

Human Rights Commission
Business Meeting
Minutes

November 21, 2013

Chair Wallace called the meeting to order at 6:39 p.m.

Commissioners Present: Preston Anderson, Alice Currie, Olgy Diaz, Richard McGrue III, Darion N. Reese, April Sanders, Fred Schuneman, Lucas Smiraldo, Larry Strege, John Wallace, Christopher Winters

Commissioners Absent: Nicci Montgomery

Staff Present: Diane Powers, Marya Gingrey, Tina McLeod, Vicki Walker

Roll Call was taken. A quorum was present.

Agenda Approval

Chair Wallace called for a motion to amend the agenda to include a public comment agenda item immediately following approval of minutes. A motion to approve the November 21, 2013, Human Rights Commission Agenda as amended was made, seconded and carried.

Approval of Minutes

A motion was made, moved, seconded, and carried by voice vote to accept the HRC meeting minutes for October 17, 2013.

Public Comment

Alfonso Limon spoke on an issue of alleged employment discrimination, and requested the Commission's help. Marya Gingrey said she would follow up with Mr. Limon and report back to the Commission.

New HRC Business

- a. Petition for Reconsideration findings of No Reasonable Cause Hearing: HRC 4653 Grant v. Avamere Skilled Nursing Home of Tacoma

Chair Wallace discussed and read the rules for a Reconsideration Hearing (Section 18.02 of the Administrative Rules governing the Human Rights Commission) and asked if any questions.

The Petition for Reconsideration Hearing commenced. Each party (Charging Party, Respondent, and City of Tacoma) was given up to 10 minutes, uninterrupted, to present. Charging Party Raymond Grant presented. Respondent attorney Gretchen Hoog presented. City of Tacoma Human Rights Fair Housing Investigator Tina McLeod presented. Following the statements of the parties, the Commission asked questions of the parties and discussed the information presented. Upon hearing no further discussion, Chair Wallace said the Commission could entertain one of two motions:

1. Continue to accept original finding of No Reasonable Cause
2. Refer the Complaint back to staff for further investigation

A motion was made, seconded, and carried to continue with the No Reasonable Cause Finding.

Commissioner Smiraldo asked if we could reconsider the spatial arrangement for future hearings, and it was suggested that we might select a different room when hearings are held. Commissioner Schuneman also suggested we look at the hearing process for the future, and did not feel questions to respondent and charging party had been allowed in the past. He felt that either the case was well presented or not. Chair Wallace said that we could add to a study session agenda, and thought the rules were silent on questions following testimony.

b. Election of Human Rights Commission Officers

Chair Wallace called for nominations to a two-year term for Commission Chair, 1st Vice Chair and 2nd Vice Chair.

A nomination process took place, ballots were passed out for vote, and the 2014/15 Officers by majority vote are:

Chair, Fred Schuneman
1st Vice Chair, Preston Anderson
2nd Vice Chair, Darion Reese

c. HRC 4664 Mackin v. MDC, et. al. Pre-Finding Settlement Agreement

Chair Wallace called for a motion to approve the Pre-Finding Settlement Agreement. A motion was made to approve HRC 4664 Mackin v. MDC, et.al.

The motion was seconded and carried.

d. Selection of 4th Quarter Human Rights Champion Award Recipient

Commissioner Winters motioned that since the nominations were not received by the deadline, and since the late nominations would roll into the 1st quarter 2014, for consideration, that there be no consideration for 4th Quarter Human Rights Champion. The motion was seconded and carried.

e. Adoption of 2014 HRC Meeting Schedule

The schedule included in the Commissioner packets was moved to adopt, then seconded. Marya Gingrey noted that the room number may change to an off-site location once a quarter to allow for public outreach. Standard notification would be issued prior to such change. The motion carried.

Chair's Report

Chair Wallace reminded Commissioners of the joint COD/HRC meeting on December 5th, at 4:00 at TACID, and encouraged attendance. Chair Wallace also reminded Commissioners to submit nominations for the HRC Champion Award.

Commissioner's Report

Commissioner Winters spoke about a Labor Standards Interview form he received from Tamara Berdecia from the US Army Corp of Engineers, that will be forwarded to Commissioners, and spoke of her effectiveness in returning lost wages to the community and other successes.

Commissioner Reese said that he had a good time serving with the Commissioners this year.

Commissioner Smiraldo spoke about a proposal to the Greater Tacoma Community Foundation for a Sparks Grant Creative Listening project that he is working on. Commissioner Smiraldo also offered his services for possible related outreach workshops.

Commissioner Schuneman requested a special session to go over Administrative Rules and Regulations in December – in particular the No Reasonable Cause Process and the COD Commission request to go from 8 to 4 employees, to ensure everyone is on the same page before moving forward. Discussion followed about possible scheduling options. A strong possibility is splitting the Study Session on December 19, to cover both the Pre-Workshop and then following the Business Meeting, the Administrative Rules.

Commissioner Schuneman also reported that he has completed 'Race and Social Justice Initiative Training' to be a facilitator, and recommends 'Race and Power of Illusion' as very informative workshop.

Director's Report

In Director Hayward's absence, Marya Gingrey shared that Diane Powers was in a meeting last Friday regarding work the City is doing around Commercial Sexual Exploitation of Youth in the Community. Ms. Powers is leading the project about sex trafficking as related to youth. In that meeting, our consultant, Leslie Briner, showed how Tacoma and Pierce County have been targeted for that type of activity, and by communities coming together, we are able to push perpetrators out. Commissioner Smiraldo provided some statistics and further information about this subject.

Staff Report

Marya Gingrey, referring to the Report of Case Closures, stated that during this period, we closed five employment discrimination cases as No Reasonable Cause Case Closures, and one housing discrimination case as an Administrative Closure.

Employment Discrimination:

- HRC 4650 - Hoyt v. Diamond Creations, Inc.
- HRC 4652 - Just Rita Theresa v. Diamond Creations, Inc.
- HRC 4662 - Fawcett v. Ross
- HRC 4666 - Stosalovich v. TACID
- HRC 4667 - Perry v. Brown & Haley

Housing Discrimination Complaint:

- HRC 4638 – Smith v. Wickshire West apartments/Dobler Management, et. al.

Marya Gingrey noted that the Human Rights section has received \$109,500. through HUD as Fair Housing Assistance Partnership funds. We have partnered with King County Office of Civil Rights, and that partnership will allow us to do additional work towards outreach and education, including interpreter work and expansion of the Fair Housing Conference. Our portion of the funds totals about \$77,000., and must be spent by September, 30, 2014.

The Human Rights Commission has been invited to participate in City Line Program December 12, at 8:15 a.m. Two additional (volunteer) Commissioners, besides

Commissioner Montgomery, are being sought to assist, and were asked to get in touch with Marya Gingrey prior to the Thanksgiving Holiday.

Ms. Gingrey and Ms. McLeod both participated in Commissioner Smiraldo's 'Art at Work' poetry and journaling workshop, and found it a good opportunity to be creative at work, and thought it would also be a good outreach activity.

Thanks also went out to Chair Wallace for his leadership during his term as Chair. Thanks also to 1st Vice Chair Currie and 2nd Vice Chair Reese. Ms. McLeod also thanked the Commission and Committees for their work this past year.

Adjournment

Business Meeting adjourned at 8:30 p.m.

Action Items:

Marya Gingrey will find link for Restorative Justice

Marya Gingrey will follow up with Mr. Limon

Vicki Walker will forward Commissioner Winters handout via email