



Testimony of FPWA

**Presented to:
Committee on Civil and Human Rights
Preliminary Budget Hearing – Civil and Human Rights
Hon. Chair Sandy Nurse
March 13, 2026**

**Jennifer Jones Austin
Executive Director/CEO**

**Prepared By:
Funmi Akinnawonu, Senior Policy Analyst**

40 Broad Street, 5th Floor
New York, New York 10004
Phone: (212) 777-4800
Fax: (212) 414-1328

We are grateful to Chair Sandy Nurse and the New York City Council Committee on Civil and Human Rights for holding this hearing concerning the Preliminary Budget for the New York City Commission on Human Rights (CCHR) and for the opportunity to provide written comments on behalf of FPWA (Federation of Protestant Welfare Agencies).

FPWA is a leading anti-poverty, social policy, and advocacy organization dedicated to strengthening human services organizations and faith institutions and advancing economic security and justice for all New Yorkers. Since 1922, FPWA has driven groundbreaking policy reforms to better serve those in need. We work to dismantle the structural and systemic barriers that impede economic security and well-being, and we strengthen the capacity of human services agencies and faith organizations so New Yorkers with lower incomes can thrive and live with dignity.

In addition to our capacity as advocates for economic opportunity and security, we offer this testimony as members of the Human Rights Law Working Group, a coalition of over 20 nonprofits, grassroots organizations, think tanks, and legal services providers that have met regularly for the past decade to advocate and strengthen our City Human Rights Law (CHRL) and Commission on Human Rights (CCHR). We are excited to work with CCHR's recently appointed leader, Commissioner Christine Clarke, to ensure that New Yorkers are both preemptively protected from civil rights infractions and have access to CCHR to enforce their rights when violated.

The CHRL, administered by CCHR, prohibits discrimination in employment, housing, and public accommodations, and it protects against discriminatory lending practices, retaliation, discriminatory harassment, and bias-based profiling by law enforcement. It is one of the most comprehensive civil rights laws in the country and extends the list of protected classes beyond those recognized by the federal and New York State governments.¹ We commend City Council for its commitment to an expansive view of civil and human rights, amending the CHRL almost 40 times since 2016 to add additional protections for New Yorkers.² However, we must express our alarm at the chronic underfunding of CCHR, which prevents New Yorkers from receiving justice when faced with discrimination, and also reduces the ability of CCHR to create public education campaigns, trainings, and other preemptive work. We ask for the following meaningful improvements in support of CCHR:

- 1) **Increase the budget of CCHR to \$25 million, up \$10 million from the Mayor's current proposal.**
- 2) **Release Funds and Exempt CCHR from PEGs:** Immediately require the Office of Management and Budget (OMB) to release CCHR's entire FY26 budget so that it can fill all vacant staffing positions. Exempt CCHR from any future Programs to Eliminate the Gap (PEGs) so that its staff is not further diminished through attrition and turnover and exempt the Commission from having to appoint a savings officer to recommend further cuts to its budget. Over the last five fiscal years, CCHR has had

¹ NYC Commission on Human Rights. (n.d.). *Human Rights*. Retrieved March 10, 2026.

<https://www.nyc.gov/site/cchr/law/the-law.page>

² NYC Commission on Human Rights. (n.d.). *Amendments to NYC Human Rights Law*. Retrieved March 10, 2026.

<https://www.nyc.gov/site/cchr/law/amendments.page#:~:text=A%20Local%20Law%20to%20amend,%2C%20housing%2C%20and%20public%20accommodations>

a budgeted headcount of under 150 employees.³ Due to the small size of this office and its low level of funding, PEGs can be particularly destructive by drastically reducing staff capacity.

- 3) **Facilitate Hiring:** Immediately exempt line staff hires from the OMB approval process to allow hiring to proceed without bureaucratic delay, and permit CCHR to hire at the top of its salary ranges for all lines, including both investigators and attorneys to ensure that CCHR does not lose quality candidates to higher paying legal services organizations who are not subject to the sometimes months-long OMB hiring approval process.
- 4) **Establish a Team Within the Law Enforcement Bureau (LEB) to Resolve the Case Backlog.** This team, led by experienced attorneys, would review all cases that are more than 18 months old and put them on a path towards resolution within a year.
- 5) **Resolve eligible cases through early intervention within two weeks.** Early intervention can be the difference between having or losing a job or a place to live. With a permanent staff of at least 20 well-compensated and experienced advocates, the Commission would be able to help secure apartments, keep people in their jobs by requiring reasonable accommodations, and end harassment and retaliation for people complaining about discriminatory treatment.
- 6) **Establish an Affirmative Litigation Team.** Ensure patterns identified by early intervention efforts, public reporting, and case investigations are pursued by the Commission.
- 7) The Human Rights Law Working Group has laid out a complete list of recommendations for the new administration. For year one, we have asked the Administration to include the following changes:
 - a) Appoint a Deputy Commissioner of Adjudications with appropriate staff in the Office of the Chair.
 - b) Authorize CCHR to Appear in Court.
 - c) Ensure the Office of Policy Counsel is adequately staffed.
 - d) Create a New York City Office of Administrative Trials and Hearings (OATH) Division specifically for CCHR cases.

New Yorkers' Civil Rights are Under Threat

CCHR plays a singular role in investigating, prosecuting, and resolving complaints of discrimination in employment, housing, and public accommodations. The Commission also conducts public education, issues legal guidance, and works to prevent discrimination and promote equal opportunity for all New Yorkers. The work of CCHR has always been urgent, not only because anti-discrimination work is essential, but because there are protections that New York City residents enjoy that do not exist on the state or federal level. However, the urgency has increased substantially under a federal administration that is not only abdicating its duty to protect its citizens from discrimination but is, in fact, actively hostile to such claims.⁴ We are currently in a civil and human rights crisis, and New York City government must act with

³ New York City Council. (2025). *Report on the Fiscal 2026 Preliminary Plan and the Fiscal 2026 Preliminary Capital Commitment Plan for the Committee on Civil and Human Rights*. <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2025/03/Commission-on-Civil-and-Human-Rights-2.pdf>

⁴ Agathocleous, A., Conway, K., & Moore, R. (2024). *Trump on DEI and Anti-Discrimination Law*. American Civil Liberties Union. <https://www.aclu.org/trump-on-dei-and-anti-discrimination-law>

urgency as the last line of defense against discrimination in a context where New Yorkers cannot rely on federal anti-discrimination law and policy.

Over the last year, the Trump Administration has made several detrimental policy changes to the Equal Employment Opportunity Commission (EEOC), which is tasked at the federal level with protecting workers against discrimination. The EEOC has shifted its priorities toward attacking diversity, equity, and inclusion (DEI) initiatives, addressing “anti-American bias,” and removing protections from LGBTQIA, and in particular transgender, workers.^{5,6} The EEOC is also changing its data collection policies and ultimately dismantling its data and analytics office, which provides critical data necessary for it to investigate and address discrimination.⁷ The Trump administration has signed an executive order directing federal agencies to eliminate the use of “disparate impact” standards making it more difficult to enforce anti-discrimination law.⁸ This impacts not only the EEOC, but also the Department of Justice (DOJ) Civil Rights Division as well as the Department of Education (DOE) Office of Civil Rights, both of which experienced extensive cuts during the first year of the Trump Administration. By May of 2025, 70-75 percent of DOJ Civil Rights Division attorneys had either left or planned to leave.⁹ According to the Government Accountability Office, between March and September of 2025 the DOE Office of Civil Rights received over 9,000 complaints of alleged discrimination and resolved over 7,000. About 90 percent of these were resolved by DOE Office of Civil Rights dismissing the complaints.¹⁰

⁵ Maye, A., & Wilson, V. (2025). *Trump is making it easier for employers to discriminate. This stifles equity and hurts economic growth*. Economic Policy Institute. <https://www.epi.org/blog/trump-is-making-it-easier-for-employers-to-discriminate-this-stifles-equity-and-hurts-economic-growth/>

⁶ Goldman T. (2026). *The Trump Administration is Weaponizing the EEOC to Attack Civil Rights*. National Partnership for Women & Families. <https://nationalpartnership.org/trump-administration-weaponizing-eeoc-to-attack-civil-rights/#:~:text=The%20agency%20scrubbed%20references%20to,these%20workers'%20civil%20rights%20protections.>

⁷ Goldman T. (2026). *The Trump Administration is Weaponizing the EEOC to Attack Civil Rights*. National Partnership for Women & Families. <https://nationalpartnership.org/trump-administration-weaponizing-eeoc-to-attack-civil-rights/#:~:text=The%20agency%20scrubbed%20references%20to,these%20workers'%20civil%20rights%20protections.>

⁸ Guillén, A., & Ali Kanu, H. (December 9, 2025). DOJ rolls back anti-discrimination rules. *Politico*.

<https://www.politico.com/news/2025/12/09/justice-department-discrimination-disparate-impact-00683362>

⁹ Lucas, R. (2025, May 19). 70% of the DOJ's Civil Rights Division lawyers are leaving because of Trump's reshaping. *National Public Radio*.

<https://www.npr.org/2025/05/19/g-s1-66906/trump-civil-rights-justice-exodus#:~:text=toggle%20caption,to%20current%20and%20former%20officials.>

¹⁰ U.S. Government Accountability Office. (2026, February 6). *Department of Education: Full costs and savings estimate needed for reduction-in-force and restructuring of the Office for Civil Rights*.

<https://www.gao.gov/products/gao-26-108320>

Anticipating continued attacks against immigrants and essential funding streams, both New York City Council members and Mayor Mamdani have expressed a desire to “Trump Proof” the City.^{11,12,13} Those efforts must include a fully funded CCHR.

Underfunding and Understaffing Limit CCHR’s Ability to Resolve Cases and Enforce the Law

CCHR’s current budget is under \$15 million, or less than .01 percent of the city’s budget. This paltry amount does not reflect its importance as the main civil enforcer of the city’s anti-discrimination laws. CCHR’s function as law enforcement in a civil context parallels that of the district attorney’s office in a criminal context, with both serving dual roles as investigator and prosecutor by initiating matters and handing down punishment. However, CCHR has a fraction of the funding of the district attorney. This limits agency staff’s capacity to fulfill their mandate of investigating complaints, settling cases, referring cases to the New York City Office of Administrative Trial and Hearing (OATH) for resolution, assessing fines, obtaining monetary damages, negotiating additional remedies including rehiring, policy change, training, and modifications for accessibility, and mediating reasonable accommodation requests.^{14,15}

Further, capacity issues within CCHR are leaving New Yorkers with potentially viable discrimination claims without a forum to address them due to the backlog in cases. Cases in the CCHR may be closed one of two ways: by deciding the case on the merits, or by administrative closure. Cases are terminated through administrative closure when CCHR staff initiate a case because they determine there may be a viable claim, but are unable to determine in a timely fashion whether those cases should be dismissed or referred.¹⁶ In FY25, CCHR administratively closed 44 percent of the 379 cases that it closed that year, or approximately 167 cases. While this percentage is down from a 5-year high of 56 percent in FY22, the high rate of administrative closures means that these 167 cases were shelved without being decided on the merits. If New Yorkers must wait for years to have their discrimination cases reviewed, only to have them administratively closed, they are not adequately protected from discrimination.¹⁷ Without sufficient

¹¹ New York City Council. (2025, April 16). *New York City Council Speaker Adrienne Adams, Finance Committee Chair Justin Brannan, and Governmental Operations Committee Chair Lincoln Restler Release Plan to Help Trump Proof New York City* [Press release]. <https://council.nyc.gov/press/2025/04/16/2839/>

¹² McGibney, M. (2025, July 14). Council Members celebrate adoption of 'Trump Proof' budget. *City & State*. <https://www.cityandstateny.com/nyn-media/2025/07/council-members-celebrate-adoption-trump-proof-budget/406683/>

¹³ Meditz, S. G. (2025, November 13). Mamdani to ‘Trump-proof’ NYC from ICE. *Queens Chronicle*. https://www.qchron.com/editions/queenswide/mamdani-to-trump-proof-nyc-from-ice/article_9033eb7a-f703-5574-b79b-c2bb02f83da1.html

¹⁴ NYC Commission on Human Rights. (n.d.). *2024 Settlement Highlights*. Retrieved March 10, 2026. <https://www.nyc.gov/site/cchr/enforcement/2024-settlements.page>.

¹⁵ NYC Commission on Human Rights. (n.d.). *The New York City Administrative Code, Title 8: Civil Rights Chapter 1 - Commission on Human Rights*. <https://www.nyc.gov/site/cchr/law/chapter-1.page>

¹⁶ New York City Mayor’s Management Report (2025). City Commission on Human Rights. New York City Mayor’s Office of Operations. <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2025/cchr.pdf>

¹⁷ New York City Mayor’s Management Report (2025). City Commission on Human Rights. New York City Mayor’s Office of Operations. <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2025/cchr.pdf>

funding, CCHR cannot fulfill its mission to investigate and prosecute alleged violations of the law. The cost of this underfunding falls on New Yorkers who may have no other recourse for justice.

Additional funding could both improve the capacity of existing teams within CCHR and allow for the creation of new ones. For example, increasing the capacity of the CCHR Law Enforcement Bureau (LEB) could both allow CCHR to resolve early intervention cases more quickly, and create the capacity for specialized teams to focus on reducing CCHR's backlog and initiating affirmative litigation that focuses on pattern or practice cases.^{18,19} At the same time, improving case resolution will also require increased capacity at OATH. After LEB reviews a complaint and determines that there is cause for consideration, the case is referred to OATH for adjudication. There, an Administrative Judge oversees the trial and issues a Report and Recommendation that may include remedies.²⁰ Establishing a division within OATH dedicated to CCHR cases could help ensure that these matters are heard and resolved more quickly, improving access to justice for New Yorkers at each stage in the process.

Properly funded and resourced, CCHR has the opportunity to increase the safety and responsiveness to community concerns about discrimination in housing, employment, and general life to New Yorkers. However, the capacity issues within CCHR are leaving New Yorkers with potentially viable discrimination claims without a forum to address them due to the backlog in cases.

Underfunding CCHR Undermines Affordability by Leaving Housing and Workplace Discrimination Claims Unresolved

Underfunding CCHR exacerbates affordability issues by limiting recourse for New Yorkers facing workplace and housing discrimination claims. It is well documented that New Yorkers are experiencing an affordability crisis. FPWA co-founded the National True Cost of Living coalition to address the widespread nature of economic insecurity. The coalition commissioned the Urban Institute to develop a True Cost of Economic Security (TCES) measure, which provides a comprehensive view of households' costs and resources detailed at the county level. Unfortunately, according to TCES, a staggering 62 percent of New Yorkers do not have the resources necessary to meet a comprehensive set of regular household costs, set aside savings both for future planning and for short-term emergencies, and manage debt. For families with children, the rate is even higher: 72 percent are economically insecure.²¹

¹⁸ New York City Mayor's Management Report (2025). City Commission on Human Rights. New York City Mayor's Office of Operations. <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2025/cchr.pdf>

¹⁹ The New York Commission on Human Rights. (n.d.). *The New York City Administrative Code, Title 8: Civil Rights Chapter 4 - Civil Action to Eliminate Unlawful Discriminatory Practices*. Retrieved March 16, 2026. <https://www.nyc.gov/site/cchr/law/chapter-4.page>

²⁰ The New York Commission on Human Rights. (n.d.) *Steps in the Complaint Process*. Retrieved March 16, 2026. <https://www.nyc.gov/site/cchr/enforcement/steps-in-the-complaint-process.page>

²¹ Martin, B., & Launius, J. (2025). *True Cost of Economic Security: Policy Implications for New York City*. Federation of Protestant Welfare Agencies. https://www.fpwa.org/wp-content/uploads/2025/09/True-Cost-of-Economic-Security-Policy-Implications-for-New-York-City_9.29.25-1.pdf

Employment discrimination is costly to workers and limits their ability to attain economic security. It undermines career trajectories due to lack of promotions, loss of wages, job turnover, and the adverse physical and mental health outcomes associated with employment discrimination.^{22,23,24} Workers facing discrimination are put in a vulnerable position, afraid to speak out due to fears that they might not be able to find a new job if they are retaliated against and fired. These fears are rational when so many New Yorkers lack the emergency savings needed to sustain them during periods of unemployment.

New York City's workforce development programs and initiatives are equally undermined by the pervasiveness of employment discrimination. Providing training and education may prove to ultimately be meaningless if these workers are not hired or promoted or are unfairly disciplined because of illegal discrimination. Right now, job seekers across the country are struggling to find permanent positions, with 20 percent of job seekers who were looking for employment in 2024 still looking as of 2025, and many reporting that they are applying for more jobs than ever and hearing back less. Among its many protections, CHRL protects workers against discriminatory practices including sexual harassment, retaliation, lack of disability accommodations, or failing to provide a place and time for lactating employees to pump breast milk. Female employees, workers of color, and LGBTQIA employees are some of the groups most vulnerable to these insidious and illegal practices. They are also groups with lower labor force participation and therefore most likely to be targeted by the city's workforce development programs.

FPWA has been conducting research concerning occupational segregation, which refers to the systematic sorting of workers into different industries and roles along lines of race, gender, immigration status, disability, and other marginalized identities. It results in the overrepresentation of workers from historically marginalized groups in low-wage, exploitative, and precarious jobs or industries, as well as the underrepresentation of those workers in higher-wage, secure, and influential occupations. Much of New York's low-wage essential workforce, including home care workers and child care workers, are largely carved out of federal anti-discrimination protections due to working in domestic settings which often have under 15 employees. Anti-discrimination law, administered by the EEOC, generally does not apply to businesses with fewer than 15 employees, which excludes the majority of these workers.^{25,26} As New York

²² Sanchez Cumming, C. (2021). *The importance of anti-discrimination enforcement for a fair and equitable U.S. labor market and broadly shared economic growth*. Washington Center for Equitable Growth. <https://equitablegrowth.org/the-importance-of-anti-discrimination-enforcement-for-a-fair-and-equitable-u-s-labor-market-and-broadly-shared-economic-growth/#:~:text=The%20effective%20enforcement%20of%20anti%2Ddiscrimination%20laws%20is%20essential%20to,affects%20workers'%20labor%20market%20outcomes>.

²³ New York City Talent and Workforce Development. (n.d.). *Recent Initiatives*. Retrieved March 10, 2026. <https://www.nyc.gov/site/wkdev/recent-initiatives/recent-initiatives.page>

²⁴ Blake, S. (2025, January 27). Americans are struggling to find new jobs as market changes. Newsweek. <https://www.newsweek.com/americans-are-struggling-find-new-jobs-market-changes-2021742>

²⁵ U.S. Equal Employment Opportunity Commission. (n.d.). *Coverage*. Retrieved March 10, 2026. <https://www.eeoc.gov/employers/coverage-0>

²⁶ U.S. Equal Employment Opportunity Commission. (n.d.). *Small Business Requirements*. Retrieved March 10. <https://www.eeoc.gov/employers/small-business/small-business-requirements>.

City expands its child care program and home care continues to be one of its fastest growing industries we must have a robust CCHR to protect the workers in these essential fields.²⁷

Stable housing is another foundational requirement for individuals and families to thrive. CCHR is responsible for overseeing cases dealing with housing discrimination due to source of income and illegal denials due to the race or other qualifying characteristics of the tenant.²⁸ Housing discrimination undermines both the budgetary investment that the New York City government has made to increase affordable housing, as well as the administration of the City's services for low-income New Yorkers to improve housing security. Housing represents 28 percent of the average New York City resident's budget, and for New York City families falling under the threshold of economic security, housing costs are a staggering 45 percent of their annual resources.²⁹ In 2021, over 30 percent of NYC households were considered severely rent burdened, meaning they spent over 50 percent of their income on rent.³⁰ This makes housing security a core economic security issue. This massive cost burden forces households to make trade-offs with other essentials, like food and health care, or can force households to live in crowded, poorly maintained or even hazardous conditions, which have a negative impact on economic security and health outcomes.³¹

Source-of-income discrimination, when lenders and brokers refuse to rent to low-income New Yorkers because they are using housing subsidies to pay rent, is a key barrier to solving New York City's affordability and capacity crisis and has been a priority for CCHR in recent years.³² The prevalence of this discriminatory practice is not only an injustice against the individuals and families who struggle to find permanent housing due to source-of-income discrimination, but creates an administrative issue for New York City that undermines housing voucher and subsidy programs and exacerbates homelessness.³³

At a time when civil rights are under real threat, a well-funded CCHR is more important than ever to both inform New Yorkers about those rights and comprehensively enforce them. A \$25 million investment would stabilize and expand the capacity of the CCHR to adequately staff its office, review claims in a timely

²⁷ Shapiro, E. (2026, March 6). Mamdani announces first 2-K seats in Universal Child Care expansion. *The New York Times*. <https://www.nytimes.com/2026/03/03/nyregion/mamdani-2k-nyc-child-care.html>

<https://comptroller.nyc.gov/reports/spotlight-care-workers-and-the-new-york-city-economy/>

²⁸ New York City Commission on Human Rights. (n.d.). *Source of Income Discrimination*. Retrieved March 10, 2026.

<https://www.nyc.gov/site/cchr/media/source-of-income.page>

²⁹ Martin, B., & Launius, J. (2025). *True Cost of Economic Security: Policy Implications for New York City*. Federation of Protestant Welfare Agencies. <https://www.fpwa.org/wp-content/uploads/2025/09/True-Cost-of-Economic-Security-Policy-Implications-for-New-York-City-9.29.25-1.pdf>

³⁰ Office of the New York State Comptroller. (n.d.). *The Cost of Living in New York City: Housing*. Retrieved March 10, 2026. <https://www.osc.ny.gov/files/reports/osdc/pdf/report-17-2024.pdf>

³¹ New York State Comptroller Thomas P. DiNapoli. (February 2024).

New Yorkers in Need: The Housing Insecurity Crisis. Office of the New York State Comptroller, Office of Budget and Policy Analysis. <https://www.osc.ny.gov/reports/new-yorkers-need-housing-insecurity-crisis>

³² New York City Commission on Human Rights. (n.d.). *Source of Income Discrimination*. Retrieved March 10, 2026. <https://www.nyc.gov/site/cchr/media/source-of-income.page>

³³ Zaveri, M. (2022, May 25). Discrimination Weakens Tool for Reducing N.Y. Homelessness, Lawsuit Says. *The New York Times*. <https://www.nytimes.com/2022/05/25/nyregion/ny-vouchers-homeless-discrimination.html>

manner, and better enforce critical protections. As the city moves towards an affordability model, it must not overlook the impact discrimination can have on raising the cost of living even further by continuing to underfund this office. At FPWA, we are committed to advancing justice for those who face discrimination in New York City and look forward to continuing to work with the City Council to champion increased funding and staffing for this vital agency. Thank you for the opportunity to submit testimony to this hearing.