

BLOOMINGTON HUMAN RIGHTS COMMISSION

Director's Quarterly Report

October – December 2022

I. Discrimination complaints

A. Pending from previous quarters

1. Commissioner Bangert's case
 - a. Woman filed complaint alleging discrimination in housing on the basis of disability in August, 2022
 - b. No probable cause finding issued in October, 2022; not appealed
2. Commissioner Haughton-Motley's case
 - a. Woman filed complaint alleging discrimination in employment on the basis of sex in August, 2022
 - b. Investigation pending
3. Commissioner Jackson's case
 - a. Woman filed complaint alleging discrimination in housing on the basis of disability in August, 2022
 - b. BHRC approved settlement in December, 2022; landlord agreed to waive fees and complainant withdrew complaint
4. Commissioner McAllister's case
 - a. Woman filed complaint alleging discrimination in public accommodations on the basis of disability
 - b. BHRC approved withdrawal of complaint for failure to cooperate in December, 2022

B. New complaint

1. Commissioner McAlister's case
 - a. Man filed complaint alleging discrimination in employment on the basis of sexual orientation in October, 2022
 - b. Investigation pending

C. Complaints filed with other jurisdictions – filed one complaint with EEOC only because of possible conflict of interest

II. Miscellaneous inquiries

- A. Woman filled out online intake form saying she could not find an apartment in Bloomington that she could afford and all she gets is "hateful excuses." Responded with referrals.
- B. Caller asked if the BHRC or anyone in the city or state could help her with addressing "gross human rights violations of a United Nations treaty." No, as far as we know; referred to law school, where someone might have expertise on issue.
- C. Caller said that his landlord had cancelled his month-to-month trailer lot lease without any reason. He believed a neighbor had complained about the many ambulances that have come to his trailer and that was the reason for the termination. Not within city limits; referred to MCHRC.
- D. Individual completed an online ADA complaint form to complain about the lack of a centralized way to complain about scooters blocking accessible paths. Replied with steps the City is taking to address this issue, including hiring people to monitor the scooters, and with information on how to complain. No response.
- E. Prospective City bidder said that his company did not want to submit an affirmative action plan to the City, but was willing to submit a statement affirming that it was in full compliance with applicable fair employment laws. He asked if that would be sufficient. Explained that we would have to find their affirmation to be unacceptable under our rules, and that the company would not be eligible to be awarded a City contract unless and until it successfully appealed the finding to the Contract Compliance Committee of the BHRC. He said that his company would likely not bid.
- F. Caller said that there is ugly graffiti on the property adjacent to his that he can see from his kitchen window. It's not racist or offensive, just ugly. He has complained to the property owner, a business, but they haven't removed it. He asked if the City had an ordinance against such graffiti; no; referred to public works to see if they had any suggestions.
- G. Woman said she asked her employer for a one-year leave of absence to be with her newborn. They denied her request and she wanted to file a complaint of pregnancy discrimination in employment. She said she knew of no other employee who had taken extended leaves of absence, but said this was common in Norway, where she is from. Told

her that no federal, Indiana, or Bloomington law required employer to grant her request.

- H. Caller said that after she complained to HAND about conditions in her apartment, landlord began eviction process for no legitimate reason. Referred to Housing & Eviction Resource Project and Indiana Legal Services.
- I. Caller said that factory near her house was even louder than usual lately, and it vibrates. She said it was a public health concern. Referred to Monroe County Health Department.
- J. Email writer said she was being threatened by a coworker because she is a transgender woman, and employer was not responding appropriately. Employer not subject to the jurisdiction of the BHRC or the MCHRC; referred to the ICRC or the EEOC.
- K. Caller said that the mother of his children had kidnapped their children and isn't allowing him to see them. Not a BHRC issue; referred to private attorney.
- L. Visitor to office said that she had gotten hurt at work and employer was not giving her a light duty job, even though they have work available. Employer not in Bloomington or Monroe County. Referred to workers' comp attorney.
- M. Email writer said that contractor in neighborhood was rude to Black neighbor but polite and respectful to white neighbor. Not a complaint for the BHRC; suggested contacting contractor's company.
- N. Caller said that employer was requiring him to provide medical statements for his FMLA request and he knew that was an illegal invasion of his privacy; explained that FMLA gives employers right to see some medical information. Caller cursed and hung up.
- O. Caller said that she had been denied assistance from her township trustee and had been told that McKinney could definitely help her. Explained not something BHRC can help with and asked which township; woman lives in Bloomington, Illinois; referred to local agency.
- P. Caller said that he and his wife work for same employer. At Christmas employee dinner, his boss's wife touched his elbow and his wife began crying and couldn't stop. His wife refused to leave the dinner. Boss suspended wife and is not cooperating with unemployment. Not in Bloomington or Monroe County; tried to make referrals.

III. Publicity

- A. Emailed monthly newsletter, Rights Stuff, to 100+ individuals and organizations and distributed copies in City Hall and Monroe County Public Library
- B. Updated BHRC Facebook page and web page
- C. McKinney interviewed by WFIU and by Deputy Mayor Don Griffin on Bloomington's eighth consecutive perfect score on the Human Rights Campaign's Municipal Equality Index

IV. Networking/education

- A. McKinney and Michael Shermis attended Election Board meeting to address possible ADA issue
- B. McKinney attended EEOC webinar on age discrimination
- C. McKinney attended webinar on advocating for people with disabilities
- D. McKinney attended HUD webinar on discrimination against people on Section 8
- E. McKinney attended meetings of the Disabilities Service Providers' Coalition
- F. McKinney attended council meeting considering the updated ADA transition plan; plan prepared and presented to council by Michael Shermis
- G. Radewan attended the Dec 9 2022 FHCCI Legal Seminar "Fair Housing & Disability Rights - What You Need to Know" and will put the materials in the google drive for reference.

V. Affirmative action, common wages/living wage/drug testing policies

- A. McKinney and Brittingham reviewed and approved approximately 35 affirmative action plans. McKinney found three plans to be unacceptable; two bidders successfully appealed her finding to the Contract Compliance Committee of the BHRC; third appeal will be held in January
- B. Sent out follow-up living wage certification letters to companies that have not yet complied with requirements

VI. ADA issues

- A. McKinney answered questions about accessibility issues at private properties and followed up when appropriate
- B. McKinney attended CCA meeting