



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 16, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

City of Alexandria Contract with the Federal Equal Employment Opportunity Commission for the City's Office of Human Rights to Continue as a Fair Employment Practices Agency.

ISSUE: Consideration of a contract for Federal Fiscal Year 2021, for the Office of Human Rights to remain a designated Fair Employment Practices Agency (FEPA) of the U.S. Equal Employment Opportunity Commission (EEOC), and to receive funding in the amount of \$35,400 to investigate and resolve complaints of employment discrimination brought by persons employed within the City of Alexandria.

RECOMMENDATION: That City Council authorize the City Manager to sign a contract with the EEOC for funding in the amount of \$35,400, for the Alexandria Office of Human Rights to continue as a Fair Employment Practices Agency (FEPA).

DISCUSSION: Pursuant to Section 706 of the Civil Rights Act of 1964, as amended, and federal implementing regulations, the Equal Employment Opportunity Commission (EEOC) is offering to award a contract to the Alexandria Office of Human Rights to investigate and resolve 43 complaints of discrimination that originate within the City of Alexandria and are covered under both the City's Human Rights Code and Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA), as amended. The contract covers the performance period corresponding to the federal fiscal year 2021 (October 1, 2020, through September 30, 2021) and is renewable for two additional federal fiscal years, FFY 2022 and FFY 2023. The contract can be modified based on performance. Due to budget discussions regarding the EEOC's annual appropriation, this contract was just tendered on June 9, 2021, by the EEOC contracting officer.

For the past 20 years the Office of Human Rights has participated in the FEPA program, and has had a work-sharing agreement with the Washington Field Office of the EEOC.

The Civil Rights Act of 1964, as amended, cites the need for local governments to enact substantially equivalent ordinances that prohibit discrimination within their own jurisdictions. The FEPA program was created to assist local jurisdictions in resolving complaints of employment discrimination at the local level, because the EEOC does not have the resources to

handle the large number of employment discrimination cases that are filed nationwide. The FEPA program requires the Alexandria Office of Human Rights to investigate the cases that originate in Alexandria and reimburses the office at the rate of \$800 per accepted charge resolution. Complaints filed in the Alexandria Office of Human Rights must allege discrimination by an employer doing business within the City limits.

The Office of Human Rights currently employs three full-time staff investigators. Each investigator is expected to complete investigations within 180 days. All employment discrimination cases filed with the City of Alexandria Office of Human Rights and covered by the EEOC contract are deemed dual-filed with the Washington Field Office of the EEOC. The investigators work on all types of discrimination cases (i.e., housing, public accommodation), in addition to those covered under the EEOC contract. They also handle the intake of new complaints and assist with assessments, collaborations, community issues, training, outreach, and staffing the Human Rights Commission.

FISCAL IMPACT: Although there is no requirement for the City to provide a cash match or an in-kind match for these funds, the City is responsible for the typical administrative costs associated with this contract. These costs include financial and reporting oversight provided by the Office of Human Rights, as well as by the Office of Management and Budget and by the Finance Department.

ATTACHMENTS: None.

STAFF:

Debra Collins, Deputy City Manager

Jean Kelleher, Director, Office of Human Rights