

**Non-Discrimination Ordinances
Annual Report**



Winston-Salem

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Attachment A: Non-Discrimination Ordinances from Municode

Attachment B: Non-Discrimination Study Subcommittee Report

OVERVIEW

Executive Summary

The Human Relations/Diversity, Equity, and Inclusion Department began assuming official responsibilities for enforcing the City of Winston-Salem non-discrimination ordinances (NDOs) in January 2022. At that time, the department became staffed with two new employees whose primary areas of focus would be investigating and mediating employment and public accommodation complaints and providing outreach for the same.

Staff understands the importance of community outreach with respect to not only educating the community about these two new local legal protections, but also how such outreach will yield an increase of alleged violations of the legal protections provided by the new local ordinances. Outreach has included providing NDO overview training to organizations such as the Ministers Conference of Winston-Salem and North Star LGBTQIA+ Community Center.

Finally, staff has worked closely with the Non-Discrimination (NDO) Study Subcommittee, which is a subcommittee of the Human Relations Commission. The NDO Study Subcommittee, which pre-dated the hiring of the NDO staff, was appointed by the City Council to make recommendations regarding needed services and programs that could further enhance the City's relationship with the LGBTQIA+ population.

The NDO division of the Human Relations/DEI staff continues to work hard on establishing an awareness and presence in city government and the community at-large. Through the website, social media, WSTV-13, trainings, and investigating/mediating NDO-based complaints, the impact and effectiveness of the new nondiscrimination ordinances will continue to grow.

NDO Staff



DraShonta Brinson, M.A.
Human Relations Analyst



Eleanore Tebbetts, J.D.
Human Relations Analyst

Nondiscrimination Ordinances

As of January 1, 2022, the Human Relations/Diversity, Equity, and Inclusion Department administers and enforces the Nondiscrimination in Public Accommodations Ordinance and the Nondiscrimination in Employment Ordinance (NDOs) for the City of Winston-Salem.

The Winston-Salem NDOs apply to **people who belong to a protected class and who have experienced discrimination based on that protected class** either

1. As an employee or prospective employee at an employment location in Winston-Salem, or
2. At a place of public accommodation in Winston-Salem.

Protected Classes of Person

The following classes are protected by Winston-Salem's NDOs:

- Age
- Color
- Creed
- Disability
- Ethnicity
- Familial Status
- Gender Expression and Gender Identity
- Marital Status
- National Origin
- Political Affiliation
- Pregnancy
- Protected Hairstyles
- Race
- Religion
- Sex
- Sexual Orientation
- Veteran Status

Some classes may overlap with each other; for example, race may overlap with ethnicity, national origin, or protected hairstyles, and sex may overlap with sexual orientation, gender expression/identity, or pregnancy.

Inclusion Plan

Objectives	Strategies	Action Items	Performance Measure	Timeline
Establish procedure for investigations	Refer to Charlotte's NDO investigation flow chart	Create flow chart for W-S illustrating all steps of NDO investigation	Publish finished chart on NDO webpage	February 11
Establish standardized communication for complainants and respondents	Refer to Charlotte's NDO investigation documents	Complete the following templates: <ol style="list-style-type: none"> 1. Complaint Form 2. NDO Inquiry 3. Interrogatories for Respondent 4. Letter of Notice (Complainant) 5. Letter of Notice (Respondent) 6. 60-day Letter 7. Determination Letter 8. Cause Closure Letter 9. No Cause Closure Letter 10. Negotiated Settlement Agreement 11. Conciliation Closure Letter 	Have all necessary documents completed and approved before beginning awareness campaigns	February 4
Effectively track NDO investigations	Model tracking system after LTRACs system used for landlord/tenant investigations	Consult with IS to create tracking system	Have system in place before beginning awareness campaigns	February 11
Utilize other City departments to raise awareness of NDOs	Collaborate with IS and Marketing to leverage existing communication channels	<ol style="list-style-type: none"> 1. Publish expanded NDO webpage on the Human Resources website 2. Publish a series of NDO-related posts on the City's social media 3. Add NDO information to City's hold line 4. Create digital billboard to be broadcast on WSTV-13 	Publish information using one of these channels four times per quarter	Webpage published by February 11 Other items to begin by February 28
Raise local awareness of NDOs through word of mouth	Work with relevant local organizations	<ol style="list-style-type: none"> 1. Identify local advocacy organizations related to the protected classes 2. Provide organizations with targeted information and ask them to distribute it 	Identify and contact four organizations per quarter	First contact to be made by February 28
Raise NDO awareness with those who lack internet access	Create and distribute printed materials with NDO information	<ol style="list-style-type: none"> 1. Create flyers and/or posters and display them at community locations 2. Create brochures to hand out at events and leave at select community locations 	Make printed resources available at 12 community locations per quarter	Printed materials to be completed by March 18

Identify most effective methods of paid local advertising	Propose realistic budget to raise NDO awareness through paid advertising	Learn reach and approximate cost per view for the following: <ol style="list-style-type: none"> 1. Bus advertisements 2. Billboards 3. Mailings 4. Paid ads on social media 	Publish 1 paid ad per quarter	First ad to be published by April 4
Educate employers and stakeholders in the public accommodations sector	Work alongside NDO Subcommittee and other organizations that serve protected classes to develop inclusive and relevant training material	<ol style="list-style-type: none"> 1. Complete drafts of training materials 2. Finalize avenues through which training will be administered. 3. Market training to target audiences 4. Add training inquiry form to website 	Survey participants after training to develop data on effectiveness and make amendments as necessary	First training to be conducted by April 4; trainings to be conducted monthly thereafter
Organize community events that educate members on NDOs	Host events in areas that are accessible and visible to marginalized groups	<ol style="list-style-type: none"> 1. Develop budget for events 2. Put together a list of vendors 3. Create flyers/advertisement for events and distribute 	Evaluate the community's response and attendance	TBD depending on COVID-19 levels

OUTREACH

Outreach Calendar

March

- 3rd** Nondiscrimination Study Subcommittee Meeting
4:00 p.m.
Live streamed via the City's YouTube Channel
- 24th** Human Relations Commission Meeting
5:30 p.m.
Live streamed via the City's YouTube Channel
- 25th** City of Winston-Salem Career Fair
9:00 a.m.
Winston-Salem Fairgrounds
- 29th** HRD/HRC Statewide Meeting
9:00 a.m.
Zoom

April

- 7th** Nondiscrimination Study Subcommittee Meeting
4:00 p.m.
Live streamed via the City's YouTube Channel
- 11th** NDO Training with North Star
6:00 p.m.
Zoom
- 19th** NDO Training with Ministers Council of Forsyth County
11:00 a.m.
Zoom
- 24th** Human Relations Commission Meeting
5:30 p.m.
Live streamed via the City's YouTube Channel

May

- 5th** Nondiscrimination Study Subcommittee Meeting
4:00 p.m.
Live streamed via the City's YouTube Channel
- 26th** Human Relations Commission Meeting
5:30 p.m.
Live streamed via the City's YouTube Channel

June

- 2nd** Nondiscrimination Study Subcommittee Meeting
4:00 p.m.
Live streamed via the City's YouTube Channel
- 18th** Juneteenth Celebration
1:00 p.m.
Bailey Park
- 18th** City of Winston-Salem PRIDE Festival
11:00 a.m.
Trade Street
- 23rd** Human Relations Commission Meeting
5:30 p.m.
Live streamed via the City's YouTube Channel

Webpage

The Human Relations/DEI Department published an expanded NDO webpage in February 2022. This page provides an easy-to-understand overview of the ordinances, including explanations of who is protected, definitions of the 17 protected classes, an explanation of public accommodations, information detailing how to file a complaint, information on the complaint procedure, a comparison of the ordinances to existing state and federal law, and information about training opportunities.

The webpage is located at www.CityofWS.org/NDO.

Protected Class Definitions

File a Complaint

NDO Complaint Procedure

Police Complaint Process

Training Opportunities

Nondiscrimination Study Subcommittee

[Home](#) > [Departments & Services](#) > [Services A-I](#) > [Human Relations / Diversity, Equity, & Inclusion](#) > [Non-Discrimination Ordinances](#)

Non-Discrimination Ordinances

As of January 1, 2022, the Human Relations/Diversity, Equity, and Inclusion Department administers and enforces the [Nondiscrimination in Public Accommodations Ordinance](#) and the [Nondiscrimination in Employment Ordinance](#) (NDOs) for the City of Winston-Salem.

Who do the Winston-Salem NDOs protect?

The Winston-Salem NDOs apply to **people who belong to a protected class and who have experienced discrimination based on that protected class** either

1. As an employee or prospective employee at an employment location in Winston-Salem, or
2. At a place of public accommodation in Winston-Salem.

What are the protected classes?

The following classes are protected by Winston-Salem's NDOs:

- [Age](#)
- [Color](#)
- [Creed](#)
- [Disability](#)
- [Ethnicity](#)
- [Familial Status](#)

Select Language

Social Media

Beginning in February of 2022, Marketing on behalf of the Human Relations/DEI Department have put out a total of 25 posts on the City’s Facebook page concerning the NDOs. The intent behind these posts was to inform citizens that the NDOs have taken effect, provide a brief explanation of the NDOs, and direct followers to the website for more information. Those 25 posts accumulated a total of 525 comments as well as 81 shares.

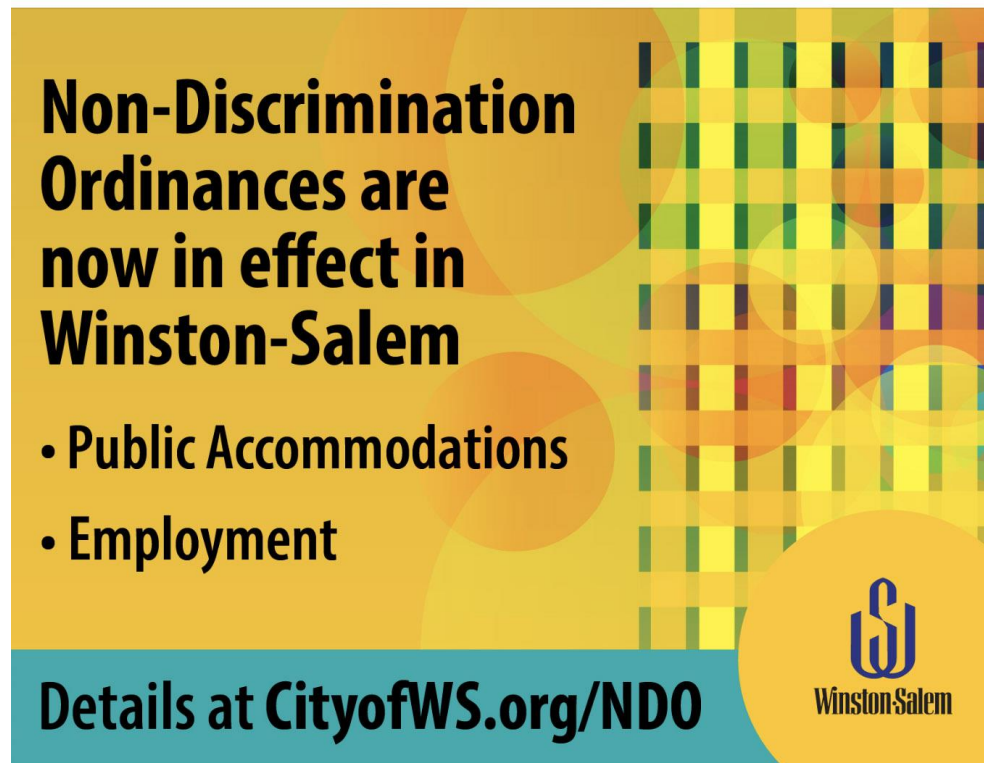


City of Winston-Salem, NC - Government

February 25 · 🌐



Know your rights! As of Jan. 1, two new laws make it illegal to discriminate against Winston-Salem residents when it comes to employment and at stores, restaurants, hotels, theaters and other places of “public accommodation.” The city’s Human Relations/DEI Department is responsible for investigating and mediating complaints. Details, including helpful links, information about exceptions and an online complaint form, are available at www.CityofWS.org/NDO.



👍 6


1 Comment 1 Share

👍 Like

💬 Comment

➦ Share

Flyers and Brochures



Winston-Salem
HUMAN RELATIONS/
DIVERSITY, EQUITY,
& INCLUSION

City of Winston-Salem
P.O. Box 2511
Winston-Salem, NC 27102

101 N. Main St., Ste. 109
Winston-Salem, NC 27101

336-734-1227


cityofws.org/ndo

City Council
Mayor Allen Joines

Denise D. Adams, Mayor Pro Tempore, North Ward
Barbara Hanes Burke, Northeast Ward
Robert C. Clark, West Ward
John C. Larson, South Ward
Jeff MacIntosh, Northwest Ward
Kevin Mundy, Southwest Ward
Annette Scipio, East Ward
James Taylor, Jr., Southeast Ward
City Manager: Lee D. Garrity


Protected Class Definitions

- Age:** Age discrimination occurs when people are treated less favorably due to their age.
 - Color:** Color discrimination occurs when people are discriminated against based on the lightness, darkness, or other color attribute of their skin.
 - Creed:** A creed is a formal system of beliefs followed by a religious group.
 - Disability:** Disability means a physical or mental impairment which substantially limits one or more of a person's major life activities.
 - Ethnicity:** Ethnicity refers to a person's membership in an ethnic group based on shared physical and/or cultural characteristics and common ancestry.
 - Familial Status:** Familial status applies to the parents and custodial guardians of minors who live in the same home as such minors.
 - Gender Expression:** Gender expression refers to the external appearance of a person's gender identity, including that person's behavior, clothing, body characteristics, and voice.
 - Gender Identity:** Gender identity refers to a person's innermost concept of self as male, female, a blend of both, or neither, and includes how people perceive or reference themselves.
 - Marital Status:** Marital status refers to the state of a person's relationship with a significant other and includes single, married, widowed, separated, and divorced.
 - National Origin:** National origin means a person's actual or perceived characteristics related to that person's place of birth or that person's ancestors' place of birth.
 - Political Affiliation:** Political affiliation refers to a person's association with or support for a political party, political candidate, politician, and/or political cause.
 - Pregnancy:** Pregnancy refers to the period of time during which a person is gestating a fetus, beginning with conception and ending at birth or any other type of termination.
 - Protected Hairstyles:** A protected hairstyle is any hairstyle, hair type, or hair texture historically associated with race. Such hairstyles include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, and afros.
 - Race:** Race encompasses all of a person's actual or perceived ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features.
 - Religion:** Religion includes all aspects of religious observance and practice as well as belief.
 - Sex:** Sex refers to a person's sexual orientation, gender identity, and/or gender expression.
 - Sexual Orientation:** Sexual orientation refers to a person's actual or perceived emotional, romantic, or sexual attraction to other people, and includes, but is not limited to, homosexuality, heterosexuality, and bisexuality.
 - Veteran Status:** Veteran status applies to those who have served in the active military, naval, or air service.
- These definitions serve as summaries only and are not meant to be all-encompassing. Expanded definitions may be found at cityofws.org/ndo and in the text of the ordinances.



Winston-Salem
HUMAN RELATIONS/
DIVERSITY, EQUITY,
& INCLUSION

GUIDE TO
**NONDISCRIMINATION
ORDINANCES**



Nondiscrimination in
Public Accommodations Ordinance

Nondiscrimination in
Employment Ordinance

City of Winston-Salem Guide to NDOs

As of January 1, 2022, the Human Relations/D.E.I. Department administers and enforces the **Nondiscrimination in Public Accommodations Ordinance** and the **Nondiscrimination in Employment Ordinance (NDOs)** for the City of Winston-Salem.

Who do the NDOs protect?

The NDOs apply to people who belong to a protected class and who have experienced discrimination based on that protected class either

- As an employee or prospective employee at an employment location in Winston-Salem, or
- At a place of public accommodation in Winston-Salem.

What are the protected classes?

- Age
- Color
- Creed
- Disability
- Ethnicity
- Familial Status
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- Marital Status
- National Origin
- Political Affiliation
- Pregnancy
- Protected Hairstyles
- Race
- Religion
- Sex
- Sexual Orientation
- Veteran Status

Definitions of these classes may be found on the reverse side of this brochure.

What is a place of public accommodation?

A place of public accommodation is any place, licensed or not, whose goods or services are available to the public. Such places include, but are not limited to, stores, restaurants, hotels, transportation facilities, theaters, and stadiums.

Private clubs, membership organizations, and other establishments not open to the public are exempt, as are multiple occupancy restrooms, showers, and changing facilities.

How do I file a complaint?

Complaints must be filed within 60 days of the alleged ordinance violation.

You may download a complaint form at cityofws.org/ndo. If you do not have access to a printer, you may pick up a hard copy of the complaint form at our office on the first floor of City Hall (101 N. Main St.) in Suite 109.

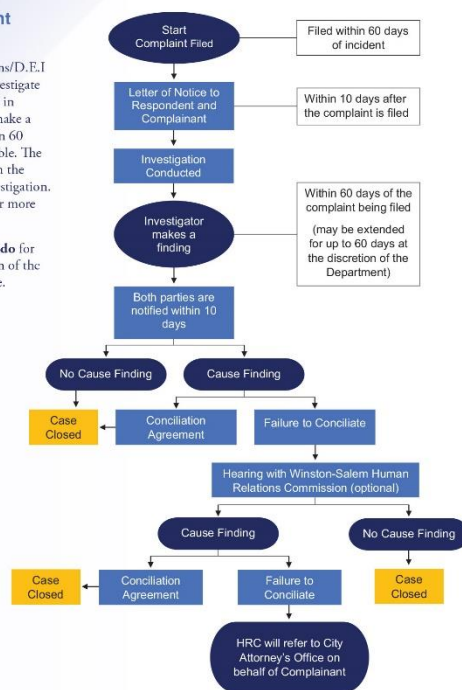
Once you have completed the form, you may either:

- Scan the completed form or take a photo of it with your smartphone and email it to karlynd@cityofws.org.
- Deliver the form in person to our office.
- Mail the form to the following address:
City of Winston-Salem
Human Relations/D.E.I. Department
P.O. Box 2511
Winston-Salem, NC 27102

NDO Complaint Procedure

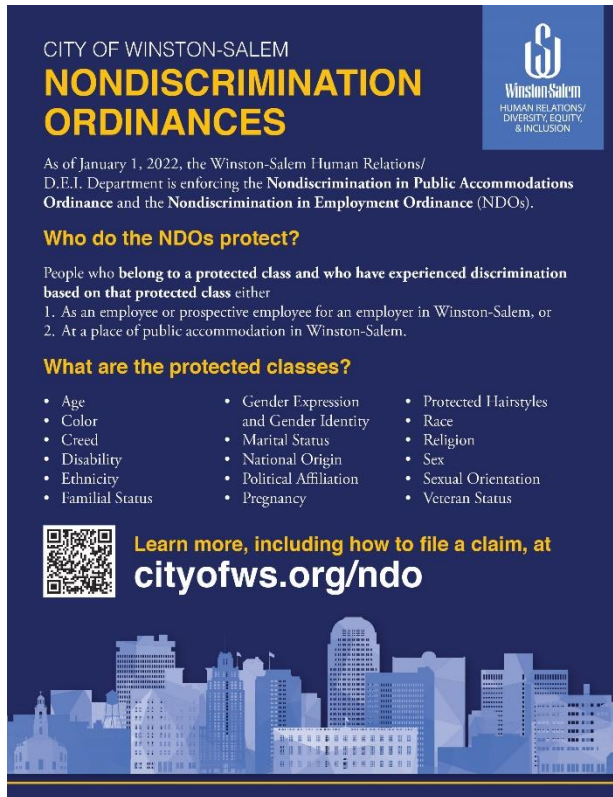
The Human Relations/D.E.I. Department will investigate the allegations made in the complaint and make a determination within 60 days whenever possible. The next steps depend on the outcome of this investigation. Refer to the chart for more information.

Visit cityofws.org/ndo for a detailed breakdown of the complaint procedure.



Training Opportunities

The Human Relations/D.E.I. Department is currently developing free training materials covering the NDOs and the 17 protected classes for businesses, organizations, and individuals in Winston-Salem. If you would like to receive training, visit cityofws.org/ndo and fill out the interest form.



CITY OF WINSTON-SALEM
NONDISCRIMINATION ORDINANCES

As of January 1, 2022, the Winston-Salem Human Relations/ D.E.I. Department is enforcing the **Nondiscrimination in Public Accommodations Ordinance** and the **Nondiscrimination in Employment Ordinance (NDOs)**.


Who do the NDOs protect?

People who **belong to a protected class and who have experienced discrimination based on that protected class** either

1. As an employee or prospective employee for an employer in Winston-Salem, or
2. At a place of public accommodation in Winston-Salem.

What are the protected classes?

- Age
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- Race
- Religion
- Sex
- Sexual Orientation
- Veteran Status

 **Learn more, including how to file a claim, at cityofws.org/ndo**



AYUNTAMIENTO DE WINSTON-SALEM
ORDENANZA DE NO DISCRIMINACIÓN

A partir del 1 de enero de 2022, el Departamento de Relaciones Humanas, Diversidad, Equidad e Inclusión del Ayuntamiento de Winston-Salem está haciendo cumplir la **Ordenanza de No Discriminación en Lugares Públicos** y la **Ordenanza de No Discriminación en el Empleo (NDOs por sus siglas en inglés)**.

¿A quién protegen los NDOs?

A las personas que **pertenecen a una clase protegida y que han experimentado discriminación basada en esa clase protegida:**

1. Como empleado o posible empleado de un empleador en Winston-Salem, o
2. Por estar en un lugar público en Winston-Salem.

¿Cuáles son las clases protegidas?

- Edad
- Color de piel
- Credo
- Discapacidad
- Origen étnico
- Estatus familiar
- Expresión de Género e Identidad de Género
- Estado civil
- Origen nacional
- Afiliación política
- Embarazo
- Peinados protegidos
- Raza
- Religión
- Sexo
- Orientación sexual
- Estatus de veterano de las fuerzas armadas de Estados Unidos

 **Obtenga más información, incluyendo el formulario para presentar un reclamo, en el sitio web: cityofws.org/ndo**

City Hold Line

As of March 8, 2022, the following message can be heard when calling City Link:

“Know your rights! As of January 1, two new laws make it illegal to discriminate against Winston-Salem residents when it comes to employment and at stores, restaurants, hotels, theaters, and other places of public accommodation. The city’s Human Relations/DEI Department is responsible for investigating and mediating complaints. Details, including helpful links, information about exceptions, and an online complaint form, are available at www.CityofWS.org/NDO.”

City Link’s goal is to improve citizens’ access to information and non-emergency city services, while delivering excellent customer service.

TRAINING

Training Schedule

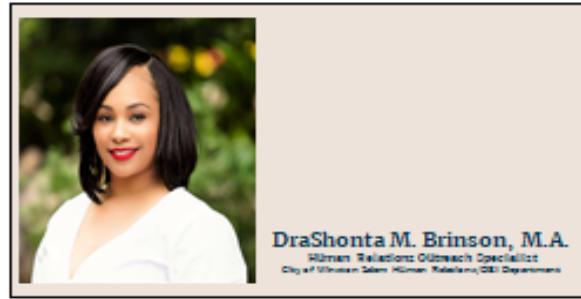
Organization	Projected Training Date	Contact	Status
Ministers Conference of Forsyth County	April 2022	Pam Peoples Joyner pam.peoplesjoyner@gmail.com	Completed
NorthStar	April 2022	Jake Gellar-Goad jakegoad@gmail.com	Completed

Training courses are held on the first and third Tuesdays of the month.

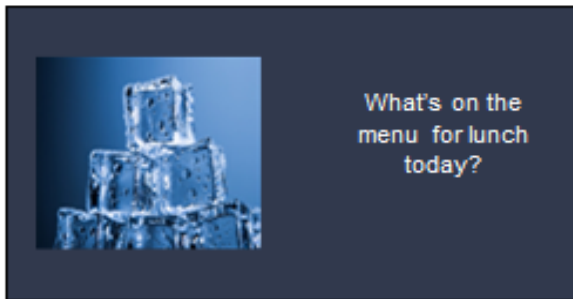
Materials



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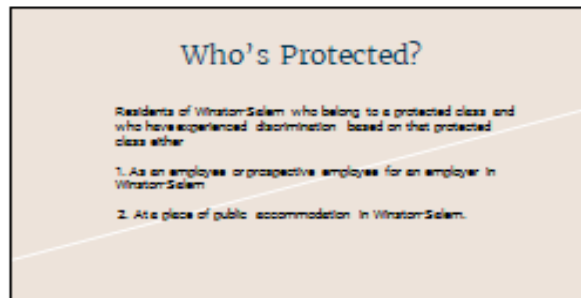
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Protected Class	Public Accommodations	Employment	Public Accommodations	Employment
Age	Not Protected	Protected	Not Protected	Not Protected
Disability	Protected	Protected	Protected	Protected
Genetic Information	Not Protected	Protected	Not Protected	Protected
Gender Identity	Not Protected	Protected	Not Protected	Protected
Marital Status	Not Protected	Protected	Not Protected	Protected
Political Affiliation	Not Protected	Protected	Not Protected	Protected
Religion	Protected	Protected	Protected	Protected
Sex	Protected	Protected	Protected	Protected
Sexual Orientation	Not Protected	Protected	Not Protected	Protected
Weight	Not Protected	Protected	Not Protected	Protected

An asterisk (*) indicates that the NDOs are more expansive than state and federal law. Protection is restricted to those who are not protected under federal or state law, a person who has been discriminated against based on that protected class. This is a time-consuming and costly process that is often extremely burdensome for both parties. In comparison, the City's NDOs provide a much faster, more efficient way to resolve the most common conflicts and to benefit both parties.

Why did we need the Non-Discrimination Ordinances?

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6

- Age
- Color
- Creed
- Disability
- Ethnicity
- Familial Status
- Gender Expression and Gender Identity
- Marital Status
- National Origin
- Political Affiliation
- Pregnancy
- Protected Hairstyles
- Race
- Religion
- Sex
- Sexual Orientation
- Veteran Status

7

Age: The length of time a person has been alive.

Color: The lightness, darkness, or other color attribute of a person's skin.

Creed: A formal system of beliefs, typically followed by a religious group.

Disability: A physical or mental impairment which substantially limits one or more of a person's major life activities.

Ethnicity: A person's membership in an ethnic group based on shared physical and/or cultural characteristics and common ancestry.

Familial Status: Applies to the parents and marital partners of children who live in the same home as such children.

Gender Expression: The external appearance of a person's gender identity, including that person's behavior, clothing, body characteristics, and voice.

Gender Identity: A person's internal sense of self as male, female, a blend of both, or neither, including how people perceive or reference themselves.

Marital Status: The state of a person's relationship with a significant other, including single, married, widowed, separated, and divorced.

Political Affiliation: A person's association with or support for a political party, political candidate, politician, or other political cause.

Pregnancy: The period of time during which a person is gestating a fetus.

Protected Hair Styles: Any hairstyle, hair type, or hair texture historically associated with race.

Race: All of a person's actual or perceived ancestry or physical or cultural characteristics associated with certain race, such as skin color, hair texture or style, or certain facial features.

Religion: Includes all aspects of religious observance and practice as well as belief.

Sex: A person's sexual orientation, gender identity, and/or gender expression.

Sexual Orientation: A person's actual or potential emotional, romantic, or sexual attraction to other people, including but not limited to heterosexually, bisexually, and homosexually.

Veteran Status: Applies to those who have served in the active military, naval, or air service.

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To fail or refuse to hire, to discharge, or to otherwise discriminate against an individual with respect to compensation or terms, conditions, or privileges of employment because of or based upon the 17 protected classes of person.

To limit, segregate, or classify an employee in a way which would deprive or tend to deprive an individual of employment opportunities, or otherwise adversely affect the status of an employee, because they fall under one or more of the protected classes.

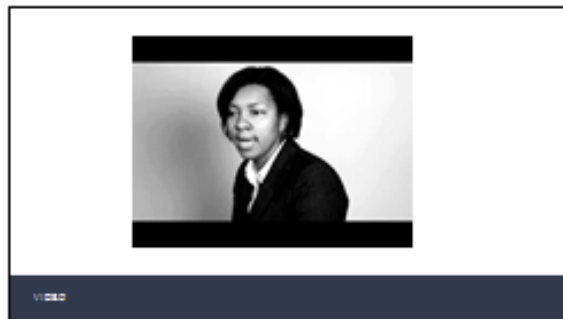
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Types of Employment Discrimination

- + **Disparate Treatment**
 - o Disparate treatment occurs when an employer intentionally treats one class of employees differently than it treats other classes of employees.
 - o Example: A hiring policy at a restaurant states that Hispanic applicants may only work in the kitchen and cannot be hired as servers.
- + **Disparate Impact**
 - o Disparate impact occurs when a policy provision that is facially neutral impacts one class of employees differently than it impacts other classes of employees.
 - o Example: An employer's hiring policy states that employees must be at least 5'8". Because women are typically shorter than 5'8" while men are typically taller than 5'8", this policy has a disproportionate negative impact on women.

What are some examples of employment discrimination that you have observed?

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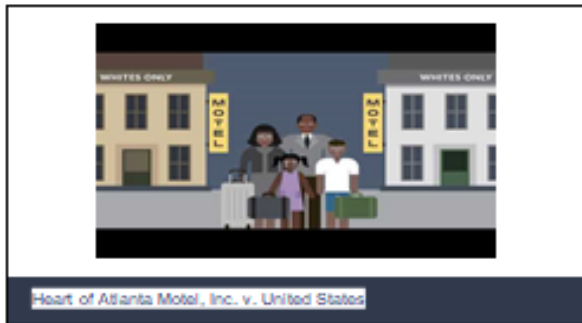
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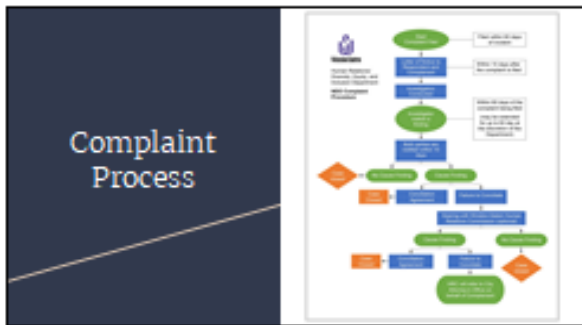


Heart of Atlanta Motel, Inc. v. United States

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