

# Civil Rights Reporter

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#### Mission Statement

Our mission is to reduce discrimination in employment and housing through education and enforcement of state and federal laws.

#### Vision

Our vision is to help create an environment in which citizens of the State of Texas may pursue and enjoy the benefits of employment and housing that are free from discrimination.

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Civil Rights Division

**Director**  
Bryan Snoddy

**Editor**  
Jeff Riddle

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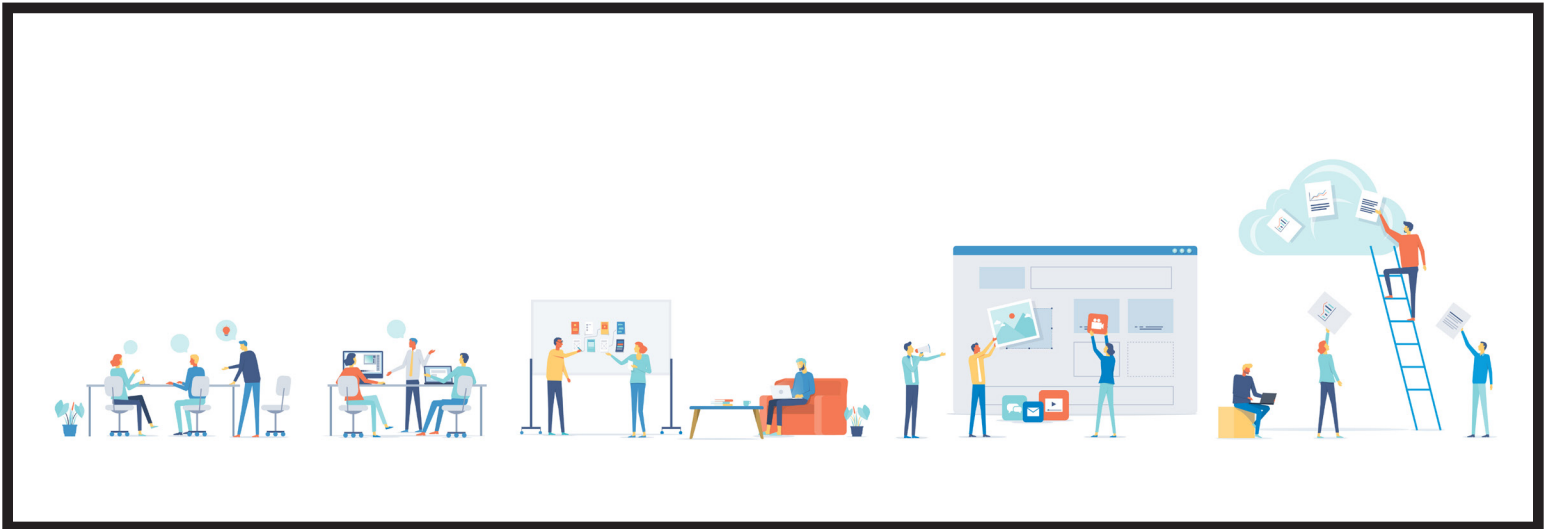
# Putting the Customer First

**Robert Gonzalez**  
Employment Manager

During the last quarter of this fiscal year, the Employment section engaged in an internal hackathon. Rodin’s Thinker, the famous statue, has been trying to come up with a good idea since 1904 but we didn’t want to take that long to think up something good. The problem presented to the department zeroed in on customer service. The entire department was separated into three groups to each identify an issue, imagine a solution, and then develop it into something actionable. Of course, the teams had to present their solutions to their peers and Executive Staff. Each team had three months to work, and it is clear they took full advantage of the time.

Every person took to the project with enthusiasm and following the final presentations, we were able to adopt almost all the great ideas that were presented. This result speaks very well to the thought and care staff put into trying to improve our customer service. The Civil Rights Division (CRD) has three core principles that we use to guide our actions and empower staff to contribute toward our shared legacy. They are to give comprehensive customer service, practice critical thinking and analysis, and be courteously assertive and proactive. We genuinely take these core principles to heart, and they are a living part of the culture at CRD.

It was remarkable to have so many talented folks working hard together on a singular purpose. I am aware that I am a bit like Charlotte, writing affirmations in her web for the world to see; the CRD is serious about customer service, and we keep working to authentically contribute to our mission and affirm the promise we make to each of our customers. While the nuts and bolts of the improvements we developed as a team might not make much sense outside of our office, the results certainly can. You can rely on increased access to information through outreach and education, and improved clarity through key updates to some forms and customer communication.



# When Life Gives You Lemons, Do You Still Have to Eat the Lemon Bar?

Brittany Sherwood, ADR Coordinator

You might be wondering what this title has to do with the Texas Conference for Employers. It caught your attention, didn't it? Well, it had to do with an experience my coworker and I had that we laughed about later but relayed a good principle. First, I will start by saying the Texas Conference for Employers held in San Marcos, Texas was informative and fun. This conference, hosted by the Office of the Commissioner Representing Employers, holds seminars for employers regarding state and federal employment laws. There were many attending who stopped by the Civil Rights Division's booth to learn about the Equal Employment Opportunity trainings we offer and to try their hand at listing four of the seven employment discrimination protected classes under Title VII. A few came back to try again to win the coveted blue TWC mug and eagerly spieled out their answers.

This was education and outreach in action, and my coworkers and I enjoyed getting to meet everyone who visited our booth. What we did not expect was for someone to stop by to give my coworker a lemon bar simply because they realized she is blind. This was a very nice gesture, but this individual did not offer a lemon bar to us non-vision impaired folks at our booth. My coworker has many stories about worse and similar situations happening to her, but I am sure she felt uncomfortable being singled out simply because she has a disability. The funny thing is that my coworker is not fond of lemons by the way, so I ended up eating it instead. What is the point of this story? Do not treat someone differently or give them special treatment just because they have a disability. They may happen to not like lemons.



# National Disability Employment Awareness Month

Faith Penn, Sr. Employment Discrimination Mediator

National Disability Employment Awareness Month (NDEAM), not to be confused with National Disability Awareness Month (NDAM), is an observance recognized and celebrated in October. This campaign celebrates the contributions of America's workers with disabilities past and present and showcases diverse, supportive, equal, inclusive employment policies and practices. Many Americans acknowledge NDEAM by honoring the accomplishments of those men and women with disabilities whose labor assists in keeping the economy strong and by reaffirming their commitment to guarantee equal opportunity for all citizens.

According to the Library of Congress, this effort to educate the public about issues related to disability and employment began in 1945, when Congress enacted Public Law 176, declaring the first week of October annually as National Employ the Physically Handicapped Week. In 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities. Roughly 25 years later, Congress expanded the week to a full month and changed the name to "National Disability Employment Awareness Month".

National Disability Employment Awareness Month is led by the U.S. Department of Labor's Office of Disability Employment Policy (DOL-ODEP). Some may argue that since October 15th is White Cane Safety Day, October is a fitting month to educate about disability related employment issues and celebrate the numerous and wide-ranging contributions of America's workers with disabilities. According to DOL-ODEP, the 2022 NDEAM theme is "Disability: Part of the Equity Equation."

The Campaign for Disability Employment encourages organizations, businesses, and companies of all sizes and in all industries to participate. Texas celebrates NDEAM each October with job fairs, public awareness events and activities, and a statewide Hire Ability (#HireAbility) campaign to provide and promote employment opportunities for disabled Texans. For ideas on how to support NDEAM, visit [www.dol.gov/ndeam](http://www.dol.gov/ndeam).



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## DIRECTOR'S CORNER

### GRACE

# Bridging Hopes and Dreams into Achievement

BRYAN SNODDY - DIVISION DIRECTOR

It was a typical Sunday morning, and the pastor began to speak. This Sunday was unique, however, as he informed the congregation about dealing with frustration in life. That gap which exists and is created by the difference between expectations and reality that we all know – the frustration gap. Many will face such challenges at times in their lives, but perhaps, no group must feel it so deeply as those individuals needing a second chance from involvement with the justice system.

You see, my friends, I had the opportunity to speak to a few folks at the invitation of TWC Commissioner Julian Alvarez about how we can help them cross that rubicon at the GRACE (Growth through Reentry to Advance Careers & Employment) Conference. Grace is denoted as the simple elegance or effortless movement, but the more apropos connotation here is one that I often heard in church as unmerited level of favor from on high.

The advantages bestowed upon me by happenstance, fate or divine will are too numerous to recall in this short missive. What I do know is that I am not perfect. I am as flawed as the next individual, and somehow, I just never got caught up in the system from which extraction is terribly difficult. And the proof is in the stories that are told where one fateful decision derides a lifetime of promise, hope and accomplishment. We all know of the star athlete, promising student or highly respected doctor or lawyer where life shifted sideways.

Also, we know that there are associations that can come

with diverse individuals of lower socioeconomic status. To be plain, there is a disproportionate percentage of the minority population residing within jails and prisons that are from poor inner cities and communities. For some, they made bad choices and others, they became overwhelmed by their circumstances and environment.

What is common for every person that chooses to further their life and gainfully reenter society is the struggle to find and maintain housing and employment opportunities. The CRD has the great task of ensuring that those already disadvantaged as a second chance individual are not also hamstrung by discrimination through association and a past which they cannot shed. The law protects individuals against disparate treatment where some policies can seem facially neutral but promote a differential effect.

To combat such effects, the CRD has been and will continue to be very active in providing training and technical assistance for fair housing providers and councils and directly to employers. These efforts that provide pathways to rehabilitate will result in lower levels of recidivism, greater opportunity for those wishing to re-energize their lives and achieve a society worthy of the grace that has been bestowed upon all of us. People may make mistakes, but we are not our mistakes. When we dehumanize individuals, it is a great sacrifice where we all lose on the innate and amazing value of being humans with the special capacity for forgiveness, love and grace.



## GRACE Conference

*Growth through Reentry to Advance Careers & Employment*



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# White Cane Day

Faith N. Penn, Sr. Employment Discrimination Mediator

Have you ever wondered what those white pole-like objects are that some individuals who are blind use when walking? Well, my friends, I am here to explain to you that those white pole-like things have a proper name, and they are called “white canes;” they have been used as a symbol of independence in the blind community since 1964.

Individuals who are blind and vision impaired use their sense of hearing and touch to navigate, explore, and understand the world. The white cane is a tool that provides them an opportunity to evaluate the situation and navigate quickly and confidently. It also allows them to avoid obstacles, find steps and curbs, locate and step over uneven places and puddles, find doorways, navigate in and out of vehicles and so much more.

If you see a person who is blind using a white cane, remember the cane is a tool used to allow them to navigate their surroundings safely and independently. It is not necessary to shout warnings or try to physically steer, grab, or pull to ensure the cane does not hit or bump into things; that is what it is used for. Remember that blind and vision impaired folks are using their canes to explore their current environment. If help or directions are needed, they will ask. In situations where you are driving and see a person using a white cane, please stop and give that person the right of way as the law dictates.

In some instances, you may notice an individual who is blind or vision impaired using a dog guide -- There are some people who choose to use a dog guide rather than a white cane. This is their choice, and they should be treated the same as any other blind or vision impaired person.

White Cane Safety Day is on October 15 of each year. President Johnson initiated this day in 1964 to educate and acknowledge the abilities of people who are blind or vision impaired and to promote independence, equality, inclusion, and diversity throughout the U.S. If you have never attended a White Cane Day celebration, I would encourage you to partake in the festivities. The Texas School for the Blind and Visually Impaired (TSBVI) has been hosting a White Cane Day celebration for the last few years. This year, the White Cane Day celebration was hosted by the Texas School for the Blind and Visually Impaired on October 12. You can also find more information about White Cane Day at [whitecaneday.org](http://whitecaneday.org).

# Quality Assurance and Compliance Specialist in a Fair Housing Assistance Program

Patrick Williams, Housing Manager

In November of 2019, the Civil Rights Division Fair Housing Team restructured, adding an intake department and a Quality Assurance Specialist (QACS). I want to highlight the importance of having a QACS in a Fair Housing Assistance Program (FHAP). The primary responsibilities of the QACS are to assist the FHAP Manager with improving the quality of complaints closed and to improve the customer service experience. Simultaneously, they conduct audits of intake operations, monitor the completion of 100-day letters, monitor the compliance of conciliation agreements and to implement a process that focuses on the review of cases aged 100 days or longer, along with audits that ensure the timely submission of closure packets to HUD. Additionally, the QACS reviews all conciliation agreements, ensuring Public Interest Relief is included in applicable, and when time permits, assist supervisors of investigation with the review of the Housing Enforcement Management System (HEMS) prior to complaints being closed.

I'm fully aware that most FHAPs don't have the resources for a QACS but for the organizations that do, it is highly recommended. Since joining the Civil Rights Division (CRD) in December 2019, the position had just been established but the duties had not been clearly defined. Helping to clarify the QACS duties was one of my primary responsibilities when I was hired on as a manager.

As a former Army Military Police Officer, I had vast experience in management, training, and oversight of investigations, but fair housing was new territory. Being a fish out of water, the QACS provided me the time and space to learn the technical aspects of my job. It was also advantageous to have someone that took the time to train and mentor me about fair housing. If you are going to have a QACS, I would recommend someone with vast experience in fair housing. In CRD's case, the QACS had over nine years of experience as an investigator and supervisor.

I was also fortunate to have experienced supervisors within the section that assisted with my understanding of fair housing. I had the opportunity to take my time to learn my job, understand my role and how best to use experience to help the team.

The QACS provided fair housing the capacity to assist with oversight of many of tasks required by supervisors of investigations, saving time and resources. This allowed supervisors the necessary time to focus on training, coaching, and mentoring investigators. Within a few months, this resulted in a closure of more complaints and a decrease in the number of days to close a complaint. At the same time, the number of closed complaints rejected by HUD were also reduced dramatically due to a better-quality check of case paperwork.

The most significant impact was in customer service. Having a QACS, fair housing was able to institute a monthly aged case review for investigations open 100 days

or longer along with a conciliation agreement compliance review. These reviews provided management the visibility to ensure aged cases were receiving the necessary attention. This resulted in a reduction in the number of cases aged 100 days or longer. Likewise, the review of non-compliance of conciliation agreements has also decreased, ensuring more customers received the relief agreed to in agreements.

As I close out, having a QACS in a FHAP has enabled the leadership team in fair housing to better see ourselves. Having the visibility to see both negative and positive trends early, we had a good feel for what has been working and what has not, and when it is necessary take the appropriate actions before something becomes an issue. The QACS has done an exceptional job accomplishing his primary responsibilities.





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## Let's Work Together for Fair Housing

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Ellena E. Rodriguez  
Outreach, Compliance & Resolutions Manager

The National Faith Housing Training Academy (NFHTA) is the Nation's premier initiative focused squarely on building the knowledge, skills, and capacity of the U.S. Department of Housing and Urban Development's (HUD) Fair Housing Initiative Program (FHIP) and Fair Housing Assistance Program (FHAP) partners.

The past year, I've had the honor to be engaged as a volunteer with NFHTA to serve as a new and secondary instructor and faculty member representing the state of Texas. The role not only included course delivery, but also as an ambassador through various engagements and specific assignments involving course and supplemental materials development, as well as developing and or reviewing content with HUD Fair Housing leadership on departmental priorities and expectations.

NFHTA 2022 Year in Review (FY2022 | October 2021 – July 2022) Participant engagement included 170 instructional hours forums and courses combined. 10,000+ NFHTA subscribers, 298 LinkedIn followers since August 2021 launch and 58,500+ visits to the NFHTA website. Forums specifically, the NFHTA team conducted 8 two-hour forums consisting of 6,530 forum attendees and 4 Fair Housing For All: Academy video podcast series episodes. Additionally, NFHTA conducted 13 total four-day courses, such as Basics of Fair Housing, Fundamentals of FHAP Investigation, Fundamentals of Intake, and Litigating Fair Housing Cases, totaling 581 course attendees.

Presently, the NFHTA (including Technical Assistance (TA) providers) team is reviewing current courses and courses under development specifically based on needs assessments and common themes arising

from FHIP/FHAP partners from across the nation. I want to hear from you, Texas FHIP/FHAP partners, as NFHTA prepares for Fiscal Year 2023.

What are your priority topics that may be used or incorporated? For example, a topic may be incorporated into a course, the focus of a Forum or the basis for a Fact Sheet, the development of new courses and or existing course enhancement(s).

I want to work collaboratively with you to optimize language, ensure your representation, to validate and or enhance proposed course topics, increase engagement to drive and maintain participation of topics that matter to you, Texas FHIP/FHAPs.

Email: [ellena.rodriquez@twc.texas.gov](mailto:ellena.rodriquez@twc.texas.gov)



## CIVIL RIGHTS MATTERS

# Civil Rights Division Hitting the Road

As Johnny Cash sang,  
“I’ve been everywhere man,  
I’ve been everywhere, man  
Crossed the deserts bare, man  
I’ve breathed the mountain air, man  
Of travel I’ve had my share, man  
I’ve been everywhere”

We in the Civil Rights Division have been living this ramblin lifestyle over the course of this year. As much as I would like to say I’ve been everywhere I can’t quite hold that honor (looking at you El Paso), but I have made it around the state over the past few months. I have meet and talked with people in two border towns, Laredo and Denison. Went from the piney woods city of Beaumont to Abilene, a gateway to the west. There have also been trips around the major metropolitan hubs of DFW, Austin, Houston, and San Antonio.

As the state continues to move to pre-pandemic times, so to will the Division and I make our way around the state conducting outreach events, training sessions for employers and housing providers, and reviews of state agencies.

I wanted to keep my editorial short and sweet so I can showcase some of the pictures we have taken along the way. Enjoy.



## RESOURCES

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# AUSTIN TENANTS COUNCIL FAIR HOUSING PROGRAM

Austin Tenants Council is a non-profit organization that helps individuals facing housing issues. Our organization believes that “everyone has a right to safe, decent, and fair housing.” Therefore, ATC’s Fair Housing Program works with individuals who experience housing discrimination when renting or buying property. Additionally, we help people with disability that need to submit a reasonable accommodation or modification request to their landlord.

The Austin community receives guidance from our trained Specialists on filing discrimination complaints with the Department of Housing and Urban Development (“HUD”) and submitting proposals for reasonable accommodation or modification to a landlord. The Fair Housing Program also works with volunteer testers who want to make a difference in our community. Volunteer Testers work with our FH Testing Department to ensure fair housing in our community. One of the benefits of being part of our volunteer testing program is that you receive a stipend for being a tester.

For more information regarding filing a discrimination complaint or submitting a request for reasonable accommodation or modification, please call 512-474-1961 or email [judith@housing-rights.org](mailto:judith@housing-rights.org)

For information on how to become a tester volunteer, please email [Giovanni@housing-rights.org](mailto:Giovanni@housing-rights.org).



## EEO VIOLATIONS

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GREENSBORO, N.C. – Bojangles’ Restaurants, Inc., a Delaware corporation operating in Greensboro, North Carolina, violated federal law when it subjected a female employee to a sexually hostile work environment and then retaliated against her for complaining about it.

NEW ORLEANS – Eagle Marine Services Electrical & Refrigeration, LLC, a marine services company based in Berwick, Louisiana, violated federal law when it refused to hire or accommodate a worker because he used medication prescribed by his doctor to treat attention deficit hyperactivity disorder (“ADHD”).

BATON ROUGE, La. – Affordable Rent-to-Own, LLC, doing business as Affordable Home Furnishings, a furniture retailer and lessor in Baton Rouge, Louisiana, violated federal law when it subjected an African American manager-in-training to a hostile work environment and then discharged him in retaliation when he reported it.

ALEXANDRIA, La. – Walgreens Co., a pharmacy and retailer, violated federal law when it refused to allow a pregnant worker with disabilities to take emergency leave to seek medical attention, forcing her to quit.

## EVENTS

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### RESOLUTIONS Q&A

Ever wondered what Mediation or Conciliation is, or what it would take to resolve an issue or complaint without having to go through court? Come join us for the Texas Workforce Commission-Civil Rights Division (TWCCRD) Live Mediation/Conciliation Q&A. Brought to you by the Resolutions Team of the Outreach, Compliance and Resolutions (OCR) Unit.

In this monthly session, you will be able to ask questions regarding Mediations/Conciliations, find out information regarding common resolutions for filed complaints, steps leading up to your complaint being scheduled for a Mediation/Conciliation session with one of our experienced Mediators/Conciliators, and much much more!

What: Live Mediation/Conciliation Q&A. Brought to you by OCR.

When: February 14, 2022/March 14, 2022/April 11, 2022

Where: From the comfort of your own home---Webinar

Time: 11:00 - 12:00 (CST)

So come on, take control of your case. Let us help you prepare for your scheduled Mediation/Conciliation session!

<https://forms.office.com/g/XvBdHiP3Uz>

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### FAIR HOUSING TRAINING

Join us on every first and third Tuesday from 10:00 - 11:00 (CST) where we discuss Fair Housing and Housing Accommodations. This is a great webinar for those interested in their rights or those that manage or own properties. Did we mention it is free! Register Here. <https://forms.office.com/g/ZBm7gtJLjg>

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### EQUAL EMPLOYMENT TRAINING

Are you a private employer looking to develop your company on the basics of Equal Employment Opportunity or for a better understanding of how to prevent sexual harassment in the workplace. The Civil Rights Division's Training team can help. We offer numerous EEO training presentations or can tailor training to your needs. Reach out to our training team at [CRDTraining@twc.texas.gov](mailto:CRDTraining@twc.texas.gov) to discuss are low-cost options for your company or complete our form found here. <https://forms.office.com/g/2hRSC8xqVU>

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# This

October 2, 1967 – Thurgood Marshall became the first African American Justice of the Supreme Court. During his tenure he was known for opposing discrimination and supporting civil liberties.

October 3, 1974 – Frank Robinson became the first African American manager of a major league team, the Cleveland Indians.

October 14, 1964 – Martin Luther King, Jr. received the Nobel Peace Prize and donated the prize money, \$54,000, to the Civil Rights movement.

November 1, 1848 – Samuel Gregory opens the first medical school for women in Boston, the Boston Female Medical School. It later merged with the Boston University School of Medicine.

November 14, 1889 – Nellie Bly depart New York on around the world trip to beat Jules Verne's hero Phileas Fogg's record of 80 days. She completed it in 72 days.

November 26, 1832 – Happy Birthday to Mary Edwards Walker, who was the first female surgeon in the US Army having served during the Civil War. She is the only woman to have received the Medal of Honor.

December 1, 1955 – Rosa Parks was arrested for not giving up her seat and moving to the back of the bus, thus sparking what back as the Civil Rights Movement.

December 10, 1948 – The Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations.

December 12, 1870 – Joseph Hayne Rainey became the first African American to serve in the US House of Representatives, filling a seat for South Carolina that had been declared vacant. He served for nine years.

# Time in History

