

**20
24**

PHRC HYBRID DISABILITY CONFERENCE



DON'T LEAVE ME OUT!

Adrian Garcia, Director of Enforcement, PHRC

Goals for Today's Discussion

Humanity: The Historic Why
PHRC: History, Protections & Jurisdiction
ADAAA: Definition & Examples

Disability: Existing Barriers
Fighting Discrimination
Answer Questions

Expectation

To live, work, play, and learn in a society where all abilities are respected, valued, and supported.

Everyone is a prisoner of their own experience. No one can eliminate prejudices — just recognize them.

— Edward R. Murrow

Examples!

- 1907 - Eugenic Sterilization Law for People with Disabilities Enacted
- 1924 - Virginia Eugenic Sterilization Act, was signed into law
- 1939 - Nazi Program Kills Thousands of People with Disabilities

1945 - First bill introduced to have an Anti-Discrimination/civil rights agency

1952 - Industrial Race Relations Commission Report

- **1200 PA employers surveyed**
 - **40% would not hire African Americans in unskilled positions**
 - **50% would not hire African Americans in semi-skilled positions**
 - **More than 60% would not hire African Americans for professional positions or public contact**

1955 - Commission was established as the Fair Employment Practices Commission. (FEPC)

1961 - Present name was acquired and jurisdiction was broadened to include the areas of public accommodations including schools

1968 - Commission was transferred from the state Department of Labor to the Governor's office



Who is covered by the
Pennsylvania Human Relations Act?

What Classes are Protected

- Race or Color
- Sex-Includes pregnancy as well sexual orientation, gender identity and expression
- Age (40 or over)
- Religion
- National Origin
- Ancestry
- Disability
- Currently having, having a record of, being regarded as having or association with someone who has a disability
- Use, handling or training of support animals for disability
- Familial status
- Retaliation

*Having a GED instead of a high school diploma is also covered.



Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

The ADAAA definition of the term “disability” "a physical or mental impairment that substantially limits one or more major life activities; a record (or past history) of such an impairment; or being regarded as having a disability".

What Areas Do Our Acts Cover?



Employment



Housing



**Commercial
Property**



**Public
Accommodations**



Education

Note: Cases involving K-12 education fall under the PHRA as a public accommodation. All other education related cases generally fall under the PFEOA.

Jurisdiction

PHRA:



Employment - 4 or more employees on the day of the alleged act of discrimination



Housing - 1 Property



Education - Any educational institution that is not considered private



Public Accommodations - Any place that services the public including public schools

***Federal Guidelines are different**

***Eligible cases will be dual-filed**

Parties to the Complaint

PHRC generally does not have jurisdiction and cannot file a complaint against the following types of Respondents:



Federal Government



Judicial and Legislative Branches



Farming Operations (Certain farm workers)



Distinctly Private Organizations (with some exceptions)



Statute of Limitations

- 180 days from the act of harm (includes Saturdays, Sundays & holidays)
- If the 180th day ends on Sat., Sun., or holiday, the time period ends the next business day
- Subject to equitable tolling
- Cases not timely for PHRC but timely for our Federal partners will be deferred to them for consideration
- Federal statutes:
 - EEOC = 300 days

Employment

- **Failure to Hire**
- **Discharge**
- **Compensation**
- **Privileges, terms and conditions**
- **Demotion or non-promotion**

Housing

- **Failure to Rent, Sale, or Finance**
- **Eviction, or non-renewal**
- **Terms and Conditions**
- **Steering**
- **Refusal of Reasonable Accommodation or modification**

Acts of Harm, just these are just some examples.





Common Accommodations and Modifications in Education

- Presentation accommodations
- Response accommodations
- Setting accommodations
- Timing accommodations
- Scheduling accommodations
- Organization skills accommodations

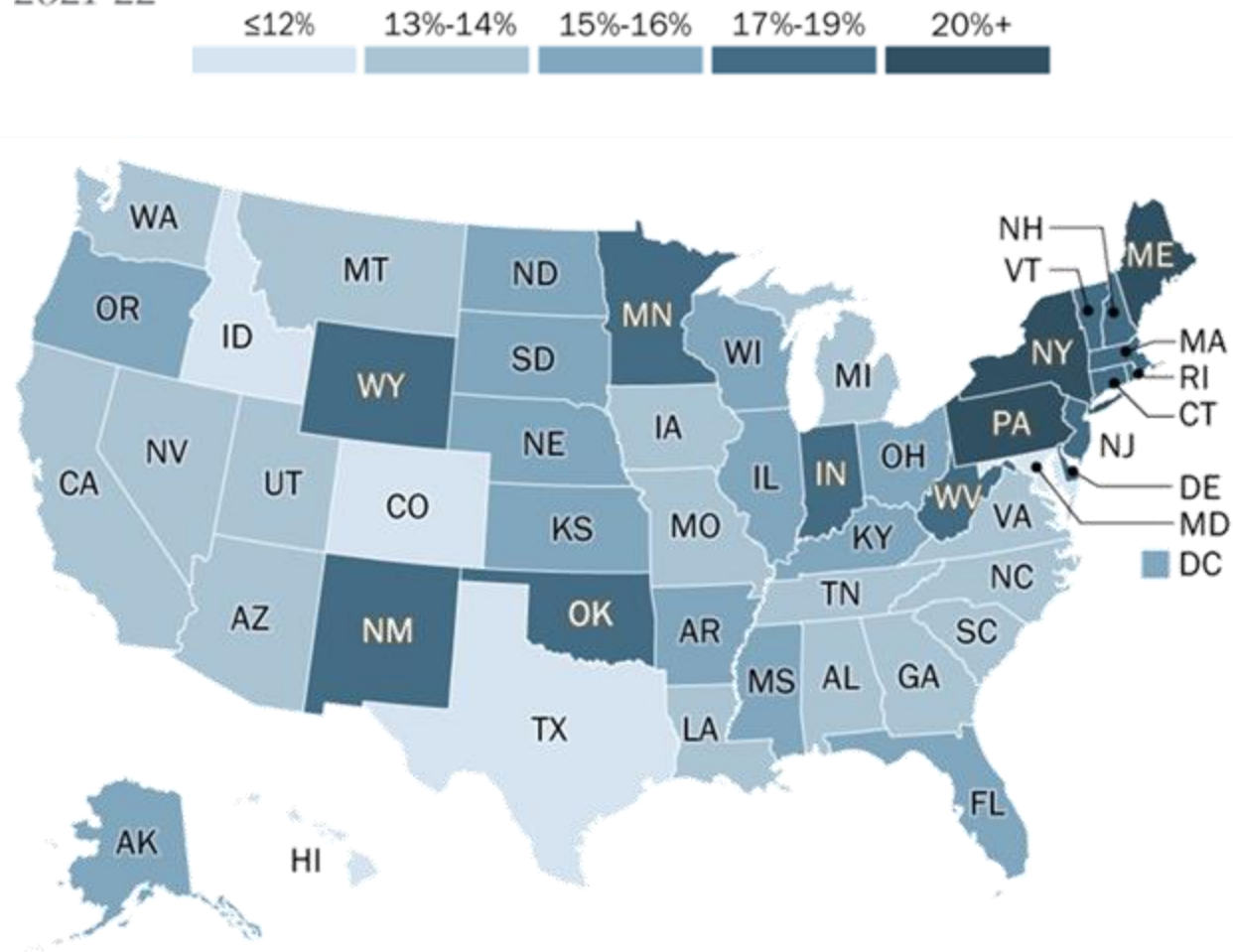


Common Accommodations and Modifications in Education

- **Assignment modification**
 - Complete different homework problems than peers
 - Answer different test questions
 - Create alternate projects or assignments
- **Curriculum modification**
- Learn different material (such as continuing to work on multiplication while classmates move on to fractions)
- Get graded or assessed using a different standard than other students
- Be excused from particular projects

New York, Pennsylvania and Maine public schools serve the highest shares of students with disabilities

Students with disabilities as a share of all public school students, 2021-22

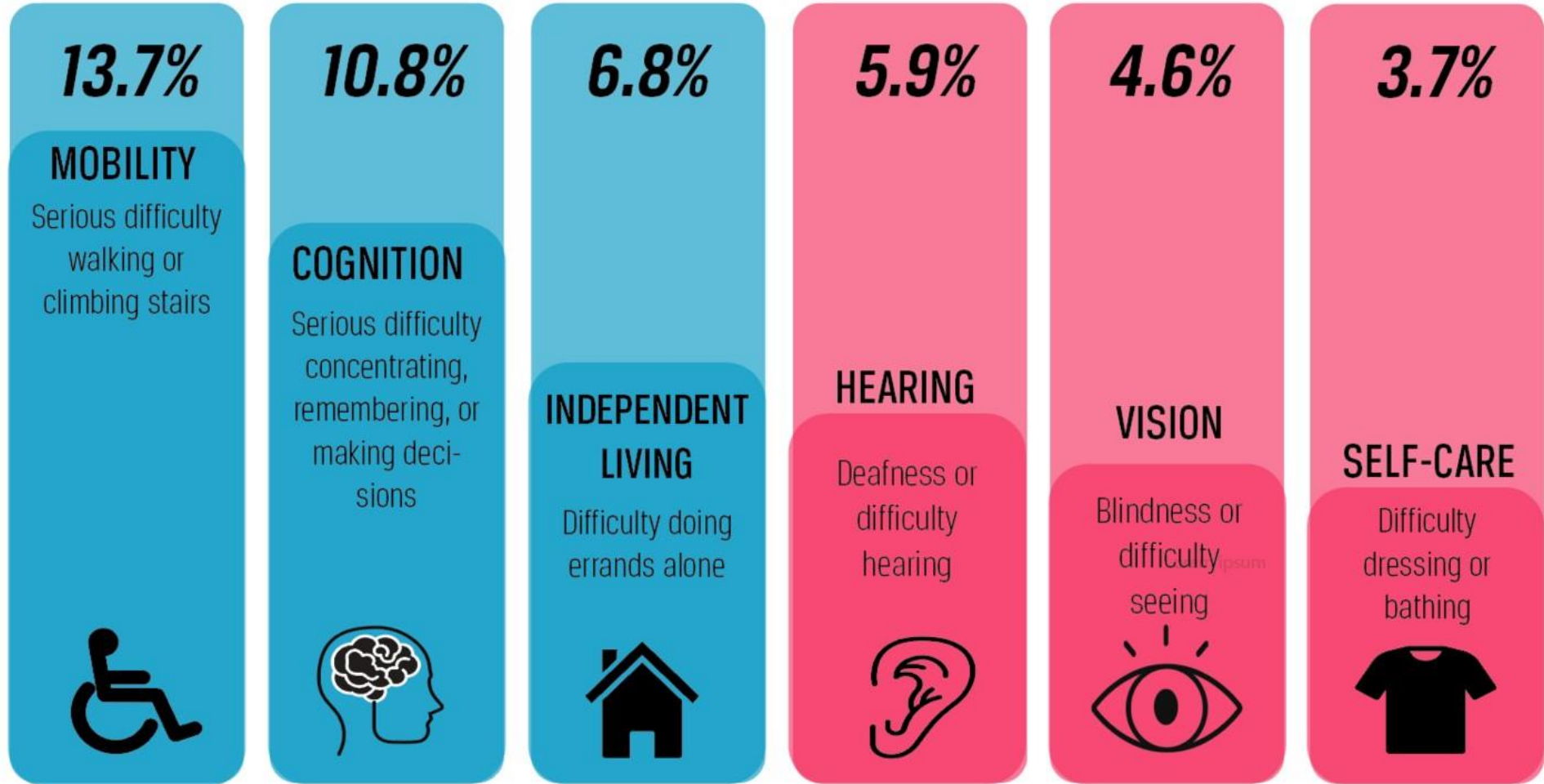


Note: Includes those ages 3 to 21 served under the Individuals with Disabilities Education Act.

Source: National Center for Education Statistics.

PEW RESEARCH CENTER

Percentage of Adults in the U.S. with Functional Disabilities



Source: <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

Barriers for individuals with disabilities

- Navigating physical facilities
- Finding employment
- Having access to health equipment and support in areas of education
- Access to affordable, safe, healthy and accessible housing

The background is a vibrant blue gradient with several overlapping, semi-transparent geometric shapes and wavy lines. The shapes include trapezoids and rectangles, some of which are tilted. The wavy lines are horizontal and vary in thickness and color, ranging from a light cyan to a darker blue. The overall effect is a modern, abstract design.

Ways to Fight Discrimination

File a complaint

The background is a vibrant blue gradient with several overlapping, semi-transparent geometric shapes and wavy lines. The shapes include trapezoids and rectangles, some of which are tilted. The wavy lines are horizontal and vary in thickness and color, ranging from a light cyan to a darker blue. The overall effect is a modern, abstract design.

Ways to Fight Discrimination

Become an advocate



Become an Advocate

- **Join/Form a PHRC Advisory Council**
 - Advisory Councils were created under the Pennsylvania Human Relations Act (PHRA) to bring statewide Pennsylvania Human Relations Commission (PHRC) resources to local communities.
<https://www.pa.gov/en/agencies/phrc/programs-and-services/education-and-outreach/advisory-councils.html>
- **Become a Social Justice Ambassador**
 - Promote awareness of the Pennsylvania Human Relations Act and the Commission.
 - Refer education, employment, housing, commercial property, or public accommodation discrimination complaints from community members to the PHRC.
 - Notify the PHRC of community activities and events.
<https://www.pa.gov/en/agencies/phrc/programs-and-services/education-and-outreach/social-justice-ambassador-program.html>

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Ways to Fight Discrimination

Get Informed



FAIR HOUSING EMPOWER HOUR

ASSISTANCE ANIMALS

JULY 31, 2024

FAIR HOUSING & CRIMINAL RECORDS

AUGUST 28, 2024

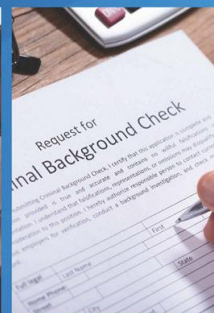
ADDRESSING FAIR HOUSING NEEDS IN RURAL COMMUNITIES

SEPTEMBER 25, 2024



Service Animal, ESA, Assistance Animal - what's the difference? Join us to learn about how to successfully navigate assistance animal requests.

[REGISTER HERE](#)



What does a criminal background have to do with fair housing laws? What rights do tenants have? How should a housing provider handle an individualized assessment request? Join us for answers!

[REGISTER HERE](#)



Rural communities face a unique set of challenges in ensuring equal housing opportunities. Learn more about barriers, resources, and fair housing partnerships in rural communities.

[REGISTER HERE](#)

ALL SESSIONS ARE HELD FROM 12-1PM VIA TEAMS

Questions? Contact Brittany Mellinger at bmellinger@pa.gov.



2024

PHRC HYBRID DISABILITY CONFERENCE



DON'T LEAVE ME OUT! Holistic Approaches for Disability Inclusion & Resolving Conflict



FEATURED KEYNOTE: **IMANI BARBARIN**
American Writer & Disability Rights Activist

Join us for this free, one-day hybrid conference. It will offer engaging sessions on a variety of topics about how individuals with disabilities navigate through various conflict situations. It is designed to inform Pennsylvanians about their rights, explore new ideas, and connect individuals with resources to help them successfully work through conflict situations.



[REGISTER TODAY!](#)

Questions? Contact Brittany Mellinger at bmellinger@pa.gov



Tuesday, July 9



Harrisburg Hilton
One North Second Street, Harrisburg



Virtual option available



This is a wheelchair-accessible event. ASL services & reasonable accommodations will be provided.



PHRC ON THE ROAD: BUILDING PENNSYLVANIA'S BELOVED COMMUNITY



Chad Dion Lassiter, MSW
PHRC Executive Director

WHAT IS A BELOVED COMMUNITY?

A group of residents, usually within one geographic area, that work together across racial, gender, and ethnic lines through the guiding principles of unity and love for humanity.

PHRC will visit every Pennsylvania county to listen to the concerns of the community.



Scan to register!

Schuylkill County

- Wednesday, July 24, 2024
- 5-6:30 p.m.
- Pottsville Free Public Library
215 West Market St.
Pottsville, PA 17901
- [Register today!](#)

FOR MORE INFORMATION

CONTACT:

STACEY WATERS
STWATERS@PA.GOV

Get Informed

Check out our new website!

<https://www.pa.gov/en/agencies/phrc.html>

**Follow, Like, Share, & Subscribe
any of our Social Media Platforms**



Contact Us

To file a complaint, contact the regional office nearest you:

Harrisburg
333 Market St. 8th Floor
Harrisburg, PA 17101
717-787-9780
717-787-7279 (TTY)

Philadelphia
110 N. 8th St. Suite 501
Philadelphia, PA 19107
215-560-2496
215-560-3599 (TTY)

Pittsburgh
301 5th Ave. Suite 390
Piatt Place, Pittsburgh, PA 15222
412-565-5395
412-565-5711 (TTY)

 phrc@pa.gov

 www.phrc.pa.gov

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Questions?