



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy
City Manager

Date April 17, 1986

From Sarah Wunsch *SW*
Executive Director - Human Rights

Reference

Subject Report of the Human Rights Commission in Response to
Council Order No.22 - 3/31/86

The City Council has requested that the City Manager give an up-to-date report since the inauguration of the Human Rights Commission, as to its business transactions on a day to day basis in the office of the Commission. This report is submitted to the City Manager for transmittal to the Council.

On September 24, 1984, the City Council passed revised ordinance No. 1016 creating the Cambridge Human Rights Commission to receive and investigate complaints in the City of prejudice, intolerance and bigotry. The Commission was designated to investigate charges of unlawful discrimination in housing, employment, public accommodations, education, credit, insurance and the provision of city services. The stated concern of the Council was that discrimination because of race, color, sex, age, religious creed, disability, national origin, sexual orientation, marital status, family status, military status, or source of income "creates strife, hostility and unrest, threatens or impairs the rights and privileges of individuals and deprives individuals of the benefits of a free and open society....result[ing] in serious injury to the public safety, health and welfare of this City."

REPORT TO ROBERT W. HEALY, CITY MANAGER

FROM SARAH WUNSCH, HUMAN RIGHTS

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On August 5, 1985, the City Manager announced the appointment of eleven persons to be members of the Human Rights Commission. In the Fall, 1985, the Commission began to meet to carry out its duties under the Ordinance. The Commission began a lengthy process of soliciting and then reviewing over 100 applications for the position of Executive Director for the Commission. Recommendations were made to the City Manager who appointed Sarah Wunsch as Executive Director who began work on February 10, 1986.

The Commissioners have also spent considerable time developing by-laws and regulations for the commission to follow in carrying out its duties under the Ordinance. The City Law Department has been consulted on the drafting of those documents and has provided suggestions for revisions. In this process, the Commissioners examined regulations and by-laws from other commissions within the City of Cambridge and other cities.

The Commission also sponsored a celebration of International Human Rights Day on December 10, 1986 which was co-sponsored by the Office of Affirmative Action, the Commission on Handicapped Persons, the Civic Unity committee, the Peace Commission and the Commission on the Status of Women. The Vice-Mayor, Alfred La Rosa read the proclamation adopted by the City Council declaring December 10, 1985 to be Human Rights Day.

Since starting to work in February, 1986, the Executive Director has established the office for the

Commission, obtaining equipment and supplies, prepared a budget both for the remainder of Fiscal Year '86 and for Fiscal Year '87, and has been engaged in the process of hiring an administrative assistant as a second staff person. In addition, she has begun to meet with a number of community groups and organizations to learn of their work and concerns and has begun to meet with other City of Cambridge department heads or staff, such as those in Human Services, the Commission on the Handicapped, Civic Unity, the Fair Housing coordinator, and the Cambridge Housing Authority. Meetings to date have been held with the Disabilities Law Center, the Cambridgeport Problem Center, the Gay and Lesbian Advocates and Defenders, and Concilio Hispano. Meetings with many other groups are planned.

In order to help set up good and efficient procedures for the Human Rights Commission, the Executive Director has also met with staff from other anti-discrimination agencies to learn from their experiences, both positive and negative. Those include the Mass. Commission Against Discrimination, the Boston Fair Housing Commission, and the Boston Human Rights Commission. They have been able to share suggestions about procedures and regulations as well as ideas for training of staff and commissioners.

A process has begun of training the Commissioners to be able to carry out their duties under the ordinance. One training session has been held on an introduction to

to discrimination law and theory; others are being planned on proper investigation techniques; how to evaluate the facts to see if there is sufficient merit to a case to warrant going forward to a public hearing; and how to conduct a formal public hearing. Substantive law sessions are also planned for particular discrimination areas such as race discrimination and discrimination on the basis of disability. A committee of the Commission has been working with the Executive Director to carry out this internal education process.

Another committee of the Commission, one on external education, has been preparing the official notice of non-discrimination which the ordinance requires that city departments, large landlords, contractors, employers, employment agencies and real estate agencies post in prominent places. The committee is also developing a brochure which will be distributed throughout the City in order to let the community know the requirements of the human rights ordinance and that the Commission exists as a place for help if a person believes that he or she has been unlawfully discriminated against.

Four complaints have been filed with the Commission as of April 17, 1986. These include a complaint of housing discrimination on the basis of disability, a complaint of discrimination in hiring practices on the basis of race and sex, a complaint related to discrimination in the provision of parking for handicapped persons, and a complaint of discrimination in employment on the basis

of religion and sexual orientation. Copies of these complaints have been sent to the persons charged with discrimination and they have the opportunity to respond to the claims. Commission staff and student interns are in the process of investigating the complaints to see if they have factual or legal merit. Under the requirements of the ordinance, if there is no "probable cause" to believe that the complainant's rights have been violated, the complaint will be dismissed. If probable cause is found, the Commission staff and commissioners will attempt to resolve the problem through mediation. If mediation fails, the case will be heard at a public hearing before the Commission. Complainants are also advised of their rights to seek help from other agencies such as the Mass. Commission Against Discrimination when appropriate.

In addition to receiving a few formal complaints, the staff of the Commission also provided advice to the City Manager on the policy he had adopted for city employees who were diagnosed as having AIDS. As a result, the Commission has been asked to work with the City's Law Department and the Handicapped Commission in the adoption of a policy which will be in compliance with laws prohibiting discrimination against persons with disabilities.

The Commission is now well under way in establishing an office which will be able to carry out the mandate of the Human Rights Ordinance. Since this is a new agency, it will take some time to see how the ordinance will actually work and how procedures may best be modified so as to provide

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From Sarah Wunsch, Human Rights Commission p.6

efficient and effective enforcement to remedy legitimate grievances. The Human Rights Commission and its staff would welcome hearing of concerns and suggestions of members of the City Council in its efforts to create an effective, responsive department.



CITY OF CAMBRIDGE

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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 28, 1986

To the Honorable, the City Council:

In response to Awaiting Report No. 15, I submit the attached report from Sarah Wunsch, Director of the Human Rights Commission, outlining the commission's activities to date.

Very truly yours,

Robert W. Healy
City Manager

Re: response to Awaiting Report Item No. 15
on business transactions on a day-to-day basis
in the Human Rights Commission since its
inauguration.

In City Council,

April 28, 1986

Placed on file