

## **BLOOMINGTON HUMAN RIGHTS COMMISSION**

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

**July - September 2021**

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

- A. Pending from previous quarters – Commissioner Shadday’s case
  - 1. Complaint alleging discrimination in housing on the basis of disability filed in June, 2021
  - 2. Withdrawal pending
- B. New cases – no new cases

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

- A. Caller said she had a friend who wanted to sign up for BPD’s special needs registry. Provided information.
- B. Caller said he had a complaint against a city in northern Indiana. He said he has filed a complaint with the ICRC but they are not sure his complaint is valid. So he wanted to file a complaint with the BHRC as well. Explained he could not. Referred him to the EEOC; he said he has left messages but they have not called him back. Told him that we tried to return his call several times but always reached a “voicemail box” full message, and suggested he call EEOC back.
- C. Caller said he had been told by restaurant employee to not talk about religion in front of her. He did not want to file a complaint with the BHRC but had complained to corporate. Called back later and said he had been removed from food delivery service account, allegedly because of lawsuit he had filed. He thought BHRC had filed lawsuit; explained we had not and explained that he was not an employee of food delivery service, so he could not file a complaint with the BHRC. Discussed options with delivery service.
- D. Caller, an employer, said he wanted to conduct employee training and had secured a free meeting location in a religious building. One employee objected to meeting in this religious building. Advised that in general, employers had to provide accommodations for religious objections if doing so is not an

undue burden and suggested alternative meeting locations.

- E. Caller said that she had lost her appeal for unemployment benefits. She said she needed someone to represent her, but she didn't want to use Indiana Legal Services. Explained that BHRC could not represent her and made referrals.
- F. Caller said that he lived near a city park and that park's trees were overhanging his roof. Referred to Parks and Recreation.
- G. Caller said that she felt her landlord, not subject to BHRC jurisdiction, was discriminating against her on the basis of her race. Referred to Indiana Civil Rights Commission.
- H. Email writer asked for names of landlords in Bloomington who provide affordable rents for senior citizens. Not a BHRC issue; referred to HAND, South Central Community Action Program, Area 10, Bloomington Housing Authority. Writer emailed back, saying "Problem solved!"
- I. Caller said she had a conflict with a coworker at work and her employer believed the coworker. Caller was suspended for a week and her hours were reduced. No evidence of race, sex, etc., discrimination. She also believed her employer had violated HIPAA. Referred to Health and Human Services.
- J. Email writer, a pastor, said that member of congregation, a senior citizen, had huge increase in rent. He asked what the City could do to help to help prevent this person from becoming homeless. Made referrals; he soon sent another email saying "All resolved!!"
- K. Caller said that his employer was telling people who was and who was not vaccinated for COVID-19. He does not work in Monroe County. He asked if he should file a complaint with the EEOC; suggested he call the EEOC and see if they considered that a violation of federal law.
- L. Caller said she and two members of her family had been fired because of a domestic abuse situation that occurred at her home. She said she and her relatives were the victims in the

situation. Employer not in city limits; made referrals.

- M. Caller said that the sidewalk in front of his house was in violation of the ADA. He said he had been complaining about it for years but nothing was done. Referred to public works.
- N. Caller said he knew of a blind tenant who was about to be evicted for nonpayment of rent. Referred to Indiana Legal Services.
- O. Caller, a Black man with a disability, said he was treated badly by property manager. He was threatened with eviction for his conduct; he won his case and now they don't want to renew his lease. He had already filed a complaint with the Indiana Civil Rights Commission; can't file with both.
- P. Email writer, working with a group in a small town exploring the creation of a human rights commission, asked for information about training commissioners. Answered questions and referred to the Indiana Consortium of State and Local Human Rights Agencies' upcoming conference.
- Q. Email writer said that she had a relative with limited English proficiency who lives in Bloomington. He had storm damage to his house; the insurance company's contractor repaired it poorly and weeks later, has not corrected the errors. Both contractor and insurance company are outside of Bloomington, so referred to HUD and helped draft complaint.
- R. Woman said she wanted to file a Violence Against Women Act complaint against her landlord. She said she had signed a document about the VAWA when she signed the lease. Asked her if the document said with whom she should file a complaint; she got angry and said she was getting "nowhere with no one" and would hire a lawyer.
- S. Caller left a message saying she had moved her son into an apartment that day. She said that the apartment smelled like mold and was quite dirty. Called her back the next day; she had gotten the landlord to let her son out of the lease and had found him another apartment. She still wanted to report the landlord; gave her contact information for Housing and Neighborhood

## Development.

- T. Caller said she was calling on behalf of a veteran with a disability. She said the veteran's landlord had provided the veteran with a designated parking place near her door, but had not provided an access aisle, which the tenant needs. Explained how to complain internally and suggested the tenant call back if internal complaint was not successful. Later talked to veteran and to landlord and explained legal requirements.
- U. Caller said that she and her landlord had an agreement, approved by the courts, that she would move out of the apartment by a certain date. Three days before the date, she came home to find her locks changed and her apartment trashed. Not a BHRC matter; referred her to Indiana Legal Services.
- V. Woman left a message that was hard to hear, saying she had been referred to the BHRC. Tried to return her call for several days, but always reached a busy signal.
- W. Caller said she had been harassed ever since she bought a house on contract, including by the city where she lived. Not in Bloomington or Monroe County; referred to ICRC and/or HUD.
- X. Caller said that her roommate had committed fraud and caller was held responsible by landlord. Landlord not subject to Bloomington Human Rights Ordinance; referred to ICRC.
- Y. Caller said that he and his partner were losing their housing and he needed immediate help. Referred to Shalom, BHA and BPD social service worker.
- Z. Caller said that a friend, a member of a minority group, had been experiencing harassment by a neighbor. Harassment included parking in front of the friend's house and being loud in his yard when friend was having people over. No overt evidence of racism; referred to CJAM.
- AA. Caller said that a supervisor at work makes offensive comments. Decided to call back if manager does not properly address the problem as promised.

- BB. Caller said she had been unfairly fired from her job in central Indiana. She had told her supervisor that she was planning to return to school, and would need to work part time during part of her education. A week later, she was fired for making a minor mistake. No discrimination claim apparent. Referred to unemployment office and to private lawyer.
- CC. Email writer, an attorney, asked for sources for fair housing training for client, a landlord. Provided resources.
- DD. Caller said that he had a disability and landlord was not charging him the correct amount of rent. Also said that landlord had done renovations very poorly. He said he didn't think he was being treated badly because of his disability, but because landlord is a poor landlord. Referred to HAND, Bloomington Housing Authority and Indiana Legal Services.

### **III. Publicity**

- A. Emailed newsletter, Rights Stuff, to 100+ individuals and organizations, and distributed copies in Showers City Hall
- B. Updated Facebook page
- C. Updated BHRC web page
- D. BHRC participated in City of Bloomington's Reverse July 4<sup>th</sup> parade

### **IV. Networking/education**

- A. McKinney attended webinar on breastfeeding and employment
- B. McKinney attended meetings of the committee planning the 2022 women's history month celebration
- C. McKinney attended several webinars on the ADA, including on recent cases and the ADA and Long COVID-19
- D. McKinney participated in CCA's annual ADA anniversary celebration

- E. McKinney attended webinar on antisemitism and tools to defeat it
- F. McKinney participated in Bloomington United meetings designing a web page to help people who know people being targeted by white nationalists
- G. McKinney attended webinar on sexual harassment
- H. McKinney attended webinar on using artificial intelligence to evaluate resumes
- I. McKinney attended fair housing webinar
- J. McKinney attended Black History 101 Mobile Museum event
- K. McKinney attended webinar on hate crimes against Asian Americans

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

- A. McKinney reviewed and approved 33 affirmative action plans
- B. McKinney found one AAP to be unacceptable; bidder successfully appealed finding to the Contract Compliance Committee of the BHRC
- C. DeCriscio Bowe reviewed contractor's wage payments for Davis Bacon compliance
- D. McKinney reviewed two contractors' drug testing policy

**VI. ADA issues**

- A. McKinney answered questions about accessibility issues at city property and at private facilities.
- B. McKinney answered several questions from tenants and landlords about emotional support and service animals in rental properties.