

## Fact Sheet 26-03

### Enforcement Areas & Public Resources (English)

#### Office of Human Rights (OHR)

Updated March 16, 2026

### Understanding the Fairness in Human Rights Administration Amendment Act

#### Purpose:

This fact sheet explains recent changes to the D.C. Human Rights Act of 1977 (“DCHRA”) under the Fairness in Human Rights Administration Amendment Act of 2024 (Fairness Act). This document is for educational purposes only and is not legal advice. If you need legal advice on how the Fairness Act applies to a particular situation, please consult an attorney.

#### What Changed Under the Fairness Act?

The Fairness Act made four major updates to the DCHRA:

- **Revised definition of sexual harassment:** Previously, sexual harassment in employment matters was defined as “conduct of a sexual nature.” The Fairness Act revises the definition to also include conduct based on sex, gender, sexual orientation, or gender identity or expression. D.C. Code § 2-1402.11(c-2)(2)(B)(i).
- **Expanded Remedies for claims against the D.C. Government:** People filing Claims Against the D.C. Government now have access additional remedies, similar to those available in cases against private entities. D.C. Code §2-1403.03(d).
- **Increased Statute of Limitations to file in Court: Complainants now have 2 years** (instead of 1 year) to file a DCHRA claim **in court**. D.C. Code § 2-1403.16(b). The deadline to file with **OHR** remains **1 year**. OHR. D.C. Code § 2-1403.04(a).
- **Additional Rights to Remove to Court:** Complainants can now **withdraw their case from OHR and file in court** at multiple stages in OHR’s administrative process, including:
  - Before OHR makes a final probable cause determination
  - After an OHR dismissal for lack of jurisdiction, no probable cause, or administrative convenience



- After a probable cause finding in all cases except residential real estate cases<sup>1</sup>, as long as the request to withdraw is filed with OHR on or before the 30<sup>th</sup> day after the close of discovery before the Commission on Human Rights (Commission) or a hearing examiner. D.C. Code § 2-1403.16 (c)-(d).
- OHR must notify complainants of their right to file in court when a case is closed or when a withdrawal request is filed. with OHR or the Commission. D.C. Code §1403.06a.

### **When Did These Changes Take Effect?**

The Fairness Act included an effective date of March 21, 2025, but was passed “subject to appropriations,” meaning the Fairness Act changes to the DCHRA did not go into effect until the law was funded. OHR began enforcing the new provisions of the Fairness Act on October 1, 2025, after funding was approved.

### **For More Information**

If you have questions or need additional information about OHR or our services, please do not hesitate to contact our office. You can also visit [ohr.dc.gov](http://ohr.dc.gov) to explore resources and learn more about our work.

- Email: at [ohr@dc.gov](mailto:ohr@dc.gov)
- In-Person: 441 4th Street NW, Suite 570N, Washington, DC 20001
- Phone: (202) 727-4559

---

<sup>1</sup> If there is a finding of probable cause on a residential real estate case, the DCHRA still requires the separate election of remedies procedure detailed in D.C. Code § 2-1403.05. In such cases, the election of remedies must be made no later than 20 days after service of the probable cause determination. *Id.*