

The Epidemic Of Human Rights Complaints

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Recently it appears the number of Human Rights complaints relative to Employment and Housing Discrimination are on the rise in the State of New York. These complaints come in many forms. The most common being age, race, sexual orientation and/or disability related discrimination. As owner representatives and managers of property in the State of New York, you are the person in the position of authority responsible for the decisions affecting the building's staff employees and residents. Understanding this responsibility and making prudent and reasonable decisions under the law, may prevent or deter a Human Rights complaint or, provide substantiation to defend a complaint.

The simple solution is to first (1) recognize employment and/ or housing discrimination issues and then to (2) take reasonable and appropriate measures to investigate and resolve the issue before a claim is filed. Even if a claim is filed, reasonable and timely corrective action may result in a dismissal of the complaint. The "STOP" and "THINK" approach will prevent or deter any potential claim of housing and/or employment discrimination.

Recognizing potential claims of employment and/or housing discrimination is key. An older employee's reaction to new hires or downsizing; a minority employee's disparity in wage parity; an employee's sexual orientation and its affect upon other employees; a pregnant employee's request for a reasonable accommodation; a disabled employee's request or sick leave or an accommodation based upon their specific disability or, complaints by employees of unequal treatment based upon age, race or marital status. Residents who are blind and require special services and accommodations in order to navigate around the premises, disabled residents who require wheel chair accessible ramps and access doors and hearing impaired persons which require accommodation for access to and from their dwelling. All of these potential claims must be addressed seriously as they may have serious consequences and ramifications. STOP AND THINK.

You can prevent a claim by taking reasonable, timely and appropriate measures once the issue is recognized. Always require that any complaint be placed in writing. Thoroughly investigate the complaint, request documentation to support the allegation and, record all of your findings. Always provide the complainant with your findings. Even a legitimate and through investigation may not prevent a claim from being filed, however it becomes a powerful tool and basis for the defense and dismissal of an unfounded claim.

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