

Florida Commission on Human Relations

2005 Annual Report



Mutual Respect • *Fair Treatment* • *Equal Access*

VISION

To become the chief resource on human relations for the State of Florida

MISSION

To prevent unlawful discrimination by ensuring people in Florida are treated fairly and are given access to opportunities in employment, housing, and certain public accommodations; and

To promote mutual respect among groups through education and partnerships.

CORE VALUES

We believe every individual should be treated with dignity and respect

We strive to provide impartial, high-quality service

We value innovation and creativity

We encourage open and honest communication

We depend on teamwork to be successful



Governor Jeb Bush and Lieutenant Governor Toni Jennings with Commissioners and staff

Letter from the Chair

Dear Friends,

Since 1969, when the Florida Commission on Human Relations was established in Florida law, our goal has remained the same: *To prevent discrimination in employment, housing, and other select public accommodations.*

The Commission continually strives to ensure that persons in Florida have access to the many services and facilities that should be available and enjoyed by all, and that all persons in this state are treated fairly and equally without regard to gender, color, race, national origin, religion, age, disability, or familial or marital status.

Under the dedicated leadership of our appointed Commissioners, the Commission has produced a track record of success and accountability. And, the Commission is continually evolving to meet the constantly changing needs of our great state. As such, we are becoming more of a resource — as opposed to a regulator — for the State of Florida. Through training, workshops, informational tools and resources, the Commission proactively serves our customers — rather than waiting on problems to occur and then reacting.

The Commission strongly believes that these efforts create a winning situation for everyone. Citizens, residents, and people visiting our great state win – they can gain improved awareness about their rights, a better understanding about what constitutes discriminatory practices in Florida, and increased knowledge about their responsibilities in today’s changing and diverse environment. Florida businesses win – they can avoid costs associated with the investigation and resolution of cases. Employees feel they are working in an environment where they feel valued. And the Commission wins — these proactive measures may result in fewer complaints being filed, thus reducing our caseload and associated costs and further enhancing the Commission’s role as a valuable asset to the people of Florida.

Florida is truly a vibrantly diverse state. With the hard work and dedication of our Commissioners, our public leaders and officials, our partners, and our staff, the Commission has made and can continue to make significant strides to ensure that Florida becomes a state free of discrimination and intolerance – **a state that not only accepts and protects its diverse people, but celebrates them as well.**



Rita Barreto Craig
Chair

Rita Barreto Craig
Chair

Statutory and Budget Authority

In 1969, the Florida Legislature passed the Florida Civil Rights Act (Chapter 760 and section 509.092, Florida Statutes), and established the Commission to administer the Act. Since that time, the Legislature has amended the Act several times to expand the responsibilities and authority of the Commission. The Commission receives 73 percent of its budget from general revenue dollars appropriated by the Legislature, and the remainder (27%) is derived from contracts with the United States Equal Opportunity Commission (EEOC) and the United States Department of Housing and Urban Development (HUD). The EEOC and HUD reimburses a portion of the cost incurred for investigating and resolving discrimination complaints deferred by these agencies to the Commission.

A 2004-2005 Snapshot

During the past 36 years, the Commission has investigated and closed more than 74,000 cases. Since 1995, the Commission has also negotiated over \$12 million in settlement amounts for more than 1,500 persons through our mediation services. The Community Relations Services unit has educated thousands of individuals and businesses on civil and human rights and responsibilities.

For Fiscal Year 2004-05, the Commission:

- Decreased working inventory of cases to 597 from 2,858 cases in FY 99-00
- Reduced case backlog to 4 percent - an overall 79 percent reduction since FY 99-00
- Closed 2,257 cases, the second highest number in any fiscal year (the highest number was 2,494 in FY 03-04)
- Decreased average age of cases to 107 days, down from 646 days in FY 99-00
- Mediated 66 cases, for a total of \$1.2 million in settlement dollars
- Increased federal dollar receipts to \$1.6 million, compared to \$700,000 in FY 99-00
- Ranked 4th of 101 agencies nationwide for highest number of HUD cases closed
- Ranked 9th of 84 agencies nationwide for highest number of EEOC cases closed

Promoting Mutual Respect

The Commission acts as both a regulator – enforcing the law by investigating complaints – and as a resource. In its role as resource, the goal of the Commission is to inform and educate persons in Florida in order to help them become more knowledgeable about their human and civil rights and responsibilities under the law.

The Commission believes that if everyone understands their obligations and takes proactive steps in abiding by these responsibilities, the result will be a reduction in the number of complaints being filed, which, in turn, saves money for all parties involved in a conflict. By offering mediation, outreach, technical assistance, training, and educational workshops, the Commission prevents and resolves community conflicts and tension that may arise from actions, policies, or practices of public or private agencies that are perceived to be discriminatory.

The Commission serves communities and facilitates effective partnerships between governments and their communities to assist in the conciliation of conflict.

As a vital resource to the State of Florida, the Commission offers the following services:



Mediation

Mediation services are offered prior to the commencement of an investigation. Mediation provides the opportunity for dialogue between the complainant (the person filing the complaint) and the respondent (the party against which the complaint has been filed) to resolve the dispute in a manner that is acceptable to both parties. This process is voluntary, confidential, and free of charge.

Mediation can result in a winning situation for both parties, as well as the Commission — complainants could potentially avoid mental anguish and the perception of retaliation as well as any costs associated with travel and attorney fees. Respondents could save time preparing the Commission's request for information; avoid damage control associated with negative press; and save attorney fees, damages, and other related court costs. The Commission could reduce its workload for mediators and investigators; avoid investigative and other costs, and increase timely completion and closure of cases. An intangible but equally important benefit of successful mediation is that satisfied parties see the Commission as a resource that offers a valuable service to the people of Florida.

Outreach

The goal of the Community Relations Services (CRS) unit is to prevent and resolve community conflict. CRS serves communities as a facilitator by creating effective partnerships between government, businesses, and communities to assist in conflict resolution and conciliation.

The following initiatives and programs are part of the Commission's outreach program:

Dining and Dialogue

Dining and Dialogue brings people together in a comfortable environment to discuss difficult issues while bonding over a meal.

In September, the Commission, together with the Life Project Senior Development Center of Orlando, hosted a luncheon as part of its second annual *Dining and Dialogue* series. Over 150 senior citizens participated in this event. Guest speakers included county commissioners and representatives from the University of Florida, the State Attorney's Office, and the Social Security Administration.

In December, the Commission, together with the Florida State University Interdisciplinary Program in the Humanities and Harry's Seafood Bar and Grill, hosted a dinner in Tallahassee. Approximately 70 residents attended this dinner, including students from Florida State University, Florida A&M University, community members, and government and business leaders. Topics for the *Dining and Dialogue* events included issues such as dying with dignity, requiring Spanish classes in Florida, the makeup of the United States Supreme Court, and intelligent design and evolution.

Literacy, Learning, and Leadership

The *Literacy, Learning, and Leadership* (3L) program — a partnership with Tallahassee's Cornerstone Learning Community middle school — complements Governor Bush's *A+* and *Just Read!* initiatives.

The goals of the 3L program are:

- Literacy: reinforce a love for reading and knowledge,
- Learning: develop an understanding of the benefits of diversity, and
- Leadership: teach life skills that create socially responsible leaders

In accordance with Florida law (Chapter 1003.42(q), Florida Statutes) that requires teaching character building, the 3L program helps children become able leaders and fosters peaceful and productive communities through activities and featured books that reinforce tolerance and understanding.

During 2005, Tallahassee students at the Cornerstone Learning Community school learned about tolerance, diversity, and multiculturalism through six lessons:

What an Icon!

Students examined several characters in American history who have become icons, such as Rosie the Riveter, Smokey the Bear, and Ronald McDonald. The students then created their own iconic characters to symbolize a current event or trend.

Citizenship Day

Students discussed what it means to be a United States citizen by taking the citizenship test, discussing exam results, and creating their own personal Statues of Liberty.

Chinese New Year

Students celebrated Chinese New Year by learning about the decorations and traditions of this holiday, and creating their own dragon or lion dancer crafts.

Voting

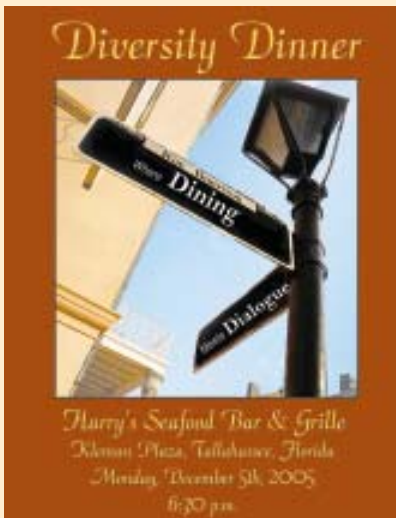
Students wrote a job description of the President and designed a voting system to encourage greater voter turnout.

Media

Students simulated the role of a network executive by assessing and evaluating television shows' stereotypes.

City Government Simulation

Students decided whether to build a factory in their town by evaluating the proposed project's merits and then brainstormed to devise alternative resolutions and compromises.



North Florida Hate Crimes Working Group

The Commission, the United States Attorney for the Northern District, and Florida's Attorney General formed a working group to address hate crimes in North Florida. The working group's charge is to establish a local/regional network to develop solutions to eliminate hate crimes in local communities. Partners include law enforcement, civil rights and victim rights advocates, community leaders, and school officials. The core group members consist of representatives from the Federal Bureau of Investigation, the Florida Department of Law Enforcement, Tallahassee Police Department, Leon County Sheriff's Office, United States Department of Justice/Community Relations Service, Florida State University's Center for the Advancement of Human Rights, the National Association for the Advancement of Colored Persons (NAACP), the Florida Department of Education, and members of the faith community.

The working group is a collaborative effort of local community organizations and law enforcement agencies from Tallahassee, Lake City, Gainesville, Panama City and Pensacola. The working group's initial meeting convened in Tallahassee and focused on strengthening committees and subcommittees and developing a strategy to attract stronger community involvement from local agencies and organizations.

Other areas of interest included: educating youth groups and educators to use the hate crimes *About Face: Turning Away From Hate* CD-ROM, increasing the reporting of hate crimes and formalizing a uniform hate crimes reporting procedure for law enforcement.

During October, co-chairs Derick Daniel and Gregory Miller traveled to Alachua County to meet with student organizations at the University of Florida, Santa Fe Community College, Alachua County school administrators, and the local NAACP branch.

The Commission anticipates that through community outreach programs, hate crimes awareness will be raised to a significant enough level to encourage more Floridians to take a stand against this crime.

Strategies of the working group:

1. Coordinate hate crime prosecution, prevention, training, and education programs in the North Florida region,
2. Develop hate crimes prevention initiatives that draw upon the collective resources of the community and law enforcement, to not only combat bias crimes, but also to heal the wounds created by these crimes,
3. Increase public awareness on how to identify and report hate crimes through public service announcements, community forums, workshops, and print materials,
4. Educate law enforcement on how to properly identify hate crimes, make arrests, conduct investigations, establish intent, assist prosecutors, and refer victims for support, and
5. Identify gaps in monitoring hate crimes and addressing the problem of underreporting of hate crimes.

Commission Hosts 57th Annual IAOHRA Conference

In August 2005, the Commission, the Florida Association of Community Relations Professionals, and the Palm Beach County Office of Equal Opportunity hosted the 57th Annual International Association of Official Human Rights Agencies (IAOHRA) in Palm Beach Gardens. Over 200 attendees took part in a conference titled *Changing Times, Changing Strategies – Bold Leadership for the Global Human Rights Agenda*.

IAOHRA, a non-profit organization headquartered in Washington D.C., encourages the exchange of ideas and information among its member agencies. It also provides assistance in the development of programs geared toward eliminating discrimination in employment, housing, education, public services/ accommodations, and illegal banking and lending practices. Its membership is comprised of over 160 human rights and human relations' agencies from the United States and Canada.

The conference program included presentations by over 70 leading experts and civil and human rights advocates. Panelists spoke on such topics as healthcare, DNA and wrongful imprisonment, human trafficking, faith and community based initiatives, women's issues, gender identity, creation of opportunities for disabled persons, and how to involve the next generation in the civil and human rights debate.

Presentations and Training

One of the Commission's goals is to provide communities and businesses with strategies and tools for their successful implementation of human relations programs in their respective geographic areas. The Commission reaches hundreds of individuals through its presentations and training sessions held throughout the year to educate the community about their rights and responsibilities under the law. The Commission also aims to encourage businesses to implement sound business practices that result in a reduction of the number of cases filed, thus providing a cost savings to potential parties as well as the State of Florida. Training is tailored to the specific needs of the organization, business, or community.



Presentations

- 26th Annual Human Resources Conference – The Art of Human Resources: “We’re from the Government and We’re Here to Help”
- The Academy of Florida Management Attorneys
- Department of Education Statewide Conference for College Reach Out and Equality Coordinators
- Gadsden County NAACP Community Dialogue
- Florida Association of Educational Program Personnel, Inc. Statewide Conference
- City of Perry Chamber of Commerce
- Lee County Black Affairs Advisory Council
- Belle Glade Community Development Center
- West Palm Beach Urban League
- City of Gainesville 18th Annual Equal Opportunity Conference
- Pasco County “Juneteenth” Celebration
- Housing and Urban Development Neighborhood Network 10th Anniversary National Training Conference
- City of Tallahassee Fall Homebuyers Showcase
- Wakulla County Housing Authority Presentation
- Pensacola Association of Realtors
- Gainesville/Alachua County Association of Realtors: Fair Housing Update
- Annual Florida Public Employees Relations Labor Forum

Training

- Society of Human Resource Management (SHRM) Florida Chapter’s Annual Conference
- Gray, Harris and Robinson Law Firm’s Spring Employment Law Seminar
- City of Jacksonville’s Public Accommodations Seminar
- Predatory Lending Seminar
- Florida Government Conference: “Statewide Trends in Civil Rights”
- Florida Statewide Refugee Services Conference: “Florida Anti-Discrimination Laws”
- Marion County 55+ Workshop
- University of Central Florida Diversity Conference: “A, B, C’s of Diversity”
- West Orange County Chamber Commerce: “Business Case for Diversity”
- National Association of Human Rights Workers (NAHRW)
- Preventing Crime in the Black Community: “From the Schoolhouse to the Jailhouse”
- Fair Employment Practices Agencies/Equal Employment Opportunity Commission Joint Training

Ensuring Fair Treatment and Equal Access

If both parties — the complainant and the respondent — are unable to reach agreement through mediation, the Commission, in its role as a regulator, will investigate the complaint. Throughout the investigative process, the Commission provides technical assistance and guidance to both parties and their legal representatives. The Commission makes every effort to conciliate the case wherever possible throughout the investigative process.

Employment Investigations

Bases for Discrimination: race, color, national origin, sex, disability, religion, age, or marital status

The Commission conducts investigations of alleged employment discrimination to determine whether or not there is sufficient cause that an employee has been discriminated against. An employee or an applicant for employment may file a complaint when:

- The alleged discriminatory act occurred within the past 365 days
- An employer or a potential employer has 15 or more employees
- There is no federal or local agency or entity responsible for accepting alleged discrimination complaints.

Of the complaints received by the Commission during Fiscal Year 2004-05, approximately 88 percent were based on employment discrimination.

Housing Investigations

Bases for Discrimination: race, color, national origin, sex, disability, religion, or familial status

Under the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968), no person can be discriminated against in the sale, rental or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real estate-related transactions.

The Commission's Housing Unit enforces the Florida Fair Housing Act (Part II of Chapter 760, Florida Statutes), which is similar to the federal law, by investigating complaints of housing discrimination.

During Fiscal Year 2004-05, the Commission closed 149 housing complaints, of which 40 percent were based on disability. Of the 33 cases with a cause finding, 19 (58%) cases were based on disability.

An individual may file a complaint when he/she:

- Was prohibited from renting or buying a home based upon the discrimination bases
- Viewed any printed or published notices, advertisements, or documents that specified a preference for or limitation of who can rent or buy a home
- Knew someone who has, for profit, encouraged a homeowner to rent or sell a home to a particular type of person excluding another person because of one of the discrimination bases
- Was denied access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility in the business of selling or renting
- Was denied a loan or financial assistance from a bank, building and loan association, insurance company, or other business when applying for a loan to purchase, construct, improve, repair, or maintain his/her home
- Was discriminated against because of an unfair setting of the amount of the loan, interest rate, length of loan, or other term or condition of the loan
- Was discriminated against by a broker or appraiser of real estate property
- Was discriminated against by an unfair permitting of a residential development which excluded someone from renting or buying a home in that development
- Was prohibited from renting or purchasing a home in an older housing community or facility because of age (55 years of age or more) or familial status

Exclusions: Florida law (section 760.29, Florida Statutes) provides that a person is NOT eligible to file a complaint if the owner-occupied building has four or less units, the single-family home is being sold or rented without the use of a broker, or the home is operated by organizations and private clubs that limit occupancy to members. In addition, any 55+ housing community or facility (housing for older persons) can deny the rental or purchase of a home based on age or familial status if the community or facility has registered as such with the Commission.

Public Accommodations

Bases: Race, color, national origin, sex, disability, familial status or religion

The Commission investigates complaints of accessibility of certain public accommodations in the same manner as employment claims. Florida law provides that all persons are entitled to fully and equally enjoy the goods, services, facilities, privileges, advantages, of any place of public accommodation without discrimination or segregation.

An individual may file a complaint if denied access to any of the following types of businesses:

- Hotels, motels, or inns with more than four rooms to rent
- Food establishments such as restaurants, cafeterias, lunchrooms, gasoline stations, or other facilities selling food for consumption on the premises
- Exhibition or entertainment establishments such as motion picture theaters, theaters, concert halls, sports arenas, or stadiums
- Any establishment physically located within the premises of any covered establishment listed above

Exclusions: Section 509.092, Florida Statutes, provides that operators of certain public lodging and food establishments have the right to refuse accommodations or service to any person who is objectionable or

undesirable to the operator. However, the refusal cannot be because of discrimination based on the bases listed above. The law does not include lodge halls or other similar facilities of private organizations that are made available for public use occasionally or periodically.

Florida law (section 760.60, Florida Statutes) prohibits discrimination by certain private clubs based upon race, color, national origin, gender, disability, age (over 21), religion or marital status. An individual may file a complaint when:

- He or she was denied membership in a club that has more than 400 members, provides regular meal service, and regularly receives payment for dues, fees, use of space, facilities, services, meals, or beverages from nonmembers for business purposes
- He or she knows of, has seen, or has become aware of any written material that has been published, circulated, issued, displayed, posted, or mailed, e-mailed, or faxed stating that the accommodations, advantages, facilities, membership, or privileges of the club are denied to any individual based on the bases above

Exclusion: This does not apply to fraternal or benevolent organizations, ethnic clubs, or religious organizations where business activity is not prevalent.

During Fiscal Year 2004-05, the Commission closed 95 public accommodation complaints, of which 38 (40%) cases were based on race and 55 (58%) were complaints of discrimination at a food establishment.

Whistleblower Retaliation

The Commission investigates claims of state employees or an employee of an independent contractor of a state agency retaliation filed under the Florida Whistleblower Act. The basis for a whistleblower retaliation complaint occurs when an employee of a state agency or of a contractor with the state filed a whistleblower complaint either with the employee's agency inspector general or the Chief Inspector General in the Office of the Governor, and, as a result of filing such complaint, subsequently suffers some form of adverse personnel action. Examples of adverse personnel action include the discharge, suspension, transfer, or demotion, withholding of bonuses, and a reduction in salary or benefits that occurred within 60 days prior to filing the whistleblower retaliation complaint.

During Fiscal Year 2004-05, there were 2,845 bases under which the Commission closed employment cases. 537 (19%) of these were based on retaliation. Of the 537, 35 (7%) were based on Whistleblower retaliation.

Office of General Counsel

The Office of General Counsel serves as the legal advisor to the entire Commission: the Commissioners, Executive Director, and Commission staff.

Following are the Commission's Fiscal Year 2004-05 significant cases:

Circuit Court

Williams v. Sailormen, Inc.
d/b/a "Popeye's Chicken & Biscuits"

The Commission initiated administrative action on behalf of the Petitioner Williams on the basis of age

discrimination. Ms. Williams, a 17 year-old female, was terminated solely because she was not 18 years old. The respondent requested a ruling that the Commission had no jurisdiction beyond the age set in federal law (40 years of age or older). The Court ruled in favor of the Commission by dismissing the case on procedural grounds, concluding that the petitioner should have first requested a declaratory statement from the Commission subject to an appeal directly to the District Court of Appeal.

Division of Administrative Hearing (DOAH)

During Fiscal Year 2004-05, the Division of Administrative Hearings upheld 97 percent of the Commission's determinations.

Clyde and Joan Willis v. Riverview Condominium Association

Ms. Willis is a disabled person who requires the use of a motorized scooter. She requested approval from her homeowners' association to construct a walkway to accommodate her scooter. The association unreasonably delayed approving Ms. Willis' request for an accommodation under the Fair Housing Act. The Commission filed a petition with the Division of Administrative Hearings on behalf of the Willis's and the parties reached a settlement that required the association to pay the Willis's \$2,000.

Hernandez v. Transpo Electronics

The Commission initiated administrative action on behalf of the petitioner, Mr. Hernandez, a Hispanic who claimed he was terminated on the basis of his national origin. The Commission was instrumental in assisting the parties to reach a confidential settlement.

FCRH v. Celina Hills Property Owners Association

The Commission initiated administrative action on behalf of complainants Sheila Swasey and her son, Brad. The Commission found cause to believe a discriminatory housing practice occurred when the association denied approval for Ms. Swasey to build a

fence in her front yard to prevent her 22-year-old son (with the mental age of a 2-year-old) access to the street. The Division of Administrative Hearings found that Ms. Swasey had been discriminated against on the basis of her son's disability and recommended that she be allowed to build the fence. The Commission approved the recommended order and subsequently filed for attorney's fees and costs. The Commission settled its request for \$15,000.

District Court of Appeals (DCA)

*Jackson v. Worldwide Flight Services, Inc,
& Arthur Armbruster*

The Commission filed an Amicus Curia brief (more commonly known as a "friend of the court" brief, filed by someone who is not a party to the case, but has a vested interest in the outcome of the case), which supported the Appellant's position that even though the Appellant had prematurely filed a state court lawsuit under the Florida Civil Rights Act of 1992, prior to the issuance of a determination by the Commission, and prior to the expiration of 180 days from the filing of the complaint, this did not preclude Appellant from re-filing a lawsuit after the 180-day period had elapsed and a right-to-sue letter had been received from the Commission. The court had dismissed, with prejudice, the initial filing of the suit in

court. However, this did not remove jurisdiction from the Commission to issue the right-to-sue letter since the initial filing did not put the matter "properly" before the Court. The parties subsequently agreed to the dismissal of the appeal.

Department of Corrections v. FCHR and Department of Highway Safety & Motor Vehicles v. FCHR

The departments independently challenged the Commission's authority to timely petition for relief on two separate cases before the Division of Administrative Hearings (DOAH). DOAH, in its rulings, did not prohibit the Commission from issuing remands on the cases. The petitioners appealed DOAH's rulings and the Commission filed Briefs and Motions to Dismiss. The District Court of Appeals ruled in the Commission's favor and dismissed the cases.

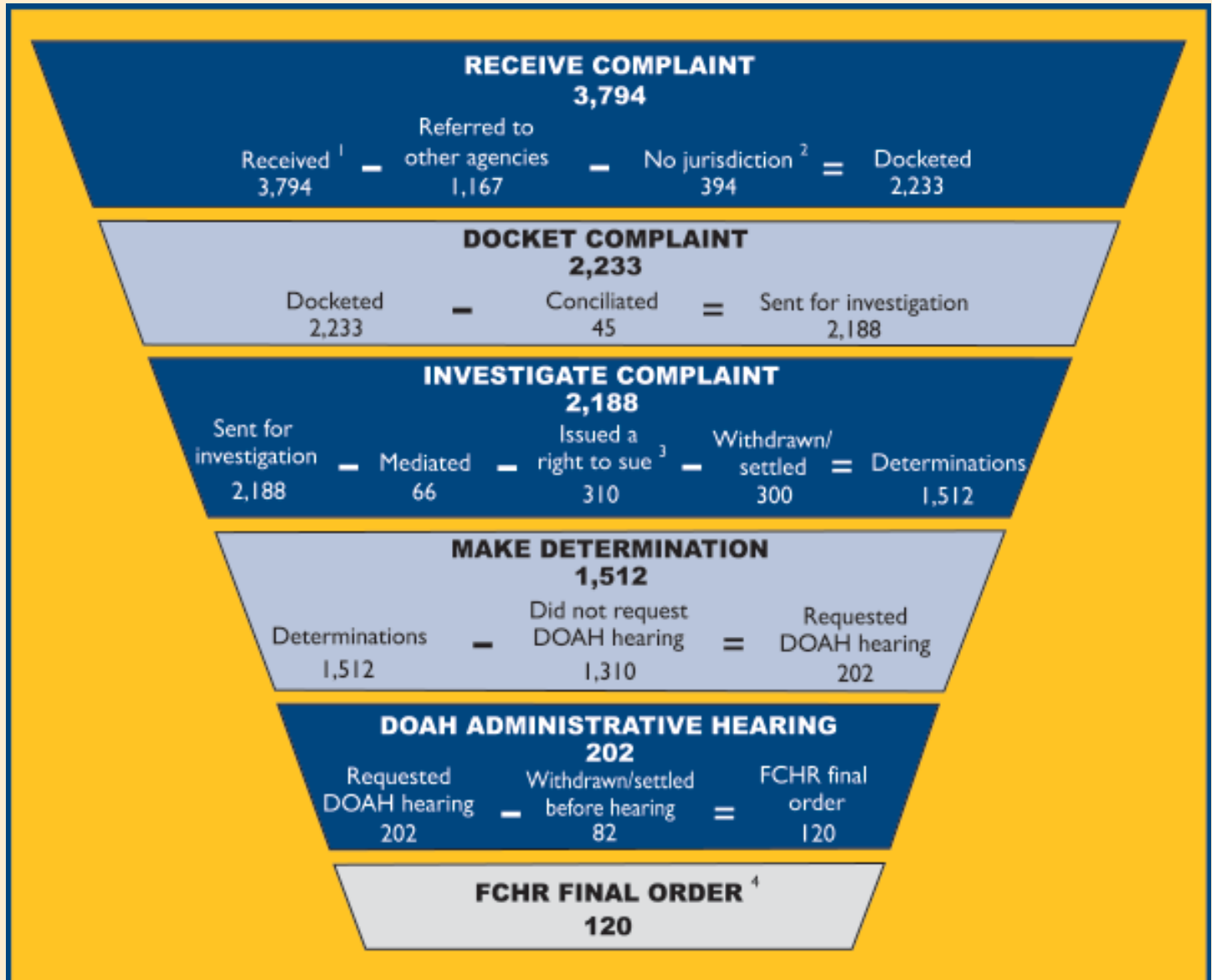
United States District Court

Martinez v. FCHR

The Commission filed a Motion to Dismiss after Petitioner filed a suit against the Commission. Petitioner claimed the Commission took too long to investigate her employment discrimination complaint. The Court ruled in the Commission's favor and dismissed the case.

Case Processing

Complaint Resolution Process Involves Several Steps



¹ During Fiscal Year 2004-05, FCHR closed 3,794 complaints alleging violations in employment, housing and public accommodations. Whistle-blower retaliation complaints are processed differently and are not included in this total. FCHR closed 35 whistle-blower retaliation complaints during this period.

² When FCHR does not have jurisdiction over a complaint, the complainant may seek remedy by filing a civil lawsuit or requesting an administrative hearing.

³ When FCHR fails to conciliate a complaint or determine whether there is reasonable cause within 180 days of filing, FCHR issues a notice of right to sue to the complainant. This allows the complainant to file a civil lawsuit or request an administrative hearing.

⁴ Final orders can be appealed to the District Court of Appeal.

Source: Office of Program Policy Analysis and Governmental Accountability, Report 06-09, developed using data provided by the Florida Commission on Human Relations.

Working and Total Inventory

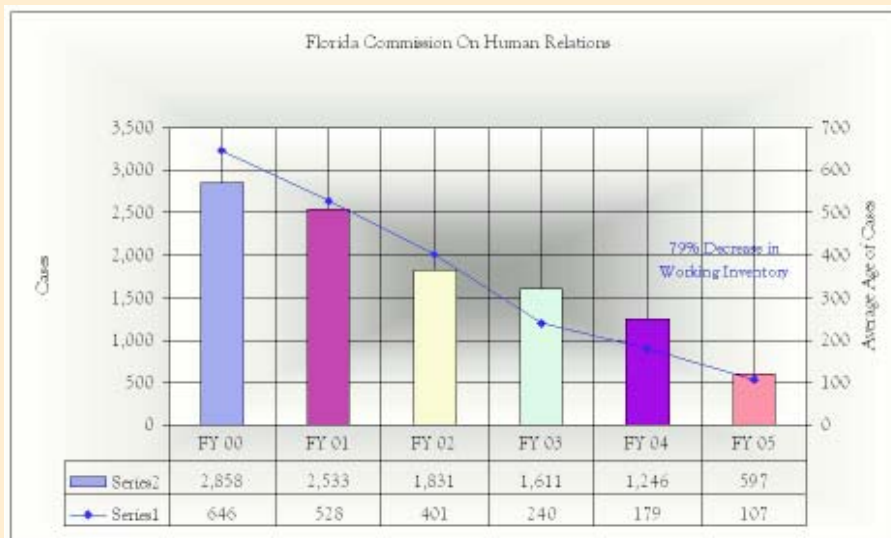
The Commission's caseload consists of working inventory and total inventory. Working inventory is composed of cases that are currently open and under investigation. Total inventory is composed of those cases in working inventory and cases wherein the Commission has completed its investigation, rendered a determination, and placed the case in suspense for 35 days (as required by section 760.11(7), Florida Statutes). This suspended period allows the complainant time to appeal the decision, as well as takes into consideration those cases where the complainant has requested a hearing with the Division of Administrative Hearings.

The two charts below show the Commission's working inventory and total inventory, respectively, for the past five fiscal years. Series 1 indicates the number of cases in inventory, and Series 2 indicates the average age of these cases.

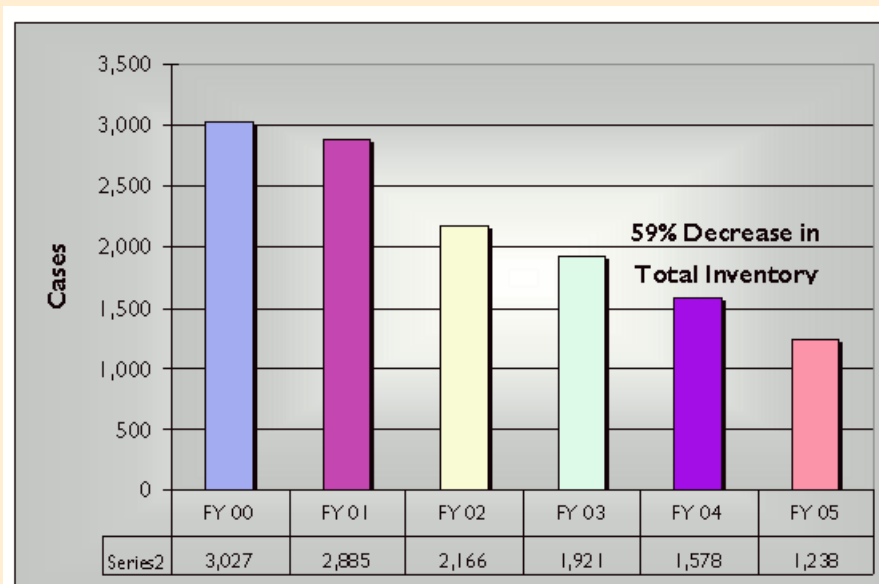
At the end of FY 2004-05, the Commission's working inventory was 597 cases, a decrease of 79 percent from FY 99-00. The Commission's total inventory, as of the end of FY 2004-05, was 1,238 cases — a decrease of 59 percent from FY 99-00. The average age of cases in working inventory has declined significantly — from 646 days in FY 99-00 to 107 days in FY 2004-05.

The Commission has seen a decrease in the number of cases in working and total inventory over the past five years. This is a result of the Commission's ongoing efforts to significantly reduce its case backlog. As the backlog is reduced, the number of cases handled by each investigator has declined, resulting in a more manageable caseload for investigators. This smaller caseload per investigator will also contribute to enhancing the quality of investigations. The Commission anticipates that the decline in the number of cases will level off and caseloads will remain close to the current level as that realized in FY 2004-05.

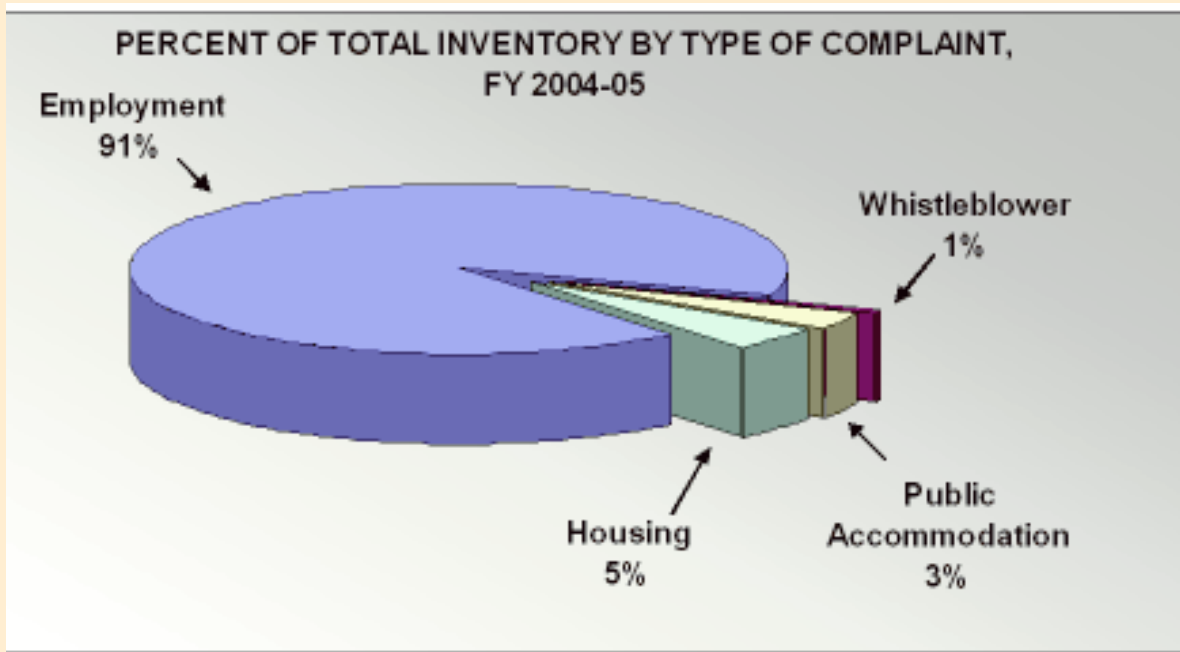
WORKING INVENTORY, FY 99-00 – FY 2004-05



TOTAL INVENTORY, FY 99-00 – FY 2004-05

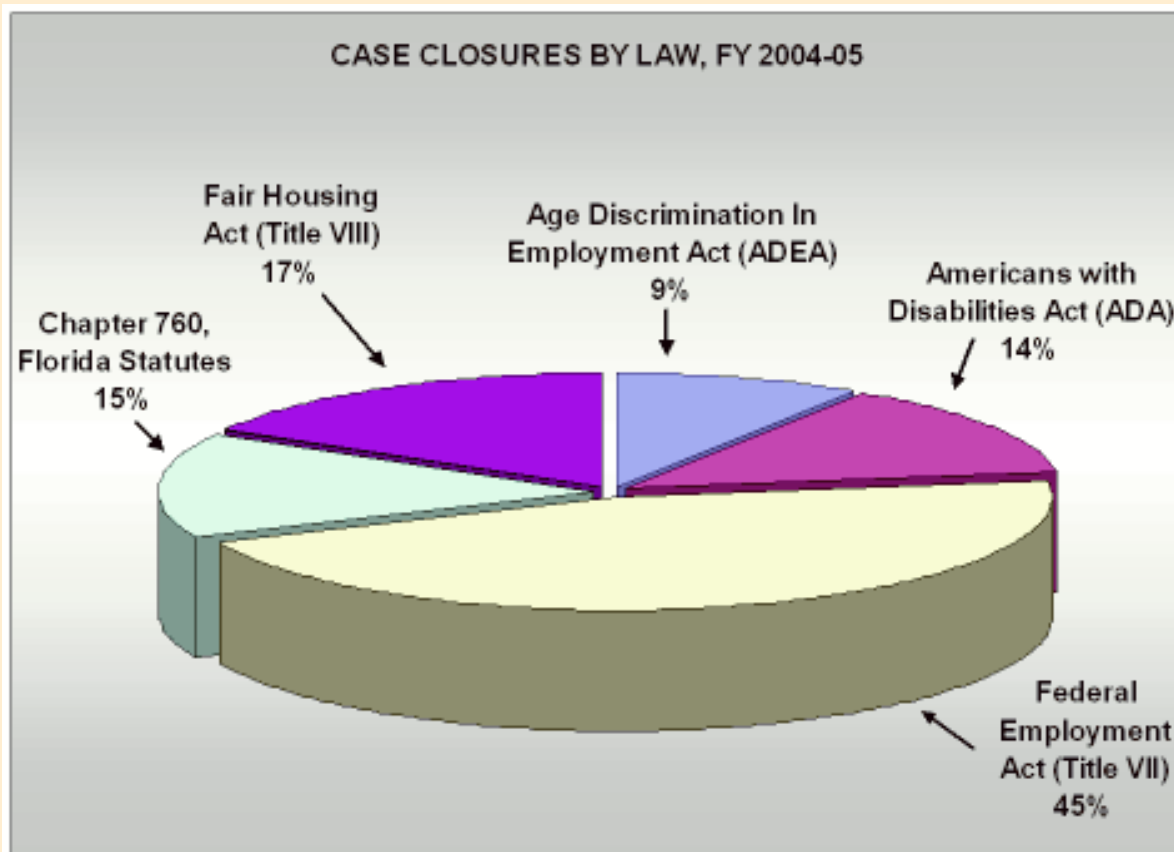


INVENTORY BY TYPE OF COMPLAINT



CASE CLOSURES BY LAW

Cases are covered under either federal or state law. The following chart shows case closures during FY 2004-05 broken out by the type of law under which the case was covered. Fifteen percent (15%) of the Commission's cases were covered under state law (chapter 760, Florida Statutes), while the remaining 85 percent of cases were covered under federal law. Note that the majority of cases closed during FY 2004-05 were under the jurisdiction of the Federal Employment Act.

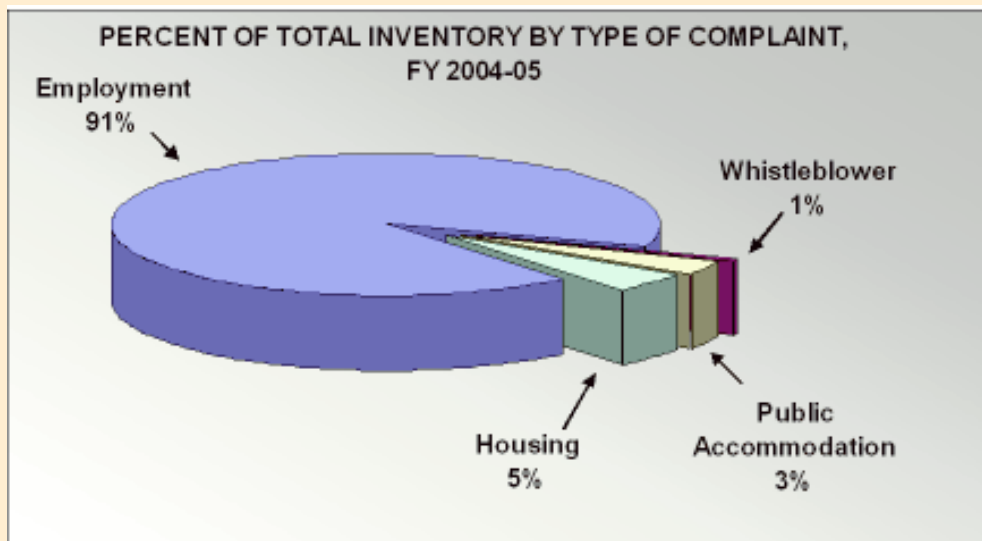


CASE CLOSURES BY TYPE

The Commission can close a case in one of the following ways:

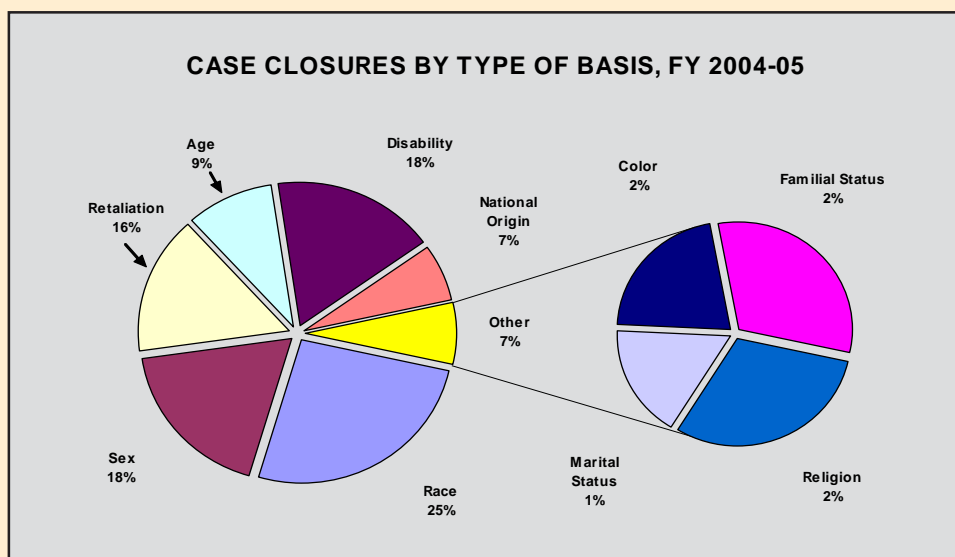
- **No Cause:** Based upon all the documents, witness testimony, and evidence obtained during the course of an investigation, substantial proof of discrimination was not found. In this instance, the complainant may exercise the right to bring private court action.
- **Cause:** Based upon the documents, witness testimony, and evidence obtained during the course of an investigation, there is reason to believe that discrimination had occurred.
- **Administrative Reason (38% of cases closed during FY 2004-05):** Withdrawal with benefits (6%), withdrawal without benefits (6%), no jurisdiction (5%), right to sue (14%), settlement agreement (3%), conciliation (2%), or other administrative reason (2%), such as the Commission could not locate the complainant or the complainant failed to cooperate or failed to respond to the Commission's request for information or other communications.

The following chart shows the percentage breakout of cases closed by type. Note that 3 percent of the cases closed by the Commission in FY 2004-05 rendered a cause determination.



CASE CLOSURES BY TYPE OF BASIS

The Commission documents the number of complaints that are closed by type of basis. A complaint may contain multiple bases. For example, an Hispanic woman could allege she was fired from her job because of her race and sex. Because a complaint can allege multiple bases, the total number of bases can be greater than the total number of cases closed. The following chart breaks out the percent of cases, by basis, closed by the Commission during FY 2004-05.



Commissioners



Rita Barreto Craig
Chairperson
Palm Beach Gardens



Donna Elam
Vice Chairperson
Orlando



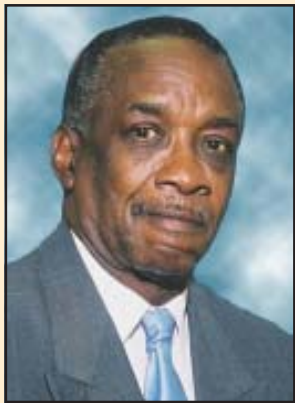
Gayle Cannon
Lake City



Shahrukh S. Dhanji
Coconut Creek



Onelia A. Fajardo
Miami



Roosevelt Paige
Orange Park



Anice R. Prosser
Tallahassee



Keith A. Roberts
Dania Beach



Dominique B. Saliba
Miami Lakes



Gilbert M. Singer
Tampa



Billy Whitefox Stall
Panama City



Mario Valle
Naples

A Message from the Director

It has been a great year for the Commission. I am proud of what we have accomplished in Fiscal Year 2004-05. We continue to make great strides in reducing our backlog of cases, our working inventory reflects our efforts to close cases more timely and at a higher level of quality, and our outreach and educational efforts are reaching more people in Florida than ever before!

We have fully implemented a case management system throughout the Commission. This new computer system enables us to conduct more quality investigations and save time. We can now easily manage and track a case — from the time we receive the initial complaint until we resolve and close the case.

In August, we were privileged to host the 57th Annual International Association of Official Human Rights Agencies conference in Palm Beach Gardens, featuring 70 leading experts and advocates in the field of civil and human rights. They covered a wide array of issues, including human trafficking, DNA and wrongful imprisonment, gender and women's issues, and the creation of opportunities for disabled persons.

Also during this past year, we took the Commission to several communities – Pensacola, Jacksonville, Fort Lauderdale, and Gainesville. This effort gave the commissioners a chance to get acquainted with each area of our state and to learn more about the communities we visited. In turn, the communities were able to learn more about the Commission. We reached out and we were welcomed.

Yes, this past year was great. But the Commission would not, could not, have been successful without the hard work, the tireless efforts, and enthusiasm of our employees. Our success depends entirely on the contribution of our people. Their value is way beyond measure. The Commission is fortunate to have what are some of the finest employees in the State of Florida. To recognize our most valuable resources – our employees – the Commission established an awards program. We reward employees for their leadership and team skills, for excellence in their individual jobs, and for assisting a customer or co-worker with that “little something extra.” It is truly the little things that count.

To our employees: I am proud of you! You are truly what make the Commission great!

Derick Daniel
Executive Director



Florida Commission on Human Relations Staff



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