



King County

KING COUNTY OFFICE OF CIVIL RIGHTS REPORT TO THE COMMUNITY 2003-2004

Message from the Office of Civil Rights

In 2004 we celebrated the 40th Anniversary of the Civil Rights Act of 1964 – a monumental event in our nation’s history. President Lyndon Baines Johnson, with Dr. Martin Luther King, Jr. looking on, signed the Act on July 2, 1964. The Act was designed to end discrimination in places serving the public, employment, public education, voting and by federally funded programs.

Many have offered opinions about where we are today. Clearly, we are further along the path to equality, but much ground remains to be covered. We acknowledge the great work that has been done and pledge ourselves to continue the struggle.

Thank you for your support and partnership in this effort!

– The Staff of the King County Office of Civil Rights

“Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current that can sweep down the mightiest walls of oppression and resistance.” – Robert F. Kennedy

Annual Report 2003 and 2004

Our Mission: To eliminate unlawful discrimination through education, mediation, and enforcement that is responsive to a diverse King County.

Overview

The King County Office of Civil Rights (OCR) performs two functions, enforcement and compliance, and also staffs two advisory bodies.

Enforcement

OCR staff implements the county's ordinances prohibiting discrimination in unincorporated King County in housing, employment, public accommodations (such as stores, restaurants, medical offices) and contracting.

Compliance

OCR staff support King County departments in their efforts to ensure nondiscriminatory access to government for all individuals served, including people with disabilities.

Community-Based Advisory Groups

OCR staffs the King County Civil Rights Commission and the Section 504 and Americans with Disabilities Act Advisory Committee, and coordinates the annual Rev. Dr. Martin Luther King, Jr. Celebration.

Employment

A woman alleged that her new supervisor frequently invited her to social events, tried to visit her at home, and asked to take an evening class with her. She declined and their working relationship became strained. After receiving a poor work performance evaluation and being placed on administrative leave, she filed a complaint.

In a negotiated resolution, the employer's manager apologized for the actions of the supervisor and disciplined him. The employer also gave the woman a month of administrative leave, agreed to pay for any out-of-pocket counseling expenses, changed her supervisor, and ensured that she would not come into contact with the former supervisor.

Services to the Community and County Government *Education, Investigation, Mediation, Resolution*

Education to prevent discrimination is critical to OCR's mission. We offer free workshops open to the public, and also provide group training sessions upon request. Our extensive Web site has many resources: www.metrokc.gov/dias/ocre. We also have information available in print and in other languages.

We assist people who feel that they have been the victims of discrimination by explaining the laws and their options for action. If they choose to file a complaint with us, we investigate the issues as an impartial third party, using mediation when appropriate to resolve the matter as quickly as possible. If we find evidence of discrimination, we can order monetary compensation, new nondiscrimination policies and other actions to help ensure future compliance.

We work with King County departments with the goal of making facilities, programs and services accessible to people with disabilities. We also assist the departments to achieve compliance with Title VI of the Civil Rights Act of 1964, which requires non-discriminatory services and benefits. We accept grievances from individuals who think county government has not met the intent of these laws and we work to resolve the issues.

Everyone is Protected by Anti-discrimination Laws!

We are all protected from discrimination, no matter what our race, national origin, gender, ancestry, marital status, color, sexual orientation, religion, disability or age.

Housing Testing and Training Conducted

Between November 2002 and May 2003, OCR contracted with a local fair housing organization to have the organization conduct testing of randomly selected housing providers (apartment buildings) in unincorporated King County. Thirty paired testers, Hispanic/Caucasian and Cambodian/Caucasian, attempted to rent apartments to test for potential national origin discrimination.

In 18 of the 30 apartment complexes tested, the testing revealed possible national origin discrimination and/or questionable occupancy standards. OCR met with all of the housing providers to discuss the results. All responded favorably to OCR's offer of assistance and attended fair housing training.

ORDINANCE ENFORCEMENT: *Employment, Housing, Public Accommodations, Contracting Practices*

Complaints Received – Bases of Complaints

In 2003 and 2004, OCR opened 29 fair employment cases, 29 fair housing cases, 1 fair contracting case and 1 public accommodations case. Yearly filings are presented in Chart 1. Chart 2 shows the types of discrimination prohibited under each ordinance and the number of complaints filed on each basis.

In 2003 and 2004, the top issue in employment cases was different terms and conditions (such as discipline, assignments and harassment). The most frequent issues in housing complaints were different terms and conditions of rental, and failure to accommodate people with disabilities.

Chart 1 – Complaint Filings

| Type of Complaints | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Employment | 21 | 20 | 16 | 17 | 13 | 16 |
| Housing | 7 | 9 | 12 | 5 | 15 | 14 |
| Public Accommodations | 1 | 1 | 0 | 0 | 1 | 0 |
| Contracting Practices | N/A | N/A | 0 | 1 | 1 | 0 |
| Total Complaints Filed | 29 | 30 | 28 | 23 | 30 | 30 |

Note: The Contracting Practices Ordinance became effective in 2001.

Contracting

The owner of an out-of-state company filed a complaint alleging discrimination in contracting based on his national origin. His bid to sell road service equipment had not been accepted. Investigation disclosed that his bid was found non-responsive because it proposed a delivery date that was later than the required date. After the bids were opened, he tried to negotiate the delivery terms. OCR found that King County policies were followed and no discrimination occurred.

Chart 2 – Bases for Complaints Filed 2003 and 2004

| Bases for Complaints | Fair Employment KCC 12.18 | Fair Housing KCC 12.20 | Public Accommodations KCC 12.22 | Fair Contracting Practices KCC 12.17 |
|-----------------------------|------------------------------|---------------------------|---------------------------------------|--|
| Race | 18 | 12 | 1 | 0 |
| Color | 0 | 0 | 0 | 0 |
| National Origin | 9 | 3 | 0 | 1 |
| Religion | 2 | 4 | 0 | 0 |
| Sex (gender) | 3 | 1 | 0 | 0 |
| Disability | 4 | 11 | 0 | 0 |
| Parental Status | N/C | 4 | 0 | N/C |
| Retaliation | 16 | 4 | N/C | 0 |
| Marital Status | 0 | 1 | 0 | 0 |
| Age | 1 | 0 | 0 | 0 |
| Ancestry | 0 | 0 | 0 | 0 |
| Sexual Orientation | 1 | 0 | 0 | 0 |
| Section 8 | N/C | 4 | N/C | N/C |
| Total Complaints* | 29 | 29 | 1 | 1 |

N/C: Basis not covered in this ordinance.

**Each case may allege more than one reason for discrimination*

Case Resolution

We work to ensure effective and efficient resolution of all cases.

Settlements

When appropriate, we bring parties together to talk about resolving a case through a written agreement which is monitored by OCR. In 2003 and 2004, ten housing cases and three employment cases were successfully resolved either through pre-finding settlements or withdrawals with settlements. The agreements required monetary payment, training and other remedies appropriate to the facts of the cases.

Administrative Closures

Eight employment and three housing cases were withdrawn or administratively closed. Reasons included the filing of legal actions, lack of jurisdiction, and the failure of the Charging Party to cooperate in the investigation. Some of these were closed after nearly completed investigations.

Investigations

OCR closed 16 employment and 14 housing cases after full investigations that found insufficient or no evidence of discrimination. On request, OCR reviews the evidence that leads to such findings and may affirm or revise the findings.

Chart 3 – Closures 2003 and 2004

| Type of Closure | Employment | Housing |
|--|------------|---------|
| Withdrawal or Closure with Settlement | 2 | 3 |
| Withdrawal or Other Administrative Closure | 8 | 3 |
| Pre-finding Settlement | 1 | 7 |
| No Reasonable Cause Finding | 16 | 14 |
| Reasonable Cause Finding | 0 | 0* |
| Total Closures | 27 | 27 |

** Three reasonable cause findings were issued in 2004. These cases are proceeding through the legal process and are not yet closed.*

Housing

A deaf couple who moved into a complex asked management to install a strobe fire alarm that was hard-wired into the main fire panel in the building. After management failed to provide the alarm, the couple filed a complaint with OCR alleging failure to accommodate their disability. Mediation was successful. The agreement required installation of strobes throughout the apartment, a free month's rent and that management staff attend fair housing training.

Education on the Ordinances

Prevention of discrimination through education is a critical function of OCR's program. In 2003 and 2004, we answered over 3,400 calls from the public seeking our assistance in understanding their rights and responsibilities. We presented numerous training sessions to the public and county employees on the ordinances.

The Fair Housing Agencies of Washington State partnership presented free quarterly workshops for housing providers, published a quarterly newsletter, and co-sponsored the Tacoma Fair Housing Conference in April. In 2004, the partnership revised its popular guidebook "Fair Housing in Washington State: Top 100 Questions and Answers for Property Owners and Managers." OCR has begun working with the partnership on projects including a Renter and Homebuyer Guidebook, a "100 Questions" guidebook

for the real estate industry, and information workshops regarding fair housing protections for victims of domestic violence.

The King County Office of Civil Rights was the recipient of a 2004 national partnership award from the U.S. Department of Housing and Urban Development recognizing the agency's achievements in furthering fair housing among government agencies, nonprofit organizations, and private business. The award was based on OCR's leadership of the many collaborative efforts of the Washington partnership, including providing numerous fair housing workshops for community agencies, authoring several fair housing articles, and staffing information booths at property management and real estate industry trade shows.

King County Office of Civil Rights received a 2003 National Association of Counties (NACo) Achievement Award for its fair housing Web site. The program was recognized for excellence and promotion of responsible, responsive, and effective county government. The popular OCR Web site has been expanded with information for housing providers and tenants, much of which will be provided in Spanish in 2005. Visit the site at www.metrokc.gov/dias/ocre.

COMPLIANCE: DISABILITY ACCESS AND TITLE VI

Disability Access to Programs and Services

OCR staff help King County departments comply with the Americans with Disabilities Act (ADA) and other disability access laws by providing technical assistance, training, publications and on-site assessments. The Disability Compliance Specialist (DCS) is designated as the county's ADA Title II Coordinator.

Training and Outreach: The DCS regularly presents training to meet the particular needs of departments, divisions, and work groups. Diverse topics included emergency evacuation, service animals, TTY and relay services communication, and general disability access and sensitivity training. The DCS received requests for technical assistance from entities around the nation, including the San Francisco Mayor's Office on Disability and the Dade County School District.

Section 504 & ADA Advisory Committee: This committee serves in an advisory capacity to the King County Executive in developing strategies, systems, and guidelines in implementing the 504 & ADA Compliance Work Plan and the Affirmative Action Plan. Increasing the employment of individuals with disabilities in county positions continues to be a priority to the members.

In 2003-2004, the Committee developed a list of hiring outreach resources in the disability communities for the Human Resources Division, reviewed the Department of Transportation's Draft Road Standards, and reviewed the 2005-2006 draft Affirmative Action Plan.

Elections – Accessible Polling Places: The DCS worked with Elections staff to address the accessibility of polling places. The DCS adapted a U.S. Department of Justice polling place survey tool and conducted training for Elections staff in disability awareness and facilities accessibility requirements. Surveys of over 500 sites were begun in 2004.

Disability Awareness Month (October): OCR’s Disability Compliance and the Human Resource Division’s Disability Services programs recognized the month with activities that included collaboration with VSAAW to showcase the work of artists with disabilities, a panel of three people with disabilities to address their “Experience of Living and Working with Disabilities,” and a presentation on psychiatric disabilities in the work place.

Grievances: OCR assists the grievant and the King County department in resolving grievances, eliminating barriers and enhancing accessibility. In 2003 and 2004, OCR received and resolved six formal grievances alleging access problems in county facilities, services and programs. All grievances were resolved with no corrective action required of King County.

State Building Code Council (SBCC): The DCS served on the technical advisory group (TAG) to the SBCC on accessibility codes. In 2003, the TAG reviewed the proposed new building codes and wrote code amendments to ensure that federal requirements were met and Washington’s unique codes that enhance accessibility minimums were retained.

Title VI Program

No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. – Title VI of the Civil Rights Act of 1964

OCR helps King County departments comply with the Civil Rights Act of 1964 and related legislation by providing technical assistance and training.

Training: In 2003 and 2004, OCR provided information through specialized training to targeted county divisions and at general public outreach forums. OCR staff were invited to facilitate a workshop at a national civil rights conference.

Complaints: OCR receives and resolves complaints of Title VI discrimination. In 2003 and 2004, OCR received three complaints. All of these complaints were resolved by the end of 2004.

Plan and Report: OCR coordinated the revision of the King County Title VI Plan and Annual Update for the Road Services Division prepared for the Washington State Department of Transportation. These documents are available on request from OCR, along with the county's Title VI Policy.

"Never allow it to be said that you are silent onlookers, detached spectators, but that you are involved participants in the struggle to make justice a reality." – Rev. Dr. Martin Luther King, Jr.

KING COUNTY CIVIL RIGHTS COMMISSION

The King County Civil Rights Commission is a community-based body responsible for advising the King County Executive and County Council on civil rights concerns. It performs its duties primarily through monitoring and reviewing the implementation of county civil rights ordinances and policies to determine compliance and effectiveness. Additionally, it takes a strong leadership role in raising community awareness and involvement on civil rights issues impacting King County.

The Commission has 16 members: Thirteen are nominated by the County Council and three are nominated by the King County Executive. Terms are three years.

Commission Accomplishments

In 2003 and 2004, the King County Civil Rights Commission continued to work to create collaborative relationships with community organizations and to educate the community about their civil rights and responsibilities. The Commission

- Reviewed and commented on draft 2005-2006 EEO/Affirmative Action Plan.
- Reviewed and commented on proposed Contracting Opportunities Program Rules.
- Reviewed the proposed county omnibus anti-discrimination ordinance.
- Co-sponsored the 2003 and 2004 Seattle Race Conferences.
- Co-sponsored the Racial Profiling Roundtable, the Hate Crimes Conference, the Affirmative Action Community Forum and Project Stop Hate.
- Participated in community focus groups with the Sheriff's Office on recruiting and hiring.
- Engaged in "Community Conversations" with a broad group of community organizations on civil rights issues affecting ethnic communities.
- Participated in the Unity Parade.
- Sponsored the Rev. Dr. Martin Luther King, Jr. Essay Contest.

King Celebration

In 2003 and 2004, OCR coordinated the county's celebration marking the achievements of the Rev. Dr. Martin Luther King, Jr. The themes were "Stride Toward Freedom" and "Uniting Generations & Cultures." The audience heard from columnist Jerry Large ('03) and Chief Fabienne Brooks, Sheriff's Office ('04.) Humanitarian awards were presented to county employees. Essay awards were presented to students. The calendars featured the work of Steve Gardner ('03) and Cathy Fields ('04.)

OCR Team 2003 and 2004

Current Team Members

Bailey de Iongh, Manager
Maurice Alexander, Civil Rights Specialist
Rose Dotson, Administrator
Paula Harris-White, Civil Rights Commission Administrator
John "Sandy" Macdonald, Civil Rights Specialist
Karen Murray, Civil Rights Specialist
Karen Ozmun, Disability Compliance Specialist
Karen Peirolo, Civil Rights Specialist
Roxanne Vierra, Civil Rights Specialist
Haberdean West, Customer Service Specialist

Former Team Members

Lisa Marquette, Civil Rights Specialist
Jacque Lindstrand, Office Coordinator

Department of Executive Services 2003 and 2004

Paul Tanaka, County Administrative Officer
Caroline Whalen, Deputy County Administrative Officer
Jim Buck, Administrative Services Manager
Ruben Rivera, Confidential Secretary
Anne Brusklund, Administrative Assistant
Michael Strouse, Administrator

How to Reach Us

We want everyone to understand their rights and responsibilities under the laws. We are available to answer your questions whether you are a tenant or housing provider, employee or employer, if you use or provide public accommodations, or if you are a contractor. We can also answer questions related to nondiscriminatory access to county facilities, services and programs, including disability access.

If you believe you have been discriminated against, contact us to discuss the situation. If you decide to file a complaint or grievance, we will explain the steps to you.

We provide training sessions and written materials on selected topics upon request. Please contact us for more information. We welcome your suggestions. **We want to hear from you!**

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www.metrokc.gov/dias/ocre

The Yesler Building entrance is on Terrace Street. While the building is accessible, it is on a steep hillside. We can arrange to meet in alternate locations. People with disabilities can contact us for parking arrangements.

Our services are available to all. Please inform us if you need reasonable accommodations due to disability, need this brochure in alternate formats, or need information translated into other languages.

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