# Civil Rights Reporter

1ssue 03 April 2022

JOURNAL OF THE TEXAS WORKFORCE COMMISSION CIVIL RIGHTS DIVISION.



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.

TEXAS WORKFORCE COMMISSION COMMISSIONERS
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AARON DEMERSON - COMMISSIONER REPRESENTING EMPLOYERS



**Civil Rights Division** 

### In This Issue

**Director** Bryan Snoddy

**Editor** Jeff Riddle

### **Fair Housing Month**

We celebrate the 54th anniversary of the Fair Housing Act, the law signed on April 11, 1968 by President Lyndon B. Johnson. Read about rental and housing assistance and get and get to know one of our housing investigators.

### Women's History Month

We celebrate Women's History Month every year in March. Read some contributions about women who have influenced equality in housing and those that have influenced our staff.

### **Front Line Customer Service**

Providing exceptional customer service is the primary focus of the employment intake specialist (EIS). "We deliver on the hope that tomorrow will be a more civil day for all Texans."

### **Director's Corner**

"When Your Home Becomes Your Office": It began innocently in March of 2020, and now, two years later, the contours of how and where we work have been fundamentally altered for many Americans and people all over the world.

### **Editors Column**

It's Fair Housing Month! In our Division, this month is a pretty big deal, so what should I talk about for this issue? My goal is for Texans to know where they can go when they believe they've been the victim of housing discrimination and want to file a complaint.

### This Time in History

We look back at some historical events that have shaped the equality landscape of America.

Texas Workforce Commission 101 E. 15th Street Guadalupe CRD Austin, Texas 78778-0001

Phone Number. 512-463-2642 or 888-452-4778 Relay Texas: 800-735-2989 (TTY)

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## Fair Housing

Month

Helping Texans identify discrimination in housing and know where to go for assistance when it happens.

It's Fair Housing Month! In our Division, this month is a pretty big deal, so what should I talk about for this issue? Do I look at discriminatory practices? Issues facing Texans such as access to housing, rental rates influenced by race or ethnicity, or appraisal value differences based on race and skin color? I know that those are big concerns but, to me, the issue I focus on above all else is what happens after.

In employment, that's pretty well understood. If these kinds of discrimination are happening at a person's workplace, most employees know to start at the bottom and work their way up through those that are responsible for addressing those concerns. Yes, there are many steps in that process, but they will start at management and eventually work their way to filing an employment discrimination complaint with the Civil Rights Division or the EEOC if their needs aren't met by the employer.

But that is not the case in housing, where where processes and solutions may be more decentralized:

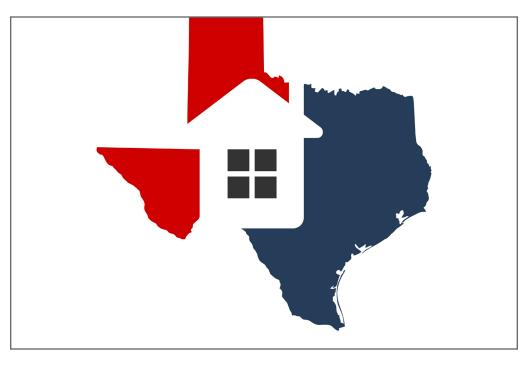
- The apartment manager who is sexually harassing their female tenants may not have a boss or HR team on-site. Their "boss," the owners of the company, could be in Virginia and not easy to contact. Who knows how long it will take to reach them or what they can do about it?
- When your home is appraised for \$100,000 less than expected until all traces of the homeowners are removed and some friends stand in as the sellers. Suddenly the home is worth so much more.
- What happens after a pregnant woman is denied a home loan until the mortgage company can confirm that she is going to go back to work after having her child?
- A family with five children, in need of a home, pays the extra "child damage" security deposit, because they know that kids do not care about walls and floors the way adults do and the family has no other choice.

How do I make sure that people know there is a place where they can challenge these discriminatory practices and that they won't have to hire an attorney to do that?

That is the challenge for the Civil Rights Division and I. My goal is for Texans to know that this is where they can come when they believe they've been the victim of housing discrimination and want to file a complaint. One of the major hurdles I face in our outreach efforts is where the Civil Rights Division is within the state structure. We are just one of 13 divisions within the Texas Workforce Commission (TWC). To the average Texan who may have been turned away from buying their dream home due to their religion (or any protected class), housing and employment discrimination are not two sides of the same coin. Many Texans know that the TWC is the agency which deals with workplace-related issues like finding a job or employment discrimination: Workforce is in the name! But common sense will not lead someone to the Texas Workforce Commission when they have a housing complaint.

So, here is my mission: Help Texans identify discrimination in housing and know where to go for assistance when it happens. So that's what I will do; with small movements that gain traction and become larger movements I will work hard to spread the knowledge. We hold a monthly webinar (did I mention it is free?!) that explains the ins and outs of fair housing in Texas. We continue to engage the state through social media, instructive presentations, engagements with city and county officials, word of mouth, and digital print. Hopefully, you are enjoying all the events and other presentations that we have offered this month to pursue this mission. I also hope that you will be an advocate in our outreach.

If you see a discriminatory practice or hear someone voicing about a potential issue, you are now armed with the knowledge of where to send them. We welcome the work; enforcing the housing rights of Texans is what we're here to do.



**CIVIL RIGHTS REPORTER** 

#### HOUSING MATTERS

### Housing and Rental Assistance Programs in Texas

Joe Rosser Housing Investigations Supervisor

No one can escape the news that home prices have risen to astronomical heights. Even if you are not in the market to buy a house, it is hard to ignore the increase as home prices also effect rent prices. A recent national rent report shows rent prices across the country have increased 12% in the past year alone. The average rent for a one-bedroom unit is now \$1,374 and the average price of a two-bedroom unit is \$1,698, which is a 14% increase from a year ago. In Austin, which has seen an influx of residents following major corporation relocations, rents have increased upwards of 26% in the last two years. Dallas and Houston have seen increases of 14.8% and 10.9% respectively.

With prices on the continuous rise, the need for affordable housing and rent subsidies has never been greater. There is an ongoing debate on how best to build and maintain affordable housing for all. In Texas, there are two options to assist low-income home seekers in finding suitable and affordable housing: Low-Income Public Housing and Tenant-Based Rental Assistance Programs.

Low-Income Public Housing is managed by Public Housing Authorities (PHAs). There are 416 PHAs spread across Texas' towns and cities. Out of those, 125 operate public housing units and the remainder operate the Section 8 Housing Voucher Program. Priority for eligibility to live in public housing is given to the elderly, disabled, and low-income families or individuals and is based on income limits. Income limits vary based on the area of the county and family size but can be as high as 80% and as low as 30% of the area's median income. The United States Department of Housing and Urban Development (HUD) currently requires 75% of all new families and individuals admitted to the program to be living at or below 30% of the area's median income.



The Tenant-Based Rental Assistance Program (more commonly known as the Housing Choice Voucher Program) is the largest of the federal housing subsidy programs and was created by HUD in 1974. \$22.2 billion was allocated to the program by HUD in 2021. The Texas Department of Housing and Community Affairs (TDHCA) oversees \$6.6. million in funds and administers vouchers in 34 Texas counties.

Like the PHA program, Housing Choice Voucher recipients must meet certain income eligibility limits based on the median income of the area and family size. Unlike the PHA program, recipients of a housing choice voucher may choose any housing that meets the requirements of the program and are not limited to units located in subsidized housing projects. Housing units in the Housing Choice Voucher Program are often single-family homes in suburban neighborhoods. Once the voucher recipient finds a unit that they wish to occupy and agrees to the landlord's lease terms, the PHA must inspect the dwelling to ensure that it meets an acceptable level of health and safety and that the requested rent is reasonable before the unit can be approved for occupancy.

As rents across Texas and the country continue to rise, the need for affordable and safe housing in Texas will increase in demand. Most PHAs across the state have waiting lists for both programs. If you need housing now or anticipate you may need affordable housing in the future, contact a local PHA or a HUD Field Office in your area to apply. For a list of PHAs in your area visit HUD's PHA contact information website at: <a href="https://www.hud.gov/program\_offices/public\_indian\_housing/pha/contacts">https://www.hud.gov/program\_offices/public\_indian\_housing/pha/contacts</a>.

1 <a href="https://www.zumper.com/blog/">https://www.zumper.com/blog/</a> rental-price-data/

2 <a href="https://affordablehousingonline.com/open-section-8-waiting-lists/Texas">https://affordablehousingonline.com/open-section-8-waiting-lists/Texas</a>

#### **HOUSING MATTERS**

### Meet a Fair Housing Investigator

### Danielle Barnes

My name is Danielle Barnes, and I am a fair housing investigator at the TWC Civil Rights Division. Although challenging at times, investigating fair housing complaints is a far more rewarding career than I could have ever believed before joining the team. Each case may have similar prima facia elements (or, in non-legal speak, things that establish a fact), but the people I interact with are completely different with every new case.

I wish there was more talk about what "fair housing" means and how it helps everyone. Before becoming an investigator, I did not know that there's a state agency (Texas Workforce Commission) that handles fair housing complaints. I also didn't know that the U.S. Department of Housing and Urban Development (HUD) is the federal agency that enforces the Fair Housing Act. I was aware of and had experienced housing discrimination; however, I did not know where I could go to file a complaint. This isn't something that is taught in most schools, and I had never heard of anyone filing a complaint. It wasn't until I was in college and saw a childhood friend denied a service animal in her dorm that the need for that knowledge became real. Later, as a counselor, I was often notified of people being denied their emotional support animals. I was able to point them in the right direction thanks to that knowledge.

As an investigator, I do this work to make a difference within the community and to further civil rights ideals. My background in counseling and criminal justice makes me more aware of the frustration some individuals face when they perceive unfairness related to their home. I went to school for criminal justice to learn how to shape or change laws that unfairly harm historically oppressed communities. I am a part of several advocacy groups - from mental health to gender rights and homelessness. I also work part-time at a crisis hotline for victims of domestic violence and harassment. All these experiences help give me insight into what people have potentially experienced when they file housing complaints. Being a civil rights investigator often means listening to communities and helping them find the right solutions for their needs; we try to identify the root cause of the problem to stop it from reoccurring.



#### DIRECTOR'S CORNER

### When Your Home Becomes Your Office The CRD View

**BRYAN SNODDY - DIVISION DIRECTOR** 

It began innocently in March of 2020, and now, two years later, the contours of how and where we work have been fundamentally altered for many Americans and people all over the world. The transition more broadly to a knowledge-based economy with the aid of mobile communications at broad-band speeds has accelerated what was once only imagined to be possible.

Today, if you are speaking to a member of the Civil Rights Division (CRD), there is an exceptionally good chance that they are at home, possibly even working off their back patio or porch. No longer do we hear the sounds of telephones ringing across our office space from the multitude of callers. Fun fact: the 1908 version of the dial tone has long gone the way of the dodo bird. CRD team members now utilize softphones that ring through our network infrastructure to our computers, and should they be busy investigating, your voicemail is transcribed and sent to them as an email. The nostalgic side of me reminisces about the excitement of transitioning from rotary phones, and the attendant busy signals, to tone dialing, call-waiting, and even a cassette-based answering machine. If you understand those references, you are probably nearing your fifth decade or are well beyond – like yours truly.



Instead, we are fully virtual except for the few dozen pieces of mail that we receive and send each month, but nonetheless, we are very much still present for all Texans and the many stakeholders that need us. Even this far into our transition we continue our customer service advances to better serve the needs of our customers. Our newest challenge is transiting our mail services from physical to virtual. TWC's amazing IT division is also exploring desktop texting options to provide the customer with convenience in our communication pathways. We are even enjoying support from our friends at the Texas Department of Information Resources (DIR) as we try to streamline payment options for services that we provide to more customer-friendly credit/debit transactions.

The culmination is that the Civil Rights Division is working industriously to bring improved and faster customer service to every single stakeholder. You might hear kids in the background, the garbage truck passing by, or a ring of the doorbell from a delivery truck driver, but our homes, apartments, garages, and patios have now been converted into an office where each member personally serves every customer that comes through our virtual doors with the love and tender kindness that we would share with our neighbors, friends, and family.



Whereas we used to expend time, attention, and energy fighting traffic, printing and storing paper documents, and occupying cubicles and offices, we have turned every ounce of those efforts into driving outcomes for the people of Texas. In Fair Housing, we have driven down the time to close to 65-75 days per case from over 200 days. In employment investigations, we have edged the time of the investigation process down to 34.5 days. Still, we train and educate thousands of Texans from El Paso to Marshall and from Amarillo to Brownsville on fair housing and equal employment laws. Our resolutions team continues to mediate/conciliate between 25 – 40 cases each month between employment and fair housing. Our EEO Compliance Monitor and team ensures that every state agency and institute of higher education is reviewed on a six year rolling basis.

We might be working at home in our cargo shorts with a business shirt and jacket, but the Civil Rights Division is still working hard to deliver. We just have a different office view.

### Women Who Shaped Fair Housing

### **Editorial Staff**

In honor of both Fair Housing month and Women's History month, we wanted to highlight two women who championed for housing rights and celebrate their significant achievements.

Our first woman is Patricia Robert Harris (1924-1985), who achieved many firsts for women and African Americans. Harris was the first woman to serve as a U.S. Ambassador, the first black woman to be a dean of a U.S. law school, and the first black woman to serve within a Presidential Cabinet.

Harris had a long history of involvement within the civil rights movement and went on to serve in some official capacity for three separate Presidents. President John F. Kennedy appointed Harris as co-chair of the National Women's Committee for Civil Rights. President Lyndon B. Johnson, his successor, appointed her as the American Ambassador to Luxemburg in 1965. After four years as Ambassador, Harris moved on to serve as the Dean of Howard Law school.

Fair Housing and Women's History months collided in 1977, when Harris was appointed as Secretary of Housing and Urban Development (HUD). During her confirmation hearing, she was asked if she was able to represent and help the poor. She was asked this because, leading up to her appointment, Harris had carved out a significant career for herself, not only as a public servant but as a capable lawyer.

Harris responded, "Senator, I am one of them. You do not seem to understand who I am. I'm a black woman, the daughter of a dining-car waiter. I'm a black woman who even eight years ago could not buy a house in some parts of the District of Columbia... I started, Senator, not as a member of a prestigious law firm, but as a woman who needed a scholarship to go to college. If you think that I have forgotten that, you are wrong."

Harris' work as Secretary of HUD brought meaningful changes to struggling neighborhoods. She brought aid and money to impoverished areas instead of tearing them down as was the case in many parts of the country. Under her leadership, HUD expanded the Urban Homesteading Demonstration Program and started the Urban Development Action Grant Program. Both programs served to promote home ownership, assist struggling families, stabilize declining neighborhoods, and bring business to the focus improvement areas.

The other woman we want to bring attention to is Catherine Bauer (1905-1964), an early advocate for public housing. After graduating from college, Bauer's travels throughout Europe would ignite her passion for, and later career in, the study of urbanization and housing. Starting with her book Modern Housing, written in the 1930s, Bauer became one of the most prominent "housers." "Houser" is a term used to describe advocates for affordable housing in the United States. This led to Bauer becoming one of the primary authors of the Housing Act of 1937.

The Housing Act of 1937 provided for affordable, subsidized homes for low-income families and individuals. But this was just the beginning of her work for public housing. She was later chosen to become a Director within the United States Housing Authority and would spend the next 30 years advising Presidents and various agencies on housing and urban planning matters.

"I'm a black woman who even eight years ago could not buy a house in some parts of the District of Columbia... If you think that I have forgotten that, you are wrong." Patricia Robert Harris

We encourage our readers to learn more about these remarkable women and their impact on fair housing for all:

Alex Brandis, "A Woman of Many Firsts: Patricia Roberts Harris," Historic America, March 2021. <a href="https://www.historicamerica.org/journal/2021/3/1/a-woman-of-firsts-patricia-roberts-harris">https://www.historicamerica.org/journal/2021/3/1/a-woman-of-firsts-patricia-roberts-harris</a>

Barbara Penner, "The (Still) Dreary Deadlock of Public Housing," Places Journal, October 2018. https://doi.org/10.22269/181030

#### **EMPLOYMENT MATTERS**

### Frontline Customer Service

### Hilsi Gomez

Providing exceptional customer service is the primary focus of the employment intake specialist (EIS). The EIS strives to provide exceptional customer service in support of the Texas Workforce Commission Civil Rights Division's (TWCCRD) Brand Promise: "We deliver on the hope that tomorrow will be a more civil day for all Texans." The EIS must be empathetic, able to listen to the concerns brought by our customers, and able to identify how to best help the customer while remaining neutral throughout the entire process.

The employment intake process is relentless. In fiscal year (FY) 2021, the intake team received almost 3,400 complaints, our busiest year to date. 1,227 complaints were perfected and 2,189 were dismissed either due to lack of jurisdiction or no basis for the complaint. FY 2022 looks to be even busier. To date, employment intake has already received over 1,500 complaints.

Employment discrimination complaints can be received by email, regular mail, and even still fax. On average, employment intake receives more than 250 complaints a month. In September 2021, employment intake received 629 complaints. Once a complaint is received, the EIS uses the models of proof and jurisdictional requirements to determine eligibility. They then take the following steps to assist the customer who has called or emailed us concerning a complaint:

- 1. Triage: When a customer contacts the TWCCRD, the EIS conducts triage to determine if our department can assist them. If the complaint is outside of our jurisdiction, we provide them with information on other resources that they may be able to utilize.
- 2. Additional Information: Once triage is complete, the EIS will communicate with the customer if additional information is needed, or as we call it "Request Further Information (RFI)".
- 3. Drafting a Charge of Discrimination: The charge of discrimination is drafted after all of the necessary information has been gathered. This draft is derived from the original complaint and the additional information. The draft is then sent to the customer for review and signature.
- 4. Perfection: Once the customer signs and returns the charge of discrimination, it is then perfected by assigning it a case number. After the charge has been perfected, it is sent to the case processing coordinator to begin the employer notification and mediation invitation process.

The EIS serves on the frontline for the TWCCRD. They are the first contact with the Division for a customer who believes they have been subjected to an adverse employment action due to a discriminatory reason. We enjoy what we do, though we do not enjoy why we are necessary. As long as Texans face discrimination within the workplace, we will be here to listen and help our customers through the process.



### An Extraordinary Woman

**Editorial Staff** 

Dara Torres is the first Cuban-American female swimmer to compete in five Olympics and the oldest person to qualify for the Olympic games.

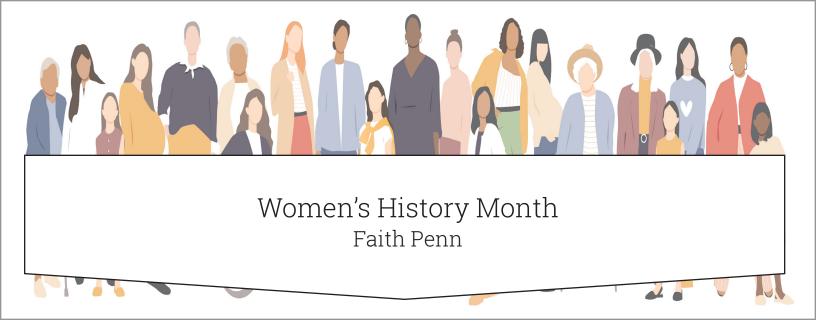
Dara Grace Torres began swimming at the age of seven when she followed in her brother's footsteps by joining the local YMCA. At 14, Torres won the National Open Championship in the 50yard freestyle. She defeated Jill Sterkel, the then-current champion who was a college junior at that time. After accepting an athletic scholarship to attend the University of Florida where she swam for the Florida Gators Swimming and Diving Team, Torres went on to win nine Southeastern Conference (SEC) individual championships: the 50-yard freestyle (1987, 1988, 1989), 100-yard freestyle (1987, 1988, 1989), 200-yard freestyle (1987), and 100-yard butterfly (1988, 1989). Her hard work and dedication led her to her being named the 1988 SEC Athlete of the Year and the SEC Female Swimmer of the Year in 1987 and 1989. By then, Torres had earned 28 All-American swimming honors - the maximum amount possible during a college career.

After participating in the 1988 and the 1992 Olympics, Torres retired only to return seven years later to train for an Olympic comeback in 1999. She won five medals at the 2000 Summer Olympics in Sydney, including individual bronzes in the 50-yard and 100-yard freestyles and the 100-yard butterfly. The wins made her the oldest woman to win an Olympic medal and the most decorated female of the 2000 Olympic Games at 33 years of age. Afterward, Torres again hung up her suit. Over the next seven years, she married, divorced, did broadcasting work, and gave birth to her first child, daughter Tessa, in 2006.

In May 2006, she resumed training with the goal of losing the 36 pounds she had gained during her pregnancy. On August 1, 2007, at age 40, just 16 months after giving birth, Torres won the 100-meter freestyle at the U.S. Nationals in Indianapolis. Three days later, on August 4th, she set a new American record in the 50-meter freestyle of 24.53 seconds, breaking her own record of 24.63 seconds set at the 2000 Summer Olympics.

Torres entered a master's competition and swam fast enough to qualify for the 2008 U.S. Olympic Trials. She became the oldest woman, at the age of 41, to represent the Women's USA swim team, the oldest U.S. Olympic swimmer in history, and the first American swimmer to appear in five Olympic Games. After the 2012 Trials, Torres announced her retirement from competitive swimming. She concluded her career with 12 Olympic medals.

Torres has continued to work as a sports commentator on ESPN, CNN, Fox, and other news channels. In addition, she is the author of two books: Age is Just a Number: Achieve Your Dreams at Any Stage in Your Life and Gold Medal Fitness: A Revolutionary 5-Week Program. Torres is also a veteran celebrity swimmer for Swim Across America, a charitable organization which raises funds for cancer research. Torres is an inspiration to all female athletes, and she has proven that age should not stop anyone from achieving their dreams.



Each year, the month of March is set aside to celebrate and honor the awesome women of both today and the past. But, before your mind is blown from learning about these extraordinary women, here is a bit of history regarding the month itself.

Did you know that Women's History Month started as Women's History Week? Women's History Month began as a local celebration in Santa Rosa, California by the Education Task Force of Sonoma County. Sonoma's school district planned and executed a Women's History Week celebration in the week of March 8, 1978. This week was chosen to align with International Women's Day (March 8th). Activities included parades, essay competitions, and presentations about influential women. The movement spread across the country as other communities initiated their own Women's History Week celebrations.

In 1980, a consortium of women groups and historians led by the National Women's History Project (now known as the National Women's History Alliance) successfully lobbied for national recognition. In February of 1980, Jimmy Carter issued the first Presidential Proclamation declaring the week of March 8, 1980, as National Women's History Week. Subsequent presidents after Carter continued to proclaim the celebration of National Women's History Week in March until Congress passed Public Law 100-9 in 1987, designating March as National Women's History Month. And with that passing of law, the first Women's History Month was celebrated around the United States. Between 1988 and 1994, Congress has passed additional resolutions requesting and authorizing each President to proclaim March as National Women's History Month.

Each year, the National Women's History Alliance selects a theme for Women's History Month. The 2022 theme was "Women Providing Healing, Promoting Hope." This theme is "both a tribute to the ceaseless work of caregivers and frontline workers during this ongoing pandemic and also a recognition of the thousands of ways women of all cultures have provided both healing and hope throughout history." The entire month of March is dedicated to honoring women; shining a light on their current and past societal contributions and celebrating the many important roles women have played throughout American history! Today, Women's History Month is celebrated during March in the United States, the United Kingdom, and Australia. Purple, green and white, are the colors symbolizing Women's History Month and International Women's Day.

### ON THE 54TH ANNIVERSARY OF THE FAIR HOUSING **ACT, HUD UNDERSCORES ITS COMMITMENT AND** PROGRESS TOWARD ADVANCING FAIRNESS AND **EQUITY IN HOUSING**

April 11, 2022, marks the 54th anniversary of the enactment of the federal Fair Housing Act. On April 11, 1968, President Lyndon B. Johnson signed Title VIII of the Civil Rights Act of 1968, also known as the Fair Housing Act. The Fair Housing Act protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities. The statute also directs all executive departments and agencies to administer their programs and activities relating to housing and urban development, including any Federal agency having regulatory or supervisory authority over financial institutions, in a manner affirmatively to further the purposes of the Act.

Initially, the Fair Housing Act prohibited discrimination on the basis of race, color, religion and national origin. Later, the Act's protections were expanded to include discrimination on the basis of sex, disability, and familial status. In February 2021, the U.S. Department of Housing and Urban Development (HUD) clarified that the Fair Housing Act prohibits discrimination on the basis of gender identity and sexual orientation.

Today, under the leadership of Secretary Marcia L. Fudge, HUD continues to prioritize its commitment to strengthening fair housing protections and enforcement. In the first year of the Biden-Harris Administration, HUD's actions included:

- Fighting Housing Discrimination Related to the COVID-19 Pandemic. Protecting the LGBTQ+ Community Against Housing Discrimination. Restoring the Affirmatively Furthering Fair Housing Requirement. Restoring the Discriminatory Effects Rule. Withdrew the "Mixed-Status" Rule. Fighting Disability Discrimination.

- Launched a Whole-of-Government Plan for Wide-Ranging Reforms to Advance Equity in Home Appraisals. Affirmed the Use of Special Purpose Credit Programs.
- Set the Stage for Increased Fair Housing and Lending Enforcement and Access.



### WELLPATH TO PAY \$75,000 TO SETTLE EEOC RELIGIOUS DISCRIMINATION CASE

Health Care Company Denied Religious Accommodation for a Correctional Nurse To Wear a Scrub Skirt, Federal Agency Charged

SAN ANTONIO, Texas – Tennessee-based Wellpath, LLC, a provider of health services in correctional facilities, will pay \$75,000 and furnish significant equitable relief to settle a religious discrimination suit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, a nurse who is a practicing Apostolic Pentecostal Christian was hired by Wellpath to work in the GEO Central Texas Correctional Facility in downtown San Antonio. Before reporting to work, the nurse told a Wellpath human resources employee that her religious beliefs require her to dress modestly and to wear a scrub skirt instead of scrub pants while at work. In response, Wellpath denied the request for her religion-based accommodation and rescinded the nurse's job offer. According to the suit, the nurse had worn a scrub skirt in other nursing jobs, including at a juvenile correctional facility.

Title VII of the Civil Rights Act of 1964 prohibits discrimination based on religion and requires employers to reasonably accommodate an applicant's or employee's sincerely held religious beliefs unless it would pose an undue hardship.

The consent decree resolving the case provides the former employee with back pay and compensatory damages of \$75,000. The decree also provides for injunctive relief, including anti-discrimination training and distribution of a notice informing employees of their rights.

"Under federal law, when a workplace rule conflicts with an employee's sincerely held religious practice, an employer must attempt to find a workable solution," said Philip Moss, trial attorney for the EEOC's San Antonio Field Office. "This settlement should underscore the importance of employers taking affirmative steps to comply with their obligations under anti-discrimination laws."

Regional Attorney Robert Canino added, "The EEOC is pleased that in addition to a monetary settlement, Wellpath has agreed to training human resources employee at its headquarters and certain managers throughout Texas on anti-discrimination laws and providing accommodations, including matters related to dress and grooming based on religion."



**CIVIL RIGHTS REPORTER** 

- **April 3, 1944** In Smith vs Allwright, the U.S. Supreme Court ruled the white primaries, which kept African Americans from voting based on the Democratic Party was a private organization, were unconstitutional.
  - April 4, 1968 Rev. Dr. Martin Luther King was assassinated outside his hotel in Memphis, Tennessee.
- **April 9, 1866** The Civil Rights Bill of 1866, which mandated that "all persons born in the United States," with the exception of American Indians, were "hereby declared to be citizens of the United States." It was vetoed by President Andrew Jackson, but the House overrode the veto.
- **April 11, 1968** The Civil Rights Act of 1968, an expansion of the 1964 Act, was signed into law by President Lyndon B. Johnson. The Act is known as the Fair Housing Act and prohibits discrimination concerning the sale, rental, or financing of housing based on race, religion, national origin, and sex.
- **April 14, 1775** The "Society for the relief of free Negroes unlawfully held in bondage", the first abolitionist society in America, is founded in Philadelphia.
- **April 16, 1862** The District of Columbia Emancipation Act was sign into law by President Lincoln, ending slavery within the nation's capital.
- **April 15, 1817** The first American school for the deaf was founded by Thomas H. Gallaudet and Laurent Clerc in Hartford, Connecticut.
- **April 21, 1836** The Battle of San Jacinto between Texans led by Sam Houston and Mexican forces led by Santa Anna took place near present day Houston.
- **May 14, 1942** the Women's Army Auxiliary Corps (WAAC) Act, which authorized a voluntary enrollment program for up to 150,000 women to join the U.S. Army in a noncombat capacity, was signed into law.
- **May 17, 1954** In Brown v. Board of Education, the U.S. Supreme Court unanimously declared that segregation of public schools was unconstitutional and "We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal".

# History



**CIVIL RIGHTS REPORTER** 

### Fair Housing Across Texas An Introduction to the Fair Housing Programs within the State

Have you heard the term Fair Housing and wondered what it is? Have you been turned away from a house or apartment because of your race, religion, or your children? Fair housing covers Texans' civil rights when buying, selling, leasing, or listing a home. Join us on Tuesday, April 19, 2022, at 12:00 CST for a conversation as we discuss the programs and agencies that support your fair housing rights. Registration at <a href="https://forms.office.com/g/MTEYybKxju">https://forms.office.com/g/MTEYybKxju</a>

### **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.

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

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

For additional questions about this Live Q&A, please e-mail eeomediation@twc.texas.gov

#### **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

### **EQUAL EMPLOYMENT TRAINING**

Are you a private employer looking to train 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 <a href="mailto:CRDTraining@twc.texas.gov">CRDTraining@twc.texas.gov</a> to discuss are low-cost options for your company.

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