

City of Milwaukee

EQUAL RIGHTS COMMISSION

Annual Report | 2017



Commissioners
Jeff Roman, Chair
Chez Ordonez, Vice-Chair
Mayhoua Moua
Tony Snell Rodriguez
Sheila Ashley

Director of Administration
Sharon Robinson

Equal Rights Specialist
Jessica Langill



The Honorable Tom Barrett
Mayor, City of Milwaukee

The Honorable Ashanti Hamilton
President, City of Milwaukee Common Council

Dear Mayor Barrett and President Hamilton,

For the past 6 years, I have served the ERC which is charged with fostering dialogue and activities to promote diversity and community cohesion. We have heard, analyzed, and worked hard to bring together and mobilize Milwaukee's diverse communities to increase accountability in city government, promote social and economic equity, and provide access to city programs, services, and information.

While this report outlines our work in 2017, I must take a moment to acknowledge the breath of work we've accomplished during my 6-year tenure which helped set the foundation for our successes to date. That work included securing resources to increase community awareness, education and engagement and strengthen the ERC's staff capacity; assessing city departments to ensure compliance with equal rights laws and promote best practices; and creating advocacy and partnerships to strengthen the City's Racial Equity and Inclusion efforts. This support led to hiring the city's first full time Equal Rights Specialist and other key positions in the Department of Administration, the development of Mayor Barrett's Community Engagement and Achievement Collaborative, and a significant increase in the city's Human Rights Campaign Municipal Equality Index rating.

While we've made significant impact, we recognize much more work is needed. We stand steadfast in our commitment to amplify and support the efforts that promote racial, social and equity for all city residents and help that achieve a Milwaukee where opportunity is abundant and accessible to all.

As I near the end of my term and step down as ERC chair in the coming weeks, I want to thank my fellow commissioners and thank you, the represented leadership of our city, for allowing us to serve the residents of Milwaukee. We do so faithfully and diligently. Our forward commitment is to continue creating the space where every citizen of Milwaukee can fully and authentically engage in our democracy and share their experiences and perspectives to realize the potential of our great city.

In service to Milwaukee,



Jeffery Roman
Chair, City of Milwaukee Equal Rights Commission

The Honorable Tom Barrett
Mayor, City of Milwaukee

The Honorable Ashanti Hamilton
President, City of Milwaukee Common Council

Dear Mayor Barrett and President Hamilton,

While it is my privilege as the Vice Chair to submit this annual report, I want to acknowledge the dedication of my fellow Equal Rights Commissioners, especially so during this past year. The Equal Rights Commission (ERC) has seen many changes in the last year, some vital to our core operations such as adding additional members to the Commission; successfully rewriting Chapter 109, the ERC's governing ordinance; conducting a national [peer city comparison](#); and creating a new strategic and operating plan, just to name a few.

The ERC has also had its challenges – such as lack of dedicated funding in order to proactively, and comprehensively, conduct much-needed community outreach and discrimination intake, and possible state legislation to remove local oversight of employment discrimination cases.

Nevertheless, we have remained steadfast in our charge to ensure people in Milwaukee are protected against discrimination while also creating listening sessions that foster equality and equity educational opportunities.

I am particularly pleased with the role the Commission played in raising awareness about the benefits of diversity and inclusiveness as well as in developing effective working relationships with key city department and external groups.

My vision for the ERC is to be a more engaged and impactful entity – and much more than just a regulator. We are very much committed to ensuring equality and justice prevails to those who have been discriminated, while also being a convener to our corporate and community constituents.

Throughout this year, we will continue exploring ways to make the discrimination complaint process easier, continuing to inform the community that we are a resource available to them, and building effective partnerships to make Milwaukee be a better place to live, work, and visit.

The advancement of equal rights and the principles of diversity, inclusiveness, and equality is an ongoing mission that requires concerted efforts. As mentioned, the peer city comparison that was conducted shows Milwaukee is positively leading in many areas – mainly due to expanding our protected classes, but falls greatly behind in allocating resources in order to ensure these protections.

We must work together to secure adequate and dedicated funding, and your renewed commitment to achieve greater transparency in city government.

Together, and for tomorrow, Milwaukee will be safer and more welcoming for all.

Sincerely,



Chez Ordoñez
Vice Chair, City of Milwaukee Equal Rights Commission

Background & Governing Ordinance

This annual report is being submitted on behalf of the City of Milwaukee Equal Rights Commission (ERC) for the activities carried out in 2017. The ERC is established by ordinance with the broad objective of providing oversight and establishing collaborative working relationships with other organizations in Milwaukee to improve the equal rights climate in the City of Milwaukee.

The ERC is empowered by Chapter 109 of the Milwaukee Code of Ordinances, making it responsible for monitoring the employment, contracting and program activities of the city; preparing timely reports to the Mayor and Common Council on efforts to promote equal rights and opportunities; promoting positive community relations; and eliminating discrimination and inequities in city government as a whole.

Additionally, the ERC has the jurisdiction to hear housing, employment, and public accommodation discrimination complaints, but the investigative and enforcement activities are limited to discriminatory practices not addressed within the jurisdiction of federal and state agencies. In instances where a complaint is received by the ERC and lacks standing in state or federal jurisdictions, the Commission has the authority to investigate and mediate the issue. The ERC may additionally request reports from city departments regarding their programs or activities that relate to equal rights and equal opportunity.

The ERC is now located within the Department of Administration and staffed by the Equal Rights Specialist. The five current Commissioners, expanded to nine under the new Chapter 109 rewrite, represent the diversity of Milwaukee and hold themselves accountable to all under-represented and under-served populations.

Timeline

In **1944**, the City of Milwaukee established a Mayor's Committee on Inter-Racial Relations. The Committee had the charge to examine community issues, make recommendations, and support policies that were inclusive to all Milwaukee citizens. Since 1944, the Committee has evolved (including at least five changes to the committee name) in both scope and responsibility. Over time, the Committee was given the latitude to develop policy recommendations related to equal opportunities in housing and employment beyond race and include gender, religion, national origin, ancestry, age, disabilities, lawful sources of income, marital status, sexual orientation or familial status.

In **1994**, the Committee was renamed the Equal Rights Commission (ERC) and became the initial point of contact for Milwaukee residents to file a concern or complaint regarding employment and housing discrimination issues. In **2007**, the City of Milwaukee Common Council increased the number of categories in the function of the ERC to include gender identity or expression, past or present membership in military service, and an individual's affiliation with, or perceived affiliation with any of the protected categories. A strategy session, facilitated by Mayor Tom Barrett in June of 2008, highlighted the need for the ERC to become re-vitalized and re-invigorated.

In **2009**, the City of Milwaukee adopted a new ERC model by shifting from a complaint investigation model to a model that relied on oversight and accountability activities, community collaboration and partnerships with private, non-profit and academic institutions for prevention, education and training purposes. This model recognized the importance of the city's role in promoting racial, social and economic equity.

Last year, with a renewed empowering ordinance and sense of community need, the Equal Rights Commission resumed a complaint investigation process model in conjunction with providing continued oversight and accountability activities, community collaboration, and partnerships.

In the Commission's steadfast mission for equity improvements, its goal and role is to work collaboratively with community organizations and individuals to advance fairness, dignity, and respect with the understanding that the ERC is ready to take action against those who abuse the rights of others, serving as a link between the public and city government. The information and advice that the ERC provides about community needs, concerns, and opinions can have a profound impact on city policies and lead to improved services for all residents.

We Act As:

A **driver for positive change**, enabling and encouraging improvement by bringing people together to produce solutions and by building capacity in diverse communities to help them effect change. Where appropriate, the Commission uses its investigative inquiry powers to explore systemic issues, gather evidence, and develop possible solutions.

An **educational and informational provider**, helping people understand their rights and responsibilities and improve compliance with the law.

An **equality and equity policy influencer**, using diverse expertise and insights, to influence appropriate public policy by hosting community listening sessions and presenting before key municipal and state committees and agencies.

An **evaluator**, monitoring the effectiveness of laws protecting individual's rights to equality and equity, and measuring progress within the city.

An **enforcer**, leveraging the Commission's empowering and governing ordinance as a set of strategic tools, it employs these responsibilities to protect the rights of people against serious and systemic abuses and to clarify equality rights within the law, alongside its efforts to help organizations comply with equal rights standards.

We do not see ourselves as being the "voice of the people," but rather envision this as a pathway for diverse communities and its members to be at the "table" and to have their voices heard. Community attendance and participation is strongly encouraged – with a section for community dialogue set as a standing agenda item for each meeting.

Currently, the ERC convenes as a full Commission every third Wednesday of the month at City Hall, with select committees on varying issues scheduled according to commissioner and community availabilities. Throughout 2017, the meetings and dialogue became more vibrant with as many as several dozen community members present. City employees, along with department/agency representatives were also present and very much engaged – fostering even further government and community trust and partnership opportunities.

In 2016, the Equal Rights Commission was transferred from the Department of Employee Relations (DER) to the Department of Administration (DOA). DOA staffs the Commission through a full-time Equal Rights Specialist and provides support to the Commission as necessary and appropriate to assist the Commission in fulfilling its mission and responsibilities.

Adjudicative

The ERC has the authority to receive complaints alleging violations of Chapter 109 of the Milwaukee Code of Ordinances and pursue remedies by means of mediation, conciliation, litigation or other appropriate means supported by findings of fact and conclusions of law. The ERC does not have jurisdiction over any complaint that sets forth or states any facts or allegations within jurisdiction of state or federal equal or civil rights agencies, including, but not limited to the U.S. Equal Employment Opportunity Commission or the Wisconsin Department of Workforce Development, regardless of whether the complainant has chosen to file with that agency.

In order to exercise this function, the Equal Rights Specialist would conduct an investigation to determine if there is probable cause to believe that Chapter 109 has been violated and if the ERC would have jurisdiction over the complaint. If the Equal Rights Specialist determines that there is probable cause to believe that a violation has occurred, and that the ERC has jurisdiction over the complaint, then the complaint would go before the commission to be considered for further action. Commissioners would serve on administrative hearing panels, comprised of three Commissioners appointed by the Chair, and would either determine to dismiss or accept the case for further action. This hearing panel is led by the Assistant City Attorney.

The ERC has the authority to remedy discrimination cases by awarding damages, recommending suspension or revocation of city licenses, issuing an order requiring the defendant to conform their conduct to Chapter 109, or by assisting parties in reaching an appropriate agreement. Decisions may be reviewed by the Milwaukee Municipal Court in those cases where the City Attorney attempts to enforce a forfeiture or order imposed by the Commission pursuant to Chapter 109.

Advisory

The ERC serves in an advisory capacity to the Mayor and Common Council. It has the capacity to recommend solutions and pass resolutions, but does not have final decision-making authority to set any city policy. The ERC shall monitor and review the equal rights climate within the city and make recommendations to the Mayor and Common Council to promote social and economic equity for all residents of the city. Chapter 109 provides for cooperation among city departments and the ERC, to also identify those programs and activities of the city that provide opportunities for the promotion of equal rights, to evaluate city efforts related to equal rights, to recognize accomplishments, and to develop recommendations for extending and improving equal rights and opportunities in city programs and activities.

The Department of Administration, with the cooperation of all departments, shall regularly provide the ERC with information of efforts and activities undertaken across city government to achieve the leadership objectives described in s. 109-1 to 3. This information shall from time to time identify programs and activities conducted by the city to promote equal rights and equal opportunity within city government including goals, challenges and strategies. The Department of Administration shall provide the commission with information about activities and accomplishments with respect to the requirements in s. 350-203. Upon request of the commission, other city departments, agencies and units shall report to the commission orally, in writing, or both.

Commission Structure



Listening Sessions

Dedicated to greater community involvement and making spaces for community voices to be heard, it was determined that the ERC must continue to build sound partnerships with community stakeholders – allowing for direct and easier access for the ERC, and its stakeholders and partners, on becoming apprised of city activities.

Through some of these partnerships such as with the Milwaukee LGBT Community Center, FORGE, and Independence First, the ERC hosted community listening sessions focused on varying topics such as transgender rights, disability rights, the possibility of an adaptable bike-share system within the City, better snow removal at curb cuts and on sidewalks, more accommodation trainings for landlords, and more.

Forty to eighty community members participated in each listening session. Community concerns included a need for increased penalties for discrimination based on gender identity and expression, city employee education on the subject of gender identity and expression, police training for engaging and understanding transgender individuals and a desire to host listening sessions with other city departments and officials.

Partnerships

Creating partnerships with several city departments and community organizations throughout the year helped to bring visibility to the ERC and assisted in raising awareness for important equity issues. Some of these partnerships have included:

- = Urban Economic Development Association (UEDA): Helped plan and coordinate their yearly summit, with a focus on economic and social inclusion in the disability community.
- = Milwaukee Police Department: Participated in the World Peace Day Celebration held at Sherman Park. Assisted in leading the community listening circles.
- = Milwaukee Police Department and Milwaukee LGBT Community Center: Assisted in the revision of Standard Operating Procedure 117-Interactions with Transgender, Intersex, and/or Gender Non-Conforming (TIGN) Persons.
- = City of Milwaukee Tobacco Free Alliance: The Equal Rights Specialist and Commissioner Snell serve on this committee.
- = Alderman Perez: Acted as a sponsor for Cesar Chavez Day
- = FORGE: Provided resources and participated in the Transgender Day of Remembrance event.

The ERC is strategizing how to further partner with entities including:

Internal City of Milwaukee Departments	External
City of Milwaukee's ADA Office,	Mexican Consulate
Office of African American Affairs	Metropolitan Milwaukee Fair Housing Council
Milwaukee Police Department	Equal Employment Opportunity Commission
Milwaukee Fire and Police Commission	Wisconsin Department of Workforce Development
Department of Public Works	
Community Coalition for Quality Policing	
City of Milwaukee's Intergovernmental Relations	

Accomplishments

Chapter 109 Equal Rights Ordinance Rewrite

In January 2017, the Equal Rights Commission moved to repeal and recreate the Chapter 109 Equal Rights Ordinance to add additional protected classes and to provide the Commission with expanded enforcement authority along with the ability to hear discrimination complaints. After collaborating with several community organizations, the commission advocated for the ordinance rewrite prepared by the city's Legislative Reference Bureau and City Attorney's Office, which unanimously passed the full Common Council in October. The new ordinance adds domestic partners; victims of domestic abuse or sexual assault; HIV status; gender expression; homeless individuals; and genetic identity to the existing list of protected persons. It was also expanded to provide public accommodation protections in addition to employment and housing.

Human Rights Campaign's Municipality Equality Index Score

The Human Rights Campaign Municipality Equality Index (HRC MEI) examines and rates LGBTQ inclusion in municipal laws, policies and services. Cities are rated based on non-discrimination laws, the municipality as an employer, municipal services, law enforcement and the city leadership's public position on equality. The HRC MEI provides valuable benchmarks to policy makers who want to make their local communities as welcoming and safe for LGBTQ residents as possible and is used as a reference when deciding on tourism/convention locations and where to move, study or work.

In past years, Milwaukee has scored low on the Human Rights Campaign's Municipality Equality Index. In 2017, the Equal Rights Commission managed the reporting process and worked closely with the Mayor's office, community organizations and the Milwaukee Police Department to raise the score. The Mayor's Office and Milwaukee Police Department saw the importance of appointing LGBTQ liaisons, adding several points to Milwaukee's score. The City of Milwaukee gained eighteen additional points in 2017, raising the final score from a 72 to a 90. The ERC plans to continue working with City departments to earn a score of 100 in 2018.

In 2018 the ERC will partner with the Mayor's Office, Common Council and other city departments to work toward all-inclusive bathrooms in city buildings, an ordinance to prohibit conversion therapy, and recruitment of and resources for LGBTQ city employees.

International Human Rights Day

In partnership with the Milwaukee County Human Rights Commission, the Equal Rights Commission hosted the first International Human Rights Day at City Hall on Friday, December 8th. Approximately 50 people attended the opening ceremony, which included speeches from Mayor Tom Barrett, Alderwoman Chantia Lewis, Consul Julian Adem (Mexican Consulate Milwaukee), ERC Commissioners, Officer Joshua Post, Shelley Gregory (Milwaukee LGBT Community Center) as well as a Korean drum performance.

Several local community organizations, representing a diverse group of communities and protected classes, staffed the resource tables and provided information and resources to event attendees and other individuals walking through City Hall.

The closing ceremony included an award presentation with City and County recipients. The ERC awarded an individual, non-profit and business Equality Award to three deserving recipients. Adam Wickersham was awarded for his behind-the-scenes work with both the City ID and the Equal Rights Ordinance, Children's Hospital of Wisconsin was awarded for promoting fair and diverse hiring, and Independence *First* was recognized for promoting human and civil rights for all people.

The Equal Rights Commission received a Mayoral Proclamation designating December 10, 2017 as International Human Rights Day in the City of Milwaukee.

At the Forefront and in the Future

At the **forefront** of ERC-related issues, the Commission continues to listen and work on fostering ongoing, transparent dialogue between the Department of Public Works, the City of Milwaukee ADA Coordinator, the Bike and Pedestrian Task Force and disability advocates. There is a strong push from the community to bring adaptive bikes to Milwaukee's bike share program, allowing equal access for all who visit, live, and work in the city.

The ERC's strategic planning for the **future** of Milwaukee, and the Commission's efficacy hinges on our continued endeavor to build vital partnerships that provide the support and capacity required to administer discrimination complaints, while also strongly urging the Mayor and Common Council to consider allocating essential resources to support the work of the Commission and advance equity and equality for all.

The Equal Rights Commission will continue to host listening sessions and begin offering "Know Your Rights" Training sessions and provide educational resources at community events.

Commissioners and the Equal Rights Specialist will also continue to network and attend training events and workshops regarding equal rights issues relevant to the city.

The ERC is inspired by and driven to work more closely with local organizations that serve diverse communities, the Mayor, Common Council, U.S. Equal Employment Opportunity Commission, the State of Wisconsin Equal Rights Division, the Milwaukee Metropolitan Fair Housing Council, and so many more who are willing to help drive positive change within Milwaukee.

"The most dangerous phrase in the English language is 'we've always done it this way'."

-Grace Hopper



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