Overview of Achievements, 2018-2019

LatinoJustice PRLDEF (LJP) provides legal assistance to Latinos whose civil and constitutional rights have been violated, and those who are victims of hate crimes on the basis of race, ethnicity and immigration status. Our New York State Latino Immigrant Justice Project focuses on better integrating Latino immigrants into the civic life of New York through impact litigation, advocacy and other initiatives. Throughout 2018-19, LJP used the tools of impact litigation, legal work, advocacy, advice and referrals to defend the civil and human rights of thousands of Latinos in New York City and State.

In the aftermath of the 2016 U.S. Presidential elections, community-based organizations repeatedly sought out LJP for our recognized our expertise on contending with harsh Immigration Customs Enforcement (ICE) practices. LJP partnered with the Hispanic Federation and New Immigrant Community Empowerment (NICE) to provide our expertise and knowledge to community-based organizations throughout New York City and educate their staff and clients on their legal rights in a collaboration that continues to date.

LJP’s efforts have taken on greater relevance in light of the pro-enforcement immigration policies of the current federal administration. We responded by filing a lawsuit v. the Suffolk County Sheriff challenging their de novo practices of holding individuals subject to ICE detainers. Our complaint challenged the Sheriff's practice of honoring detainers which are mere administrative requests from ICE to unlawfully hold an individual for a period of time until eventually being transferred to federal immigration custody in violation of Fourth Amendment Constitutional rights. And we are continuing to pursue litigation in a Long Island School District in response to their increased crackdown targeting and suspending recent Latinx unaccompanied minors in collaboration with Suffolk Police and ICE.

Population Served: Minorities and Ethnic Groups, Primarily the Latino Population

Area Served: Statewide

Total Funding: $3,570,253

Total IOLA Grant: $80,000

Staffing - Full Time Equivalents:
- Total Staff: 27.00
- Lawyers: 11.00
- Others: 16.00
Direct Legal Services

329 people benefitted
329 legal cases closed

Breakdown of cases by Legal Problem

<table>
<thead>
<tr>
<th>Total Cases Closed</th>
<th>329 cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total People Benefitted</td>
<td>329 people</td>
</tr>
</tbody>
</table>

- **Dania Libreros v. Veronica Florentino and Anthony Gallo** – LatinoJustice PRLDEF (LJP) and Catholic Migration Services (CMS) filed a complaint in state court in 2016 on behalf of a Latina domestic worker in Queens County for wage theft and sexual harassment in violation of state and federal laws by her former employers. Our client worked for a couple as their nanny and housekeeper for years for poverty wages that fell far below the legally mandated minimum wage, as well as verbal, physical and sexual harassment as outlined in the landmark legislation Domestic Workers Bill of Rights that was passed in 2010. After a lengthy discovery process, LJP and CMS successfully negotiated a settlement agreement on the eve of trial with the defendants.

- Our client is a 32-year old undocumented Mexican immigrant. While working for landscaping company, a lawnmower band snapped and whipped him in the eye. Our client could not see, but when he asked his boss if he could see a doctor, he was told to take a five-minute break and put an icepack on the injury. After a week of terrible pain, he went to a hospital where he was told he'd be ok, but the injury could lead to early onset cataracts. On the days when he made subsequent visits to the doctor, his employer substantially decreased his pay from $120 a day to $40. We reached a settlement for our client of $5K. Although LJP does not traditionally take on such workers' compensation cases, we undertook this one because most attorneys would not take on a case with such a low potential for remuneration.
Other Services...

**Number of People Benefitted by Services Other Than Direct Legal Representation**

<table>
<thead>
<tr>
<th>Total</th>
<th>1,150 people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
<td>1,150 people</td>
</tr>
</tbody>
</table>

**Other Legal Related Services: Overview**

Providing community legal education is an important part of our service delivery strategy. We partner with community-based organizations that provide an essential connection to individuals with whom they have established relationships of trust. These groups support our clients and provide them with a safe place to express fears of and complaints against powerful figures in local government (and the workplace.) At times, these groups identify a legal issue and invite LJP into the community. At others, LJP is the one to initiate collaborative action. Community partnerships enable us to reach isolated individuals and to provide know-your-rights workshops and legal clinics that potentially uncover issues we would not hear about otherwise. Our target population is Latinos whose rights have been violated and/or who are victims of discrimination or hate crimes on the basis of race and ethnicity. Our community education efforts served approximately 1150 people during the grant period.

**Other Legal Related Services: Examples**

As noted above, our attorney based on Long Island has established partnerships with community-based organizations such as The Workplace Project in Hempstead, NY and NYCOSH (New York Committee for Occupational Safety & Health) which has offices in Hauppauge, NY. Together, they hold a monthly legal clinic in Hempstead which meets on the last Thursday of each month. From October 2018-March 2019 we've had 75 attendees to our workshops.
**Impact Cases**

**Betsabe Cunya, et al. v. Sage BRE NY-NJ Manager B LLC, BRE NE Hospitality Property Owner LLC, Sage Hospitality LLC and UNUM Group**

LJP filed a federal court class action complaint against Hilton Worldwide Holdings, Sage BRE, BRE NE Hospitality, and UNUM Group for denying our client, Betsabe Cunya, and other pregnant employees a pregnancy-related short-term disability benefit. Sage BRE, which operates the Hampton Inn Long Island-Brookhaven where our client worked, flouted multiple requests to provide her with the benefit. Our client worked for Hampton Inn for more than two years when she became pregnant. By State law, pregnant employees are entitled to short-term disability benefit. Ms. Cunya requested the benefit before she went on pregnancy leave, made another request soon after she gave birth, and sent UNUM, Sage BRE’s insurance carrier, a letter when her child was 3-months old. Sage BRE and UNUM dismissed her requests.

Ms. Cunya’s employers also denied her promotions because she was pregnant and gave the position to non-pregnant applicants. Her employer told her that, because she was pregnant, she would be unable to handle the stress and they did not want to give her the promotion because she would eventually be going on maternity leave. Despite being passed over for the promotion she continued to support her employer by fulfilling supervisory responsibilities without pay.

Ms. Cunya’s employers also allowed a culture of hostility toward pregnant employees to fester. Ms. Cunya’s male supervisor harassed her relentlessly when she was pregnant. When Ms. Cunya was 7 months pregnant, the supervisor ordered her to clean 30 rooms in a shift. He assigned her more work when she was pregnant than she ever had to do before her pregnancy. When he felt she wasn’t keeping up with the work he assigned, he ridiculed her and told her she was using her pregnancy as an excuse. When Ms. Cunya complained about her supervisor’s, mistreatment, and excessive workload, her manager said she was overreacting, and her hormones were raging. **Milestones:** Our case was filed in November 2018. **Impact:** The goal is for this employer and others to comply with the law, provide their employees with short-term disability benefit and equal treatment in the workplace while they are pregnant, and to be deterred from such actions in the future.
**Trainings**

Our policies are grounded within a culture of dignity that is rooted in our organizational values. In 2015 we put our vision into practice internally and enlisted renowned dignity scholar, Dr. Donna Hicks, to help us articulate our organization values based on her dignity model; Dr. Hicks returned in 2018 to provide a refresher workshop for LJP staff.

As noted previously, LJP is engaged in an organizational transformation process. With other funding resources, we engaged consultants (TSNE Mission Works) to guide staff in an organizational redesign assessment. The consultants are experts in analyzing change -- assessment, data collection, organizational alignment and implementation phases.

The overall effort has led LJP to implement new learning platforms. KnowBe4, is the world’s largest security awareness training and simulated phishing platform that helps organizations manage the ongoing problem of social engineering and compliance training. LJP is using KnowBe4 to provide digital training in the areas of data security and safety, as well as HR compliance. Through this platform, employees will receive mandatory training in diversity, inclusion and accommodation; harassment; anti-bullying; active shooter; and work/life balance. Training is provided via digital campaigns that are automated, giving employees the flexibility to complete training during a pre-set period of time. This platform is audit approved guaranteeing LatinoJustice’s compliance with new state regulations.

LJP’s legal team attended conferences and served as panelists for discussion. One LJP attorney attended the 35th Annual 1983 Civil Rights Litigation conference and another attorney spoke at the HNBA Annual Conference Voting Rights Panel. LJP attorneys also presented at workshops on wage and hour litigation and compliance, and human rights disclosure mandates.

**Technology**

This is an area where we have made significant improvements since April 2018. With funding support from other sources, we secured a consultant to provide a technology assessment project as part of the larger organizational reassessment with the goal of transforming the way that LJP staff works to a more collaborative model. In addition to the assessment and implementation of new technology, this project established standards, norms and protocols for technology usage across the organization and will support our organizational transformation.

LJP chose Udemy as its professional development and training platform. Udemy is a widely used thought content marketplace, where employees get the most up-to-date, relevant, and engaging content taught by the world’s leading experts. A key feature is its ability to assign and set courses as mandatory; as an example, we are currently undergoing a technology overhaul where Microsoft Office 365 will be the new software for our employees. The “Mastering Office 365” course has been set as mandatory and we can review employee progress. In addition to the mandatory courses we set for them, employees can explore thousands of other courses for them to improve their professional skills, from data science, to design, to office productivity, management, and personal development.
**Significant Collaborations**

LJP works in collaboration with other civil rights litigation groups on an ongoing basis. Some of our collaborators nationally include the New York Civil Liberties Union (on *Centro de la Comunidad Hispana v. Town of Oyster Bay*), the National Immigration Law Center, Southern Poverty Law Center, and the NAACP LDF among many others.

We also partner with community-based organizations such as the Worker Justice Center of New York, Catholic Charities Community Services and Rural Migrant Ministries in upstate New York. In the Suffolk County Police Department investigations, we partnered with a community organizer from Make the Road NY who helped to identify victims who were too afraid to come forward and speak out against the SCPD officers. LJP works with the New York Immigration Coalition, Suffolk County New York Civil Liberties Union, SEPA Mujer, and Long Island Jobs with Justice. And as noted above, we partnered with The Workplace Project in Hempstead, NY and NYCOSH to provide monthly legal clinics in Long Island.

Collaborations are critical in our ongoing work to defend Latina immigrant women who face pervasive workplace abuse and lack access to legal representation. In 2018, LJP once again received renewed funding from the New York Women's Foundation to assist us in our effort to extend our Latin@s at Work (LAW) project into New York City’s boroughs.

LJP continues to participate in the *Post-Shelby County Voting Rights Litigation Working Group* which was formed to undertake activities to prevent or deter as many discriminatory voting practices from being implemented or enacted as possible through litigation and pre-litigation investigation and advocacy in jurisdictions formerly covered under Section 5 of the Voting Rights Act. Our partners in this effort include the Mexican American Legal Defense and Educational Fund, and the NAACP Legal Defense and Education Fund. LJP’s work in this effort is centered on New York and Florida, both of which had several counties that were deemed “covered jurisdictions” under Section 5 of the Voting Rights Act before it was struck down by the Supreme Court.

LJP works in collaboration with law firms which serve as co-counsel on litigations. We are working with the law firm of Milbank in our effort to address the racially-biased practices of the SCPD. Some other collaborators include Nixon Peabody; Getman & Sweeney; and Outten & Golden. These firms often assign a partner to the case, co-counsel on strategy and brief-writing, take depositions, participate in discovery and trials, and in some cases, take responsibility for filing and serving. Partnering with firms is a strategy that enables us to bring far more litigation than we would be able to do with our staff alone.
Pro Bono Volunteer Involvement

LJP partners with dozens of private attorneys and law firms, as well as other legal and advocacy nonprofit groups to provide legal assistance and representation for Latinos represented in our impact cases. We partner to share legal and financial responsibilities, as well as to develop the most effective litigation team to handle a given case. During the grant period LJP continued to collaborate with multiple law firms including Fried Frank; Cleary Gottlieb; Locke Lord; Nixon Peabody; Davis Polk; Milbank; Skadden Arps; Patterson Belknap; and Baker Hostetler.

LJP is known for its competitive law student internships which are offered throughout the year. Law student legal interns provide substantive support to all of our work though legal and factual research memoranda, translation of documents and assisting in the preparation of legal briefs. A number of law student interns have returned to LJP as fellows and staff attorneys.

Pro Bono Statistics

<table>
<thead>
<tr>
<th></th>
<th>Attorneys: 345 Volunteers</th>
<th>4455 Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Students:</td>
<td>13 Volunteers</td>
<td>350 Hours</td>
</tr>
<tr>
<td>Other:</td>
<td>1 Volunteers</td>
<td>100 Hours</td>
</tr>
</tbody>
</table>

Sources Of Funding

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iola Grant:</td>
<td>$80,000</td>
</tr>
<tr>
<td>Foundations:</td>
<td>$1,081,400</td>
</tr>
<tr>
<td>Fundraising</td>
<td>$700,000</td>
</tr>
<tr>
<td>State Funding:</td>
<td>$105,500</td>
</tr>
<tr>
<td>Other:</td>
<td>$1,603,353</td>
</tr>
<tr>
<td>Total:</td>
<td>$3,570,253</td>
</tr>
</tbody>
</table>