



DFEH

2008 ANNUAL REPORT

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING
State of California . State and Consumer Services Agency
2218 Kausen Drive . Suite 100 . Elk Grove . CA 95758
916.478.7251 . www.dfeh.ca.gov

The Department of Fair Employment and Housing's mission is to protect Californians from employment, housing and public accommodation discrimination, and hate violence.

FAIR EMPLOYMENT & HOUSING ACT

Discrimination
Harassment
Retaliation

Employment

Age
Ancestry
Color
Disability
Family Leave
Marital Status
Medical Condition
National Origin
Race
Religion
Sex
Sexual Orientation

Housing

Ancestry
Color
Disability
Familial Status
Marital Status
National Origin
Race
Religion
Sex
Sexual Orientation
Source of Income

UNRUH CIVIL RIGHTS ACT

Public Accommodations

Age
Ancestry
Color
Disability
National Origin
Race
Religion
Sex
Sexual Orientation

RALPH CIVIL RIGHTS ACT

Hate Violence

Age
Ancestry
Color
Disability
National Origin
Political Affiliation
Position in a Labor Dispute
Race
Religion
Sex
Sexual Orientation

Introduction

Pursuant to Government Code section 12930, subdivision (k), the California Department of Fair Employment and Housing (DFEH or Department), California's civil rights agency, submits its Annual Report for calendar year 2008 to the Governor and the Legislature.

The mission of the DFEH is to protect Californians from employment, housing and public accommodation discrimination, and hate violence. The Department enforces the Fair Employment and Housing Act (FEHA), Unruh Civil Rights Act, and Ralph Civil Rights Act.

The DFEH's jurisdiction extends to individuals, private or public entities, housing providers, and business establishments within the State of California. The Department investigates, conciliates and prosecutes discrimination complaints.

Goals

In 2008, the DFEH established the following goals:

- > **Improve Delivery of Public Service**
- > **Vigorously Enforce the Law**
- > **Expand Educational Outreach**
- > **Provide Civil Rights Leadership**



Achievement 1: Improve Delivery of Public Service

Automated Appointment System

- > **Using available technology, the Department has improved its efficiency and effectiveness in serving the public by automating an online appointment system, saving Californians time and the State's expense on telephone calls. <http://www.dfeh.ca.gov/onlineAppt/>**

Automated Right-to-Sue System

- > **The DFEH established an automated right-to-sue system for persons who are already represented by counsel and/or wish to proceed directly to civil court. Important to complainants, the system explains the administrative consequences of electing private action. <http://www.dfeh.ca.gov/onlinerts/>**

Telephone Intake

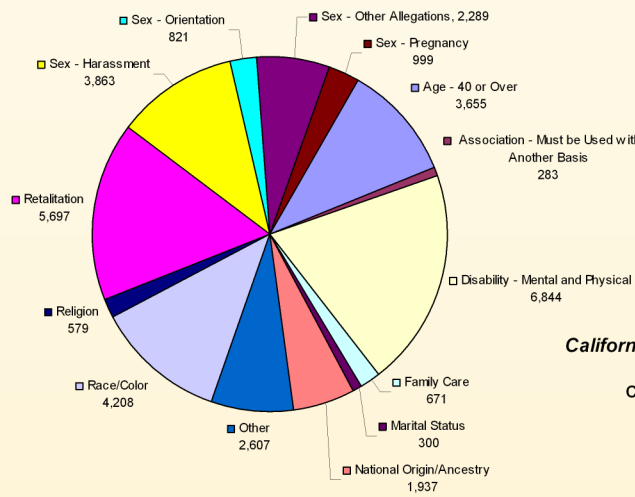
- > **To save on complainants' time and travel expenses, and to expedite intake processing, the Department developed a pilot project to conduct telephone rather than in-person intakes.**

Achievement 2: Vigorously Enforce the Law

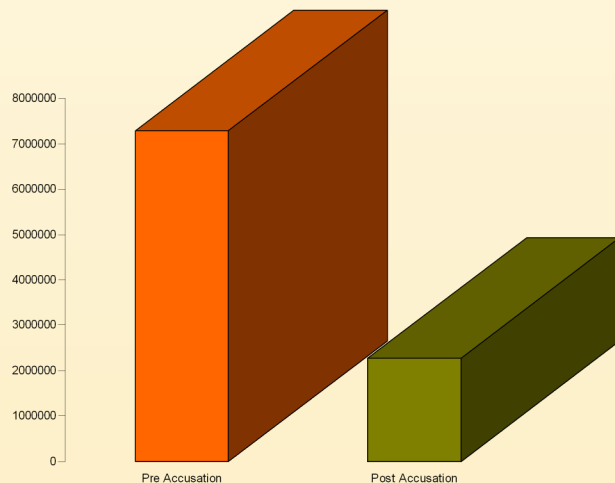
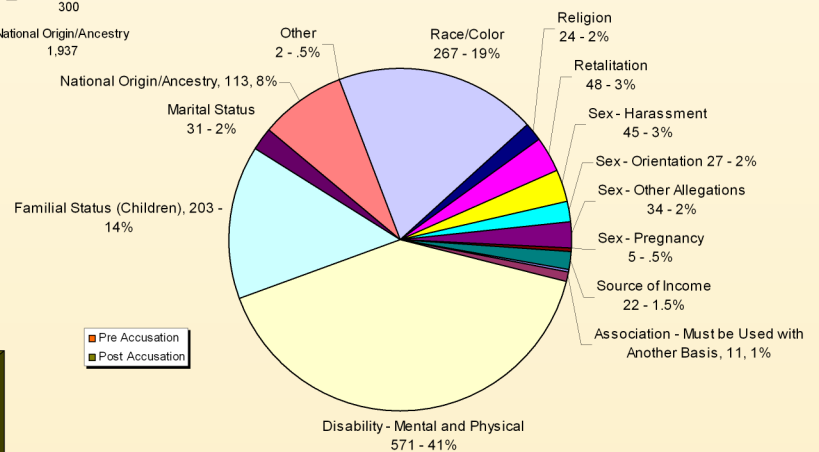
Greater Productivity and Significant Results

- > The DFEH received over 20,000 complaints in 2008, approximately 3,000 more than in 2007.
- > Prosecutions increased by 28 percent from the last six months of 2007 to the last six months of 2008.
- > Post-accusation settlements increased by 18 percent over the same period.
- > Over \$9.5 million plus affirmative relief were settled out of court in 960 cases, including a \$618,000 class action involving familial status discrimination in housing. The average pre-accusation case settled for over \$8,000 and the average post-accusation case settled for nearly \$40,000. See press releases of DFEH settlements and judgments at <http://www.dfeh.ca.gov/DFEH/Announcements/pressReleases.aspx>.

California Department of Fair Employment and Housing
 Calendar Year: 2008
 Cases Filed: by Bases (18,785 Employment Cases)



California Department of Fair Employment and Housing
 Calendar Year: 2008
 Cases Filed: by Bases* (1,131 Housing Cases)



2008 Settlements
 (in millions of dollars)

New Enforcement Initiatives

- > **Special Investigations Unit:** The DFEH established a unit to investigate systemic discrimination.
- > **Director's Complaints:** Using its statutory authority to issue Director's complaints, the Department focused on high impact and/or under served cases.
- > **Class Complaints:** The DFEH merged multiple complaints into class complaints to maximize efficiency and effectiveness and to minimize duplication.
- > **Collaboration with Other Agencies:** The Department collaborated with other State and federal agencies to share resources and limit duplication.

Achievement 3: Expand Educational Outreach

Active Outreach and Technical Assistance

- > The DFEH outreached and provided technical assistance to communities statewide. In 2008, Director Phyllis Cheng made 44 keynote and panel presentations; and the DFEH staff made another 40 presentations to: civil and human rights organizations; employee and employer groups; tenant and landlord representatives; plaintiffs' and defense bars; the private and public sectors; and all stakeholders in our diverse state.



Innovative Equal Rights 101 Campaign for Youth Outreach

- > Under grants from the EEOC and the State Bar Labor & Employment Law Section, and using DFEH staff as writers and actors, with the assistance of the Department of General Services' Video Multimedia Center, DFEH produced its acclaimed "Equal Rights 101" videos and a special Web site to outreach to young people about their rights and responsibilities in the workplace. Topics include pregnancy discrimination, pre-employment inquiries, reasonable accommodation, and sexual harassment. The videos received 4.5 out of 5 stars on YouTube and received over 3,500 hits. See <http://www.youtube.com/califdfeh> or <http://www.dfeh.ca.gov/equalrights101/> .

Achievement 4: Provide Civil Rights Leadership

Civil Rights and Public Policy Advancement

- > **FEHA 50th Anniversary:** The Department made year-long plans to collaborate with stakeholders to celebrate the FEHA 50th anniversary in 2009.
- > **UCLA-RAND Study:** The DFEH is working with the UCLA-RAND Center for Law and Public Policy to conduct a 2009 policy study of what the FEHA has achieved, what it has not yet achieved, and where the law should be headed in the future.
- > **New State Bar Fair Housing and Public Accommodations Subsection:** Director Phyllis Cheng spearheaded the formation of the first entity at the State Bar devoted to fair housing and public accommodations and to train attorneys about this important practice.

