

HUMAN RIGHTS *Today*

Promoting Dignity and Respect by Advancing Justice and Equality

Human Rights Today
is a publication of the
Westchester County
Human Rights Commission
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Andrew J. Spano, Westchester County Executive

Delores Scott Brathwaite, Esq. Westchester County Human Rights Commission



A Message from County Executive Andy Spano

*An excerpt from his 2006
"State of the County" address*

"Westchester County must continue to be a place where all people are treated fairly and given a chance to succeed. We must never forget that tolerance, decency and respect are the hallmarks of what all Americans stand for.

We cannot turn our backs on

troubled youngsters. We cannot turn our backs on hard-working immigrants...or the disabled...or the homeless. We will not stand for having religious symbols defiled or hate literature in our neighborhoods. We will not tolerate having home buyers steered to certain areas...and away from others.

This is not the Westchester I want for the future. This is not the lesson I want our children to learn. Westchester County is better than this. As long as I am County Executive, we will continue to support and advocate for those children who need special help. We will continue to give the homeless the tools to become self-sufficient. We will continue to root out discrimination wherever it appears and we will fight to give all our residents the respect and dignity they deserve.

Let's not forget for a moment that all our ancestors were immigrants. They all came here in search for a better life or for religious or political freedom. Let us not stifle this opportunity for others. We need less intolerance and more understanding. And we need the clergy, community activists and politicians to continue to speak out against injustice."

Human Rights Award Renamed for Ossie Davis

The Westchester County Human Rights Commission has received permission from Ruby Dee and the family of Ossie Davis to rename the Commission's Lifetime Achievement Award in honor of the late activist, author and actor. The Award will now be called the "Ossie Davis Human Rights Lifetime Achievement Award."

"In their early years, Ossie Davis and Ruby Dee, joined the army of pioneers who fought for human rights and civil rights. They became soldiers for justice and equality at a time when it was not popular and even frightening to stand up for the rights of others. Their commitment and dedication to the cause of civil rights and

human rights has been on a local, national and international level," said Delores Scott Brathwaite, executive director of the Commission. Dr. George Castellanos, chair of the Commission, applauded the executive director for pursuing this effort and making it a reality. "Ossie Davis was an outstanding resident of this County, a staunch supporter of this Commission, and to rename one of our awards after him was really apropos. We are honored that his family has entrusted the use of his name to us for our Lifetime Achievement Award."

The Westchester County Human Rights Commission holds an Annual Human Rights Day Breakfast and Awards Ceremony each year in December in honor of International Human Rights Day.

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Trivia Question:
Who was the driving
force behind the
Universal Declaration
of Human Rights?
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See answer on p.4



Message from the Executive Director

Welcome to the second edition of our newsletter *Human Rights Today*. In our first issue we shared with you the purpose and work of Westchester County's Human Rights Commission. In this issue, we share some of the things the Commission has been doing and our plans for moving forward.

As executive director, I see the mandate of this Commission to be two-fold: (a) enforcement of the Human Rights Law; and (b) education and outreach. We will continue to enhance the Commission's investigation and prosecution of complaints of discrimination and strongly advocate and educate Westchester County about the importance of inclusion and diversity.

Recently, I represented our Commission in a regional conference and panel discussion on the *"Human Rights Atrocities of Hurricane Katrina."* I also did a presentation and workshop sponsored by Westchester Community College on *"Age Discrimination in Employment"* and was a panelist on *"Hate Crimes and Racial Profiling"* sponsored by the Organization of Chinese Americans and Asian Americans and at a Town Hall meeting on *"The State of Black America."* I have continued to speak to community organizations and use radio and television talk shows to raise awareness of human rights issues.

The Commission has become acutely aware of the rising issue of discrimination in our schools and

we have begun meeting and working with some schools on the issue of diversity. We plan to offer consultation, education and training in diversity and related topics to schools, businesses and organizations. We will provide even more assistance to local commissions, especially in the area of resolving issues through mediation and we will continue our speaking engagements on issues relevant to human rights.

We are pleased with our accomplishments, but there are still many challenges ahead. I hope you will join our efforts to eliminate discrimination and provide education and advocacy that fosters harmony in this wonderful multiracial, multi-cultural community we call home.

Delores Scott Brathwaite

Meeting Hate with Humanity

Gorton High School recently held a public candlelight vigil as the culmination of its **"Meeting Hate with Humanity"** as a memorial to victims of the Holocaust, genocide and other atrocities of inhumanity. The school's Unity Club, under the leadership of Faculty Advisor Beth Quinn, studies the effects of racism, prejudice and bigotry locally, nationally and internationally. By studying the historical development and lessons of the Holocaust, genocide and other violations of human rights, students learn the value of justice, fairness and equality and what it means

to assist those who have been victimized by prejudice. The students of the Unity Club adopted a village in Sudan and have also been providing food, clothing and other assistance to the people of Darfur.

The candlelight vigil at which County Executive Andy Spano and Human Rights Executive Director Delores Scott Brathwaite both spoke was attended by students faculty and parents and the general public. As Spano noted, this was a time to not only remember the victims of the Holocaust and other atrocities of inhumanity but to "stand up against any acts of humanity and injustice."

The initiative of these students has helped to educate other stu-

dents and the community to realize that we have a responsibility to stop violent and exclusionary acts which are based on racism, prejudice and intolerance. The students say that knowledge they have gained has empowered them to make choices in life which will help create a more equitable society. Kudos to the Gorton High School Unity Club.



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The State of Black America

"The State of Black America" was the topic of the public forum recently held at Greenburgh Town Hall. Panelists discussed problems and issues of concern with respect to politics, education, health care and the criminal justice system as well as the effect on the Black community.

Speaking to a 'standing room only' audience, panelists included County Legislator Andrea Stewart Cousins; Sam Walker, acting Supreme Court justice, Westchester County; Dr. Lynne Perry Bottinger, a cardiologist and assistant professor of medicine at Columbia University; Vicki Ross Norris, a well known educator; and Rev. Canon Petero Sabune, minister of prison initiatives. Delores Scott Brathwaite, executive director of Westchester County Human Rights Commission, moderated the program.

FOCUS ON: Housing Discrimination

In Westchester, everyone has a right to fair housing. This means people have the right to own or rent a home wherever they choose irrespective of their actual or perceived age, color, race, ethnicity, national origin, citizenship status, disability, gender, familial and/or marital status (including whether there are children or not), religion, creed, or sexual orientation. In addition, the Westchester County Human Rights Commission is the first and only human rights commission in the State of New York to extend this same protection to victims of domestic violence, sex abuse or stalking.

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Save the Date!

Westchester County
HUMAN RIGHTS COMMISSION

Annual Human Rights Day Breakfast and Awards Ceremony

Date: Tuesday, December 12, 2006

Time: 8:00 am to 10:00 am

Place: The Crowne Plaza Hotel

White Plains, New York

Cost: \$15.00 per person

Honorees

RABBI AMIEL WOHL

"OSSIE DAVIS Human Rights Lifetime Achievement Award"

Presented by Ruby Dee and the Davis family

ORIAL A. REDD

"Champion of Human Rights Award"

For more information contact:
WCHRC at 914-995-7710 or e-mail
axm2@westchestergov.com



Human Rights Award cont'd from page 1

At that time, the Commission recognizes and awards individuals who have demonstrated an outstanding commitment to improving human relations, encouraging and supporting diversity, and successfully bringing people together to foster and promote racial, ethnic and cultural harmony.

The Commission unanimously agreed that the first recipient of the newly renamed award will be Rabbi Amiel Wohl of New Rochelle. Rabbi Wohl and Ossie Davis were community activists together and openly spoke out against racism, bigotry and the problems of economic divides. The Davis family will present the award to Rabbi Wohl at the Commission's Human Rights Breakfast, Tuesday, December 12, 2006 at the Crowne Plaza Hotel in White Plains, New York.

Other honorees include Oriol A. Redd, who will receive the Commission's Champion of Human Rights Award, and Gorton High School, Yonkers, which will be given the Commission's Human Rights Meritorious Service Award in recognition of the school's human rights initiatives, locally and internationally, through a program led by Beth Quinn that educates and advocates human rights. Hope to see you at the Breakfast!

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Housing Discrimination

The Westchester County Human Rights Commission has investigated and resolved several cases involving co-op boards that refused applications for ownership because of the prospective buyer's race, ethnicity, familial status or sexual orientation. The Commission has also resolved several cases of housing discrimination based on disability. These issues involved denials to grant and/or create handicapped accessible parking spaces or ramps in housing complexes, or failure to provide reasonable assistance with respect to needs in the apartment. The Commission has awarded equitable or monetary relief or both in these cases.

There are some exceptions to protection being afforded in the age and gender categories. However, anyone who believes they were denied housing rights based on either one of these categories should contact the office so it can be determined whether a protected category is involved.

Who is covered? Anyone who resides in an apartment building, a multiple family dwelling (where at least three families are living independent of each other), co-op, condominium or government-assisted housing is covered under the county's Human Rights Law.

Housing discrimination is serious because of the impact it has on the quality of one's life. Anyone who may have been the victim of discrimination in housing should contact the Commission at (914) 995-7710.

*Trivia Answer:
Eleanor Roosevelt*

The Commission at Work

A woman called the Westchester County Human Rights Commission complaining that she was terminated from her job because she was pregnant. An investigator researched the allegations and interviewed all of the parties involved. After the investigation, it was determined that the complainant may have, in fact, been the victim of pregnancy discrimination. The Commission prepared formal proceedings on behalf of complainant.

The allegations were based on the fact that, as a female employee, she was forced to terminate her employment. The forced resignation stemmed from the fact that shortly after she told her employer she was pregnant, her employer reduced her to part-time hours because she had been sick for a few days. The reduction in hours was not needed and was not requested or wanted by the pregnant woman. She was assured by her employer that her fulltime hours would be restored after she returned from giving birth. When she returned from maternity leave her employer refused to reinstate her to her prior status as a full-time employee. She also had lost significant benefits.

Although most of the pregnancy discrimination cases brought before the Commission are resolved by mediation, on occasion, the case goes to a public hearing. This was one of those cases. A full evidentiary hearing was held before an administrative law judge who awarded the complainant substantial monetary damages for lost wages, loss of benefits, mental anguish and emotional distress.

The Oscars and Human Rights

Two movies nominated in this year's Academy Awards highlighted issues of workplace abuses and served as a reminder of the importance of human rights and civil rights legislation.

Brokeback Mountain, directed by local Westchester resident Ang Lee, focuses on the relationship between two cowboys in 1963. One of the protagonists, Jack Twist, played by Jake Gyllenhaal, applies for a job. His former boss, who knows Twist's sexual orientation, calls him a "faggot" and refuses to hire him. Twist is subsequently depressed. Although federal and New York State law would offer no protection to Twist today, the Westchester County Human Rights Law would because it prohibits discrimination based on an individual's sexual orientation.

North Country, starring Charlize Theron, is based on the landmark successful class-action sexual harassment case, *Jenson v. Eveleth Taconite Co.*, wherein a group of female mine workers were subjected to a hostile work environment. The harassment started with crude sexual jokes, offensive comments and pranks and escalated to physical advances, unwanted touching and groping. The harassment became even more severe after the women complained. The Westchester County Human Rights Law prohibits and protects against sexual harassment and retaliation. Also, when appropriate, class actions may be investigated by the Commission.

*Submitted by
Tejash Sanchala, Esq.,
commission member and chair
of the Legislation Committee.*

Age Discrimination

Nexters, Gen-Xers, Boomers and Veterans? What are they and what do they have in common? Nexters are persons born after 1981; Gen-Xers are those born between 1965 to 1980; Boomers are persons born between 1946 to 1964; and Veterans were born from 1922 to 1945. What they have in common is that for the first time, all four generations are in today's workforce.

Boomers and Veterans make up the largest part of the workforce and this increased number of mature people in the workplace has caused an increase in age discrimination claims. Hirings, firings, promotions, layoffs, compensation, benefits and pensions are just a few of the issues being closely scrutinized for discrimination. Federal and state law as well as the county Human Rights Law protect employees 40 years of age and older from discrimination with respect to any term, condition or privilege of employment. However, while federal and state law require an employer have at least 15 employees to be protected, the Westchester County Human Rights Law only requires four.

"Because age discrimination often tends to be the 'softer and subtle' side of discrimination, it is often cleverly disguised and thus overlooked," said Delores Scott Brathwaite, executive director of the Human Rights Commission. "With so many Boomers and Veterans in the workforce, employers need to be careful in the management of their employment practices."

Under the law, employers must be able to clearly demonstrate a bona fide occupational qualification (BFOQ) in order to have restrictions that adversely affect or discriminate against an older worker. If you believe you have been treated unfairly, please call the Commission (914) 995-7710.

In the News

A diversity forum at the Women's Club on May 17 focused on increasing minority representation in the legal profession. Panelists included Delores Scott Brathwaite, Esq., (left) of the Human Rights Commission; Juanita Bing Newton, administrative judge for the City of New York; and Larry Ritter, a consultant for New York Diversity Solutions (right). Attorney Lawrence McElroen and Amy Patterson, executive director of the County Bar Association, also attended (below right). Other panelists were Lyndon D. Williams, Esq., president of the Westchester County Bar Association, and Janet Jordan, family court magistrate for the City of Yonkers. The event was sponsored by the Westchester Women's Bar Association, the Westchester County Bar Association and the Westchester Black Bar Association.

County Legislator Andrea Stewart-Cousins, and Delores Scott Brathwaite, Esq., executive director of the Human Rights Commission, with the members of the Human Rights Commission.



HUMAN RIGHTS *Today*



Remembering Our Heroes



HON. DONALD SILVERMAN
*November 21, 1941 -
June 2, 2006*

The Westchester community mourned the passing of the Honorable Donald J. Silverman, an outstanding attorney and a former Justice of the New York State Supreme Court. Justice Silverman had long been an advocate, activist and supporter of human rights. His promotion and advocacy of social justice earned him the leadership as chairman of the Westchester County Human Rights Commission. During his tenure, he was instrumental in providing guidance and direction to the Commission in its early years of growth and development. As recipient of the Commission's 2005 "Human Rights Lifetime Achievement Award," he was honored at its Annual Breakfast and Awards Ceremony, which was attended by his family, friends, colleagues in the legal and judicial community and the general community as well.

Judge Silverman served as a Westchester County Court Judge from 1988 until he was elected to the State Supreme Court for the ninth Judicial District in 1992. He retired from the bench in 1998 and practiced law in the private sector with his wife, noted immigration attorney, Robin Bikkal, in the firm of Silverman, Bikkal & Sandberg LLP in White Plains.

A former president of the White Plains YMCA and the Cardozo Society, he was also legal advisor to several local Hispanic advocacy groups.

Westchester County Executive Andrew Spano, a longtime friend of Judge Silverman, praised him for his outstanding knowledge, confidence and integrity and referred to him as "not only one of our best judges but one of our best human beings."

Westchester and the world of human rights has lost a great jurist, advocate, leader and friend.

CORETTA SCOTT KING

*April 27, 1927 -
January 30, 2006*



The world mourned the passing of Coretta Scott King, a woman known for her grace, dignity, strength and courage. As "First Lady of the Human Rights Movement," she was deeply committed to continuing the mission and legacy of her husband, the Rev. Dr. Martin Luther King, Jr.

Although she shared and participated in Dr. King's work by organizing marches, holding sit-ins at segregated restaurants and by performing in "Freedom Concerts" to raise money for the Southern Christian Leadership Conference, she was a leader in her own right. In the 1960s, she found herself in demand as a public speaker and a voice for human rights.

She was the first woman to deliver the Class Day address at Harvard, as well as the first woman to preach at a statutory service at St. Paul's Cathedral in London.

Coretta Scott King remained determined to fulfill the mission of her husband, the Rev. Dr. Martin Luther King, Jr., and devoted much of her time and energies to building and developing the Martin Luther King, Jr. Center for Non-Violent Social Change.

Her dedication to racial and economic justice, women's rights, children's rights, gay and lesbian dignity and many other humanitarian causes, even when these issues were unpopular, inspired and caused many changes.

Often speaking of the courage and strength of women, her legacy can be found in one of her last speeches in which she said, "Women, if the soul of this nation is to be saved, I believe you must be its soul."

Coretta Scott King will be missed.

COUNTY NEWS

Help End Domestic Violence

Domestic violence is a community problem and Westchester wants everyone to get involved.

The Office for Women will give presentations (in English and Spanish) to churches, synagogues, community groups, or school or health care facilities about what they can do. A new brochure offers suggestions for helping one's community as well as a person in need.

For more information, or to reach a Helpline, call (914) 995-5972 or (914) 995-6581/2241 (in Spanish) Monday through Friday, 9 a.m. to 5 p.m.

Recycle Those Phones

Throwing a cell phone in the trash is never a good idea. Now it's also illegal.

Westchester County now requires that used cell phones be disposed of at a certified phone recycling center. See a list of centers at www.westchestergov.com/cellphone or call (914) 813-5420.

Don't Abandon Your Baby

Hoping to prevent unwanted babies from being abandoned, New York has a "Safe Haven" law that allows new mothers to leave their infants in a designated safe place.

Westchester is partnering with the Children of Hope Foundation, which runs a helpline (1-877-796-HOPE), to let more people know about the law.

Under the law, a parent can leave an unharmed baby up to five days old at a suitable safe place with a responsible adult.