Office
 711 State Office Building
 1400 Spring Garden Street
 Philadelphia, PA 19130-4088
 (215) 560-2496 (VOICE)
 (215) 560-3599 (TT)

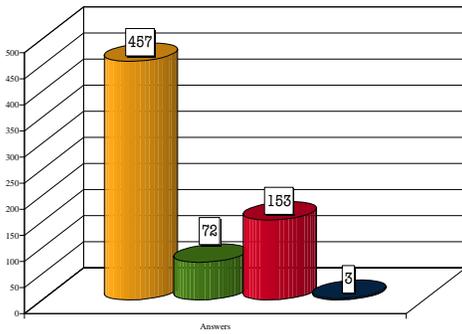
Customer Service Survey

The Commission launched a Customer Service Survey in April of 2005. Throughout this fiscal year, even though the results clearly weigh in favor of Outstanding and Commendable performance, Commission staff looked for various ways to continue customer service.



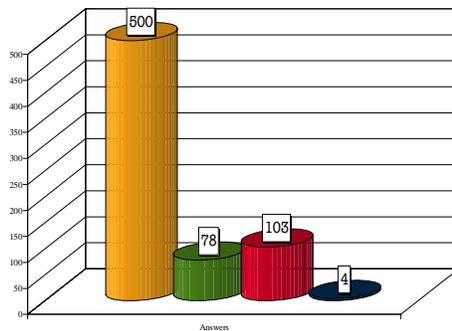
Question 1

How would you rate the overall quality of service provided by the PA Human Relations Commission (PHRC) staff and or investigator assigned to the matter in which you were a party?



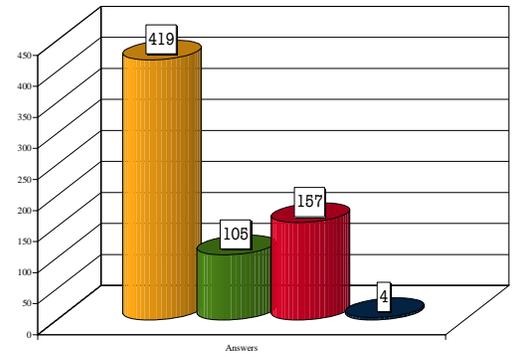
Question 2

How would you rate the level of courtesy you received from the PHRC staff?



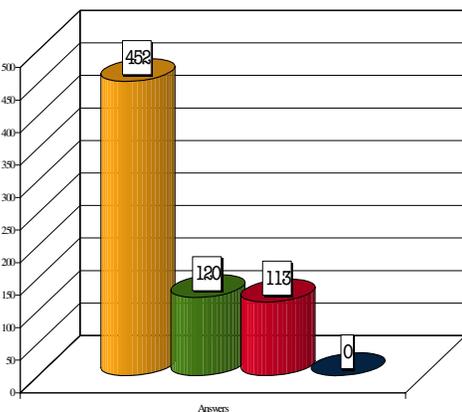
Question 3

How would you rate the promptness of service the PHRC staff provided you?



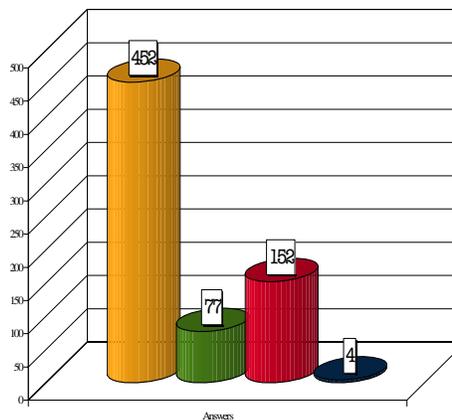
Question 4

How would you rate the clarity and quality of our formal letters and documents, as well as our communication in person and on the telephone?



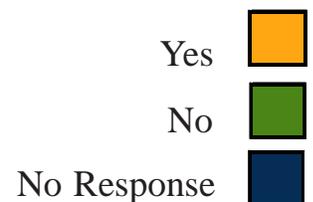
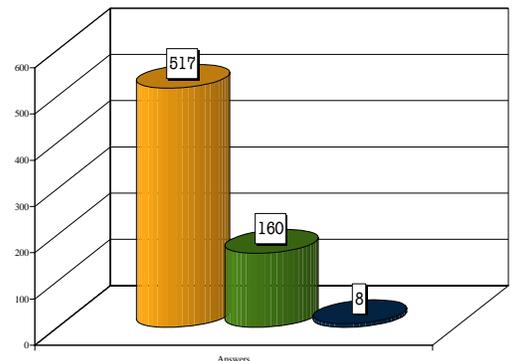
Question 5

How well did the staff understand the issues raised in the matter in which you were a party?



Question 6

Did you feel the Commission conducted a fair and impartial investigation?



Protected Class Statistics

Race-based Cases

Race	E	H	CP	PA	ED	Total
African American	810	214	2	82	12	1,120
African American Female*	14					14
African American Male*	4					4
American Indian	3	1				4
Arabic or Middle Eastern	3					3
Asian	10	3		1	2	16
Bi-Racial	7	4		3	1	15
Black	51	5		7	5	68
Caucasian	76	6		2	1	85
Complainants race and the known association with another person	8	6		1		15
Pacific Islander	1					1
TOTAL	987	239	2	96	21	1,345

*This category is called Multiple Class. The category definition occurs when discrimination is not solely because of race Black or sex female, but a combination of race and sex.

Age-based Cases

Age	E	H	Total
40-42	59	1	60
43-45	63		63
46-48	86	1	87
49-51	107	2	109
52-54	95		95
55-57	118		118
58-60	104	1	105
61-63	81		81
64-66	38	4	42
67-69	25	1	26
70-72	25		25
73-75	10		10
76-78	6		6
79-81	3	1	4
82-84	2	3	5
TOTAL	822	14	836

Sex-based Cases

Sex	E	H	CP	PA	ED	Total
Female	597	21	1	5	3	627
Female Pregnant	111					111
Male	157	2		6	3	168
TOTAL	865	23	1	11	6	906

JURISDICTION KEY

E: Employment
H: Housing
CP: Commercial Property
PA: Public Accommodation
ED: Education

Religion-based Cases

Religion	E	H	CP	PA	ED	Total
7th Day Adventist	4					4
Agnosticism	1					1
Atheism	1					1
Baptist	7					7
Buddhism	1					1
Christianity	15	3				18
Hinduism		1				1
Islam	19	2		4	2	27
Israelite	1					1
Jainism	1					1
Jehovah Witness	5					5
Judaism	9	1	1	1	1	13
Mormon	1					1
Non-Christian	2					2
Non-Jewish	1					1
Pentecostal	1					1
Presbyterian	1					1
Strongly-held Belief	2	2				4
Wiccan	1	2				3
TOTAL	73	11	1	5	3	93

Protected Class Statistics

Ancestry-based Cases

Ancestry	E	H	PA	ED	Total
African	9				9
American /United States	2				2
Arab	2				2
Asian	6	1			7
Cambodian	1				1
Chinese	1	1			2
Dominican	3				3
Dutch	1				1
Egyptian	1	1			2
Greek	1				1
Guyanese				1	1
Haitian	2	1			3
Hispanic	87	20	2	1	110
Honduran	1				1
Indian				1	1
Irish	2				2
Israeli	1				1
Italian	3	1			4
Latino	11	1			12
Lebanese	1				1
Mexican	6				6
Moroccan	1				1
Polish		2			2
Polynesian	1				1
Puerto Rican	9		1		10
Salvadoran	1				1
Spanish	1				1
TOTAL	154	28	3	3	188

Familial Status-based Cases

Familial Status	H
Designee Of Such Parent Or Other Person Having Custody	6
Individual Not Yet 18 Living With Parents Or Guardian	8
Parent Or Other Person Having Legal Custody	7
TOTAL	21

Combined Classes* Cases

Various Protected Classes	E	H	PA	Total
Other	2			2
GED	5			5
Trainer of Guide/Support Animal			1	1
Use of Guide/Support Animal		2	2	4

*A number of protected classes have only one sub-category. These protected classes have been grouped together in one chart.

Retaliation-based Cases

Retaliation	E	H	PA	ED	Total
Assisted	54	3	2	1	60
Filed a PHRC Complaint	162	35	2	2	201
Otherwise Opposed Unlawful Activity	553	8	9	5	575
Provided Information	11			2	13
Testified	3				3
TOTAL	783	46	13	10	852

JURISDICTION KEY

E: Employment

H: Housing

CP: Commercial Property

PA: Public Accommodation

ED: Education

Protected Class Statistics

National Origin-based Cases					
National Origin	E	H	PA	ED	Total
Afghanistan	1				1
Africa	5				5
Albania		3			3
Argentina	1				1
Bangladesh	2				2
Bosnia and Herzegovina	1			1	2
Canada	1				1
China	1	1			2
Dominican Republic	10				10
Ecuador	1	1			2
Egypt	3			2	5
El Salvador	2				2
Greece	1				1
Guatemala	1				1
Guyana				1	1
Haiti	4				4
India	2	4			6
Iran - Islamic Republic Of	2				2
Iraq	1				1
Israel	1				1
Jamaica	7				7
Jordan			2		2
Korea - Republic Of	5	1			6
Korea Democratic People	1				1

National Origin-based Cases					
National Origin	E	H	PA	ED	Total
Lebanon	2				2
Liberia	2				2
Mexico	6				6
Morocco	1	4			5
Nicaragua	1				1
Nigeria	4	2			6
Pakistan	1				1
Philippines	2				2
Poland	2				2
Puerto Rico	13	1			14
Romania	2				2
Sierra Leone	2			2	4
Sudan	1				1
Taiwan	1				1
Togo	1				1
Trinidad and Tobago	3				3
Turkey	2		1	1	4
Ukraine		1			1
United Kingdom		1			1
United States	7	2			9
Vietnam	3			1	4
Zimbabwe			1	1	2
TOTAL	109	21	4	9	143

JURISDICTION KEY
E: Employment
H: Housing
CP: Commercial Property
PA: Public Accommodation
ED: Education

KEY
D1: Has a disability.

Disability-based Cases	
Education	
Disability	D1
Aids	1
Asthma	1
Attention Deficit Disorder	1
Bi-Polar	1
Depression	2
Gastrointestinal	1
Learning Disability	6
Lupus	1
Mental - Other	
Migraine	1
TOTAL	15

Protected Class Statistics

KEY

D1 - Has a disability.

D2 - Has a record of a disability.

D3 - Is regarded as having a disability.

D4 - Is related to someone who has a disability.

D6 - Is related to someone who is regarded as having a disability.

Disability-based Cases						
Disability	Employment					Total
	D1	D2	D3	D4	D6	
Agent Orange	4		1			5
Aids	2					2
Alcoholism	5	2				7
Allergies	5					5
Anxiety Disorder	20		2			22
Arthritis	21	1	1			23
Asthma	19		1	1		21
Attention Deficit Disorder	20	2	3			25
Back	59	5	9	2		75
Bi-Polar	22		2			24
Brain/Head Injury	3					3
Brain/Head Injury (Traumatic)	1					1
Cancer	16		7		1	24
Carpel Tunnel Syndrome	7	1	1			9
Cerebal Palsy	2					2
Cervical Facet Syndrome	1					1
Chronic Fatigue	2					2
Crohn's Disease	5		1			6
Cystic Fibrosis	1					1
Depression	36	3	5	2		46
Diabetes	42		2			44
Drug Addiction	1	3	1	1		6
Dwarfism	1					1
Dyslexia	4					4
Epilepsy	8					8
Epstein Barr	1					1
Extremities Impairment	18		3			21
Fibromialgia	9					9
Gastrointestinal	5	1	2			8
Gender Identity Disorder	1		1			2
Graves Disease	1					1
HIV	6					6
Hand Injury	1					1
Hearing	15					15
Heart/Cardiovascular	31	2	4	2		39
Hepatitis	3					3
Hernia	4		2			6
Hip Replacement	2	2	2			6
Immune System Impairment	1					1
Kidney	5					5
Learning Disability	12					12

Protected Class Statistics

KEY

D1: Has a disability.

D2: Has a record of a disability.

D3: Is regarded as having a disability.

D4: Is related to someone who has a disability.

D6: Is related to someone who is regarded as having a disability.

Disability-based Cases						
Disability	Employment					Total
	D1	D2	D3	D4	D6	
Liver Impairment	3	1	1			5
Liver Transplant	1	1				2
Lupus	3					3
Macular Degeneration	2					2
Manic Depressive Disorder	1					1
Medical Stress Syndrome	1					1
Menieres Disease	1					1
Mental - Other	9		6	1		16
Migraine	6					6
Missing Digits/Limbs	1		1			2
Multiple Sclerosis	12			1		13
Muscular Dystrophy	3			1		4
Narcolepsy	2					2
Nonparalytic Orthopedic	26	2	6			34
Obesity			3			3
Obsessive Compulsive Disorder	1					1
Other	56	2	5	4		67
Other Neurological	7				1	8
Other Respiratory/Pulmonary	1					1
Panic Disorder	2		1			3
Paralysis	3					3
Parkinsons Disease	1					1
Polio	2					2
Post Traumatic Stress	5		1			6
Respiratory Pulmonary Disorder	1					1
Saroidosis	1					1
Schizophrenia	4	1		1		6
Seizure Disorder	7					7
Shoulder Impairment	6	1	1			8
Sleep Apnea	2					2
Speech	1					1
Spinal Stenosis	3			1		4
Stroke	4	1	2	1		8
Tendinitis	2					2
Thyroid Disease	2		2			4
Tuberculosis			1			1
Vertigo	1					1
Vision	17	1	2	1		21
Total	483	24	66	11	1	757

Protected Class Statistics

Disability-based Cases				
Disability	Housing			Total
	D1	D3	D4	
Agent Orange	2			2
Allergies	2			2
Alzheimers	2		1	3
Anxiety Disorder	4			4
Arthritis	3		2	5
Asthma	4			4
Autism	1		2	3
Back	3			3
Bi-Polar	6		2	8
Cancer	3			3
Cerebal Palsy	3		3	6
Chemical Sensitivities	1			1
Depression	4			4
Diabetes	1	1		2
Downes Syndrome			1	1
Drug Addiction	2			2
Emphysema	1			1
Extremeties Impairment	1			1
Hand Injury	1			1
Hearing	1			1
Heart/Cardiovascular	3			3
HIV	1			1
Learning Disability	2			2
Mental - Other	6			6
Mental Retardation	2			2
Multiple Sclerosis	4			4
Nonparalytic Orthopedic	3			3
Obsessive Compulsive Disorder	1			1
Other	30		2	32
Other Emotional/Psychological	1			1
Other Neurological	6			6
Panic Disorder	1			1
Parkinsons Disease	1			1
Polio	5			5
Schizophrenia	1			1
Seizure Disorder	1			1
Sleep Disorder	1			1
Stroke	1			1
Vision	4			4
TOTAL	119	1	13	133

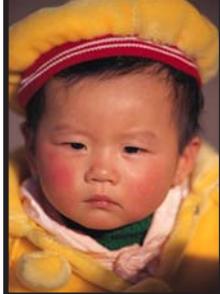
Disability-based Cases				
Public Accommodation				
Disability	D1	D3	D4	Total
Arthritis	1			1
Asthma	1			1
Attention Deficit Disorder	4			4
Back	2			2
Bi-Polar	2			2
Cerebal Palsy	1			1
Depression	2			2
Dyslexia			2	2
Extremeties Impairment	1			1
Gastrointestinal	1			1
HIV	1			1
Hearing	2			2
Heart/Cardiovascular	1			1
Learning Disability	4			4
Mental - Other	1	1		2
Mental Retardation	1			1
Obesity	1			1
Other	4			4
Other Respiratory Pulmonary	3			3
Paralysis	2			2
Polio	7			7
Respiratory Pulmonary	1			1
Stroke			1	1
Tourettes Syndrome	2			2
Vision	1			1
TOTAL	46	1	3	50

KEY

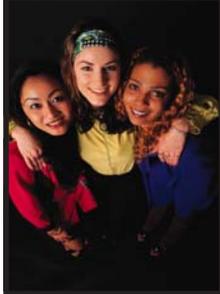
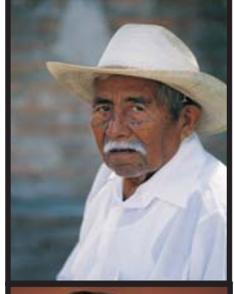
D1: Has a disability.

D3: Is regarded as having a disability.

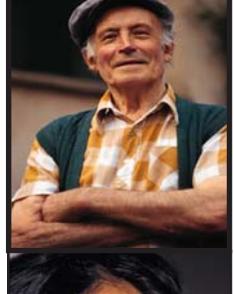
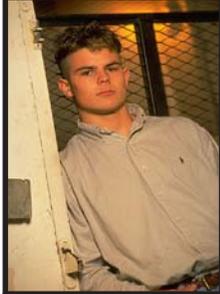
D4: Is related to someone who has a disability.



Pennsylvania Human Relations Commission



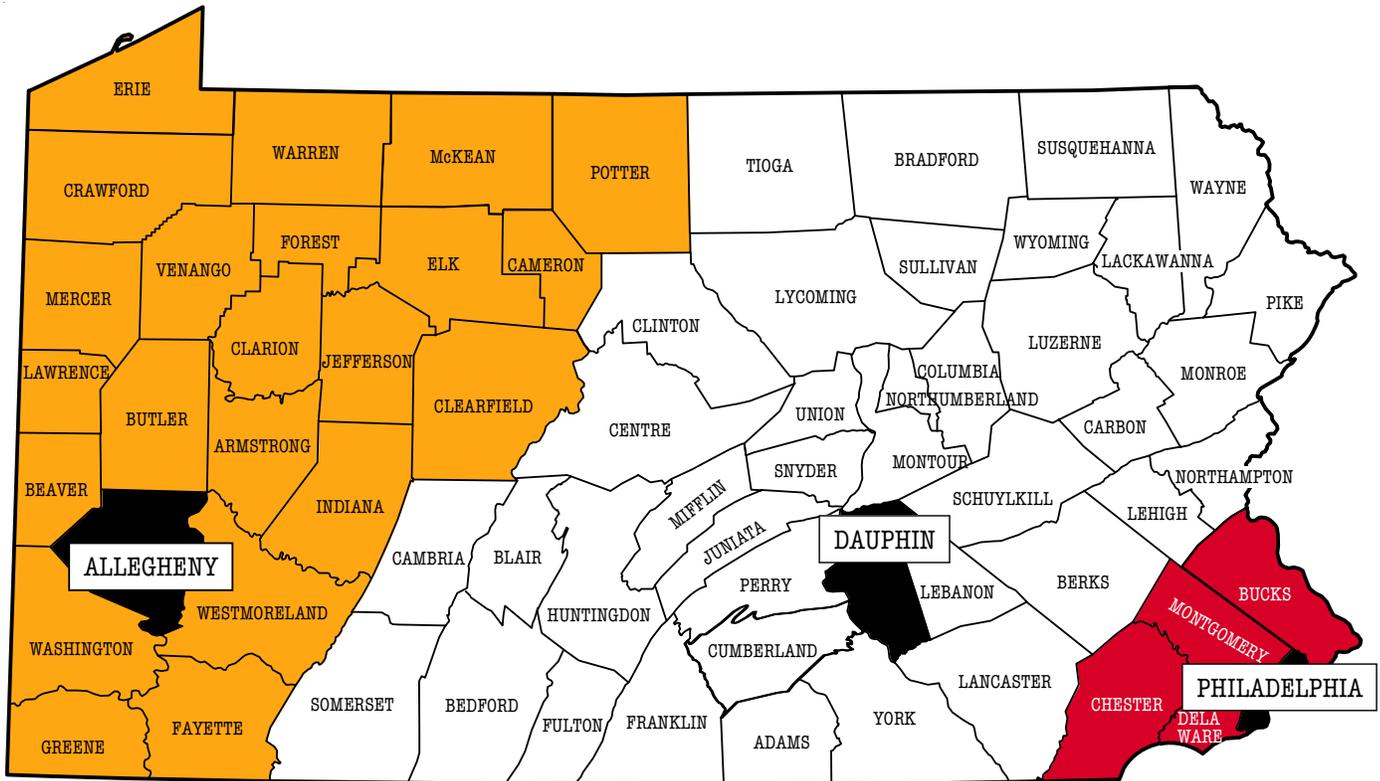
- We** opened doors to businesses for women and minorities.
- We** desegregated the public schools and housing projects.
- We** eliminated racial and gender biased advertising.
- We** beat block busting.
- We** enforce compliance with accessible housing laws.
- We** made public transportation accessible to persons with disabilities.
- We** integrated the public swimming pools.
- We** made restaurants serve every patron.
- We** made ATM machines accessible.
- We** enforce the laws prohibiting racial and sexual harassment.
- We** protect a pregnant woman's right to work.
- We** ensure equal pay and equal opportunity in the workplace.
- We** fight reverse redlining and predatory lending.



We've made a **DIFFERENCE** in Pennsylvania for over 50 years at the Human Relations Commission.



Regional Office Coverage By County



Pittsburgh Regional Office

11th Floor State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222-1210
(412) 565-5395 (VOICE)
(412) 565-5711 (TT)

Harrisburg Regional Office

Riverfront Office Center-5th Floor
1101-1125 South Front Street
Harrisburg, PA 17104-2515
(717) 787-9784 (VOICE)
(717) 787-7279 (TT)

Philadelphia Regional Office

711 State Office Building
1400 Spring Garden Street
Philadelphia, PA 19130-4088
(215) 560-2496 (VOICE)
(215) 560-3599 (TT)

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