



MURIEL BOWSER
MAYOR

October 28, 2022

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

In accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), and pursuant to section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01), I am pleased to nominate the following person:

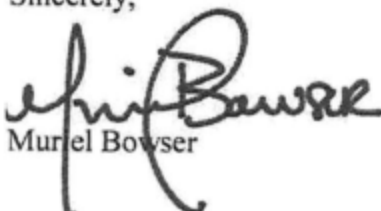
Ms. Hnin Khaing
8th Street, NW
Washington, DC 20011
(Ward 4)


for appointment as Director of the Office of Human Rights, to serve at the pleasure of the Mayor.

Enclosed, you will find biographical information detailing the experience of the above-mentioned nominee, together with a proposed resolution to assist the Council during the confirmation process.

I would appreciate the Council's earliest consideration of this nomination for confirmation. Please do not hesitate to contact me, or Steven Walker, Director, Mayor's Office of Talent and Appointments, should the Council require additional information.

Sincerely,


Muriel Bowser


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To confirm the appointment of Ms. Hnin Khaing as Director of the Office of Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Office of Human Rights Hnin Khaing Confirmation Resolution of 2022".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Hnin Khaing
8th Street, NW
Washington, DC 20011
(Ward 4)

as the Director of the Office of Human Rights, in accordance with section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01), to serve at the pleasure of the Mayor.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

HNIN N. KHAING

PROFESSIONAL EXPERIENCE

Interim Director

Oct. 2021 - Present

D.C. OFFICE OF HUMAN RIGHTS

441 4th Street NW, 570N, Washington, DC

- Manage and operate an adjudicatory government agency of approximately 80 employees and an annual budget of over \$10 million. Within the last year:
 - Successfully reorganized two major units within the agency, including the Office of the General Counsel
 - Grew the agency by almost 40%
 - Increased the agency's case processing rate
 - Successfully defended the agency's decisions in Superior Court
- Oversee the agency's enforcement of the District's anti-discrimination laws such as: the DC Human Rights Act, the DC Family and Medical Leave Act, the Protecting Pregnant Workers Fairness Act and the Fair Criminal Records Screening Amendment Act
 - Through a workshare agreement with the EEOC and HUD, assist with enforcing federal laws such as Title VII of the Civil Rights Act of 1964, ADEA, ADA, GINA, and Title VIII of the Civil Rights Act (Fair Housing Act)
- Day to day responsibility includes providing strategic guidance to managers overseeing various units within the agency, including the enforcement unit, the hearing unit, the ADR unit, and the agency administration unit.
- Work closely with the agency General Counsel in finalizing agency decisions, defending agency decisions, developing rulemaking and engaging in strategic legislative initiatives
- Work closely with the agency Human Resources Manager to develop robust HR policies and practices

General Counsel

Aug. 2018 - Sept. 2021

D.C. OFFICE OF HUMAN RIGHTS

441 4th Street NW, 570N, Washington, DC

- Provide legal counsel to the Director and program managers on personnel issues, operations, legislative affairs, press statements, contracts and procurement, and risk mitigation
- Review agency orders and ALJ decisions for legal sufficiency
- Draft and publish legal enforcement guidance (<https://ohr.dc.gov/page/OHRGuidance>)
- Prosecute human rights cases before the Commission on Human Rights
 - Secured public interest by obtaining voluntary compliance agreements in 80% of cases
 - Resolved 70% of litigation cases within 1 year
- Defend the agency in administrative proceedings (100% success rate)
- Manage and track external legal representation by the Office of the Attorney General
- Assist with developing policies and procedures such as sexual harassment and ethics policies
 - Assisted with developing and implementing the 2017 Mayor's Order on Sexual Harassment Policies and Procedures
 - Developed sexual harassment training and the manual on Sexual Harassment Investigations
- Direct rulemaking
- Deliver trainings to the legal community, community stakeholders and businesses on preventing discrimination and complying with District laws
- Recruit and hire; train and mentor a staff of four attorneys

Deputy Director

Aug. 2016 - Aug. 2018

D.C. OFFICE OF HUMAN RIGHTS

441 4th Street NW, 570N, Washington, DC

- Assisted in directing agency operations, including managing agency budget
 - Increased agency budget by 46% within 3 years
 - Obtained funding to update agency case management system
 - Obtained funding to update IT equipment

- Acted as senior policy advisor to the Director on personnel actions and agency decisions
- Managed the District's EEO Counseling training program for District government employees (over 200 employees trained)
- Developed and directed the publication of the agency's legal enforcement guidance documents
- Worked with the Executive Office of the Mayor, the Office of the City Administrator, the Council of District of Columbia and community organizations in advancing the agency's mission to eradicate discrimination
- Directed the enforcement unit program and supervised the Intake Director and Investigation Director
- Tracked and improved agency performance

Legislative Affairs Manager

Mar. 2015 -Aug. 2016

D.C. OFFICE OF HUMAN RIGHTS

441 4th Street NW, 570N, Washington, DC

- Directed all aspects of policy and legislative affairs
- Drafted and amended agency regulations
- Tracked and managed local and federal legislation impacting the agency
- Drafted agency testimony for hearings before the D.C. Council
- Represented the agency in Commission meetings, various inter-agency government committees
- Oversaw the EEO Compliance Program
 - o Developed and created an EEO Counseling Training and Certification Program
 - o Developed full training curriculum, course assessment test, and practice manual

Principal Attorney

Jan. 2011 - Mar. 2015

LAW OFFICE OF HNIN N. KHAING, PLLC

1420 N Street NW, Suite 102, Washington, DC

- Litigated employment matters under Title VII, ADA, ERISA, ADEA, appearing before:
 - o D.C. Superior Court, Court of Appeals
 - o U.S. District Courts in DC, Maryland and Virginia
 - o U.S. Circuit Courts: D.C. Circuit, 4th Circuit, 11th Circuit
 - o Administrative forum: OHR, EEOC, MSPB, OSC
- Provided legal services in immigration matters, appearing before USCIS, EOIR and BIA
- Conducted extensive discovery, including multiple 'fact depositions and expert depositions
- Provided consultation services on employment policies, procedures and manuals
- Collaborated with community partners and government agencies to deliver "Know Your Rights" trainings

Legislative Fellow

Apr. 2010 - Dec. 2010

NATIONAL EMPLOYMENT LAWYERS ASSOCIATION

1828, L Street NW, Suite 600, Washington, DC

- Assisted with developing and communicating NELA's legislative and public policy priorities
- Tracked and managed legislative developments
- Contributed to NELA's monthly online publication, "On the Hill"
- Drafted legal memoranda on emerging issues in employment law
- Contributed to drafting *amicus* briefs
- Represented NELA at congressional meetings and hearings

Associate Attorney

Aug. 2007 - Jan. 2010

HENRICHSEN SIEGEL, PLLC

1440 G Street NW, Washington, DC

301 W. Bay St., 14th Floor, Jacksonville, FL

- Litigated employment matters under Title VII, ADA, ERISA, and ADEA
- Prosecuted subrogation actions on behalf of fidelity and surety insurance companies involving negotiable instruments
- Represented clients in consumer fraud action, construction defect litigation, and class actions
- Engaged in pre-suit negotiations and mediations

- Second and third chaired trials in administrative proceedings and federal and state court
- Conducted extensive discovery, including multiple fact depositions

Legal Intern

Summer 2006

U.S. HOUSE OF REPRESENTATIVES-Judiciary Committee

Washington, DC

- Performed legal research and drafted legislative memoranda on the Voting Rights Act; assisted with drafting *amicus* briefs

Law Clerk

Summer 2005

O'DWYER & BERNSTEIN, LLP

New York, NY

- Assisted in labor union arbitrations and drafting collective bargaining agreements
- Researched and drafted legal memoranda on unfair labor practices and immigration issues
- Drafted pleadings filed before the NLRB and PERB

EDUCATION

Juris Doctor

May 2007

Florida Coastal School of Law

Jacksonville, FL

Bachelor of Arts, Economics

December 2003

University of Maryland

College Park, MD

BAR ADMISSIONS

- Florida (2007)
- District of Columbia (2009)
- Maryland (2010)
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals for the D.C. Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of Maryland
- U.S. District Court for the Middle District of Florida
- U.S. District Court of the Southern District of Florida

VOLUNTARY BAR ASSOCIATIONS

- D.C. Bar - Labor and Employment Law Section (2016 - Present)
- National Employment Lawyers Association (NELA) (2010 -Present)
- Metropolitan Washington Employment Lawyers Association (MWELA) (Board Member 2013 -2015)
- D.C. Bar Young Litigators (Board Member 2012-2015)

PUBLICATIONS & SPEAKING ENGAGEMENTS

- *The Institute & Washington College of Law*, "Symposium: Enhancing Anti-Discrimination Laws in Education & Employment" (Fall 2021)
- *D.C. Bar* - CLE Program - "Current Employment Law Protections" (Faculty, 2020, 2021, 2022)
- *Mayor's Office of Legal Counsel-EEO* Laws in the District (Faculty, Fall 2019, Spring2021)
- *Mayor's Office of Legal Counsel and Department of Human Resources* - Updates in Leave Laws during the Pandemic (Speaker, June 2020)
- *George Washington University School of Law* - Human Rights Clinic (Guest Lecturer, Spring & Fall 2019)
- *D.C. Bar* - DC Bar Practice Manual on Human Rights (Contributing author: 2016, 2017, 2018, 2019)
- *Washington Council of Lawyers* - Employment Law Meets Immigration Law (Moderator, 2018)
- *Office of Human Rights* - EEO Case Review Manual (Author, 2016, 2017)



Executive Office of the Mayor - Office of Talent and Appointments
John A. Wilson Building | 1350 Pennsylvania Avenue, Suite 600 | Washington, DC 20004

Hnin Khaing



Hnin Khaing is a seasoned civil rights attorney with over fourteen years of experience, a deep understanding of human rights laws, and experience serving District residents, and is the current Interim Director of the Office of Human Rights (OHR). Director Khaing recently served as OHR's General Counsel where she reviewed agency decisions, directed rulemaking and vigorously pursued the public interest by prosecuting probable cause cases before the Commission on Human Rights, which included securing relief for complainants as well as changes to respondent's discriminatory policies and practices. She has also previously served as OHR's Deputy Director, where she developed and led the launch of the District's first-ever EEO Training and Certification program for EEO Counselors and Officers. Today, this program is open to all District government employees.

In addition to enforcement, as part of the agency's mission to eradicate discrimination, Director Khaing is passionate about community outreach, education and training. She has spoken at a number of community events on various topics including age discrimination, gender identity and expression discrimination, hair discrimination, ban the box, fair housing laws and workplace fairness. Educating the legal community, she has also been the faculty for D.C. Bar's CLE program on employment laws in the District.

A Ward 4 resident, Director Khaing earned a Juris Doctor from Florida Coastal School of Law and a Bachelor of Arts in Economics from the University of Maryland.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of Mayor Muriel Bowser



Office of the General Counsel to the Mayor

To: Office of Policy & Legislative Affairs, Steve Walker
From: Betsy Cavendish
Date: October 27, 2022
Subject: Legal sufficiency review of Resolution nominating Hnin Khaing as Director of the Office of Human Rights

This is to Certify that this office has reviewed the above-referenced resolution and found it to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call Vanessa Careiro, Deputy General Counsel, Executive Office of the Mayor, at 202-724-1303, or me at 202-724-7681.

A handwritten signature in black ink that reads 'Elizabeth A. Cavendish'.

Elizabeth Cavendish