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**Report on the Fiscal 2023  
Preliminary Plan and the Fiscal 2022  
Mayor's Management Report for the  
New York City Human  
Rights Commission**

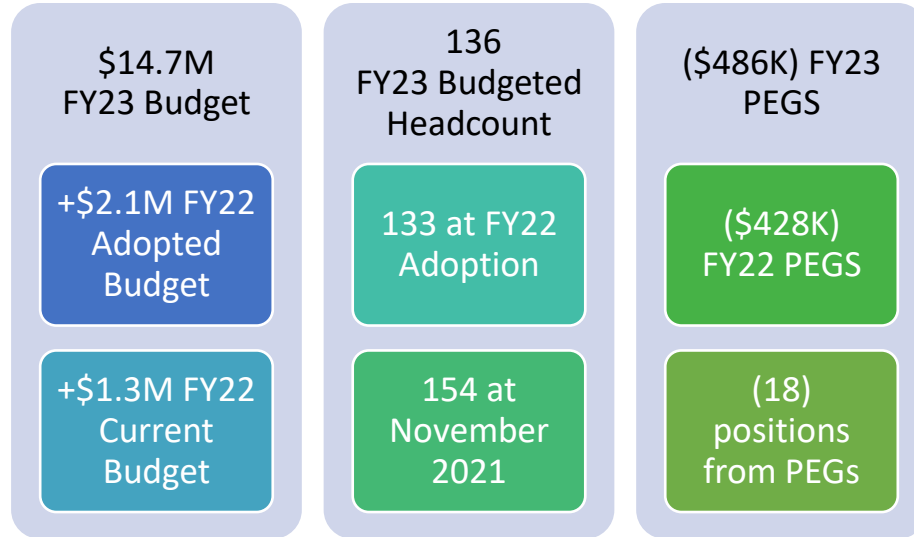
**March 16, 2022**

(Report Prepared by Jack Kern)

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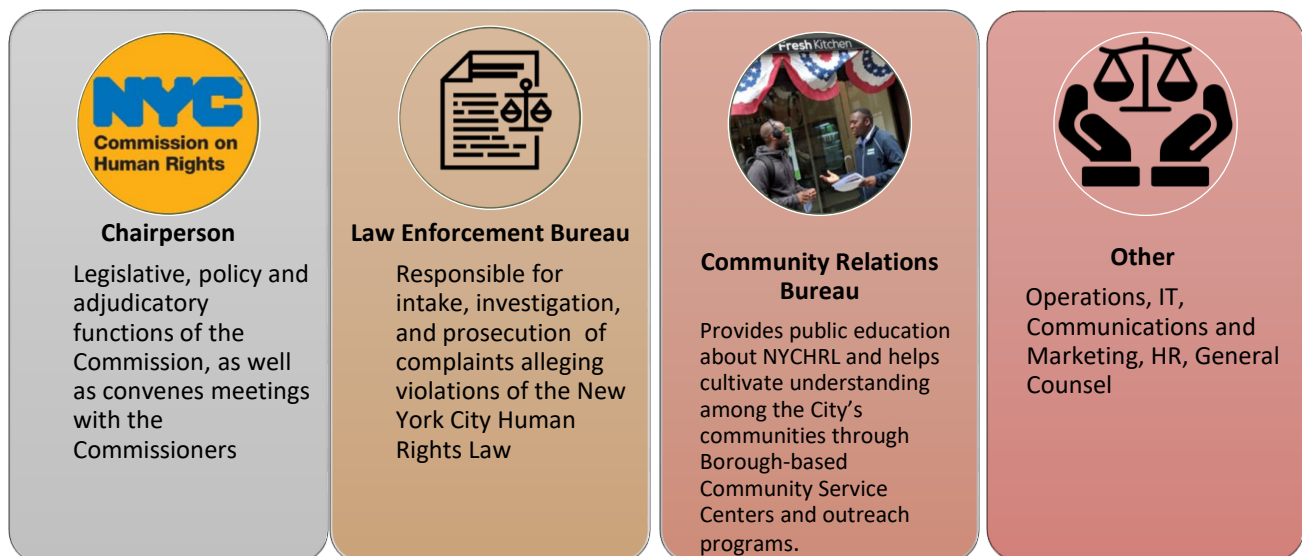
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## Commission on Human Rights Fiscal 2023 Budget Snapshot



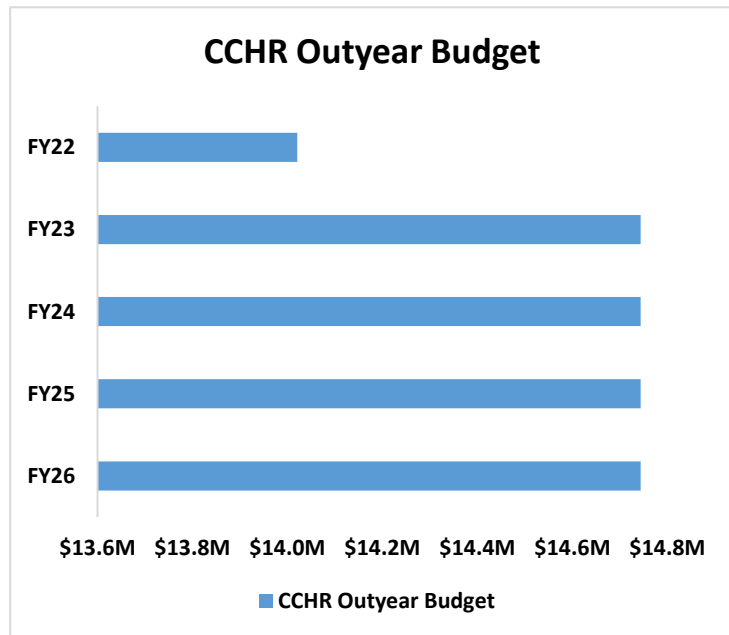
## Commission on Human Rights Financial Plan Overview

The New York City Commission on Human Rights' (CCHR or the Commission) Fiscal 2023 Preliminary Budget totals \$14.7 million, or less than one percent of the City's Fiscal 2023 Budget of \$98.5 billion. CCHR enforces the New York City Human Rights Law (NYCHRL), one of the most comprehensive laws of its kind in the country. The NYCHRL protects individuals from discrimination in employment, housing, and public accommodations. CCHR enforces the law and implements civil rights policies, but also conducts outreach to the public through media campaigns, community engagement, and education. In the Financial Plan for Fiscal 2022-2026, Mayor Adam's administration has decreased the Commission's outyear budget with long-term savings; the current year budget has also decreased, from the initial prorated impact of the long-term savings. The Commission's spending has been relatively stable over the past five fiscal years, with an average of \$12.1 million.



## Financial Plan Projections

- The Fiscal 2023 Financial Plan presents a \$14.7 million budget for the Commission and projects that agency spending will stay consistent at \$14.7 million through the end of the Plan period in Fiscal 2026. Since actual spending for the past five fiscal years has averaged \$12.1 million, this growth in the current year and sustaining it in the outyears is realistic. If there are additional expansions to the NYCHRL, the Commission will need to adjust accordingly, potentially expanding to support additional protections.



## Federal COVID-19 and Stimulus Funding

The federal government provided funding to states, cities, and localities for COVID-19 response and recovery. The Fiscal 2023 Preliminary Budget includes \$452,000 in federal revenue to support seven positions, the funding was added in the Fiscal 2022 Adopted Budget. The positions are federally funded and are the sole recipients of the federal aid. The Commission swapped City funding for the federal funding in the Adopted Plan. The funding is only in Fiscal 2022, so the Commission will need to find a new funding source for the positions next fiscal year.

## CCHR Financial Summary

The following Financial Summary provides actuals for Fiscal 2020 and Fiscal 2021, the Adopted Budget for Fiscal 2022 and planned spending for Fiscal 2022 and Fiscal 2023 as of the Fiscal 2023 Preliminary Budget. This information is broken down by Unit of Appropriation, funding source, and headcount.

<b>City Commission on Human Rights Financial Summary</b>						
<i>Dollars in Thousands</i>						
	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
<i>Dollars in Thousands</i>	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY22</b>	<b>FY23</b>	<b>FY22-FY23</b>
<b>Budget by Type</b>						
Personal Services	\$10,321	\$10,178	\$10,462	\$11,555	\$12,299	\$1,837
Other Than Personal Services	1,835	1,673	2,230	2,466	2,445	215
<b>TOTAL</b>	<b>\$12,155</b>	<b>\$11,851</b>	<b>\$12,692</b>	<b>\$14,021</b>	<b>\$14,744</b>	<b>\$2,052</b>
<b>Budget by Unit of Appropriation</b>						
Community Development	\$6,307	\$6,026	\$8,225	\$9,476	\$9,584	\$1,359
PS/OTPS	5,848	5,825	4,467	4,545	5,160	693
<b>TOTAL</b>	<b>\$12,155</b>	<b>\$11,851</b>	<b>\$12,692</b>	<b>\$14,021</b>	<b>\$14,744</b>	<b>\$2,052</b>
<b>Funding</b>						
City Funds			\$12,240	\$13,562	\$14,744	\$2,504
Federal - Other			452	452	0	0
State			0	7	0	0
<b>TOTAL</b>	<b>\$12,155</b>	<b>\$11,851</b>	<b>\$12,692</b>	<b>\$14,021</b>	<b>\$14,744</b>	<b>\$2,052</b>
<b>Budgeted Headcount</b>						
Full-Time Positions	127	119	133	136	136	3
<b>TOTAL</b>	<b>127</b>	<b>119</b>	<b>133</b>	<b>136</b>	<b>136</b>	<b>3</b>

*\*The difference of Fiscal 2022 Adopted Budget compared to Fiscal 2023 Preliminary Budget*

- CCHR's Fiscal 2023 Preliminary Budget of \$14.7 million is \$2.1 million more than its Fiscal 2022 Adopted Budget of \$12.7 million. The Personal Services (PS) and Other Than Personal Services (OTPS) budgets increase by \$1.8 million and \$215,000 respectively.
- Similar to the Fiscal 2023 Preliminary Plan showing an increase, the Fiscal 2022 Preliminary Plan has increased by \$1.3 million compared to the Fiscal 2022 Adopted Budget. This is from the addition of positions in the November 2021 Plan, and the decrease of \$428,000 due to Preliminary Plan PS savings and vacancy reductions.
- The Commission's \$14.7 million Fiscal 2023 Preliminary Budget is funded entirely by City tax-levy. As highlighted in the section above, CCHR received federal funding in the current year, but Fiscal 2023 is entirely comprised of City funds. It is possible that CCHR will have the opportunity to swap City for federal funds again next year, but that is not included in this Plan.
- CCHR's Fiscal 2022 and 2023 headcount increases by three net positions in Fiscal 2022 and 2023 compared to the Adopted Budget. There have been additions and subtractions of positions throughout the Fiscal year that will be discussed in the following section. Fiscal 2023 shows increases of \$1.8 million in Personal Services (PS) and \$215,000 in Other Than Personal Services (OTPS). In this Plan, the reduction of 18 vacancies decreases the Commission's PS budget by \$210,000 in Fiscal 2022, and \$487,000 in Fiscal 2023.

## Fiscal 2023 Preliminary Budget Changes

### New Needs

- **Vaccine Incentive.** The Fiscal 2023 Preliminary Plan adds \$1,000 in Fiscal 2022 only for the City's vaccine incentive program. One of the most common incentives was a \$100 debit card for individuals who are receiving their first dose or booster dose at a City-run or partner site. The program reached more than 850,000 New Yorkers and concluded on February 28, 2022.

## Other Adjustments

- **Department of Citywide Administrative Services (DCAS) Transfer.** The Fiscal 2023 Preliminary Plan decreases the Fiscal 2022 budget by \$42,500 for a transfer of funding to DCAS. The Commission is moving part of its office space to make availability for the Board of Standards and Appeals, which will take over the \$42,500 financial responsibility for those sections of the building. CCHR is making additional space elsewhere in the building to accommodate the changes.

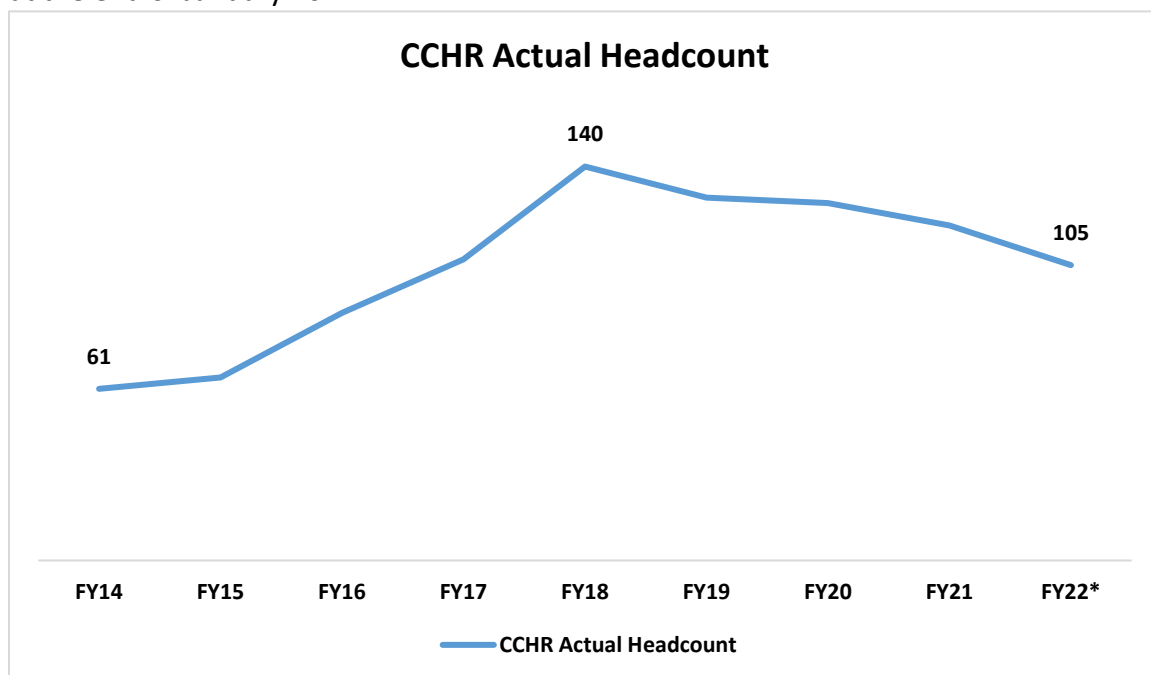
## Program to Eliminate the Gap

- **Source of Income (SOI) Unit Vacancy Reduction.** The Fiscal 2023 Preliminary Plan includes baseline savings of \$210,000 in Fiscal 2022 and \$486,000 in Fiscal 2023 and the outyears for the reduction of 18 vacancies tied to CCHR's SOI Unit. The financial savings are from 10 of the 18 positions, but the Plan eliminates 18 positions. The SOI Unit protects current or prospective tenants from discrimination based on lawful source of income including housing assistance vouchers, subsidies, or other forms of public assistance. The positions were originally in the human Resources Administration (HRA) budget, and in November were transferred to and expanded in CCHR's budget. The Law Department had previously delegated some responsibilities to a unit in the HRA with limited authority to file claims of SOI discrimination in State court, the Commission files cases in the city with the Office of Administrative Trials and Hearings (OATH).
  - The SOI unit was expanded by 19 positions in the November 2021 Plan from five positions to 24 positions, with the SOI unit not existing entirely in CCHR, and not in other agencies as well. The new positions included; one supervising attorney, three Agency Attorney II's seven Agency Attorney I's, three Human Rights Specialists; four Community Coordinators. Following this transfer, CCHR had more tools to pursue complaints and proactively investigate SOI matters, whereas HRA was not able to initiate its own investigations. Now, the SOI unit has six budgeted positions and according to CCHR it has one or two active staff.
- **Personal Services Savings.** The Fiscal 2023 Preliminary Plan includes savings or accruals from vacant positions of \$219,000 in Fiscal 2022 only. With previous vacancies and vacancy reductions CCHR has had to find PS savings from the vacant positions.

## Headcount

CCHR's headcount is comprised mostly of human rights specialists and attorneys. As of December 31, 2021 CCHR had 22 Agency Attorneys, 22 Associate Human Rights Specialists, 12 Human Rights Specialists, 12 Executive Agency Counsels, and 41 other active positions among the other titles.

The forecast for headcount decreases by 18 positions in Fiscal 2022, and the outyears leading to a budgeted headcount of 151 in Fiscal 2023 and the outyears. The structure of the Commission's headcount remains the same, with positions allocated to the same units at the same proportion, with most of the positions in the Law Enforcement Program. The chart below shows CCHR's actual headcount change from Fiscal 2014 through Fiscal 2021, including January of Fiscal 2022. The recent decrease is due to the hiring freeze, vacancy reductions, and overall difficulty for agencies to hire. With actual headcount decreasing from a peak of 140 active in Fiscal 2018, to 105 at the end of January 2022.



## Fiscal 2023 Preliminary Mayor's Management Report

The Fiscal 2022 PMMR reports on two service areas and two goals for CCHR. Noteworthy changes are detailed below.

- Inquiries Received.** The Commission receives inquiries that describe situations of wrongdoing against the NYCHRL. After an inquiry, CCHR staff will interview the person reporting information and if it is covered by the NYCHRL, a complaint will be drafted. Through the first four months of Fiscal 2022, CCHR received 4,162 inquiries, an increase of 1,293 or 45 percent from the first four months of Fiscal 2021 when CCHR received 2,869 inquiries. CCHR believes the increase is possibly due to the easing of pandemic related restrictions. This increase is notable and if the pace stays the same throughout the Fiscal year, would amount to 12,486 inquiries. If that were to occur, this would be the most inquiries received since CCHR began publishing the figure in Fiscal 2018.

- **Matters Initiated.** CCHR determines if an inquiry would result in a matter being initiated and requires follow-up from Commission staff, the outcome after being initiated could be a resolution before filing a complaint or a complaint being filed. The follow-up from Commission staff is known as initiating a matter. Through the first four months of Fiscal 2022, CCHR initiated 162 matters, a decrease of 48 percent or 151 matters compared to the first four months of Fiscal 2021 when 313 matters were initiated. CCHR believes the decrease is due to more matters being handled as complaints, as they are seen as being more successful and having a greater impact. This indicator has decreased significantly and could merit further discussion as a potential issue if CCHR considers it to be a noteworthy indicator. If the pace of Fiscal 2022 maintains through the Fiscal year, CCHR would initiate 486 matters, less than the 881 in Fiscal 2021, and the all-time high of 2,319 in Fiscal 2019.
- **Value of Damages for Complainants.** As a result of CCHR's work, monetary relief may be ordered, including damages and attorney's fees to be paid to complainants. Through the first four months of Fiscal 2022, there was \$2.4 million ordered, an increase of 24 percent or \$460,000 compared to the first four months of Fiscal 2021, when nearly \$2 million was ordered.
- **Responses to bias-based incidents.** CCHR responds to bias incidents with the Bias Response Team. The Bias Response Team was relaunched in late 2016, following an increase in discriminatory harassment and bias incidents. The Team works to support and stabilize communities after incidents of bias have occurred. The Team responds to need identified by the harmed communities. Through the first four months of Fiscal 2022, the Team responded to 46 incidents, a decrease of 63 percent or 79 incidents compared to the first four months of Fiscal 2021 when 125 incidents were responded to. It is unclear why there was a reduction in bias-related incidents at CCHR.
- **Conferences, workshops and training sessions.** CCHR attends and offers conferences, workshops, training sessions, and youth-based training sessions on issues including but not limited to the Human Rights Law, cultural diversity, and conflict resolution. Through the first four months of Fiscal 2022, CCHR participated in 390 of these conferences, workshops and training sessions, an increase of 20 percent or 34 events compared to the first four months of Fiscal 2021 when CCHR participated in 326 events.

## Budget Issues and Concerns

**Staffing.** The Commission has a budgeted headcount of 136 in Fiscal 2023, as of the end of January CCHR had 105 active positions. Throughout the last two years, CCHR has reduced its budget primarily by vacancy reductions. The Commission stated it has experienced difficulties as a result of the hiring restrictions and being short staffed. The rigid and slow process of acquiring approval from the Office of Management and Budget (OMB) to fill vacated positions has impacted CCHR's outcomes, and in turn its promotion and protection of the NYCHRL in the City.



## Appendices

### A. Budget Actions in the November and Preliminary Plans

<i>Dollars in Thousands</i>	Fiscal Year 2022			Fiscal Year 2023		
	City	Non-City	Total	City	Non-City	Total
<b>CCHR Budget as of the Adopted FY22 Budget</b>	<b>\$12,240</b>	<b>\$452</b>	<b>\$12,692</b>	<b>\$13,089</b>	<b>\$0</b>	<b>\$13,089</b>
<b>New Needs, Nov FY22</b>						
Cyber Security Staffing	\$71	\$0	\$71	\$142	\$0	\$142
<b>Subtotal, New Needs</b>	<b>\$71</b>	<b>\$0</b>	<b>\$71</b>	<b>\$142</b>	<b>\$0</b>	<b>\$142</b>
<b>Other Adjustments, Nov FY22</b>						
PS Savings	(\$279)	\$0	(\$279)	\$0	\$0	\$0
Source of Income (SOI) Unit Transfer	2,000	0	2,000	2,000	0	2,000
Workwell and CCHR MOU	0	7	7	0	0	0
<b>Subtotal, Other Adjustments, Nov FY22</b>	<b>\$1,721</b>	<b>\$7</b>	<b>\$1,728</b>	<b>\$2,000</b>	<b>\$0</b>	<b>\$2,000</b>
<b>Savings, Nov FY22</b>						
N/A	\$0	\$0	\$0	\$0	\$0	\$0
<b>Subtotal, Savings, Nov FY22</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total, Nov FY22 Changes</b>	<b>\$1,792</b>	<b>\$7</b>	<b>\$1,799</b>	<b>\$2,142</b>	<b>\$0</b>	<b>\$2,142</b>
<b>New Needs, Jan FY23 FY22</b>						
Vaccine Incentive	\$1	\$0	\$1	\$0	\$0	\$0
<b>Subtotal, New Needs</b>	<b>\$1</b>	<b>\$0</b>	<b>\$1</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Other Adjustments, Jan FY23</b>						
DCAS Transfer	(\$43)	\$0	(\$43)	\$0	\$0	\$0
<b>Subtotal, Other Adjustments, Jan FY23</b>	<b>(\$43)</b>	<b>\$0</b>	<b>(\$43)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Savings, Jan FY23</b>						
PS Savings	(\$219)	\$0	(\$219)	\$0	\$0	\$0
SOI Vacancy Reduction	(209)	0	(209)	(486)	0	(486)
<b>Subtotal, Savings, Jan FY23</b>	<b>(\$428)</b>	<b>\$0</b>	<b>(\$428)</b>	<b>(\$486)</b>	<b>\$0</b>	<b>(\$486)</b>
<b>Total, Jan FY23 Changes</b>	<b>(\$470)</b>	<b>\$0</b>	<b>(\$470)</b>	<b>(\$486)</b>	<b>\$0</b>	<b>(\$486)</b>
<b>TOTAL, All Changes</b>	<b>\$1,322</b>	<b>\$7</b>	<b>\$1,329</b>	<b>\$1,655</b>	<b>\$0</b>	<b>\$1,655</b>
<b>CCHR Budget as of the Preliminary FY23 Budget</b>	<b>\$13,562</b>	<b>\$459</b>	<b>\$14,021</b>	<b>\$14,744</b>	<b>\$0</b>	<b>\$14,744</b>

### B. Contract Budget

<b>CCHR FY23 Preliminary Contract Budget</b>				
<b>Category</b>	<b>FY22 Adopted</b>	<b>Number of Contracts</b>	<b>FY23 Preliminary</b>	<b>Number of Contracts</b>
Maintenance and Repair General	\$5,137	6	\$5,137	6
Office Equipment Maintenance	5,225	2	5,225	2
Data Processing Equipment	6,288	1	6,288	1
Printing Contracts	450,000	1	450,000	1
Cleaning Services	14,067	2	14,067	2
Professional Services Computer Services	97,043	3	97,043	3
<b>TOTAL</b>	<b>\$577,760</b>	<b>15</b>	<b>\$577,760</b>	<b>15</b>

## C. Program Areas

### Community Development

<b>Community Development</b> <i>Dollars in Thousands</i>						
	<b>FY20</b> <b>Actual</b>	<b>FY21</b> <b>Actual</b>	<b>FY22</b> <b>Adopted</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
				<b>FY22</b>	<b>FY23</b>	<b>FY22-FY23</b>
<b>Spending</b>						
<b>Personal Services</b>						
Full-Time Salaried - Civilian	\$4,709	\$4,702	\$6,274	\$7,295	\$7,418	\$1,144
Overtime - Civilian	0	4	15	15	15	0
Other Salaried and Unsalaries	49	52	44	44	44	0
Additional Gross Pay	128	118	202	203	202	0
<b>Subtotal</b>	<b>\$4,887</b>	<b>\$4,876</b>	<b>\$6,534</b>	<b>\$7,556</b>	<b>\$7,678</b>	<b>\$1,144</b>
<b>Other Than Personal Services</b>						
Supplies and Materials	\$44	\$42	\$72	\$287	\$247	\$175
Fixed and Misc. Charges	2	0	0	0	0	0
Property and Equipment	167	182	75	195	75	0
Other Services and Charges	858	624	985	856	1,025	40
Contractual Services	349	302	559	582	559	0
<b>Subtotal</b>	<b>\$1,420</b>	<b>\$1,150</b>	<b>\$1,691</b>	<b>\$1,920</b>	<b>\$1,906</b>	<b>\$215</b>
<b>TOTAL</b>	<b>\$6,307</b>	<b>\$6,026</b>	<b>\$8,225</b>	<b>\$9,476</b>	<b>\$9,584</b>	<b>\$1,359</b>
<b>Funding</b>						
City Funds			\$7,773	\$9,024	\$9,584	\$1,811
Federal - Other			452	452	0	(452)
<b>TOTAL</b>	<b>\$6,307</b>	<b>\$6,026</b>	<b>\$8,225</b>	<b>\$9,476</b>	<b>\$9,584</b>	<b>\$1,359</b>
<b>Budgeted Headcount</b>						
Full-Time Positions - Civilian	64	59	118	119	112	(6)
<b>TOTAL</b>	<b>64</b>	<b>59</b>	<b>118</b>	<b>119</b>	<b>112</b>	<b>(6)</b>

*\*The difference of Fiscal 2022 Adopted Budget compared to Fiscal 2023 Preliminary Budget.*

## Personal Services and Other Than Personal Services

<b>Personal Services and Other Than Personal Services</b>						
<i>Dollars in Thousands</i>						
	<b>FY20</b>	<b>FY21</b>	<b>FY22</b>	<b>Preliminary Plan</b>		<b>*Difference</b>
	<b>Actual</b>	<b>Actual</b>	<b>Adopted</b>	<b>FY22</b>	<b>FY23</b>	<b>FY22-FY23</b>
<b>Spending</b>						
<b>Personal Services</b>						
Full-Time Salaried - Civilian	\$5,296	\$5,152	\$3,776	\$3,847	\$4,469	\$693
Overtime - Civilian	0	0	0	0	0	0
Other Salaried and Unsalaries	0	0	103	103	103	0
Additional Gross Pay	138	150	49	49	49	0
Amounts to be Scheduled	0	0	0	0	0	0
<b>Subtotal</b>	<b>\$5,434</b>	<b>\$5,302</b>	<b>\$3,928</b>	<b>\$3,999</b>	<b>\$4,621</b>	<b>\$693</b>
<b>Other Than Personal Services</b>						
Supplies & Materials	\$36	\$2	\$46	\$58	\$46	\$0
Fixed & Misc. Charges	8	0	0	0	0	0
Property & Equipment	103	20	14	103	14	0
Other Services & Charges	173	380	460	327	460	0
Contractual Services	95	120	19	59	19	0
<b>Subtotal</b>	<b>\$414</b>	<b>\$523</b>	<b>\$539</b>	<b>\$547</b>	<b>\$539</b>	<b>\$0</b>
<b>TOTAL</b>	<b>\$5,848</b>	<b>\$5,825</b>	<b>\$4,467</b>	<b>\$4,545</b>	<b>\$5,160</b>	<b>\$693</b>
<b>Funding</b>						
City Funds			\$4,467	\$4,538	\$5,160	\$693
Intra City			0	7	0	0
<b>TOTAL</b>	<b>\$5,848</b>	<b>\$5,825</b>	<b>\$4,467</b>	<b>\$4,545</b>	<b>\$5,160</b>	<b>\$693</b>
<b>Budgeted Headcount</b>						
Full-Time Positions - Civilian	63	60	15	17	24	9
<b>TOTAL</b>	<b>63</b>	<b>60</b>	<b>15</b>	<b>17</b>	<b>24</b>	<b>9</b>

\*The difference of Fiscal 2022 Adopted Budget compared to Fiscal 2023 Preliminary Budget.