

## **BLOOMINGTON HUMAN RIGHTS COMMISSION**

### **DIRECTOR'S QUARTERLY REPORT**

**October – December 2021**

#### **I. Discrimination complaints**

- A. Pending from previous quarters – Commissioner Shadday's case
  - 1. Complaint alleging discrimination in housing on basis of disability filed in June, 2021
  - 2. No probable cause finding issued after problem resolved but complainants failed to sign withdrawal form in November, 2021
  
- B. New cases
  - 1. Commissioner Haughton-Motley's case
    - a. Man filed complaint alleging discrimination in public accommodations on the basis of race
    - b. Investigation pending
  - 2. Unassigned case
    - a. Man filed complaint alleging discrimination in public accommodations on the basis of disability.
    - b. Investigation pending

#### **II. Miscellaneous inquiries**

- A. Caller said that he owns a mobile home and rents a lot outside of the city limits of Bloomington. He said he pays his rent each month in cash, on time, and also pays his utility bills on time. He has never gotten a receipt; landlord is now threatening to evict him for not paying rent for three years and is threatening to take his trailer as payment. No evidence of illegal discrimination. Referred to Community and Justice Mediation Center and to Indiana Legal Services.
  
- B. Caller said that employer was refusing to accommodate his disability unless he brought in doctor's note, but disability is obvious. Not in city limits; referred to MCHRC.
  
- C. Caller said that she feels she is being discriminated against by her employer on the basis of race. Employer not subject to BHRC's

jurisdiction; referred to EEOC.

- D. Caller said that she has been the victim of cyberstalking and actual stalking, possibly by a former supervisor, but she can't prove that. None of the incidents occurred in Bloomington or Monroe County. Referred to law enforcement, ACLU of Indiana and tried to give general advice. Also said her name was a musical note.
- E. Caller said that landlord is retaliating against her because of her disability and/or religious artifacts. Landlord not subject to the jurisdiction of the BHRC; referred to ICRC.
- F. Caller wanted to file a complaint against former employer for not paying wages for six weeks. Referred to Wage and Hour Division of Indiana Labor Board.
- G. Caller said that he cannot wear a mask because of a disability. A restaurant refused to serve him because he was not wearing a mask and/or because he was coughing. He said his cough is caused by his disability, not by COVID. He said he preferred to talk to a private lawyer rather than file a complaint with the BHRC; he believes the city is responsible for the mask mandate, despite our explanation to the contrary.
- H. Caller said that landlady was requiring her to clean up apartment and remove boxes. She said her apartment is not that dirty or cluttered. She thinks her landlady may know she has a hidden disability and may be discriminating against her on the basis of her disability. Reviewed letter from landlady; suggested caller contact the contact person mentioned in the letter and see what exactly they want her to do, to see if it was reasonable, before filing a formal complaint.
- I. Email writer said she is being harassed by coworkers because of lies her ex-husbands have told her coworkers. Has a complaint pending with HR: will call BHRC back if necessary. Referred her to Middle Way because of allegations of abuse.
- J. Caller said that her son had been unfairly disciplined by a school. No evidence that alleged unfair treatment was based on a

protected class. Referred to ACLU of Indiana and/or private attorney.

- K. Email writer asked McKinney, and many other city employees, to schedule an appointment with President Biden to talk to him about the Illuminati and their powers, including the power to make you dream, be hungry or thirsty, the ability to make you faint, the ability to make you drown on your saliva and the power to block radio, tv and internet signals, all with electromagnetic waves.
- L. Email writer said he needed to talk to someone immediately about his housing concerns. Responded, asking him to give a summary of what his issues were via email, or to provide a telephone number and a good time to call. No response.
- M. Local attorney who represents landlords asked for template policy for landlords to handle reasonable accommodation requests. Provided.
- N. Caller said that she slowed down because a company truck was tailgating her. Driver of truck passed her and spat tobacco at her car. She believes he might have targeted her because she supports Joe Biden. She complained to company and was told by the owner that both she and the driver were at fault. Wanted to file a complaint with BHRC; not under BHRC jurisdiction.
- O. Email writer said he disclosed his arrest record to employer; got hired and then a few weeks later fired because of his arrest record; was told to reapply when the issue was resolved. Employer not in city or MCHRC limits; referred to ICRC.
- P. Caller said that a health care facility called the police on her daughter, who has mental health issues, instead of providing her care. Explained not an issue the BHRC can investigate; suggested she talk to a BPD social worker to explore other outcomes.
- Q. Caller said that men in her neighborhood bother her and make unwanted comments. She wants to be friendly but not that friendly. No evidence of violation of human rights ordinance. Discussed options, including setting boundaries, talking to her counselor about

her anxiety, talking to the resource officer at BPD, talking to her landlord about a transfer, etc.

- R. Caller said that she pays rent for her brother, who has a disability. Landlord charged a late fee when she paid the rent late for circumstances outside of her control. No evidence of discrimination on the basis of disability; late fee rule is enforced evenhandedly.
- S. Caller said he had been referred to McKinney by a friend. He had just been terminated from his employer for no cause. Caller's job was in Bloomington, Illinois; referred to BHRC in Bloomington, Illinois. Caller said that McKinney helped his friend and he was upset she would not investigate his complaint.
- T. Email writer said that his son had been hurt by an adult and that he was not happy with how the incident had been handled by law enforcement and child protection services. Not a BHRC issue; made referrals.
- U. Caller, a Black woman, said she rented office space and was not happy with maintenance. Also said that she feels disrespected by landlord's administrative staff because they use her first name. BHRC has no jurisdiction over business leases; referred to private attorney.
- V. Email writer said that he had applied for an apartment and had been told they had an apartment available. But when he said he had an eviction, the property manager said she had to deny his application. Not an issue under the jurisdiction of the BHRC; referred to Indiana Legal Services.
- W. Caller said that he feels his employer is monitoring his phone conversations when he is at work or outside of work, and that coworkers make comments to him based on his private conversations. Not within BHRC's jurisdiction. Tried to make referrals.

### III. **Publicity**

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals and organizations and distributed copies in City Hall.
- B. Updated Facebook page
- C. Updated BHRC web page
- D. Distributed press release soliciting nominations for human rights award

**IV. Networking/education**

- A. McKinney participated in meetings organizing 2022 Women's History Month events
- B. McKinney participated in CO•RE meetings, developing a web site to help people who know students who are being recruited by white nationalists
- C. McKinney participated in monthly ADA Indiana meetings
- D. McKinney participated in HUD's round table webinar, discussing fair housing
- E. McKinney attended webinar on celebrating national disability employment awareness month
- F. McKinney attended webinar on pursuing solutions to build racial equality
- G. McKinney attended EEOC question and answer webinar on fair employment

**V. Affirmative action/common wages/living wages/drug testing policies**

- A. McKinney reviewed and approved 55 affirmative action plans
- B. DeCriscio Bowe reviewed contractors' wage payments for Davis Bacon compliance

C. McKinney reviewed one drug-testing policy

**VI. ADA issues**

A. McKinney answered questions about accessibility issues at private properties and followed up when appropriate.

B. McKinney answered questions about emotional support and service animals in rental properties and in places of public accommodations.