

Human Rights Review

Albuquerque Human Rights Office

Department of Family and Community Services

Plaza Del Sol Building, 5th Floor, 600 2nd St. NW, Suite 520

Fall/Winter 2008

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40 Years of Fair Housing:

A Conversation with Richard Weiner, Fair Housing Coordinator

2008 marks the 40th Anniversary of the Fair Housing Act. Richard Weiner, AHRO Fair Housing Coordinator, discusses forty years of fair housing.

Richard has been the AHRO Fair Housing Coordinator for two years. Before coming to AHRO, he spent six years as the Fair Housing Staff Attorney at Legal Aid.

What is the "Fair Housing Act"?

The Fair Housing Act, also known as the Civil Rights Act of 1968, protects against discrimination on the basis of race, color, religion, and national origin in all aspects of housing, including rental, sales, advertising, mortgage lending, home owners insurance, etc. The Act was amended in 1974 to include gender and again in 1988 to include "familial status" and disability as protected classes.

What is "familial status" as it applies to fair housing?

Familial status protects people from being discriminated against in any aspect of housing because of the presence of children under 18 or because of a woman's pregnancy.

statements in their advertisements, such as "No blacks or Mexicans" or "White, Christian gentleman preferred." In Southern New Mexico there were accounts of signs that read "No Mexicans or dogs". People looking for housing were routinely turned away because of their race, national origin, or because they had children.

In 1964, Congress passed the Civil Rights Act which prohibited discrimination in employment and public accommodations but did not include housing. Dr. Martin Luther King Jr. spent the last two years of his life campaigning for fair and affordable housing. The Fair Housing Act was passed one week after Dr. King was assassinated.



Under the Albuquerque Human Rights Ordinance, the AHRO investigates and conciliates housing complaints.

What are the most common complaints that you deal with?

The most common complaint is on the basis of disability. We often see race, national origin, and

gender complaints as well, however, disability is the most common. Disability complaints usually come about because a

What was housing like before the passage of the Fair Housing Act?

Prior to 1968, there were some laws that made it illegal to discriminate against a person based on their race, however these laws were not enforced. It was very common for owners and landlords to make discriminatory



Martin J. Chávez,
Mayor

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40 Years of Fair Housing Continued . . .

housing provider is not providing a “reasonable accommodation” for the person with a disability.

What is a reasonable accommodation?

A reasonable accommodation is a change that a housing provider makes to the rules, policies, or procedures for a person with a disability to use or enjoy housing on an equal basis. A common example of a reasonable accommodation is changing a “no pets” policy to allow a person with a disability to keep a service animal.

How much progress do you think has been made in making housing fairer in the last 40 years?

Throughout the country over the last 40 years, there have been quite a few lawsuits under the Fair Housing Act and related laws. These lawsuits have resulted in awards and settlements totaling several hundreds of millions of dollars. Many housing providers are aware of this and are much less inclined to engage in discriminatory behavior.

Unfortunately, racism still exists and there are still some housing providers who think that they can refuse to rent to whomever they want. Discrimination has become much more subtle than it was in past. Rather than the blatant “we don’t accept your kind here” racism of the past, discrimination now

comes with a “handshake and a smile”. A person might be politely told that there are no units available to rent when there really are.

The provisions of the Fair Housing Act affecting persons with disabilities are still the least understood by housing providers. Concepts such as “reasonable accommodation” are not always clear and cause frustrations for both housing providers and persons with disabilities. Hopefully, with increased education, housing providers will be better able to work with persons with disabilities so that they are able to enjoy their housing on an equal basis.

What is the future of Fair Housing?

More vigorous enforcement of Fair Housing laws in the future may re-

duce discrimination even further. Agencies like AHRO will continue to educate the public and housing providers about Fair Housing rights. With more education will come more acceptance and compliance with the laws.

New protected classes are still being added to fair housing law. New Mexico has been a national leader in adding sexual orientation and gender identity to state human rights law, which covers discrimination in housing as well as employment and businesses open to the public. The extent to which these laws are enforced will ultimately determine how much progress is made in combating discrimination. ♦



Human Rights Review

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2008 Neil Isbin Scholarship Recipient: Alexandrea Baca

After reviewing many excellent applications from high school seniors, the Human Rights Board awarded the 2008 Neil Isbin Scholarship to Alexandrea Baca in April. Alexandrea is a 2008 graduate of the Valley High School Academy who is now studying nursing at New Mexico Highlands University.

For two years, Alexandrea was a volunteer on the committee to create the "Albuquerque Civil Rights Youth Leadership Institute." She feels that the activities she helped to develop will teach students about human rights and how to handle situations and issues that the younger generation has not had to face before. In her application she stated:



"Even though there are many human rights issues that are right in front of our faces these days, students do not recognize or seem

to care much about them. With being a part of this volunteer committee, I want to make the students who are going to be participating in the institute aware of these issues. I think that it is a problem that people of my age group are not involved in human rights the way that people used to be.... I want young adults to be able to take a stand and do the right thing. I want them to be able to be leaders. I want to be able to be a leader. I feel that I am on the right path to becoming

a leader with the development of this institute."

Herb and Kathie Isbin established the scholarship trust fund named in memory of their son Neil. Neil Isbin was a long time human rights activist who worked tirelessly for equality and justice, gay and lesbian rights, affordable health care for all New Mexicans, tax fairness for working families, and public employee collective bargaining.

The Human Rights Board is now accepting applications for the 2009 Neil Isbin Scholarship. The deadline to apply is February 16, 2009. ♦

Have you been discriminated against in employment, housing or public accommodations?

Discrimination is unlawful when based on race, color, religion, sex, national origin or ancestry, age (in employment only), or disability.

Staff from the AHRO are available to accept discrimination complaints and to answer questions you may have.

If you feel you have been a victim of discrimination, call us or stop by our office:

Plaza Del Sol Building, 5th Floor
600 Second Street NW, Suite 520
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Phone: 505-924-3380
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2009 Neil Isbin Scholarship

THE ANNUAL NEIL ISBIN SCHOLARSHIP of **\$1000** will be awarded in Spring of 2009 to an **Albuquerque high school senior** who has demonstrated achievements or ongoing volunteer work in the area of human rights and human dignity in Albuquerque and who is continuing his/her education.

The student must be enrolled or be enrolling in an accredited university or college.

Qualifying high school seniors who are interested in applying for the **NEIL ISBIN SCHOLARSHIP** should send the following to the Albuquerque Human Rights Board:

- Personal Data (Name, Address, and Phone Number)
- A summary of the student's experience and interest in human rights and human dignity. The summary should specify achievements in this area with supporting documentation.
- A letter of reference from a current teacher
- A personal letter of reference (including name, address, and telephone number of person giving the reference)

DEADLINE TO APPLY: MONDAY FEBRUARY 16, 2009– 5:00 PM

Note: This scholarship is open to all eligible high school seniors. There are NO restrictions on eligibility based on race, color, religion, national origin or ancestry, gender, sexual orientation, gender identity, age, or disability status.

60th Anniversary of the Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world....

On December 10, 2008, the United Nations and Human Rights Organizations around the world will celebrate the 60th anniversary of the signing of the Universal Declaration of Human Rights (UDHR). This revolutionary document was the first international recognition that all human beings, regardless of the country they live in, have fundamental rights and freedoms.

In 1947 and 1948, the UDHR was drafted by the then 58 member countries of the United Nations. These countries represented a huge range of ideological, political, religious, cultural, and economic backgrounds. In the wake of World War II, when the world had seen some of the most horrific crimes

in history, these countries and their representatives agreed to put aside their enormous differences and create a document that would codify their aspirations for a better world. This was the first time in history that the international community adopted a document that was considered to be universal.

What makes the UDHR so powerful is its core value that inherent human dignity, non-discrimination, equality, and fairness apply to everyone, everywhere, always. The UDHR has been the inspiration for the more than 60 international human rights treaties that make up the body of international law for the promotion and protection of human rights. The tenets of the Declaration have also been incorporated into the local laws of many countries.

The UDHR has been translated into over 360 languages and has been accepted by all countries in the world. ♦

The AHRO Complaints Process

One of the main functions of the Albuquerque Human Rights Office is to investigate allegations of discrimination in employment, public accommodations, and housing. The following information is to help you further understand the complaints process of the Human Rights Office and what you can expect if you file a complaint of unlawful discrimination.

Complainant: individual who is complaining of unlawful discrimination in employment, housing, or public accommodation based on race, color, sex (gender, sexual harassment, or pregnancy), religion, national origin or ancestry, age, or disability.

Respondent: the employer, business, or housing provider the complainant has accused of unlawful discrimination.

First, a complainant meets with an investigator from the Albuquerque Human Rights Office to discuss the alleged discrimination. If the complaint suggests that the complainant maybe a victim of unlawful discrimination and that the Human Rights Office has jurisdiction over the case, an official discrimination complaint is filed and signed by the complainant.

After an official discrimination complaint is filed, the respondent is served with the complaint in writing. Before any investigation is conducted, all parties are invited to a Pre-Determination Settlement (PDS). This is a no-fault agreement between the complainant and the respondent in which the respondent does not admit to violations of the law, and the complainant agrees not to file suit against the respondent based on the same issues. The investigator will work with both parties to develop the terms of the agreement. Both parties (the complainant and the respondent) must agree to the terms of the PDS. When both agree to accept the PDS, then the complaint is conciliated and closed. If both parties do not agree to accept the PDS, then the investigation begins by sending the respon-

dent a Request for Information and Documentation (RID). The AHRO will investigate by collecting records, documents, witness statements, and, if necessary, will conduct on-site interviews.

There are several possible outcomes of the investigations process:

Reasonable Cause: If the AHRO finds “reasonable cause,” this means that AHRO has reason to believe that unlawful discrimination occurred. We will work with you to decide the best remedies for your complaint. Such remedies could include, for example, back pay, mandatory training for management and employees, rent and deposits, reasonable accommodations, etc.

No Reasonable Cause: this means that in its investigation the AHRO did *not* find reason to believe that unlawful discrimination occurred.

Non-Determination: AHRO did not find enough evidence to either support or reject the claim.

Settlement/Conciliation: A voluntary agreement is signed by you and the respondent which may include remedies.

Withdrawal: Complainant withdraws their complaint of unlawful discrimination.

Administrative Closure: AHRO may close the complaint under certain conditions, for example, if it is unable to reach the complainant, cannot complete the investigation, or if the complainant chooses to file with another agency.

Referral: If a respondent refuses to cooperate in the investigation, or if the investigation determines that the AHRO does not have jurisdiction under the Albuquerque Human Rights Ordinance, your case will be referred to another agency as appropriate. ♦

Service Animals and Discrimination in Public Accommodations

In addition to taking employment and housing complaints, the Albuquerque Human Rights Office also takes complaints in the area of public accommodations, and in recent months the AHRO has had several complaints of discrimination by businesses against persons with disabilities who use service animals.

Public Accommodations

What do we mean by “public accommodations” and how does a business owner know if their business or facility falls into this category? Public accommodations are public or private business that provide goods or services for the general public. This includes restaurants, grocery, department, and retail stores, hotels, movie theaters, zoos, hospitals, swimming pools, salons, museums, recreational facilities, etc. If a business sells goods (such as clothes, food, or merchandise) or provides a service, it is a public accommodation. Under federal, state, and local laws, it is illegal for a place of public accommodation to discriminate, deny service to, or treat someone differently based solely on their:

- Race
- Color
- National origin or Ancestry
- Religion
- Sex (including pregnancy)
- Disability

- Sexual orientation*
- Gender identity*
- Serious medical condition*

Some examples of discrimination in public accommodations include:

- A person with a disability is refused admission to an accommodation in a museum or theater.
- A business has security personnel follow a person of a certain race or ethnicity who is shopping, but other persons are not followed.
- A Muslim family is denied a table at a restaurant even though there are tables available and other customers are being seated.
- At a hotel, a same-sex couple is denied a room with one king size bed.
- Customers with accents are treated poorly, whereas others are given good customer service.
- A visually impaired individual is told his service animal is not allowed into a store.

Laws also require that public accommodations make reasonable changes to policies and practices in order to allow persons with disabilities equal access. This may include, for example, widening aisles to ensure an individual with a wheelchair can get through the establishment, moving tables to accom-

modate individuals with mobility impairments, or having employees read menus out loud to a person who is completely or partially blind.

Service Animals in Public Accommodations

Persons with disabilities who use service animals are also protected under public accommodations anti-discrimination laws. All public accommodations must allow persons with disabilities who use service animals equal access to all areas where other customers are normally allowed. They cannot be segregated from other customers or treated differently because they use a service animal.

Some restaurant and hotel owners have voiced concern over service animals because of “No Pets” policies, or because health codes prohibit animals from entering their businesses. However, these laws do not apply to service animals. Service animals are not pets but working animals. Businesses that must follow a strict health code will not be fined because they allow a service animal into their establishment. This is considered a reasonable accommodation to allow equal access to an individual with a disability.

Service Animals

Service animals are individually trained to perform specific tasks for people with dis-

abilities. These animals receive extensive training in order to meet the specific requirements of the person who will be using them. The majority of service animals are dogs, but other animals can also become trained service animals.

The tasks that the animals are trained to perform are very specific to the disability of their owner. For example, service animals act as guides for individuals with impaired vision, alert individuals with hearing impairments to sounds, or alert and protect a person who is having a seizure. They can be trained to pull wheelchairs or pick up dropped items for people with mobility impairments. These vital tasks increase their owner's mobility, safety, and independence.

The individual with a disability and the service animal develop a very special relationship, and persons who use service animals often consider the animal an extension of themselves. The overall quality of life for a disabled person can dramatically increase upon receiving a service animal. The bond between a disabled individual and their service animal is unique.

Because of this special relationship, it is vitally important that businesses and service providers treat persons with disabilities who have service animals appropriately. Here are some tips when serving customers or guests who have service animals:

- Allow the service animal into all areas where other customers are normally allowed.
- Ask the individual with a disability if they need assistance, but never assume that they do.
- Never ask an individual to show proof that their animal is a service animal. The law does not require that service animals wear a special harness or leash or have a certification.
- You cannot ask an individual to identify or show proof of their disability.
- *Never* pet, feed, or distract the service animal. Remember, it is working!
- Never separate a service animal from its owner.
- Do not segregate an individual with a disability and their service animal from other guests or customers or restrict them to certain areas of the establishment.

Service animals are extraordinarily well-behaved, and are trained to act properly in public. It is extremely rare that a service dog will bark, jump, or act inappropriately in a public setting. These animals will not interfere with normal business practices or block aisles or entrances. If a service animal does become aggressive and poses a risk to others then a business can ask that the animal be removed, but the owner has a right to stay. However, this is extremely rare, and if a service animal becomes aggressive it is most likely be-

cause it was provoked.

In some cases, another customer or guest of a store, restaurant, or hotel may complain about a service animal. They may ask a manager to remove the service animal from the establishment. In this case, as a business owner, you should explain laws on equal access for individuals with disabilities in public accommodations and that service animals are not considered pets. You can offer to move the complaining guest to another table or floor, but *do not* ask the individual with the service animal to move. Allergies and fear of animals are not considered acceptable reasons for denying access or refusing service to people with service animals. ♦



*Covered under New Mexico State Law

Sexual Harassment Cases Still Costly for Employers

Despite the history of huge payouts by employers in sexual harassment cases, sexual harassment is still a major concern in the workplace. In the past year, the AHRO has settled two major cases involving physical touching and inappropriate sexual jokes and banter in the workplace. The Equal Employment Opportunity Commission (EEOC) reports that sexual harassment continues to be one of the most common charges it receives. Most sexual harassment cases are filed by women. However, although it is rarer (or at least reported less often), men are also victims of sexual harassment.

The clearest example of sexual harassment is “quid pro quo” or using sexual favors as a condition of employment or to affect employment decisions. Even though this is obviously illegal, it still happens in workplaces. A less clear, but more common form of sexual harassment is when harassment is so severe or pervasive that it creates a hostile work environment. A hostile work environment is created when unwanted sexual behaviors (such as sexual jokes, comments, posters, emails, etc.) unreasonably interfere with an employee’s work performance or create an

intimidating or offensive work environment.

Recent national cases:

In April 2008, a fast food restaurant franchise with locations in Colorado and New Mexico paid \$505,000 to settle a sexual harassment case involving several female employees, including teenagers. In the lawsuit, the women alleged that they were subjected to egregious sexual harassment by their male supervisor. This included allegations that the supervisor grabbed the buttocks and bit the breasts of the female employees, made sexual comments, and offered favors in exchange for sex.

In May 2008, a restaurant company in California paid out \$625,000 to settle a lawsuit which alleged that female workers were subjected to inappropriate touching and indecent and offensive comments by co-workers and supervisors. The company was also alleged to have retaliated against employees, male and female, who report harassment or participated in the investigation.

Also in May 2008, a company in New York paid \$375,000 to settle a lawsuit alleging that the

owner, president, vice president, and members of the sales staff sexually harassed 18 female employees, including four teenagers.

Retaliation

Retaliation cases are taken very seriously and can be extremely expensive for employers. All employers should make their supervisors aware that retaliation is illegal. If an employee files a charge of sexual harassment and is then retaliated against, that employee can file a new charge of retaliation regardless of the outcome of the investigation of the original charge.

What can employers do?

Preventing sexual harassment from happening in the first place is the best step an employer can take. Communicate to employees that sexual harassment will not be tolerated. Have a clear process for complaints followed by immediate, appropriate action. Supervisors and employees should also receive regular training in how to recognize and prevent sexual harassment. ♦

The Domestic Partnership Rights & Responsibilities Act: Beneficial to Seniors and People with Disabilities

In the 2008 session of the New Mexico State Legislature, the Domestic Partnership Rights and Responsibilities Act was proposed for the second year in a row. In February, the bill was tabled and never voted on by the full Senate.

A “domestic partnership” was defined by the bill as “a legal relationship that is not marriage that two domestic partners establish with each other.” Essentially, this Bill would allow couples who cannot or choose not to marry to apply for a domestic partnership and be granted the same “legal obligations, responsibilities, protections and benefits as are afforded . . . to spouses.” Any two people would be eligible to apply for a domestic partnership and enjoy the same 1,138 rights that are afforded to married couples. Some of these rights include hospital visitation rights, the right to make medical decisions on behalf of their partner, important tax breaks, bereavement and sick leave, and property rights.

The Bill also made it illegal to discriminate against any person or deny them the right to apply for a domestic partnership based on the protected classes listed in the New Mexico Human Rights Act (NMHRA). The protected classes under the NMHRA include race, color, national origin, religion, ancestry, sex, age,

physical and mental handicap, serious medical condition, disability, spousal affiliation, sexual orientation and gender identity. Therefore, if this Bill were to pass same-sex couples and heterosexual couples would be granted the right to apply for a domestic partnership and be able to enjoy equal rights to married couples but are not married.

This Bill would be greatly beneficial to two very vulnerable groups of New Mexicans: persons with disabilities and senior citizens. Currently, many couples who are receiving Social Security, Social Security Disability Benefits, or Medicare risk losing their benefits if they marry. Therefore, couples who have shared in loving, committed relationships for years are unable to marry and do not have the same 1,138 rights that married couples do. If these couples were able to apply for a domestic partnership, they would not lose their benefits and have equal rights.

In addition, this bill would require employers to extend employee health benefits to the domestic partners of their employees. On January 28, 2008, an economist named Dr. M. V. Lee Badgett released a memorandum to Representative Mimi Stewart, titled “Implications of HB 9 for Businesses in New Mexico.” The memo outlined why it would be

beneficial to businesses to extend domestic partnership benefits to their employees.

- Current employees will be healthier, more satisfied, and more likely to remain at their jobs if their domestic partners can receive health benefits.
- Domestic partner benefits will increase the competitiveness of employers in recruiting talented and committed employees.
- The number of uninsured individuals in New Mexico would decrease, which reduces overall state and federal government health care costs.

The memo also reported that many large companies voluntarily offer domestic partner benefits to their employees. This shows that businesses can profit from providing equal treatment to all employees. ♦

Human Rights Office Reaches out to Immigrant Communities

Immigrants are often the victims of discrimination in employment, housing and public accommodations, and this year the Albuquerque Human Rights Office focused on reaching out to immigrant communities to inform them of their rights and responsibilities.

Every year in celebration of April Fair Housing Month, the AHRO sponsors a special event that focuses specifically on Fair Housing issues. This year, Fair Housing Coordinator Richard Weiner, advocate Leila Zazueta from Somos un Pueblo Unido, and two advocates from El Centro de Igualdad de Derechos, Rachel LaZar and Maria Tellez, participated in a Human Rights Focus program for GOVTV 16 titled “Immigrants and Fair Housing.” The three panelists discussed Fair Housing laws, common issues immigrants face in housing discrimination, and information on the steps people can take if they feel they have been victims of discrimination. The interview was conducted in both English and Spanish and aired on GOVTV 16. Copies of the DVD are available for loan from the AHRO.

Fair Housing Coordinator Richard Weiner and Human Rights Assistant Grace Barragán, both

Spanish speakers, participated in an interview on Radio Lobo 106.7 FM. The interview was in Spanish and provided people with important information on anti-discrimination laws in employment, housing, and public accommodations. AHRO staff also attended a training seminar called “Immigrant Training for Advocates.” The AHRO often receives calls regarding immigration issues, which are out of the jurisdiction of the Albuquerque Human Rights Ordinance. This training provided excellent information on appropriate referrals for inquiries about immigration issues.

Staff from the AHRO went out into the community and participated in information tables, picnics, and other events to make our programs and services known to immigrant communities. Richard Weiner hosted a table at the event “Feria Informativa” at the Mexican Consulate. Mr. Weiner provided AHRO information to over 150 people in attendance. Also Mr. Weiner and Community Liaison Amanda Searcy hosted a table at Pajarito Elementary School for the Pajarito Community Fair in the South Valley. ♦

AHRO Employment Case: A Hostile Work Environment

Charges of creating a hostile work environment are most often seen in gender based sexual harassment cases. However, a hostile work environment can be created when there is pervasive harassment (such as offensive comments, jokes, etc.) about any protected trait, including race, color, religion, national origin/ancestry, age, or disability. The following is an example loosely based on a case investigated by the AHRO of a hostile work environment based on national origin/ancestry.

The facts of the case:

A manufacturing plant had a group of employ-

ees who were friends. This group often jokingly used foul language in reference to their co-workers’ national origins/ancestries, for example “You—expletive – Mexicans.” Everyone in the group participated in this language and they spoke this way about all of the national origins/ancestries in the group.

The complainant was a new employee at the company. The group used this language in front of her but not in reference to her. She felt that the language was inappropriate and complained to the management.

Continued on page 11 . . .

When the management received her complaint, they claimed to have counseled the employees to stop.

The language did not stop. The complainant felt that the language was creating a hostile work environment, and she filed a charge with the AHRO.

During the investigation, several members of the group admitted to using expletives and derogatory language about ethnic groups. They continued this behavior because they felt that since it was done as a joke and everyone in the group participated, they were not doing any harm.

Several other employees who were not part of the group were also interviewed. They said that they too had heard the group make derogatory comments, but they were not bothered by it because that was the way it had “always been.”

Also during the investigation, the management

could not provide any documentation to prove that they had taken action and counseled the employees to stop making the comments when the complainant first reported it to them.

The investigation resulted in a cause decision. It was found that there was reason to believe that the behavior of the group created a hostile work environment. This case was eventually settled by both parties.

Lessons from this case:

Regardless of whether or not employees are friends, or if they are just “joking around,” there are some things that are never appropriate in a workplace. As with sexual harassment, a person does not need to be a direct participant in or a target of the behavior to find it offensive or for it to create a hostile work environment. Derogatory comments about any protected class, regardless of whether or not they are said in jest, are never acceptable in a workplace. ♦

AHRO Website Updated

The website of the Albuquerque Human Rights Office has been updated to include a section on public information and education. Here, you can find a list of the Human Rights Focus Videos by category. The videos cover a variety of topics, including Fair Housing, Diversity in New Mexico, and anti-discrimination laws. These are available for loan to the public.

In addition, the website also has our Diversity Booklets available. The Diversity Booklets highlight the different ethnic and cultural groups in Albuquerque and how they have contributed to the development of New Mexico. Currently, the Black, Jewish-American, and Hispanic Booklets are available. More booklets will be added to the website as they are updated.

On the website you can also file a complaint online, get information on discrimination, and view requirements for the Neil Isbin Scholarship Award. The website can be found at: www.cabq.gov/humanrights. ♦

Ask the Human Rights Office

Q:

Every time someone leaves the company I work for they are replaced by someone who attends the owner's church. Now the majority of my co-workers practice a religion that I do not. They discuss their religion very openly among one another. This makes me uncomfortable. On my last performance review, my boss made the comment that I am not a "team player" because I don't participate in these discussions. I am afraid that I am going to get fired and replaced by someone from their church who will participate in their religious discussions.

A:

Under all employment non-discrimination laws, including the Albuquerque Human Rights Ordinance, religion is protected. This includes both the right to practice a particular religion and the right to not participate in the practice of a religion. If an employer will only hire people of a particular religion or requires that current employees adhere to certain religious beliefs, this is unlawful discrimination. An employer has the responsibility to treat all employees equally, regardless of their race, color, national origin/ancestry, religion, gender, age, or disability and to insure that the workplace is a neutral environment. If you feel that you are being treated differently because you do not practice the same religion as your boss or co-workers, this could be unlawful discrimination. ♦



Human Rights Review

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