

Alexandria City Academy

Session 8

October 29, 2015



Human Rights

Jean Kelleher

Director, Office of Human Rights



Local Code Provisions & Federal Laws

- **The Alexandria Human Rights Code** (§12-4) of 1975, as amended, prohibits discrimination against any person in housing, employment, city contracts, health and social services, public accommodations, credit and education based on race, color, sex, religion, ancestry, national origin, marital status, familial status, age, disability or sexual orientation.
- **Title VII of the Civil Rights Act** of 1964, as amended, prohibits discrimination based on race, color, sex, religion, or national origin.
- **The Americans with Disabilities Act** (ADA), enacted in 1990, and amended in 2009 (ADAAA), protects qualified individuals with disabilities from discrimination.
- **The Age Discrimination in Employment Act** (ADEA), enacted in 1967, protects individuals over the age of forty from employment discrimination.



Department Programs

- ENFORCEMENT & COMPLIANCE
 - COMPLAINT RESOLUTION
 - DISABILITY RIGHTS
 - CIVIL RIGHTS COMPLIANCE
 - TRAINING
- STRATEGIC INITIATIVES
 - COMMISSIONS (ALEXANDRIA HUMAN RIGHTS COMMISSION & ALEXANDRIA COMMISSION ON PERSONS WITH DISABILITIES)
 - OUTREACH & COLLABORATION



WHAT IS DISCRIMINATION?

Theories of Discrimination

Disparate Treatment

Disparate Impact

Harassment

Retaliation

Occurs when an employee is treated differently based on his/her membership in a particular class of people.

Occurs when an employer's neutral employment policies or practices affect members of a certain group differently.

Usually a series of acts directed toward an individual based on his/her protected class, leading to a "hostile work environment."

Most commonly occurs after an employee complains about discrimination, and the employer begins treating the employee differently because of his/her complaint.



Making a *Prima Facie* Case for DISPARATE TREATMENT

1	Member of a Protected Class
2	Qualified for Position
3	Suffered Adverse Employment Action (Despite Qualifications)
4	Treated Differently than Similarly-Situated Employees not Members of Protected Class



Making a *Prima Facie* Case for **DISPARATE IMPACT**

1	Establish that Particular Employment Practice Disproportionately Excludes Members of a Protected Group
2	Complainant Belongs to Protected Group that is Affected by Policy or Procedure
3	Qualified for Position
4	Suffered Adverse Employment Action (Despite Qualifications)



Making a *Prima Facie* Case for HARASSMENT

“Title VII also requires a showing ... that the alleged ... harassment unreasonably interfered with her work performance or created an intimidating, hostile or offensive working environment. The requirement that the harassment be unreasonable assures that Title VII does not serve as a vehicle for vindicating the petty slights suffered by the hypersensitive.”

Zabkowitz v. West Bend Co., 589 F. Supp. 780, 784 (E.D. Wis. 1984).

- Harassment must be severe and pervasive, so as to constitute a hostile work environment, which actually changes the terms and conditions of employment.
- Harassment should not be confused with poor management practices or perceived workplace slights.



Making a *Prima Facie* Case for **RETALIATION**

1

Complainant Engaged in Protected Activity

2

Suffered Adverse Employment Action

3

There is a Nexus Between the Protected Activity and the Adverse Employment Action

Ross v. Communications Satellite Corp. 759 F. 2d 355 (4th Cir. 1985).

Title VII and the Alexandria Human Rights Code prohibit retaliation by an employer if an employee has complained about discrimination or assisted someone else in the exercise of his/her rights.

The Complaint Process



- Intake Questionnaire
- Interview with Investigator
- Complainant's Affidavit/Possible Mediation
- Respondent's Position Statement
- Investigation
- Complainant's Rebuttal
- Determination based on Preponderance of the Evidence
- If Cause -- Conciliation, Litigation or Public Hearing before Human Rights Commission
- If No Cause -- Case Closed (EEOC Review, if Jurisdiction)



OFFICE OF HUMAN RIGHTS
421 King Street, Suite 400
Alexandria, Virginia 22314

alexandriava.gov Phone 703.746.3140
Virginia Relay 711

INTAKE QUESTIONNAIRE FORM

THIS IS NOT A FORMAL COMPLAINT. YOUR COMPLETION OF THIS QUESTIONNAIRE DOES NOT SIGNIFY THAT YOU HAVE FILED A FORMAL COMPLAINT WITH THE ALEXANDRIA OFFICE OF HUMAN RIGHTS. THIS QUESTIONNAIRE IS INFORMATION ONLY.

COMPLAINANT INFORMATION		
NAME	DOB	EMAIL:
ADDRESS		
CITY	STATE	ZIP
PHONE H () W ()	CONTACT PERSON PHONE # (IF YOU CANNOT BE REACHED)	
I BELIEVE I HAVE BEEN DISCRIMINATED AGAINST IN THE AREA OF (CHECK ONE) <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> HOUSING <input type="checkbox"/> PUBLIC ACCOMMODATIONS <input type="checkbox"/> OTHER		
I BELIEVE I HAVE BEEN DISCRIMINATED AGAINST ON THE BASIS OF MY WHEN DID THE ALLEGED DISCRIMINATORY ACT OCCUR? <i>(MUST BE WITHIN 300 DAYS IF FILING UNDER TITLE VII, 180 DAYS IF FILING UNDER AGE DISCRIMINATION IN EMPLOYMENT ACT, 365 DAYS IF FILING UNDER HOUSING)</i>		
RESPONDENT INFORMATION		
NAME/ADDRESS OF COMPANY <i>(MUST BE WITHIN CITY LIMITS OF ALEXANDRIA)</i>		
PRESIDENT/CONTACT PERSON/PHONE ()		
DATE OF HIRE <i>(IF APPLICABLE)</i>	POSITION <i>(IF APPLICABLE)</i>	



Questions?

Office of Human Rights

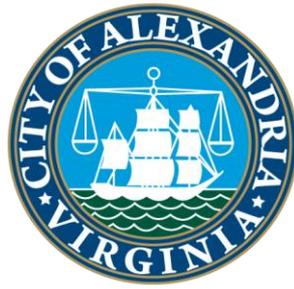
421 King St., Suite 400

Alexandria, VA 22314

703.746.3140

Virginia Relay 711

www.alexandriava.gov/HumanRights



The Judicial System



James Banks, Jr., City Attorney, City of Alexandria

Melinda Douglas, Public Defender, City of Alexandria

Nicholas Gehrig, President, Alexandria Bar Association

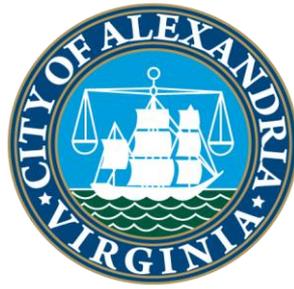
Lisa Kemler, Chief Judge, Alexandria Circuit Court

Michael Mackey, Director, Alexandria Court Service Unit

Bryan L. Porter, Commonwealth's Attorney, City of Alexandria



Questions?



Information Technology Services (ITS)

Laura Triggs
Acting CIO/Director

Administration

IT budget/procurement; software/equipment
HR, Training



Security



Network Management

- Network Reliability
- Data Replication Technology
- Upgraded Data Backup Technology

Make it all
happen in
the
background



Operations

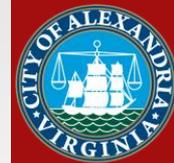


Help desk/Service desk

Primary point of entry for technology related issues



Emerging Technologies & Advanced Analytics



Share
Information

- City Website
- GARIweb
- Call.Click.Connect.
- Mapping
- Spatial Analysis
- City Calendar
- Mobile Apps
- Business Systems
Integration

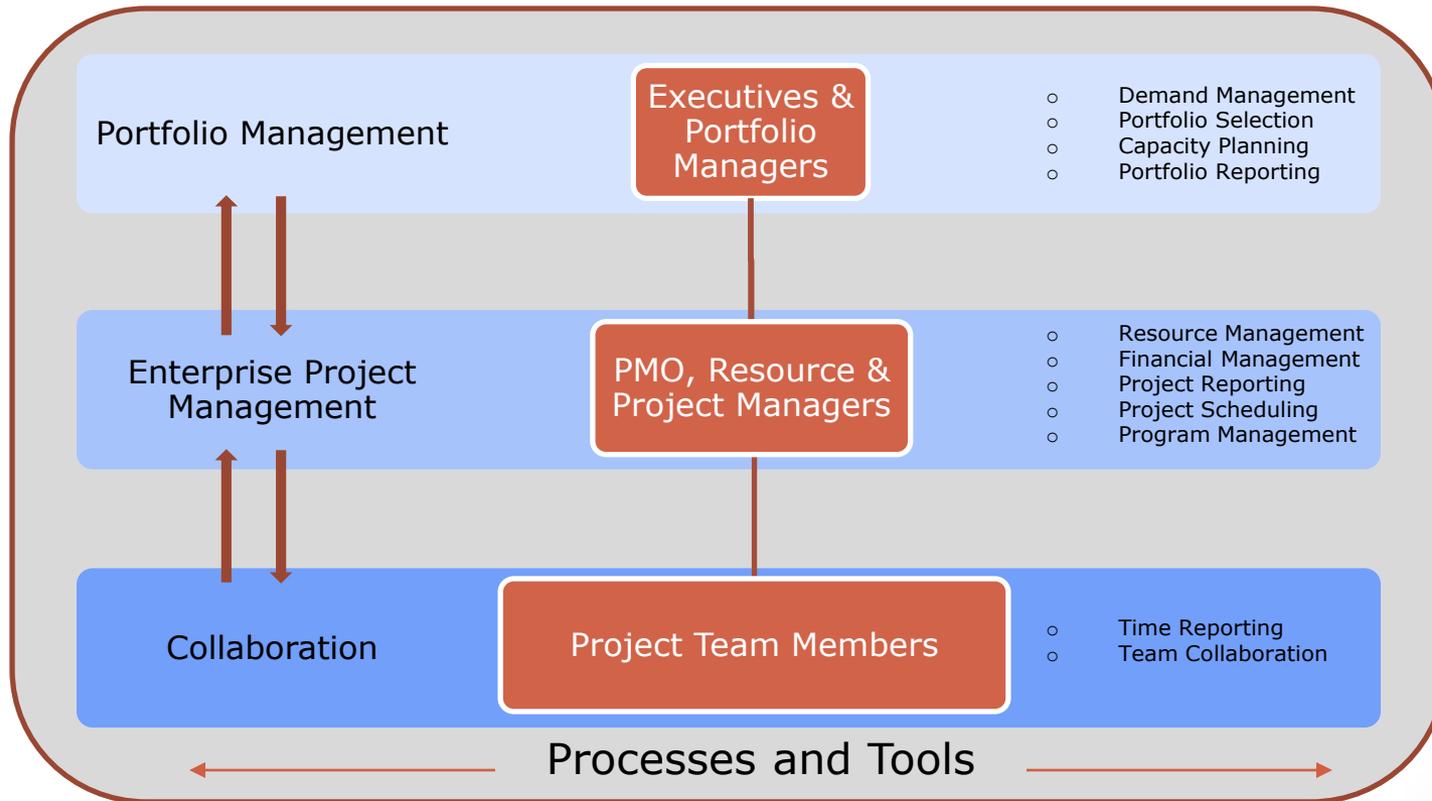
Inform
Decisions



Provide
Public
Services

Enterprise Project & Portfolio Management

Projects begin and end here



Permitting System Replacement

- Software-based *Land Management, Plan Review, Permitting, and Enforcement System* that supports how the City handles permit submission and processing
- Replaces 20+ year old legacy system
- High-level project goals are to modernize and enhance the overall permit process workflows (submission, review & approval) with new tools and capabilities that will benefit both City staff and the public
- Budget is currently set at \$4.4M
- Project implementation is expected to be a 18 – 24 month effort. Currently in pre-project phase with project start expected in calendar 1Q 2016.



REARS Replacement

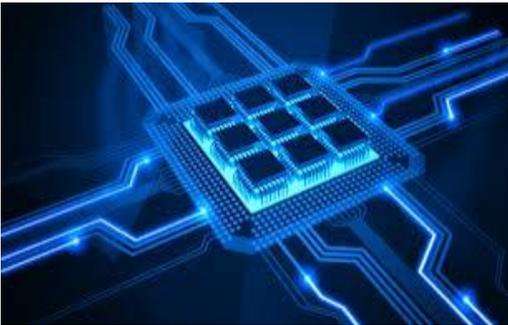
Real Estate Account Receivable System

- Software system that supports capturing and classification of real estate payments made by homeowners, businesses, banks and mortgage companies
- Replaces 20+ year old legacy system
- Budget is \$700K
- To be implemented the beginning of next year.



Enterprise Business Systems Services

Core Back
Office
Software



- Cityworks (Asset Maintenance)
- Advantage (Permitting)
- RecTrac (Recreation Ctr. Mgmt)
- Munis (GL, AP, Budget, Purchasing)
- Munis (HR, Payroll)
- RevenueOne (Tax Billing, AR)
- Database Administration



Questions?

Information Technology Services

123 N. Pitt St., Suite 250

Alexandria, VA 22314

703.746.3001

www.alexandriava.gov/Technology