

Human Rights Commission
Business Meeting
Minutes

September 19, 2013

Chair Wallace called the meeting to order at 7:04 p.m.

Commissioners Present: Preston Anderson, Alice Currie, Olgy Diaz, Richard McGrue III, Nicci Montgomery, Darion N. Reese (out at 7:34), April Sanders, Fred Schuneman, Larry Strege, John Wallace, Christopher Winters

Commissioners Absent: Joyce Miles, Lucas Smiraldo

Staff Present: Tansy Hayward, Marya Gingrey, Vicki Walker

Roll Call was taken. A quorum was present.

Agenda Approval

Chair Wallace called for a motion to amend the September 19, 2013, Human Rights Commission Business Meeting agenda, to add a new item to the New HRC Business, section 5a., to add Pre-Finding Settlement Agreement, Daniel Dugger v Emerson Apartments, et.al., HRC #4657. A motion was made, seconded and the motion carried.

Chair Wallace called for a motion to approve the September 19, 2013, Human Rights Commission agenda as amended. 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 August 15, 2013.

New HRC Business

- a. Approval of Settlement Agreement HRC #4633, Carl Brown v. Starbucks
This was moved, seconded and carried.
- b. Approval of Pre-Finding Settlement Agreement, HRC #4657 Daniel Dugger v Emerson Apartments, et.al.

This was moved, and seconded; a discussion about the fair housing training timeline and associated requirements and options took place; the motion then carried.

c. Approval of Six Month HRC Leave of Absence Request for Commissioner Joyce Miles

This was moved, seconded and carried.

d. Filling Vacant HRC 2nd Vice-Chair Position

The term on this vacancy is through the end of this year. Chair Wallace asked if anyone was interested in performing the duties of 2nd Vice Chair. Duties were defined as filling in when the Chair is not available. Chair Wallace called for an election of interested parties, Commissioners Schuneman and Reese expressed interest, and a ballot vote took place, electing Commissioner Reese as 2nd Vice Chair

Chair's Report

Chair Wallace reported that the HRC Champion's award will be presented at the October 1, Council meeting, and invited Commissioners to attend and show support. Chair Wallace also reminded Commissioners of the upcoming retreat on October 5, and development of the 3-5 year Strategic Plan, and thanked them for their work.

Commissioner's Report

Commissioner McGrue attended 'Undoing Institutional Racism' with Commissioner Smiraldo last month, and thought it was a great event, however for their session, the second day was not as impactful, as the speakers were only there the first day.

Commissioner Reese will be attending 'Race and Social Justice' training in Federal Way and will facilitate two sessions at Pacific Science Center and bring reports and materials back to the Commission.

Commissioner Schuneman is unable to attend the retreat as he will be going to 'Race, Power of Illusion' training and will be a certified 'Train the Trainer' for the City of Seattle.

Commissioner Montgomery is continuing her work with the 'Youth Coalition to End Homelessness in Pierce County'; working with service providers throughout the community to develop Pierce County's first youth homeless shelter, drop in center, and café.

Director's Report

Director Hayward reported on the 'Say Hey' employment event last night, that is working to match up individuals with a disability with employment and employment services, attended by the COD and City staff. Another event was an open house celebrating the relocation of our Child Care Aware section, that does capacity building and training for Child Care providers (Funded by Race to the Top Grant) focusing on increasing youth development in the 0-5 age bracket. Also mentioned was the impact of our involvement in the Pilot Youth Employment Program for 50 youth that focused on students behind in credits for on-time graduation. Students could earn up to two credit hours. Forty eight students stayed through the program and will receive some level of credit based on the hours worked. This was funded with some Criminal Justice dollars with the City, and supported also through collaboration with Tacoma Public Schools, The Reach Center, and Workforce Central. The goal now is to plan for 2014 in October, hoping to expand opportunities. This was a great opportunity for students to achieve credit retrieval, especially for those that normally could not afford typical credit retrieval options, and the students also earned \$10.00 an hour. On October 10, The Public Safety, Human Services and Education Committee will receive an update from our Gang Initiative Coordinator, Melissa Cordeiro, reporting on the success of the initiative. At that same meeting, there will also be a recap of the Mental Health, Chemical Dependency rollout. There will be some review of 2015-16, for gaps in mental health services, comparing our current contracts with the target groups identified in the Health Department Needs Assessment.

There is some community dialogue around tent cities, as the State legislature took action that religious institutions can now host tent cities, and there is some Land Use discussion for permits covering regulations to balance the negative community impact against the desire to provide housing. There are going to be some community meetings to discuss this topic.

The City of Tacoma is a Pilot City in the STAR Community Rating System pilot; evaluating our policies and programs that promote sustainability, social justice, and equity. Marya Gingrey and Tina McLeod have both worked to look across those parameters that will be rated to see what practices and policies we have in place, and by year end, we should get a rating based on their criteria, which may be a tool for this group to see how we compare with other cities.

Next week Neighborhood and Community Services has an item on the Council Agenda regarding a project of limited duration to hire a program assistant to assist with intake,

policy research, and so forth, to continue to streamline the intake process and maximize resources.

Staff Report

Marya Gingrey introduced the following cases and asked for questions. Ms. Gingrey noted that the EEOC contract closes September 30th, and she will be bringing additional information to an upcoming meeting with case numbers for closure for last year, as well as information on our housing cases that closed with the June 30th, cycle, and some data analysis on trends, that will help us develop a community engagement and outreach campaign.

Pursuant to Section 16.05 of the Administrative Rules Governing the Human Rights Commission, the following information is being provided as a report of No Reasonable Cause Case Closures for this reporting period:

1. Employment Discrimination:

- HRC 4573 - Vaughn v. Paddy Coyne's Irish Pub
- HRC 4596 - Newton v. Life Force Services, Inc.
- HRC 4609 - Lollis v. Denny's
- HRC 4656 - Durant v. SMS Janitorial Service
- HRC 4663 - Morrow v. Subway
- HRC 4665 - Westerlund v. Digestive Health

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 4627 – Devillier v. Simpson Tacoma Kraft Company, LLC. Lack of Jurisdiction, Filing occurred post 180 days from date of harm.

Ms. Gingrey noted that harm must have occurred within 180 days from the date of filing. The charge was prepared but not signed within the 180 days, and this exceeded the limit. This particular case was joint filed with the EEOC and therefore had a 300 day limit, so this is fine to proceed with Title VII of the Civil Rights Act of 1964.

Ms. Gingrey said we currently have four housing cases regarding reasonable accommodation currently in conciliation. We may see a couple of these proceed on to a formal hearing with the hearing examiner. In all cases, housing, employment or public accommodation, if the department does find reasonable cause, then we are directed to

engage in conciliation, if that fails, they are forwarded to the City Attorney's Office to decide to either move forward with it, or decide how to dispose of the case. In housing cases, either party can elect to have the matter heard in Superior Court, rather than before a hearing examiner. They only have 20 days from the date of receiving the finding to make that election.

Ms. Gingrey attended two conferences in Denver last month – The International Association of Human Rights Agencies, as well as The EEOC's FEPA (Fair Employment Practices Agency) conference. These were held together, covering legal updates on some things happening on the Supreme Court level last year, especially as related to retaliation claims - also issues of race, national origin and age discrimination. There was also great conversation on homelessness and the perspective of discrimination on a whole class of person, and disproportionate impact on people with mental health and chemical dependency issues, and also persons of color, and our role in making people's lives better. Ms. Gingrey also touched on some linkages with work in the Human Services Commission and Commission on Disabilities.

The NCS Department has been working with a stakeholder group developed as a result of our collaboration with the Puget Sound Regional Council Growing Transit Communities Equity Committee. The collaborative will be hosting a Tacoma/Pierce County Equity Forum on October 24, 2013 from 5 p.m. – 8 p.m. to discuss issues of equity within our local area and build a local coalition to participate in a Regional Equity Summit to be held in November 2014.

The Governing for Racial Equity Conference will be held in Portland, Oregon on March 24 – 25 2014, in Portland.

December 5th will be a joint Commission Meeting with the Commission on Disabilities to come together and talk about areas of partnership.

Public Comments

None.

Adjournment

Business Meeting adjourned at 8:00 p.m.

Action Items:

None.