

**ANNUAL REPORT
OF THE
CALIFORNIA DEPARTMENT
OF
FAIR EMPLOYMENT AND HOUSING
1982-83**



State & Consumer Services Agency
Shirley Chilton, *Secretary*

Department of Fair Employment & Housing
Mark Guerra, *Director*

George Deukmejian
Governor



ANNUAL REPORT

FISCAL YEAR 1982-83

**CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING**

PREPARED BY OFFICE OF PUBLIC INFORMATION AND EDUCATION

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MESSAGE FROM THE DIRECTOR

These are especially exciting times for the California Department of Fair Employment and Housing because we are expanding our educational impact on the community. We remain strongly committed to enforcing the Fair Employment and Housing Act by means of individual complaints, Director's Complaints and other legal avenues.

But, in addition to those proven methods for addressing discrimination problems, we are significantly expanding our educational outreach to employers, property managers, service providers and the general public. It has been demonstrated time and again that communication and education can be effective in changing attitudes and practices. Positive things happen when people really hear each other.

With that in mind, we are developing new programs and strengthening old ones to substantially increase the level of communication between the Department and the business community. Our goal is to ensure fair treatment for all Californians in both employment and housing practices. We are determined to secure universal compliance with the Fair Employment and Housing Act, a goal completely consistent with American principles.

The most obvious example of this new educational outreach effort is our Business Round Table, initiated during the first few months of the new administration and continuing with the commitment of important business leaders. We believe the Round Table activities will help business-persons comply, on their own initiative, with the law. As a result, we will move closer to the ideal of a society free of discrimination. The response of the business community has been excellent.

In addition to the Round Table, we are developing plans for seminars, symposia and workshops which will be both more frequent and more effective than in the past. In most cases, these events will be local in scope and conducted by our district office staff. They will often be assisted by our specialists in housing, in community affairs and in public information.

While expanding our educational outreach is our primary new project, it is by no means our only one. We have also undertaken an important staff reorganization to better utilize our existing staff resources.

To increase enforcement effectiveness, we are centralizing management of the Legal division and moving the Department's General Counsel to Sacramento. We have divided Department activities into three program areas and added a new Chief Deputy Director for Enforcement and a Deputy Director for Public Programs. This will allow DFEH to focus attention on:

- A. Streamlining case intake and processing to improve effectiveness and efficiency, and
- B. Expanding the Department's commitment to public education and awareness.

The Department has proposed a committee composed of both managers and consultants to focus attention on improving case intake and processing and improving training of staff consultants so they are better prepared to work effectively with the public.

The Department is in the process of a two-stage effort to make services more accessible to the public in the Los Angeles area. This year, the Los Angeles office has been divided into two sections. Next year, when lease and budget commitments permit, a new office will be opened as a cost-effective move to provide service closer to need.

As a result of these organizational changes and our expanding educational program, we are confident that our first year at DFEH will be a productive one.

THE BUSINESS ROUND TABLE

The Business Round Table is an educational program developed by Mark Guerra, the Department's new Director, during the closing weeks of the past fiscal year. The first Round Table session, held in Sacramento in June, drew more than 70 business leaders and major media coverage.

Describing the Round Table, Guerra said, "Our hope is to establish a working relationship with the business community through which our educational efforts will increase compliance with the State's civil rights laws."

This outreach project illustrates the Department's new direction away from a largely adversarial role with the business community to a more cooperative role. The goal, of course, is to more effectively minimize discrimination in employment and housing.

Among the topics covered at the first Round Table were the following:

- The provisions of the State's civil rights laws.
- The Department's procedures for processing discrimination complaints.
- Methods by which the Department can help employers comply with civil rights laws.
- Methods by which employers, property managers and service providers can help the Department.
- Maximizing the ability of employers, property managers and service providers - and the Department - to work cooperatively to enhance equal opportunity and reduce confrontation.

Among the agreements reached by Department officials and business leaders at the June Round Table were these:

- To convene a second meeting in Los Angeles in August.
- To formulate a "steering committee" which will determine the direction and goals of the Round Table.
- To establish a network for sharing information about fair employment and housing law.
- That the Department provide continuing education about compliance with the Fair Employment and Housing Act by means of seminars, symposia and workshops.

Shirley Chilton, Secretary of the State and Consumer Services Agency, said the Round Table complements the philosophy of the Deukmejian administration, that is, "partnership between government and the private sector in identifying and solving the problems of discrimination. We believe that establishing communication between the parties involved is a necessary first step."

LEGAL DIVISION

The staff attorneys in the Department's Legal Division are engaged in four principal activities: preparing accusations, conducting hearings, providing legal advice to consultants and various special projects.

The preparation of accusations is the largest single assignment of the Legal Division. When a staff investigator has found probable cause to believe discrimination has occurred, but cannot settle the case, the case is referred to Legal. If the Legal staff believes the complaint may be valid, an attorney issues an accusation and takes the case to hearing before the Fair Employment and Housing Commission. In Fiscal Year 1982-83, the Legal staff received 168 cases, issued 104 accusations and conducted 58 hearings. Department attorneys settled 83 cases, securing \$342,680 in back pay, compensatory damages and additional relief measures for complainants.

Among the cases handled by the Department's Legal staff this past fiscal year were several of special significance. Following is a brief discussion of five of these noteworthy cases:

DFEH v. Bohemian Club - A Director's Complaint was filed after the California Employment Development Department informed DFEH that the Bohemian Club at the Russian River had requested a male file clerk. A DFEH investigation revealed that women were not hired for any jobs at the Russian River facility nor for dining room positions at the San Francisco facility. DFEH did not challenge the Bohemian Club's membership policies, only its employment practices.

The Department won the case before the Fair Employment and Housing Commission and it was recently heard on a Writ of Mandate in the Sonoma County Superior Court. During oral argument, the Superior Court judge complimented the Department's attorneys' extraordinary competence. The decision of the Superior Court is expected in the Fall of 1983.

DFEH v. City and County of San Francisco - DFEH challenged and proved that the San Francisco Fire Department's promotional exam was discriminatory against black examinees. The Department's staff also proved the exam was not job-related. This case represented the Department's first class-action Director's Complaint.

The Department won before the Fair Employment and Housing Commission. The City then filed a Writ of Mandate. The Department has appealed to the First District Court of Appeal.

American National Insurance v. FEPC - This case, in which the Department participated as amicus, was decided by the California Supreme Court in October 1982. In its decision, the California Supreme Court upheld a Commission decision and defined the term "physical handicap" under the Fair Employment and Housing Act. This is the first time that term was interpreted by a court. The court's definition will be a significant aid

to the Department in prosecuting physical handicap cases. The court's interpretation is extraordinarily broad, encompassing virtually all physical conditions which are disabling. Mental disabilities and temporary disabilities (like colds) are not included in the definition. The Supreme Court decision is final.

Commodore Homes v. Jones - In September 1982, the California Supreme Court held that private parties taking legal action under the Fair Employment and Housing Act are entitled to compensatory and punitive damages in appropriate cases. The Department participated on behalf of the plaintiffs and was of great assistance to the court. The Supreme Court expressly reserved the issue of whether the Commission can award compensatory and punitive damages.

Investigation of Bank of America - In 1982, the Department received information indicating inequalities in wages at the Bank of America. A Director's Complaint was filed in September 1982 charging that women in the bank's "teller" classification are underpaid because of their sex. The Department has begun investigating this matter through interrogatories, requests to produce, subpoenas and depositions.

In addition to its accusation caseload and its work on significant cases, the Department's Legal Division has also completed several projects of special interest this past fiscal year. Following are three examples of these special projects.

1. Discovery Manual - The Legal Staff developed an informative discovery manual for DFEH consultants. It explains the process of formal discovery, interrogatories, subpoenas, requests to produce, and depositions. Many of the technical aspects of these procedures had been confusing for consultants. The new manual simplifies the process and provides examples and detailed procedures.
2. Fair Employment and Housing Act Conference - In conjunction with the Labor and Employment Section of the State Bar, the Department presented the First Annual Fair Employment and Housing Conference on May 27 and June 3 of this year in Los Angeles and San Francisco. Topics of interest to attorneys were discussed by members of the Department's legal staff, the Commission staff and private attorneys. Conference tapes, plus written materials, are available from the State Bar.
3. Employment Discrimination Course and Clinic at Boalt Hall - Department attorneys have been retained by the University of California, Berkeley, Boalt Hall, to teach a substantive employment discrimination course and a clinical employment discrimination course for law students. The substantive course covers all aspects of employment discrimination. The clinical course enrolls eight students per semester. These students, under the close supervision of a DFEH attorney, litigate pending DFEH discrimination cases. Working with the students, the supervising attorney is able to litigate approximately 50 percent more cases than he would were

he working alone in the Legal Division's main office. The students learn trial techniques and skills which are then integrated with substantive course materials.

In the 1982-83 academic year, clinical course students issued 11 accusations, held six hearings and closed 16 cases. They made 10 settlements totalling \$86,000 and secured jobs or housing where appropriate.

ENFORCEMENT DIVISION

The Enforcement Division is the heart of the DFEH program. This division investigates alleged violations of the law and negotiates most settlement agreements reached with businesses. Discrimination complaints are investigated by the Department's "consultants" who work in 11 field offices around the State.

During the past fiscal year, the Enforcement Division included the following units:*

- 11 field offices
- Monitoring Unit
- Office of Compliance Programs
- Office of Housing Programs
- Office of Licensing Standards

One of the most significant achievements of the past year was the development of a comprehensive system for analyzing cases. Based on legal standards established by the Fair Employment and Housing Act and by Commission decisions and regulations, the new case analysis system ensures consistency in the way complaints are analyzed and investigated. A framework of relevant questions has been developed for the kinds of complaints most often filed. The Case Analysis Manual describes investigative strategies in detail. This system enables staff to evaluate the merits of a complaint expeditiously, focusing on factors relevant to the allegations in the charge.

During the past fiscal year, DFEH's Monitoring Unit tracked many settlement agreements. This procedure ensures that agreement provisions are observed subsequent to settlement. The staff monitors both monetary payments and affirmative action agreements.

Monetary benefits derived from the individual complaint process totalled \$9,318,533 in the 1982-83 Fiscal Year. This amount included back pay, annualized income and additional funds distributed to protected groups as a result of affirmative action.

Affirmative action provisions are negotiated by DFEH staff whenever appropriate. These provisions can effect changes which have a positive impact on a large number of people, not just on the individual complainant.

The work of the Enforcement Division included preparation of several Director's Complaints. This specialized type of discrimination complaint has been effective in dealing with systemic discrimination. Initial work involved in preparation of a Director's Complaint is done by the enforcement staff.

*Reorganization in 1983 has resulted in a slightly different division composition.

Director's Complaints this past year have addressed several problems including:

- A blanket policy prohibiting the hiring of spouses.
- Denial of pregnancy leave to women employed less than a year.
- Racially discriminatory personnel practices regarding promotions.
- Preferential hiring practices conducted by foreign-owned companies.
- State licensing exams with adverse impact on protected groups.

The Enforcement Division has strengthened its emphasis on enforcement education to reduce discrimination. The Department's field staff has sponsored, or participated in, numerous seminars throughout the State. At these seminars, DFEH consultants have provided valuable information to employers to keep them apprised of current developments in the equal opportunity field and to help them avoid discrimination complaints.

OFFICE OF HOUSING PROGRAMS

The Department's Office of Housing Programs (OHP) made major strides during the past fiscal year by expanding its outreach to property owners and managers and its technical assistance to DFEH staff. The OHP completed or initiated several significant new projects. The most important educational and outreach efforts are described below:

- OHP staff wrote, and distributed to DFEH District Administrators, a publication to help cities and counties plan and initiate fair housing programs. "Fair Housing: A Guide for Local Governments" was published by DFEH and financed by a grant from the U. S. Department of Housing and Urban Development (HUD). The staff has assisted local governments and DFEH District Administrators in forming new fair housing councils and Community Housing Resources Boards.
- DFEH has entered into a technical assistance agreement with the State Department of Housing and Community Development (HCD). OHP helps HCD's Housing Element Review staff guide local governments into productive fair housing programming, as required by State law. OHP has also provided a small reference library of fair housing materials, sample programs and budgets and DFEH information for the HCD staff.
- Office of Housing Programs has produced the first part of a three-part instruction manual for fair housing testers and their instructors. The "Fair Housing Testing Manual" is a complete guide to fair housing testing. This is the first publication of its kind produced in the nation. Fair housing leaders across the country have already expressed great interest in using the publication to improve the quality of their testing practices.
- Office of Housing Programs staff has developed a resource library on housing for the Department. It includes technical and legal materials, State and national publications, housing and community groups' newsletters, sample programs and civil rights history. It is believed to be the most extensive collection of information on fair housing available in the State.
- The OHP staff worked with the California Apartment Association (the housing industry) to produce a new brochure for owners and managers of rental properties. The brochure succinctly outlines both the rights and responsibilities of housing owners and managers. It is designed to help them comply with the Fair Employment and Housing Act. The apartment association will pay for distributing the pamphlet to 30 local associations around the State representing 1,100 members.
- The OHP staff played a leading role in developing new television public service announcements about fair housing. The OHP manager secured the services of actor Dennis Weaver to do the spots. Weaver donated his talents and the California Apartment Association shared in the cost of the project. Production and coordination of this major project was carried out by the Department's Office of Public Information and Education and by the State Department of Water Resources' videotape production staff.

- OHP regularly sent publicity stories, articles and features to real estate publications and rental housing publications. The editors of these publications frequently used these materials.
- OHP staff worked on designing a new data system to record fair housing case and statistical information from sources such as fair housing and human relations groups and private attorneys. When fully functioning, this data system will enable DFEH to serve as a central comprehensive data bank for all interested parties.
- OHP staff designed and is now testing a package of information and techniques to secure substantial help from businesses in providing fair housing information to their employees. The first item of the package to be used will be a pamphlet which employers will distribute to all their employees with their paychecks.
- The OHP staff assisted the staffs of the Department's Sacramento and San Bernardino district offices in carrying out a pilot project they have undertaken. This project is designed to demonstrate the effectiveness of promoting open housing through concentrated linkages with employers, apartment associations and real estate boards and local governments. The project includes ongoing media outreach.

OFFICE OF COMPLIANCE PROGRAMS

The Office of Compliance Programs (OCP) was part of the Department's Enforcement Division during the past fiscal year. Its primary responsibility is to ensure that businesses which provide goods and services and perform public works for the State comply with the equal employment opportunity provisions of Government Code 12990 and with the Fair Employment and Housing Commission's Regulations.

The OCP unit's activities have provided the foundation for California's first contract compliance program. During the past fiscal year OCP was involved in program planning and development activities ranging from liaison with the Fair Employment and Housing Commission and the Office of Federal Contract Compliance Programs (OFCCP), to the design of a sophisticated computer system.

The following items summarize the unit's activities for the past fiscal year:

- OCP provided technical assistance to the Fair Employment and Housing Commission's staff in developing and finalizing the contract compliance regulations. The basic set of regulations took effect in January 1983 and addenda prepared by OCP were approved before the close of the fiscal year.
- OCP developed detailed program procedures to insure State contractors' compliance with Government Code 12990 and the Fair Employment and Housing Commission Regulations. The procedures provide the guidelines necessary to assess the effectiveness of a contractor's nondiscrimination program during both desk and on-site reviews. These new procedures also provide for enforcement of the regulations.
- With the help of the Department's Data Processing Unit, OCP developed an automated system to facilitate the selection of contractors for review. This computerized system will make manageable the high volume of contracts, estimated at \$170,000 annually, awarded by the State and will ensure that staff is used effectively in conducting contract compliance reviews.
- OCP has met several times with staff of the Office of Federal Contract Compliance Programs (OFCCP) to secure cooperation and eliminate duplication and conflicts in program activities. The OCP staff met in May 1983 with an OFCCP management team to develop a memorandum of understanding to ensure that the impact of both programs is effective. This agreement established a mechanism to avoid duplication of compliance reviews and to improve both programs.
- OCP developed an information handbook to help State contractors comply with the Fair Employment and Housing Commission's Regulations.
- OCP developed a fact sheet describing the major requirements of the Commission's Regulations. It was sent to contractors, contractors associations and other interested persons.

- Although the focus of OCP's efforts were on program planning and development, the office also conducted a number of compliance reviews of State contractors. They were found in conditional compliance and required to implement action plans to correct deficiencies. Follow-up reviews of these contractors will be conducted during the current fiscal year.
- OCP has worked with the Department of General Services Legal Office and its Records Unit to incorporate the requirements of Government Code 12990 into the State Administrative Manual. The OCP staff prepared the standard forms and developed the necessary language changes to require all State agencies to implement the law and report the award of contracts to OCP.
- OCP made presentations to State and federal agencies, private employers and interested persons about contract compliance. The groups addressed included the Sacramento Construction Liaison Committee, the Office of Federal Contract Compliance Programs, the State Department of Transportation, the State Department of Rehabilitation, the State Department of Parks and Recreation, the State Department of Health Services and several major employers.

LICENSING STANDARDS UNIT

The Licensing Standards Unit is responsible for ensuring that the occupational licensing process conducted by the State Department of Consumer Affairs has no adverse impact on such protected groups as women, racial minorities and the disabled.

• Among the major achievements of the Office of Licensing Standards during the past year were the following:

- The staff closed a Director's Complaint against the Board of Registered Nursing after working with the Board to secure major changes in the State's licensing exam for registered nurses. A new examination has been developed and the unit is now cooperating with the board to ensure that the exam meets the requirements of the Fair Employment and Housing Act.
- The staff was responsible for issuing the Department's first accusation under Section 12944 of the Fair Employment and Housing Act, the section which prohibits State licensing boards from establishing discriminatory qualifications for occupational licenses.
- An accusation was issued against the State Psychology Examining Committee, the subdivision of the Board of Medical Quality Assurance which issues licenses to practice psychology in California.
- The unit began an investigation of a complaint against the Board of Medical Quality Assurance. The complaint alleges that the Board's use of the FLEX exam, required of many applicants for a medical doctor's license, is unlawful under the Fair Employment and Housing Act because it discriminates against blacks.
- The Office of Licensing Standards successfully resolved a complaint against the Barber's Board by arranging special testing for a complainant who ultimately secured a license.
- The staff developed new procedures for enforcing Section 12944 of the Fair Employment and Housing Act. The Department is now prepared to submit these procedures to the Department of Consumer Affairs for comment.
- The unit established procedures for enforcing a new law, Government Code Section 18720, which requires the Department of Fair Employment and Housing to review and approve all State licensing and employment forms.
- The staff compiled a library of computer programs and technical articles which it uses during the course of an investigation.

PROGRAM EVALUATION AND RESEARCH

The Program Evaluation and Research Unit was created in response to the Department's concern for program accountability and the increasing need to conduct research and provide technical assistance. The key concept that emerges, when budgetary constraints are juxtaposed with redirected priorities, is program efficiency. With program efficiency as an objective, the unit has been involved in the following assignments during the past fiscal year:

- Intake Systems Study - The unit developed and tested complaint screening procedures to better identify, early in case processing, potentially valid discrimination complaints.
- Department Performance Study - The unit is developing a computerized departmental performance measure system. Its purpose is to measure success at achieving departmental goals.
- Case Tracking Study - The unit is designing and implementing a case tracking capability system. It will be an integral part of a comprehensive management accountability system.
- Business Round Table Study - The unit is developing a method for evaluating the Department's new Business Round Table, an activity designed to expand communication and education between DFEH and the employee/employer community.
- State Government Study - The unit is assisting such State control agencies as the Department of Finance and the State Personnel Board in their annual reviews of the Department's goals, procedures, performances and budget.

Program Evaluation and Research provides various units of the Department with support on an ongoing basis. This help includes technical assistance in case processing, population and parity statistics and the application of statistical models and tests to the work of the Enforcement Division or the Legal Division or the Office of Compliance Programs.

In its research function, the unit helps the Department acquire information necessary for its enforcement and education activities. An example of such an effort is an extensive questionnaire survey of all California insurance companies to obtain information on employment policies and practices.

OFFICE OF PUBLIC INFORMATION AND EDUCATION

The Department's Public Information Unit reached an impressive level of production during the past fiscal year. The staff issued a record number of news releases about discrimination cases, conducted news conferences, prepared public service announcements for both radio and television, arranged media appearances for all of the Department's district administrators and worked on several special projects.

An effective public information program is essential to the current administration's plan to increase educational outreach to the business community and to the general public. The news media can be a useful means for reaching large numbers of Californians with the Department's message. As specialists in this area, the public information staff is an important part of the Department's total educational program.

During the past fiscal year, the public information staff prepared and distributed 160 news releases on a variety of topics. Most of these were about settlements of discrimination complaints. Some were announcements about educational seminars, some were about Commission hearings and some were about new fair housing programs in small cities.

During the Spring of 1983, the public information staff arranged for every district administrator to appear on several radio and television shows to discuss housing discrimination. Every kind of broadcast station was used for this effort, including major commercial stations, public radio and TV stations, numerous minority stations and even religious stations.

One of the unit's biggest projects during the past fiscal year was working with the Office of Housing Programs, the California Apartment Association and the State Department of Water Resources to produce several television and radio public service announcements starring actor Dennis Weaver. The public information staff wrote scripts and coordinated production, filming and distribution of the announcements throughout the State.

In addition, the public information staff continued with its ongoing work of helping prepare pamphlets and booklets for printing. The staff also participated in completion of several of the Housing Unit's new publications.

FAIR EMPLOYMENT AND HOUSING COMMISSION

The past fiscal year was a productive one for the Fair Employment and Housing Commission. The Commission rendered several significant precedential decisions in the areas of housing and employment, actively engaged in public education and outreach concerning the Fair Employment and Housing Act, held special meetings to hear testimony on civil rights issues and engaged in a thorough review of its regulations. The Commission continued to work closely with the Department to promote awareness of the Fair Employment and Housing Act.

Precedential Decisions

In a racial/adverse impact case, the Commission found that the promotional exam used by the San Francisco Fire Department was not properly validated and not job-related. This resulted in the disqualification of disproportionate numbers of black firefighters otherwise eligible for promotion. The Commission prohibited further use of the promotional list, ordered creation of a new test, and ordered the promotion of 10 black firefighters. The City and County of San Francisco has appealed the Commission's decision.

In a sex/retaliation case, the Commission held that the complainant need not prevail on her original sex discrimination claim in order to prevail on the claim of unlawful retaliation. Punitive damages of \$15,000 were awarded. This decision is also on appeal.

In a physical handicap case, the Commission determined that the respondent established the "safety" defense, since it demonstrated that the complainant's functional and hearing disabilities posed sufficient danger to the health and safety of others to justify rejection of complainant for a dispatcher job with the police department. In another physical handicap case, the Commission held that disability benefits are interim earnings which should be deducted from complainant's back pay award.

In a housing case based on complainant's ancestry, the Commission determined that an amendment to the damages section of the Fair Employment and Housing Act was not retroactive in effect; rather, the amended section applies only to cases where the alleged conduct occurred after the effective date of the amendment. Further, the former \$1,000 limit on housing damages applies per violation found, rather than per complainant or case. This decision of the Commission has been appealed.

Of significance is an age/retaliation case in which the Commission ordered the respondent to post a notice acknowledging its unlawful conduct and announcing the provisions of the remedy ordered. The purpose of the posting order was to ensure that other employees felt free to file discrimination complaints when warranted. Interestingly, the posting order prompted a lengthy article on the front page of the Los Angeles Times business section.

Appellate Cases

In three important appellate decisions, the courts held: punitive damages are recoverable in civil suits brought under the Fair Employment and Housing Act; the meaning of "physical handicap" under the Act includes "all handicaps that are physical"; discrimination against individuals because they are unmarried is unlawful marital status discrimination under the Act.

Regulations

The Commission has completed an extensive review of its regulations as ordered by the State Legislature in AB 1111. That review and the resulting changes are now awaiting action by the Office of Administrative Law. The Commission is also seeking public comment and suggestions pursuant to the Governor's efforts to eliminate regulations which are redundant or not needed to accomplish its responsibilities under the law.

Forum for Civil Rights Issues

The Commission held meetings in San Diego and Santa Barbara to receive public testimony about civil rights issues in those areas. In a continuing effort to inform the public about the Fair Employment and Housing Act, the Commission and its staff participated in a variety of programs including public speaking events, panel discussions, interviews and presentations to employer, attorney and public interest groups.

Administration

Osiyas Goren of Los Angeles became both a member and the chair of the Commission in January 1983, replacing outgoing Chair Betty Lim Guimaraes. Other Commissioners now serving are John A. Martin, Jr., C. L. Dellums, Dale Minami, Virginia Sanchez, Elsa Saxod and Susan Weiner. In February, the Commission appointed Steven C. Owyang as its Executive and Legal Affairs Secretary; he replaced David A. Garcia A. who assumed a position on the judicial bench in San Francisco.

NARRATIVES AND STATISTICAL TABLES ON
EMPLOYMENT AND HOUSING DISCRIMINATION

Prepared by Roger V. Remedios
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EMPLOYMENT DISCRIMINATION

This Annual Report includes data on Department case processing for six fiscal years. The 16 tables that follow (i.e., eight employment and eight housing) provide the reader with a wealth of information, including a unique opportunity to view the results of changing civil rights consciousness and the result of the Department's changing case processing methodology.

Since our last Annual Report, the Division of Fair Employment Practices has changed to the Department of Fair Employment and Housing. We went from a six field office Division filing 2,823 complaints in 1976-77 to an 11 field office Department filing 7,517 employment complaints in 1982-83. For a staff, increased by approximately 80 percent during the last five years, to manage an almost 5,000 complaint (or 270 percent) increase without sacrificing quality would be a major accomplishment.

For two reasons, the Department's accomplishment was considerably greater. First, at the beginning of this period, the then Division had a large backlog to contend with. By Fiscal Year 1977-78, 6,195 cases had been carried over from the previous year. These cases, added to those newly filed, were a tremendous weight on an agency in transition. The following example demonstrates the agency's efforts: In 1976-77, 7,520 cases received some degree of case processing activity ("active cases"). The peak year for "active cases" was 1978-79, when 13,300 cases were active. This represents almost a doubling of the earlier figure.

The second major accomplishment is the qualitative improvement in screening, investigative and negotiative services rendered. This will be discussed subsequently. The Department believes (and is proud to say) that an important reason for these accomplishments is increase sophistication in case processing methodology and case management technique.

The Department has estimated that approximately 12 percent of all complaint-related contacts to our 11 field offices actually result in filed complaints. Most of the rejected complaints allege unfair treatment that is not related to discrimination as defined by the governing laws. A significant portion of these contacts are referred to local, State and federal agencies with the proper jurisdiction. If 7,517 employment cases were filed in Fiscal Year 1982-83, given the above estimated percentage, approximately 62,642 complaint-related circumstances were reviewed and scrutinized by DFEH staff to siphon out the filed complaints.

Complaints based on Race or Color has continued its steady decline since 1966-67, where 81 percent of filed complaints were for this reason. In the beginning year of this period, 1977-78, 40.9 percent of complaints were filed under Race or Color; in 1982-83, only 29.6 percent were so filed (an actual loss of 328 complaints). As with the next Basis, a major reason for the large relative decline through the years is the increased civil rights consciousness of other interest groups and the subsequent addition of other bases covered by the Department. National Origin/Ancestry declined from 18.5 percent to

11.9 percent during the six-year period. Complaints of discrimination based on Age (40 and over) increased from 9.2 percent in 1977-78 to 11.6 percent in 1982-83. Religious discrimination complaints increased slightly from 1.2 percent to 1.7 percent. By far the major gain by any one Basis occurred in Sex discrimination. In Fiscal Year 1977-78, 20.3 percent of complaints filed were based on Sex; in 1982-83, 32.1 percent were based on Sex (an actual increase of 2,131 complaints). Hence, discrimination complaints based on Sex far exceeds that of Race/Color. Another increase occurred in complaints filed because of Physical Handicap. In Fiscal Year 1974-75 (when the physical handicap law was put into effect), 281 complaints were filed. In 1977-78, 434 or 6.9 percent were filed. Five years later, the figure reached 658 or 8.7 percent.

Like Bases, most trends visible for Alleged Discriminatory Acts during this six-year period began prior to 1977. Dismissals from Employment reached its all time high in 1982-83 with 59.6 percent of the total. In contrast, Refusal to Hire reached its nadir in 1982-83 with 11.4 percent. This rate may be compared to two years, prior to 1977. The first represents the peak of a reverse trend, and the second, one of the first years after the reversal. In 1959-60, the reverse rates were 57 percent for Refusal to Hire and 24 percent for Dismissal from Employment. In 1967-68 the former was 28 percent of the total and the latter, 46 percent.

The only other trends of note visible during this period are in Refusal to Upgrade and Harassment. The former declined 5 percentage points to 4.2 percent and the latter increased by 5 percentage points to 8.4 percent. It should be noted that Table 4 only counts the first alleged act reported. Since approximately 25 percent of all complaints have more than one alleged act, a significant number of acts are not reflected in the data.

The Type of Respondent named in the complaints cluster around Manufacturing, Services and Wholesale and Retail Trade. All three types showed marked increases during the six-year period. Manufacturing increased from 18.7 percent in 1977-78 to 28.1 percent in 1979-80, and declined to 23.1 percent in 1982-83. Services increased 8 percentage points to 24.3 percent in the period. Wholesale and retail trade increased 9 percentage points to 21.9 percent. Except for "Other", decreases are evenly and insignificantly distributed among the remaining respondent types.

Type of Occupation stayed relatively stable despite changes in Respondent Type. Services, and Managers and Officials increased by 2.7 percentage points to 13.4 percent and 12.4 percent, respectively. In contrast, Operatives declined by 5 percentage points to 4.4 percent. Professionals and Technical declined by one percentage point to 18.8 percent.

The Type of Disposition rendered on complaints had two major changes during the period. First, closures due to Insufficient Evidence or No Evidence increased from 37.8 percent to 45.8 percent in 1981-82 and decreased to 38.6 percent in 1982-83. It should be noted, however, that the 1982-83 figure reflects a 10.6 percentage point drop from the 1979-80 figure of 49.2 percent. The second

important change with singular significance is the increase in Settlements. At its lowest point (1978-79), 17.2 percent of closures were due to settlements; in 1982-83, the rate rose to 27.1 percent. An important footnote to this percentage is that the total includes cases where consultants did not have an opportunity to attempt a resolution (e.g., No Jurisdiction, Court Action, Administrative Closures). By counting only complaints where resolution was attempted the settlement rate increases, in Fiscal Year 1982-83, to 33.4 percent. Another Department achievement is reflected in the reduction of closures due to No Jurisdiction from 5.8 percent in 1977-78 to 2.1 percent in 1982-83. The Department believes that the above data reflects the important achievements of more accurate screening during Intake and greater investigative and negotiative expertise by DFEH staff.

The last employment table, Table 8, specifies the corrective action taken within each settlement case. Since one settlement may include more than one corrective action, Table 8 totals will be more than the total settlements in Table 7. As indicated in Footnote (C), due to a restructuring of categories listed under Type of Action, the data from 1981-82 and 1982-83 should not be compared to previous years. The general trend during the previous three years is the increase in actions with broader equal employment opportunity benefits. Integral to this idea is "Affirmative Relief". Some subcategories include, "instruction/dissemination of nondiscrimination policy", "recruitment/advertising practices changed", "hiring policies/procedures changed", and "job training program established".

Table 1

SUMMARY OF EMPLOYMENT CASES FILED
July 1, 1977 - June 30, 1983

Fiscal Year July 1 - June 30	Filed	Closed	Active In Period	In Progress June 30
1982-83	7517	7054	11250	4196
1981-82	7729	8420	12426	4006
1980-81	7635	7360	12206	4846
1979-80	6010	7246	12021	4775
1978-79	5781	7137	13300	6163
1977-78	6247	1643	9038	7395
1976-77	2823	1325	7520	6195
1975-76	3538	1989	6686	4697
1974-75	4177	3222	6373	3148
1973-74	3514	2600	4796	2196
1972-73	2329	2152	3434	1282
1971-72	2031	1980	3085	1105
1970-71	2021	1819	2873	1054

Table 2

EMPLOYMENT CASES FILED:
OFFICE WHERE FILED

OFFICE	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%
San Francisco	1400	22.4	861	14.9	775	12.9	529	6.9	458	5.9	562	7.5
Los Angeles	2110	33.8	1915	33.1	1790	29.8	2231	29.2	2256	29.2	2132	27.8
Fresno	231	3.7	268	4.6	371	6.2	471	6.2	522	7.1	472	6.3
San Diego	518	8.3	475	8.2	446	7.4	588	7.7	553	7.2	469	6.2
Sacramento	664	10.6	724	12.5	490	8.2	593	7.8	602	7.8	622	8.3
San Bernardino	379	6.1	378	6.5	514	8.6	682	8.9	597	7.7	735	9.8
Santa Ana	331	5.3	560	9.7	777	12.9	743	9.7	702	9.1	756	10.1
San Jose	359	5.7	266	4.6	269	4.5	508	6.7	566	7.3	431	5.7
Oakland	---	---	---	---	126	2.1	529	6.9	621	8.0	578	7.8
Ventura	80	1.3	123	2.1	121	2.0	275	3.6	329	4.3	371	4.9
Bakersfield	167	2.7	211	3.6	331	5.5	489	6.4	523	6.4	389	5.4
TOTAL	6247	100.0	5781	100.0	6010	100.0	7635	100.0	7729	100.0	7517	100.0

Table 3

EMPLOYMENT CASES FILED:
ALLEGED BASIS OF DISCRIMINATION

BASIS	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Race/Color	2554	40.9	2101	36.3	2117	35.2	2581	33.8	2437	31.5	2226	29.6
Black	2189	35.0	1799	31.1	1796	29.9	2168	28.4	1967	25.4	1800	24.2
Asian	92	1.5	89	1.5	109	1.8	104	1.4	104	1.4	121	1.5
Caucasian	189	3.0	165	2.9	164	2.7	269	3.5	260	3.4	215	2.8
Native American	49	.8	32	.6	25	.4	29	.4	32	.4	25	.3
Other Race/Color	35	.6	16	.3	23	.4	11	.1	74	.9	65	.8
National Origin or Ancestry	1155	18.5	911	15.8	1002	16.7	1007	14.5	1007	13.0	896	11.9
Spanish Surname	876	14.0	693	12.0	769	12.8	957	12.5	884	11.4	789	10.5
Filipino	96	1.5	89	1.5	67	1.1	100	1.3	115	1.4	103	1.3
Other National Origin	183	2.9	129	2.2	166	2.8	50	.7	8	.2	4	.1
Religion	78	1.2	89	1.5	93	1.5	127	1.7	117	1.5	131	1.7
Jewish	25	.4	35	.4	28	.3	35	.5	36	.4	36	.4
Protestant/Catholic	16	.3	14	.2	14	.2	29	.4	18	.2	18	.2
Other Religion	40	.6	50	.9	57	.9	63	.8	63	.9	77	1.1
Physical Handicap	434	6.9	442	7.6	497	8.0	719	9.4	602	7.7	658	8.7
Sex	1269	20.3	1391	24.1	1555	25.9	2159	28.3	2272	29.4	2400	32.1
Marital Status	59	.9	67	1.2	66	1.1	84	1.1	106	1.5	75	1.0
Age	575	9.2	631	10.9	315	8.6	606	7.9	884	11.5	879	11.6
Opposition to Discrimination	100	1.6	128	2.2	146	2.4	199	2.6	---	---	---	---
Other Basis (A)	23	.4	21	.4	37	.6	53	.7	304	3.9	252	3.3
TOTAL (B)	6247	100.0	5781	100.0	6010	100.0	7635	100.0	7729	100.0	7517	100.0

(A) Includes discrimination because of association.

(B) Complaints with more than one basis have been counted under the first basis reported.

Table 4

EMPLOYMENT CASES FILED:
ALLEGED DISCRIMINATION ACT

ACT	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Refusal to hire	1000	16.0	947	16.4	885	14.7	1059	13.9	921	11.9	863	11.9
Unequal Pay	315	5.0	248	4.3	231	3.8	320	4.2	358	4.6	359	4.7
Dismissal from Employment	3018	48.3	3024	52.3	3298	54.9	4283	56.1	4565	59.0	4483	59.6
Differential Treatment	963	15.4	701	12.1	734	12.2	468	6.1	----	-----	-----	-----
Refusal to Upgrade	560	9.0	507	8.8	410	6.8	445	5.8	407	5.2	316	4.2
Harassment	198	3.2	160	2.8	237	3.9	558	7.3	592	7.6	636	8.4
Unequal Work Conditions	31	.5	38	.7	18	.3	88	1.1	138	1.7	161	2.1
Referral Withheld	9	.1	17	.3	6	.1	9	.1	17	.2	11	.1
Union Discrimination	23	.4	15	.3	15	.2	42	.5	39	.6	22	.2
Other	130	2.1	124	2.1	176	2.9	363	4.8	692	9.2	666	8.8
TOTAL (A)	6247	100.0	5781	100.0	6010	100.0	7635	100.0	7729	100.0	7517	100.0

(A) Where more than one discriminatory act was alleged, the complaint was counted under the first act reported.

Table 5

EMPLOYMENT CASES FILED:
TYPE OF RESPONDENT

TYPE OF RESPONDENT	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%
Farms	67	1.1	49	.8	83	1.4	93	1.2	137	1.7	104	1.4
Forestry	291	4.7	12	.2	7	.1	7	.1	4	---	2	---
Fisheries	170	2.7	3	.1	2	---	2	---	4	---	---	---
Mining	20	.3	15	.3	30	.5	45	.6	39	.5	31	.4
Contract Construction	84	1.3	105	1.8	138	2.3	178	2.3	141	1.8	126	1.7
Manufacturing	1170	18.7	1601	27.7	1687	28.1	1973	25.8	1982	25.8	1749	23.4
Agriculture Services, Hunting & Trapping	122	2.0	13	.2	15	.2	33	.4	18	.2	6	---
Transportation, Communication & Utilities	537	8.6	576	10.0	543	9.0	678	8.9	603	7.8	500	6.6
Wholesale & Retail Trade	819	13.1	971	16.8	1004	16.7	1449	19.0	1484	19.4	1647	21.9
Finance, Insurance & Real Estate	326	5.2	345	6.0	372	6.2	495	6.5	505	6.6	624	8.3
Services	1003	16.1	1282	22.2	1382	23.0	1789	23.4	1830	23.6	1831	24.5
Government (A)	721	11.5	694	12.0	683	11.4	772	10.1	807	10.4	757	10.0
Other (B)	917	14.7	115	2.0	64	1.1	121	1.6	175	2.2	140	1.8
TOTAL	6247	100.0	5781	100.0	6010	100.0	7635	100.0	7729	100.0	7517	100.0

(A) Includes Public Schools

(B) Includes Labor Unions

Table 6

EMPLOYMENT CASES FILED:
TYPE OF OCCUPATION

TYPE OF OCCUPATION	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%
Clerical	1055	16.9	884	15.3	996	16.6	1289	16.9	1376	17.8	1338	17.8
Craft	386	6.2	366	6.3	385	6.4	501	6.6	411	5.3	273	3.6
Laborers	1108	17.7	1128	19.5	1159	19.3	1385	18.1	1315	17.0	1089	14.4
Managers & Officials	624	10.0	653	11.3	655	10.9	907	11.9	851	11.0	935	12.4
Operatives	608	9.7	529	9.2	558	9.3	567	7.4	402	5.2	332	4.4
Professional & Technical	1232	19.7	1153	19.9	1116	18.6	1372	18.0	1603	20.7	1419	18.8
Sales	372	6.0	343	5.9	337	5.6	498	6.5	482	6.2	589	7.8
Services	671	10.7	640	11.0	684	11.4	966	12.6	1017	13.1	995	13.4
Other (A)	191	3.1	85	1.5	120	2.0	150	2.0	272	3.5	544	7.4
TOTAL	6247	100.0	5781	100.0	6010	100.0	7635	100.0	7729	100.0	7514	100.0

(A) Includes combination occupations.

Table 7

EMPLOYMENT CASES CLOSED:
TYPE OF DISPOSITION

TYPE OF DISPOSITION	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Settlement	376	22.9	1227	17.2	1403	19.4	2008	27.3	2284	27.2	1846	26.2
Insufficient or No Evidence	621	37.8	3101	43.4	3563	49.2	3181	43.2	3858	45.9	2723	38.6
No Jurisdiction	95	5.8	144	2.0	125	1.7	171	2.3	169	2.0	151	2.2
Closed Through Public Hearing	4	.2	14	.2	42	.6	59	.8	10	.1	16	.3
Withdrawn/Failure To Proceed	443	27.0	1914	26.8	1086	15.0	752	10.2	817	9.7	665	9.4
Court Action	104	6.3	454	6.4	337	4.7	377	5.1	555	6.5	902	12.7
Administrative Closure (A)	---	---	275	3.9	685	9.5	807	11.0	727	8.6	750	10.6
Other	---	---	8	.1	5	.1	4	.1	---	---	1	---
TOTAL	1643	100.0	7137	100.0	7246	100.0	7360	100.0	8420	100.0	7054	100.0

(A) Includes respondent unavailable, processing waived to another agency, determination of another agency recognized, no determination possible within one year, administrative dismissal, and no remedy available.

Table 8

EMPLOYMENT CASES CLOSED
BY CORRECTIVE ACTION: TYPE OF ACTION

TYPE OF ACTION	1977-78		1978-79		1979-80		1980-81		1981-82 (C)		1982-83 (C)	
	N	%	N	%	N	%	N	%	N	%	N	%
Hire, Upgrade or Reinstatement	125	25.9	359	23.7	365	20.3	441	15.8	40	1.7	42	1.7
Next Opening	31	6.4	37	2.4	60	3.3	113	4.0	190	8.2	210	7.9
Condition Corrected	41	8.5	133	8.8	195	10.9	257	9.2	564	24.8	698	26.5
Fair Employment Promulgated	9	1.9	27	1.8	69	3.8	143	5.1	480	20.9	364	13.7
Monetary Benefits	215	44.6	733	48.5	795	44.3	1135	40.6	638	27.8	780	29.4
Other (A)	61	12.7	223	14.7	313	17.4	709	25.3	378	16.6	550	20.8
TOTAL (B)	482	100.0	1512	100.0	1797	100.0	2798	100.0	2290	100.0	2644	100.0

- (A) Includes adverse material removed from file, seniority retained, affirmative relief, etc.
- (B) Where more than one corrective action was taken, the complaint was counted under each corrective action reported.
- (C) Categories under Type of Action have been reorganized, e.g., fair employment promulgated now includes "affirmative relief". Comparison should not be made with previous years.

HOUSING DISCRIMINATION

Since the data reported in the 1976-78 Annual Report, housing cases filed increased from 165 to 590 in 1982-83, an increase of 358 percent. Despite this increase, housing complaints still represent a small workload for the Department (7.5 percent of all cases filed). This poor showing is the result of many factors, some of which include: 1) the Department's unavoidable (as our former name implied) low profile in the housing discrimination field; 2) the use of local fair housing councils to assuage acts of housing discrimination; 3) the public's general ignorance in this area due primarily to the low priority given housing discrimination issues relative to, and as a consequence of, the major push toward equal opportunity in employment; and 4) the covert and subtle methodology of housing discrimination. The Department has in the past few years begun a major effort at assessing, coordinating and professionalizing the statewide attack on housing discrimination. As described in a previous section, a housing unit has been established to tackle this long neglected problem.

Unlike employment cases, the percentage of housing complaints filed under the Basis Race or Color increased during half of the six-year period, 1977-78 to 1980-81. Those cases went from 51.4 percent in 1977-78 to 61.5 percent in 1979-80. Beginning that year the rate declined to 55.7 percent in 1982-83. After a decline of 3 percentage points from 1977-78 to 1979-80 for National Origin or Ancestry cases, the percentage seemed to have leveled off at 12 percent. Religion and Sex remained relatively unchanged, fluctuating slightly throughout the period. A somewhat surprising decline in cases filed and percent of total occurred in complaints filed under Marital Status. Although the actual case drop during the six-year period was only 86 to 82, the relative percent drop was 10 points - from 23.5 percent to 13.8 percent.

An interesting phenomenon seems to exist in both employment and housing cases in Alleged Discriminatory Acts. During the period (and extending several years before 1977), two trends are clearly visible: 1) a decline in complaints of discrimination filed regarding attempts at obtaining employment and housing services (e.g., refusal to hire and refusal to rent); and 2) an increase in discrimination complaints relating to acts occurring while receiving the services (e.g., termination from employment and eviction from the facility). In 1977-78, 52.2 percent of all "first acts reported" were Refusal to Rent. In 1982-83, the percentage declined to 41.3 percent. On the other hand, Evictions increased from 33.1 percent to 42 percent in the six-year period. Interestingly, these two acts constitute 85 percent of "first acts reported" for each of the six fiscal years.

The Type of Respondent receiving the complaints has also changed somewhat during this period. By far the largest number of complaints were filed against Apartment Owners or Managers. Although the number of complaints filed against this respondent increased in six years, its percentage of total decreased - from 89.1 percent to 81.8 percent. Three respondent types are primarily responsible for making up this difference. Mobile home park owners received two complaints (.5 percent) in 1977-78, compared to 32 complaints (5.4 percent)

six years later. Individual home owners also received two complaints in the former year. In 1982-83, complaints increased to 23 (3.8 percent). Finally, "Other" increased from 11 (3.1 percent) in 1977-78 to 40 (7.4 percent) in 1980-81; it then declined to 16 (2.7 percent) in 1982-83. "Other" includes such respondents as banks, condominium developments and property management companies.

Two major achievements are reflected in the data for Type of Disposition. During the period, a decrease occurred in closures due to Insufficient or No Evidence and an increase in Settlements. In the former category, 58.2 percent dropped to 46.7 percent. Settlements increased from 63 (31.7 percent) in 1977-78 to 230 (39.8 percent) in 1982-83. As in employment cases, the more correct settlement percentage would exclude cases where consultants lacked an opportunity for resolution (i.e., No Jurisdiction, Withdrawn/Failure to Proceed and Court Action). Such an exclusion for Fiscal Year 1982-83 would remove 58 cases and increase the settlement percentage to 44.3 percent.

The most common type of corrective action used in settlements is Affirmative Relief. The four subcategories make up 108 or 21.8 percent of all corrective actions. The subcategories include: 1) promise to maintain applicable records; 2) promise to advertise affirmatively; 3) promise to use fair housing material; and 4) promise to list vacancies with fair housing groups.

The most common types of corrective action are Eviction Rescinded (14.7 percent) and Practice Corrected (13.9 percent). Although Refusal to Rent was the second most common Alleged Discriminatory Act, "Offer to Rent" is the fourth most used corrective action, representing 6.2 percent of the total.

The erratic fluctuation in data between fiscal years make identifying patterns difficult; hence, no further attempts will be made. Again, the total on Table 16 will not match the Settlement subtotals on Table 15 since more than one corrective action may occur in a given settlement (and each is counted).

Table 9

SUMMARY OF HOUSING CASES FILED, CLOSED AND IN PROGRESS
July 1, 1977 - June 30, 1983

Fiscal Year July 1 - June 30	Filed	Closed	In Progress June 30
1982-83	590	570	92
1981-82	571	619	90
1980-81	545	507	77
1979-80	262	234	39
1978-79	388	391	368
1977-78	366	199	185
1976-77	165	117	366
1975-76	265	164	318
1974-75	278	274	217
1973-74	306	309	203
1972-73	262	347	206
1971-72	346	314	301
1970-71	375	344	269

Table 10

HOUSING CASES FILED:
OFFICE WHERE FILED

OFFICE	1977-78 OPEN	1977-78 %	1978-79 OPEN	1978-79 %	1979-80 OPEN	1979-80 %	1980-81 OPEN	1980-81 %	1981-82 OPEN	1981-82 %	1982-83 OPEN	1982-83 %
San Francisco	70	19.1	64	16.5	38	14.5	56	10.3	37	6.5	32	5.5
Los Angeles	183	50.0	197	50.8	129	49.2	180	33.0	141	24.7	116	19.6
Fresno	14	3.8	15	3.9	12	4.6	41	7.5	49	8.6	43	7.2
San Diego	37	10.1	23	5.9	8	3.1	28	5.1	56	9.8	73	12.3
Sacramento	12	3.3	28	7.2	25	9.5	55	10.1	62	10.8	74	12.7
San Bernardino	12	3.3	14	3.6	19	7.3	33	6.1	55	9.6	45	7.7
Santa Ana	8	2.2	22	5.7	13	5.0	10	2.0	18	3.1	27	4.7
San Jose	16	4.4	10	2.6	10	3.8	30	5.5	32	5.6	53	8.9
Oakland	---	---	---	---	1	.4	67	12.3	50	8.8	50	8.4
Ventura	8	2.2	8	2.1	3	1.1	23	4.2	49	8.6	44	7.5
Bakersfield	6	1.6	7	1.7	4	1.5	21	3.9	22	3.9	33	5.5
TOTAL	366	100.0	388	100.0	262	100.0	545	100.0	571	100.0	590	100.0

Table 11

HOUSING CASES FILED:
ALLEGED BASIS OF DISCRIMINATION

BASIS	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Race/Color	188	51.4	215	55.4	161	61.5	318	58.4	309	54.2	329	55.7
Black	162	44.3	199	51.3	149	56.9	276	50.6	257	45.1	274	46.4
Asian	3	.8	2	.5	2	.8	3	.7	3	.5	8	1.3
Caucasian	17	4.6	12	3.1	6	2.3	33	6.0	34	5.9	39	6.6
Native American	2	.5	2	.5	1	.4	1	.2	3	.6	3	.6
Other Race/Color	4	1.1	---	---	3	1.1	5	.9	12	2.1	5	.8
National Origin or Ancestry	46	12.6	44	11.9	25	9.5	84	15.4	70	12.2	72	12.2
Spanish Surname	32	8.7	30	7.7	21	8.0	67	12.3	65	11.3	71	12.0
Filipino	---	---	3	.8	---	---	---	---	4	.7	1	.2
Other National Origin	14	3.8	119	2.8	4	1.5	17	3.1	1	.2	---	---
Religion	7	1.9	2	.5	3	1.5	11	2.0	8	1.4	10	1.8
Sex	25	6.8	38	9.8	21	8.0	39	7.2	53	9.2	50	8.4
Marital Status	86	23.5	80	20.6	44	16.8	85	15.7	81	14.1	82	13.8
Association or Opposition to Discrimination	14	3.8	9	2.3	7	2.7	8	1.3	---	---	---	---
Other	---	---	---	---	---	---	---	---	50	8.9	47	8.1
TOTAL (A)	366	100.0	388	100.0	262	100.0	545	100.0	571	100.0	590	100.0

(A) Complaints with more than one basis have been counted under the first basis reported.

Table 12

HOUSING CASES FILED:
ALLEGED DISCRIMINATORY ACT

ACT	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Refusal to Show	9	2.5	13	3.4	7	2.7	17	3.1	26	4.5	11	1.8
Refusal to Rent	192	52.2	201	51.8	147	56.1	245	45.0	231	40.4	244	41.3
Refusal to Sell	3	.8	16	4.1	4	1.5	10	1.8	6	1.0	7	1.1
Refusal to Grant Equal Terms	13	3.6	5	1.3	3	1.1	11	2.0	24	4.2	22	3.8
Eviction	121	33.1	129	33.2	78	29.8	219	40.3	233	41.1	248	42.0
Rent Increase	19	5.1	10	2.6	7	2.7	15	2.7	16	2.8	21	3.6
Loan Withheld	1	.3	2	.5	1	.4	28	5.1	1	.1	5	.8
Other Type	8	2.1	12	3.1	15	5.7	---	---	34	5.9	32	5.6
TOTAL (A)	366	100.0	388	100.0	262	100.0	545	100.0	571	100.0	590	100.0

(A) Where more than one discriminatory act was alleged, the complaint was counted under the first act reported.

Table 13

HOUSING CASES FILED:
TYPE OF RESPONDENT

TYPE OF RESPONDENT	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Apartment/Home, Owner/Manager	326	89.1	337	86.9	232	88.5	428	78.5	505	88.5	483	81.8
New Tract Development	2	.5	7	1.8	1	.4	5	.9	4	.7	4	.6
Trailer Park Owner	2	.5	9	2.3	4	1.5	22	4.0	5	.8	32	5.4
Mortgage Company	2	.5	2	.5	4	1.5	---	---	---	---	5	.8
Real Estate Broker	17	4.6	17	4.4	9	3.4	21	3.8	20	3.5	20	3.5
Individual Home Owner	2	.5	5	1.3	4	1.5	27	4.9	11	1.9	23	3.8
Public Housing Authority	4	1.2	1	.3	1	.4	2	.5	6	1.0	7	1.1
Other (A)	11	3.1	10	2.5	7	2.7	40	7.4	19	3.6	16	2.7
TOTAL	366	100.0	388	100.0	262	100.0	545	100.0	570	100.0	590	100.0

(A) Includes banks, condominium developments, property management companies, etc.

Table 14

HOUSING CASES FILED:
TYPE OF ACCOMMODATION

TYPE OF ACCOMMODATION	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%	OPEN	%
Home	57	15.6	67	17.3	34	13.0	66	12.1	93	16.3	104	17.6
Apartment	289	79.0	302	77.8	213	81.3	423	77.6	455	79.8	431	73.0
Trailer Space/ Mobile Home	7	1.9	14	3.6	5	1.9	25	4.5	7	1.2	35	5.9
Homesite	---	---	---	---	1	.4	1	.3	---	---	---	---
Public Housing	1	.3	1	.3	---	---	2	.4	4	.8	---	---
Other	12	3.2	4	1.0	9	3.4	28	5.1	11	1.9	20	3.5
TOTAL	366	100.0	388	100.0	262	100.0	545	100.0	570	100.0	590	100.0

Table 15

HOUSING CASES CLOSED:
TYPE OF DISPOSITION

TYPE OF DISPOSITION	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Settlement	63	31.7	128	32.7	61	26.1	187	36.9	252	40.7	226	39.8
Insufficient or No Evidence	116	58.2	206	52.7	123	52.6	254	50.1	277	44.7	267	46.7
No Jurisdiction	---	---	2	.5	5	2.1	4	.8	5	.8	6	1.0
Closed Through Public Hearing	---	---	---	---	8	3.4	5	1.1	7	1.1	9	1.5
Withdrawn/Failure to Proceed	20	10.1	46	11.8	22	9.4	40	7.9	50	8.0	31	5.5
Court Action	---	---	9	2.3	11	4.7	10	1.8	19	3.3	21	3.8
Other (A)	---	---	---	---	4	1.7	7	1.4	9	1.4	10	1.7
TOTAL	199	100.0	391	100.0	234	100.0	507	100.0	619	100.0	570	100.0

(A) Includes cases where the resident cannot be located.

Table 16

HOUSING CASES CLOSED BY CORRECTIVE ACTION:
TYPE OF ACTION

TYPE OF ACTION	1977-78		1978-79		1979-80		1980-81		1981-82		1982-83	
	N	%	N	%	N	%	N	%	N	%	N	%
Offer to Rent	15	20.0	20	13.3	10	13.3	35	13.7	35	8.2	31	6.2
Offer to Sell	1	1.3	2	1.3	1	1.3	1	.5	---	---	---	---
Offer to Show	2	2.7	4	2.6	1	1.3	3	1.1	5	1.1	5	1.0
Offer Next Vacancy	5	6.7	7	4.6	2	2.7	13	5.3	12	2.8	17	3.4
Eviction Rescinded	20	26.7	30	19.6	13	17.3	63	24.7	71	16.8	73	14.7
Practice Corrected	7	9.3	16	10.5	5	6.7	32	12.6	88	20.8	69	13.9
Equal Terms Offered	4	5.3	1	.7	4	5.3	9	3.7	35	8.2	23	4.8
Rent Increase Rescinded	1	1.3	3	2.0	1	1.3	4	1.6	6	1.4	3	.7
Monetary Compensation	15	20.0	57	37.3	29	38.7	51	20.0	50	11.8	10	2.0
Other (A)	5	6.7	13	8.5	9	12.0	43	16.8	120	28.9	264	53.3
TOTAL (B)	75	100.0	153	100.0	75	100.0	254	100.0	422	100.0	495	100.0

(A) This category includes affirmative relief activity, such as "instruction/dissemination of nondiscrimination policy", "promise to list vacancies with fair housing groups".

(B) Where more than one corrective action was taken, the complaint was counted under each corrective action reported.

ERRATA

p. 9, paragraph 6, lines 6 and 7

Change "30 local associations around the State representing 1,100 members" to "26 local associations...representing more than 80,000 members".

p. 11, paragraph 5, line 4

Change "\$170,000" to "170,000".

p. 16, paragraph 5, line 6

Delete ", rather than".