

**Human Rights Commission**  
**Business Meeting**  
**Minutes**

**August 15, 2013**

**Chair Wallace called the meeting to order at 7:27 p.m.**

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

**Commissioners Absent:** Alice Currie, Joyce Miles, Nicci Montgomery

**Staff Present:** Marya Gingrey, Vicki Walker

Roll Call was taken. A quorum was present.

**Agenda Approval**

Chair Wallace called for a motion to approve the August 15, 2013, Human Rights Commission agenda. A motion was made, seconded and the motion carried.

**Approval of Minutes**

A motion was made, seconded, and carried by voice vote to accept the HRC meeting minutes for July 18, 2013.

**New HRC Business**

- a. 3<sup>rd</sup> Quarter Human Rights Champion Award Selection

A motion was made by Commissioner Reese, and seconded by Commissioner Winters to select Tom McCarthy (sole nominee) as the 3<sup>rd</sup> Quarter Human Rights Champion Award recipient. A voice vote was taken and the motion carried.

Commissioners Smiraldo, Strege, Reese, and Chair Wallace made a commitment to each nominate at least one person or organization for the 4<sup>th</sup> quarter, noting that organizations as well as individuals may be nominated.

- b. HRC Community Response Statement (as prepared and discussed in Study Session)

Chair Wallace asked for a motion to adopt and publish the HRC Community Response Statement regarding Trayvon Martin. Commissioner Smiraldo made a motion to accept this as an official statement from the HRC - with minor modifications - changing 'young men and women' in the third paragraph, replacing with 'community residents' – the motion was seconded, and carried by voice vote.

### **Chair's Report**

Chair Wallace commented on the great work being accomplished by the Commissioners.

### **Commissioner's Report**

Commissioner Winters reported on his meeting with John Lund, PhD, Regional Representative for U.S. Secretary of Labor, regarding wage theft and the underground economy. John Lund (in that meeting) spoke about their Joint Enforcement Strike Force from the State of California, and various organizations that made up the task force. Commissioner Winters shared with him what our HRC does and how it ties to Department of Labor task force work – requesting we share information on how to document violations and associated checklists. Sharon Ortiz from the State HRC also wishes to involve the State in this conversation. Commissioner Winters is requesting a copy of PhD Lund's PowerPoint on California's Joint Task Force on underground economy/wage theft and human rights.

Next steps; secure the information from the State of California, and set up a meeting with Sharon Ortiz and the State HRC to work in conjunction with the State, possibly revisit House Bill 1422, and talk to Council Member Ibsen about next steps, and work on State, Federal and City levels to get all three agencies talking.

Commissioner Winters had no further updates on wage theft within the City of Tacoma. They are not finding a lot. One site is being monitored, and we should still be diligent.

Commissioner Smiraldo, as the City's Poet Laureate, talked about how he would like to come in as a spoken word artist to help people find their voice and talk about their lives. As a poet and a writer, he would like to have a workplace poetry initiative, to present his works, then welcome comment, and return again for a dialogue and for others to share poetry and encourage sharing of perspectives.

Commissioner Winters responded that it helps to engage the youth in community outreach – especially in art, music, dance forum, etc., and Commissioner Reese said he can link up with Commissioner Smiraldo about opportunities to reach out.

Commissioner Reese excused himself at 7:42.

Chair Wallace excused himself at 7:43, and Commissioner Schuneman took over as Chair.

### **Director's Report**

Director Hayward was in training and did not leave a report.

### **Staff Report**

1. Marya Gingrey referred Commissioners to the Memorandum Report of Case Closures, and gave brief overviews of the following cases.

No Reasonable Cause Case Closures for this reporting period:

Employment Discrimination:

HRC 4618 - Webb v. Inspired Beginnings Preschool

HRC 4632 - Kha v. Metropolitan Development Council

HRC 4654 - Leggett v. Brown and Haley

Housing Discrimination:

- HRC 4649 - Kettler v. Mark Twain Apartments
- HRC 4653 - Grant v. Avamer Skilled Nursing of Tacoma, et. al.
- HRC 4655 - Cox v. LASA (Living Access Support Alliance)

Pursuant to section 17.03 of the Administrative Rules Governing the Human Rights Commission, the following information was provided as a report of Administrative Closures for this reporting period:

Employment Discrimination:

- HRC 4650 – Hoyt v. Diamond Creations, Inc. - Lack of Jurisdiction - Charging Party and Independent Contractor
- HRC 4652 – Just Rita Theresa v. Diamond Creations, Inc. - Lack of Jurisdiction, Charging Party an Independent Contractor

Both cases were pulled from Administrative Closure. These will continue to be investigated pending clarification of employment status (independent contractor or employee).

Commissioner Winters asked if the Department of Revenue was notified in cases similar to above, regarding possible tax fraud due to employment mis-classifications.

Ms. Gingrey said we could do that – this is the first time she has seen this situation in two years. We don't share information, because the case is open. We could share once the case is closed, and we do make connections for people to get them to the right place.

Ms. Gingrey referred Commissioners to the 'Undoing Institutionalized Racism Workshops' flier in their packets. There are two; two-day sessions – August 28<sup>th</sup> and 29<sup>th</sup>, and September 18<sup>th</sup> and 19<sup>th</sup>; that the Neighborhood and Community Services Department has committed to support; and spaces are being held for Commissioners to attend. Ms. Gingrey requested Commissioners let her know (that evening, or by Monday at the latest), and the Department will pay their registrations as a sponsor. After the workshops, there will be a dinner in October for both groups to share and have collective impact approach to develop strategies into action.

The Human Rights Division is doing some exciting work – A proposal will be submitted to HUD for Fair Housing Assistance Program Partnership Funds – looking at community engagement, and we are partnering with Seattle Office of Civil Rights to facilitate the race power allegiance in Tacoma, to work in community engagement and outreach, and studying the existence and or magnitude of any discrimination and access to housing services experienced by the LGBTQ community. Seattle is also looking at this and we may partner with them on their proposal, or partner with the Rainbow Center and Oasis – doing some work together incorporating focus groups and data gathering to see if there is discrimination in housing, and also looking at transitional housing and access to shelters. Our focus will be moving forward on community engagement, education, and outreach, as well as providing technical assistance.

The Commission's October 5<sup>th</sup> retreat may need to change days, as we have been requested to have a Joint Committee meeting on October 8<sup>th</sup>, with Public Safety, Human Services and Education Committee. Marya Gingrey will confirm via email next week.

Additionally Marya Gingrey will look into the Seattle Center "Race" exhibit and see if that could be part of the Commission retreat.

Marya Gingrey will attend the International Association of Human Rights Agencies and Fair Employment Practice Agencies conference the last week in August to look at best practices of other agencies regarding Fair Housing and Employment Discrimination as

well as removing barriers to employment and access, and will share what she has learned during our September meeting.

**Public Comments**

None.

**Adjournment**

Business Meeting adjourned at 8:04 p.m.

**Action Items:**

Mail C Reese intro letter - Marya