



City of Albuquerque
Human Rights Board

Agenda Packet
July 17, 2025

Contents

Agenda – July 17, 2025
(Draft) Meeting Minutes from May 15, 2025
(Proposal) HRB Resolution 2025-02

Thursday, June 17, 2025
5:00-6:30 PM MST
Contact: civilrights@cabq.gov

Plaza Del Sol Building

600 2nd Street NW
Lower Level Hearing Room, Plaza del Sol Building
Albuquerque, NM 87102

Zoom Meeting Information

Meeting ID: **858 1752 4672**

Accommodations: If you have a disability and need accommodation in order to participate in this public meeting, please contact CivilRights@CABQ.gov. Please request any accommodation necessary at least 72 hours prior to the meeting. Best efforts will be made to provide the requester with their auxiliary aid of choice. If doing so is not possible due to time constraints or other logistical concerns, the city will work directly with the requester to provide an alternate method of accommodation.



City of Albuquerque Human Rights Board Agenda

(Items listed on the agenda may be discussed and acted on out of sequential order)

1. Call to Order/Introductions
2. Approvals
 - a. Agenda
 - b. Meeting Minutes – *May 15, 2025*
3. Public Comment
4. Director's Report
 - a. Office of Civil Rights
5. Discussions & Proposals
 - a. *(Proposal)* HRB-2025-02: Discrimination Complaint Submission Process
 - b. *Additional Discussion*
6. Announcements
7. Adjourn

Please click the link below to join:

[Zoom Meeting Information](#)

Meeting ID: **858 1752 4672**

Next Meeting: August 21, 2025

**CITY OF ALBUQUERQUE
OFFICE OF CIVIL RIGHTS AND CONSUMER PROTECTION
HUMAN RIGHTS BOARD**

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A RESOLUTION REQUESTING UPDATES TO THE PACKET AND ONLINE
SUBMISSION FORM RELATING TO THE DISCRIMINATION COMPLAINTS
DIRECTED TO THE OFFICE OF CIVIL RIGHTS

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WHEREAS, the Albuquerque Human Rights Board is tasked with reviewing all existing
and proposed ordinances and policies which relate to the objectives of this article by
§11-3-5 (F) of the City of Albuquerque Human Rights Ordinance.

WHEREAS, the City adopted amendments to the Albuquerque Human Rights
Ordinance in May of 2024.

**NOW THEREFORE BE IT RESOLVED BY THE ALBUQUERQUE HUMAN RIGHTS
BOARD** hereby offers the following recommend the Office of Civil Rights & Consumer
Protection:

SECTION 1. ONLINE FORM. The following requests relate to the online grievance
submission form found at [https://www.cabq.gov/office-of-equity-
inclusion/civilrights/filing-a-discrimination-complaint](https://www.cabq.gov/office-of-equity-inclusion/civilrights/filing-a-discrimination-complaint):

(A) Replace the first webpage found with the form found at the following URL:

[https://www.cabq.gov/office-of-equity-inclusion/civilrights/filing-a-discrimination-
complaint/discrimination-inquiry-form](https://www.cabq.gov/office-of-equity-inclusion/civilrights/filing-a-discrimination-complaint/discrimination-inquiry-form).

(B) Revise the question that reads “*What Basis Were You Discriminated Against?*” as to
read, “What was the discrimination based on? (Select all that apply)”, and provide
the following responses:

- ☐ Age
- ☐ Color
- ☐ Race-Related Hairstyle / Cultural Headdress
- ☐ Disability
- ☐ Gender
- ☐ Gender Identity
- ☐ National Origin or Ancestry
- ☐ Pregnancy or condition related to pregnancy or childbirth

- ☐ Race
- ☐ Religion
- ☐ Sex
- ☐ Sexual Orientation
- ☐ Source of Income (*Housing Only*)

(C) Replace the options under the header that reads “Type of Discrimination” to the following options:

- ☐ Employment
- ☐ Housing Accommodations
- ☐ Public Accommodations
- ☐ In Commercial Space

(D) Commission the accurate translation from English of the recommended changes are also made to the online submission form to all languages listed as options for the questions that reads “Preferred Language” of the form.

SECTION 2. GREIVANCE PACKET. Replace the currently available packet with the version attached to this resolution as **ATTACHMENT A**. The currently available packet can be found at the following URL address: <https://www.cabq.gov/office-of-equity-inclusion/civilrights/grievance-procedure>

SECTION 3. LANGUAGE ACCESS. Ensure translations of the updated Discrimination Complaint Online Submission form are made readily available to the public

SECTION 4. DISTRIBUTION. This Resolution shall be electronically delivered to representatives of the following personnel for further consideration: Manager of the Office of Civil Rights and Consumer Protection, Director of the Office of Equity & Inclusion, ADA Coordinator, the City Attorney.

SECTION 5. STANDARDS. HRB STANDARDS APPLY (ref. HRB R-2025-01)

CITY OF ALBUQUERQUE
OFFICE OF CIVIL RIGHTS AND CONSUMER PROTECTION
COMPLAINT PACKET

Instructions

This packet of materials is to provide you with the information necessary to submit a complaint to the City of Albuquerque Office of Civil Rights (OCR). Please review all of the materials before completing the included form. If you have any questions about the form or information in this packet, you may contact OCR by phone at (505) 768-4595 or by email to civilrights@cabq.gov.

Jurisdiction

The Albuquerque Human Rights Ordinance (HRO) is the city ordinance addressing civil rights discrimination within Albuquerque city limits. Under the HRO, it is unlawful for someone to discriminate against another in public accommodations, housing accommodations, and employment, based on a protected class.

The HRO recognizes the following protected classes:

- Age
- Color
- Cultural Headdress or Race Related Hairstyle
- Disability (Physical or Mental)
- Gender
- Gender Identity
- National Origin or Ancestry
- Pregnancy or Condition Related to Childbirth or Pregnancy
- Race
- Religion
- Sex
- Sexual Orientation
- Source of Income *or the requirements of any program providing the source of income*

OCR also has jurisdiction for the Albuquerque Closed Captioning Ordinance, which requires any person owning or managing a place of public accommodation to make closed-captioning services available on their television receivers unless excepted by Ordinance (see ROA 1994 §13-8-1-1 et seq.).

In order for OCR to have jurisdiction over a claim, the concern must have occurred within Albuquerque city limits in the last 90 days and alleges discrimination based on a protected status as recognized by the Albuquerque Human Rights Ordinance. Additionally, OCR cannot address complaints based on the same information that has been filed with other agencies such as the U.S. Department of Housing and Urban Development (HUD), U.S. Equal Employment Opportunity Commission (EEOC), U.S. Department of Justice (DOJ), or New Mexico Human Rights Bureau (NMHRB).

If, upon review of a complaint, OCR determines that the available information shows that the matter is not within OCR's scope, the complaint will be dismissed. OCR may exercise discretion in accepting claims that have substantially similar facts, or arising from the same facts, that are pending before a court. More information on jurisdiction can be found in the Grievance Procedure section of this packet.

Definitions

Childbirth or Condition Related to Childbirth or Pregnancy. The act or process of giving birth to a child, including labor and delivery. Any medical condition or complication that arises during pregnancy, childbirth, or the postpartum period, or is exacerbated by pregnancy or childbirth.

Commercial Space. Any space in a building, structure, or portion thereof, which is used or occupied or intended to be occupied for the manufacture, sale, resale, processing, reprocessing, displaying, storing, handling, garaging, or distribution of personal property; and any space which is used or occupied as a separate business or professional unit or office in any building, structure, or portion thereof.

Complainant: A person who files an OCR claim or complaint of discrimination against a respondent.

Cultural Headdress: Includes, but is not limited to, burkas, hijabs, head wraps, head scarves, or other headdresses used as part of an individual's personal cultural or religious beliefs.

Disability: A physical or mental impairment that substantially limits one or more of a person's major life activities. A person is also considered to have a mental or physical disability if the person has a record of a physical or mental disability or is regarded as having a physical or mental disability.

Employee: Any person employed by an employer.

Employer: Any person employing one or more persons acting for an employer.

Employment Agency: Any person regularly undertaking with or without compensation to procure opportunities to work or to procure, recruit, or refer employees.

Gender. An individual or societal expectation or perception of a person as masculine or feminine based on appearance, behavior or physical characteristics.

Gender Identity. A person's self-perception, based on the person's appearance, behavior or physical characteristics, that the person exhibits more masculinity or femininity or the absence of masculinity or femininity whether or not it matches the person's gender or sex assigned at birth.

Housing Accommodation: Any building or portion of a building which is constructed or to be constructed, which is used or intended for use as the residence or sleeping place of any individual.

Human Rights Board: The entity tasked with carrying out the directives set forth in the City of Albuquerque Human Rights Ordinance (HRO). The HRB comprises of seven volunteer members recommended by the mayor's office and appointed by the city council.

Labor Organization: Any organization which exists for the purpose in whole or in part of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment or of other mutual aid or protection in connection with employment.

Mediation: A process wherein parties meet with an impartial and neutral person who assists them in the negotiation of their differences.

Minimum Income Requirement: A requirement set by an owner relating to the amount of income a prospective tenant must receive in a prescribed period of time and used to determine the prospective tenant's ability to pay rent.

Party or Parties: The complainant and respondent as well as any representatives they may have.

Prima Facie: For purposes of OCR and its grievance procedure, prima facie is a phrase used to mean that the information provided, on first impression, is enough to establish facts or a basis of discrimination, unless said facts are disproved or rebutted.

Probable Cause: Probable cause is determined when there are facts and circumstances sufficient to support a reasonable belief in the truth of the claim. In the OCR process, the Human Rights Board determines whether there is probable cause for discrimination.

Public Accommodation: Any establishment that provides or offers its services, facilities, accommodations or goods to the public, but does not include a bona fide private club or other place or establishment which is by its nature and use distinctly private.

Public Contractor. A person, company, or organization who receives public funds as a result of contracting with a governmental entity.

Race: Includes, but is not limited to, traits historically and commonly associated with race or ethnicity, including hair types, hair texture, volume of hair, length of hair, protective hairstyles, or cultural headdresses.

Race Related Hairstyle: Includes, but is not limited to, those hairstyles necessitated by, or resulting from, the characteristics of a hair texture associated with race, such as braids, locs, afros, tight coils or curls, bantu knots, and twists.

Real Property. Lands, leaseholds and tenements.

Respondent: The party named in a complaint alleged to have discriminated against the complainant.

Sex. A person's categorization as male, female or intersex based on biology, physiology and physical characteristics.

Sexual Orientation. A person's physical, romantic or emotional attraction to persons of the same or a different gender or the absence of any such attraction.

Source of Income: Any lawful and verifiable source of money and program requirements of such funding, paid directly to or on behalf of a renter or buyer of housing, including, but not limited to: income from a lawful profession, occupation, or job; income derived from social security or any form of federal, state, or local public assistance or housing assistance, including a housing choice voucher issued pursuant to Section 8 of the United States Housing Act of 1937, or any other form of housing assistance payment or credit, whether or not such income or credit is paid or attributed directly to a landlord and even if such income includes additional federal, state, or local requirements including but not limited to required inspections and contracting with the agency administering the public assistance program; or a pension, annuity, alimony, child support, foster care subsidies, or any other recurring, lawful, and verifiable monetary consideration or benefit.

Unlawful Discriminatory Practice. Those unlawful practices and acts as specified in § 11-3-7. ('74 Code, § 12-3-3) (Ord. 106- 1973; Am. Ord. 2021-001; Am. Ord. 2022-023; Am. Ord. 2024-010)

Role of OCR

The Office of Civil Rights (OCR) works on behalf of the City of Albuquerque and the Human Rights Board, to receive and address claims of discrimination alleged to be in violation of the Albuquerque Human Rights Ordinance (HRO). The below grievance procedure describes how OCR addresses claims.

OCR does not determine if there is probable cause to believe discrimination in violation of the HRO occurred. Rather, OCR presents information collected in investigations for the Human Rights Board so that it may vote on if probable cause occurred.

Grievance Procedure:

Complaints can be made by submitting this form via email, online submission, in-person drop off, or mail. At a minimum, the complainant should provide contact information, the date of the incident(s), and a description of the concern. After the OCR receives this form, it will review the information to ensure OCR has jurisdiction over the matter. If OCR does not have jurisdiction, it will refer the individual to alternative offices or resources that can help to resolve the issue. Based on the complaint packet, OCR will review the information to ensure OCR has the authority to address the matter.

Next, OCR will send the respondent the complaint packet, which includes a cover letter notifying the respondent that OCR received a discrimination complaint, a copy of the filed complaint, an invitation for pre-investigation resolution, and a copy of the HRO or Closed Captioning Ordinance sections alleged to be violated. The invitation for pre-investigation resolution will also include an option for the respondent to request an investigation of the matter. OCR requests that the pre-investigation resolution form be returned within ten (10) business days. If the form is not received within ten business days, OCR may continue with an investigation of the matter.

If the pre-investigation resolution was unsuccessful, or if the respondent requests an investigation, OCR will serve as the impartial, fact-finding investigator. OCR will send the respondent a questionnaire to be returned within thirty (30) calendar days as the next step in the investigative process. The questionnaire will include questions, requests for documents, and/or other evidence relevant to the complaint.

Following the investigation, OCR will write a report for the Human Rights Board (HRB) to review.

During an HRB meeting, the Board will discuss the matter and vote to determine if there is probable cause that discrimination occurred. OCR will inform the parties as to which meeting the HRB will discuss their case. The complainant and respondent will have the opportunity to attend the HRB meeting and speak or provide written comments.

If the HRB finds probable cause, the complainant and respondent will have the opportunity to participate in conciliation. If conciliation is not successful, OCR may file in metropolitan court to enforce penalties against the respondent. Upon case closure, OCR will send the parties a letter explaining actions taken and informing that the matter is closed.

Complainants and Respondents are allowed to have a support person attend OCR meetings with them. Support people cannot speak on behalf of the Complainant or Respondent but may ask questions of OCR staff. OCR and City staff reserve the right to request that a support person leave a meeting if said support person causes disruption, upon request of a party, or in the City staff's discretion.

COMPLAINT OF DISCRIMINATION

City of Albuquerque Office of Civil Rights
1 Civic Plaza NW, 4th Floor
Albuquerque, New Mexico 87102
505-768-4595

FOR INTERNAL USE ONLY

Case # _____

Filing Date _____

(Complainant)

v.

(Respondent)

COMPLAINT

SECTION I. COMPLAINANT INFORMATION

*Name: _____

Address: _____

Phone: _____ Email: _____

SECTION II. RESPONDANT INFORMATION

*Name: _____

Address (if known): _____

*Phone: _____ *Email: _____

Organization/Employer: _____

Address of Organization/Employer: _____

SECTION III. INCIDENT INFORMATION

*Date of Incident: _____ (Date or Date Range)

*Location of Incident:

_____ (Address Line 1)

_____ (Address Line 2)

Albuquerque, NM _____ (Zip)

*(Check all that apply) I was discriminated against in the area of:

- ☐ Employment
- ☐ Commercial Space
- ☐ Public Accommodation
- ☐ Housing Accommodation

*(Check all that apply) I was discriminated against on the basis of:

* Indicates that the information is required.

- ☐ Age
- ☐ Color
- ☐ Cultural Headdress / Race-Related Hairstyle
- ☐ Disability (*physical or mental*)
- ☐ Gender / Gender Identity
- ☐ National Origin / Ancestry
- ☐ Pregnancy / Condition relating to Childbirth or Pregnancy
- ☐ Race/Ethnicity
- ☐ Religion
- ☐ Sex
- ☐ Sexual Orientation
- ☐ Source of Income
- ☐ Closed Captioning Ordinance

SECTION IV. DISCRIMINATION STATEMENT

The following is a brief and concise statement of the facts stated by the Complainant regarding the alleged violation.

SECTION V. SIGNATURE & ATTESTATION

**I, _____, affirm under penalty of perjury under the laws of the State of New Mexico that I am the Complainant in the above-entitled cause. I further acknowledge that I know and understand that the contents contained in the above complaint are true to the best of my knowledge and belief. I have not filed a complaint with the same facts with a state or federal agency.*

**(Today's Date)*

**Signature*

**(Name (print))*

(Address (if applicable))

**(City, State, Zip Code)*

**(Telephone Number)*

** Indicates that the information is required.*

Statement of Understanding

By signing below, I acknowledge the following statements:

I understand that the attorney representing the Office of Civil Rights (OCR) represents OCR only and does not represent my position or me as an individual. I understand that my communications with OCR, therefore, may not be protected by privilege, nor are they confidential.

I understand that OCR cannot provide legal advice to me.

I understand that there are circumstances in which OCR may determine that it cannot investigate a reported concern and that OCR continually assesses its jurisdiction over matters filed with the office.

I understand that if OCR investigates my complaint, the investigation may present findings that are inconsistent with my belief of the facts. I understand that if my case is investigated, OCR will keep me updated on its progress.

I understand that it is important to talk to an attorney if I have questions or concerns about the impact of these proceedings on my individual rights.

I understand that I am responsible for participating in settlement negotiations if necessary to resolve the matter.

I understand that I am responsible for keeping in touch with OCR and for responding to inquiries from OCR within 2 business days. I understand that my case may be closed if OCR is unable to reach me.

I understand I am responsible for handling my own case and I will make my own decisions about how I handle my case. I understand the benefits and risks of such an arrangement and give my complete and informed consent to the assistance of OCR.

Printed Name: _____ Date: _____

Signature: _____

Accommodations: If you have a disability and need accommodation in order to participate in this public meeting, please contact CivilRights@CABQ.gov. Please request any accommodation necessary at least 72 hours prior to the meeting. Best efforts will be made to provide the requester with their auxiliary aid of choice. If doing so is not possible due to time constraints or other logistical concerns, the city will work directly with the requester to provide an alternate method of accommodation.