

**PENNSYLVANIA HUMAN RELATIONS COMMISSION
MINUTES OF COMMISSION MEETING
OF JULY 25, 2016**

The meeting convened at 1:00 PM, Monday, July 25, 2016 at 333 Market Street, Harrisburg, Pennsylvania.

ATTENDANCE:

Commissioners present:

Joel Bolstein, Interim Chair
Dr. Raquel O. Yiengst, Vice Chairperson
Dr. Radheshyam Agrawal (phone)
George Dawson (phone)
Kathleen Dormer-Carusone (phone)
Michael Hardiman
Gerald S. Robinson (until 1:30 PM)

Commissioners Absent:

Hon. Terence Farrell (Absent)

Staff present:

JoAnn Edwards, Executive Director
Tammy McElfresh, Special Assistant to the Executive Director
Kathy Morrison, Chief Counsel
Geoffrey Biringer, Director of Education and Community Services
John Clark, Director of Enforcement
Martin Cunningham, Assistant Chief Counsel
Diana Medley, Acting Philadelphia Regional Office Director (phone)
Heather Roth, Harrisburg Regional Office Director
Carl Summerson, Hearing Examiner
Christine Reese, Press Secretary
Debbie Walters, Administrative Officer
Morgan Williams, Acting Pittsburgh Regional Office Director (transition out)
Lyle Wood, Acting Pittsburgh Regional Office Director (transition in)

CALL TO ORDER

Chairman Bolstein called the meeting to order 1:10 PM. He further announced that the meeting had been advertised and was open to the public, in accordance with the provisions of the Sunshine Act. He stated that prior to the meeting, in keeping with the confidentiality requirements of the Sunshine Act; there had been a closed session to discuss compliance matters.

Chairman Bolstein announced the meeting was being recorded.

Attendance was taken and the presence of a quorum was noted.

INTRODUCTION OF GUESTS

Chairman Bolstein noted there were no guests in attendance.

APPROVAL OF COMMISSION MEETING MINUTES

Minutes of the Public Commission held on July 25, 2016 were presented for approval.

MOTION:

Commissioner Yiengst made a Motion, seconded by Commissioner Robinson to approve the minutes with one noted change to the excused attendance of Commissioner Yiengst. With all in favor, motion carried.

CHIEF COUNSEL'S LITIGATION STATUS REPORT

Chief Counsel Morrison provided a review of her status report and a copy is attached for review. Ms. Morrison also provided in her report an outline of work done by the legal staff and trainings they have conducted.

EXECUTIVE DIRECTOR'S REPORT**Report on Mediation**

Katie Petruczok, Mediation Attorney provided a summary of her report on the mediation program statistics. The full report is included with these minutes.

Attorney Petruczok noted the Mediation Program is currently building a pool of mediations. A mass mailing was sent to target the counties listed with high demand.

Chairman Bolstein asked if we are seeing an upward or downward trend in the interest in mediation. Attorney Petruczok reported interest has doubled over last year. Chairman Bolstein noted it would be useful to see how our statistics compare to those of the EEOC or federal court.

Chairman Bolstein also asked about impediments that have made a difference. Attorney Petruczok explained that the travel ban has only limited OGC attorneys.

Commissioner Carusone asked why the numbers were so low in Philadelphia. Attorney Petruczok noted there are less referrals from the Philadelphia Regional Office. Acting Philadelphia Regional Office Director Diana Medley shared the decrease could be related to the case backlog.

LHRC & MOU's

Director Biringer reported he is currently working with Lower Merion. There is some disagreement on Section 12b. regarding duplicate complaints filed with local HRC and then also with PHRC or vice versa. The topic has been tabled until the fall meeting.

Dickson City has received assistance on updating their ordinance from Hearing Examiner Carl Summerson but has not returned calls.

The HRC Summit is scheduled for tomorrow. The Summit will cover such topics as Section 12b, LGBT historical perspective and future, benefits of mediation and meet with Advisory Councils to discuss ethnic intimidation to name a few.

Commissioner Robinson asked if LHRCs are notifying PHRC of complaints filed and vice versa. Director Clark explained that this is in the MOU; however, it is not signed yet.

Director Clark elaborated that PHRC is looking into an IT solution from within CMS+ but this would need a map overlay for location of harm and LHRC's boundaries.

Commissioner Hardiman expressed concerns about the language in the MOU.

Chairman Bolstein recommended Director of Enforcement John Clark work with Commissioner Hardiman on interpreting the statute regarding dual filing and MOU's. Assistant Chief Counsel Morrison expressed her agreement with Commissioner Hardiman.

Permanent Hearing Examiner Carl Summerson cited a court decision on elections of filing with local vs. PHRC and would do well for commissioners to review.

Chairman Bolstein instructed Commissioner Hardiman, Chief Counsel Morrison and Permanent Hearing Examiner Summerson to meet and discuss, come to some conclusion and if not able to reach a consensus bring the issue back to the commissioners.

Executive Director Edwards stated the focus during the HRC Summit on the 12b topic should be points on MOU's.

Regional Director Roth said MOU's showed to be a benefit when the Lancaster HRC closed. Without an MOU in place hundreds of complainants would have gone unresolved. The Lancaster complaints are dual filed with PHRC and then also dual filed with the EEOC.

Report of Education and Community Services Division

Director Biringer reported that the Reading School District case is scheduled for August 9, 2016 in Commonwealth Court.

At the last Task Force meeting, Ann Van Dyke gave a presentation on Fast Response. It is Director Biringer's goal to have his division be able to respond faster and also noted minutes from the Advisory Councils will be sent out as they become available.

Press Secretary Christina Reese reviewed highlights from her report provided within the meeting packet. A copy of which will be included with the minutes.

Commissioner Hardiman asked about the Resolution's status. Press Secretary Reese stated it has been sent to staff and will be forwarded to stakeholders.

Since it is a long-term strategy to regain the budget, Chairman Bolstein suggested we should focus on keeping legislators informed and building a contact list to increase visibility in their districts.

Maintaining a calendar of events so that staff knows about them, then anything we have commission staff attend staff can introduce themselves to the event coordinator. But everyone must know about the events. Chairman Bolstein

suggested a link on our web page may be one way of sharing information. We need to be doing more than just sending press releases when we do something good.

Commissioner Yiengst expressed how important it is to know what is going on in our communities and assisting the commissioners to promote the commission

Report on the Budget

Executive Director Edwards spoke with Senator Williams and could not get approval for the full request. We will continue to work with legislators.

Hiring approval was given to hire up to 84 complement. The Budget Office wants to review all appropriations before the re-budget meeting. It is important that everyone understand this is just the starting point and we are hopeful PHRC will be able to hire more after the review process. This process will begin by determining top priorities of positions to fill and move forward from there.

Everyone should know there was a full court press to get the budget increase that was received. Hopefully next year will be more.

Chairman Bolstein asked if the Regional Office Directors had any feedback on the new budget or status of the Commission.

In the Pittsburgh Office, Acting Regional Director Lyle Wood stated he shared with his staff to wait and see. It is out of their hands, told them not to worry about things they cannot control and to simply continue to work as hard as they can. The Philadelphia Office was told to wait and see; while the Harrisburg Office was told the same as Pittsburgh. Staff will need to redirect their focus to what we can control.

STRATEGIC PLAN UPDATE

Executive Director Edwards noted that the strategic plan will be reviewed and discussed at the next Executive Session.

Also at the next meeting, Executive Director Edwards noted she will have a report on the EEOC Conference to distribute.

It was noted that the Competency Program is moving forward by partnering with the union and agreement on the language.

Report on EEOC and HUD Contracts

The performance of each office toward meeting its MTD goal for the EEOC contract is as follows:

Pittsburgh – 31 cases submitted for a target of 28 = 111% toward satisfying goal
Harrisburg – 73 cases submitted for a target of 45 = 162% toward satisfying goal
Philadelphia – 30 cases submitted for a target of 40 = 75% toward satisfying goal

Year to date, Pittsburgh has submitted 188, Harrisburg 507 and Philadelphia 239 cases for credit. 934 cases or 68% remain to reach the goal of 1,356. The monthly and year-to-date reports are attached.

NEXT SESSION

The August Commission meeting will be held Monday, August 22, 2016, at 1:00 PM in Harrisburg, PA.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

GUEST COMMENTS

No guests in attendance

ADJOURNMENT

This meeting was electronically recorded. The file will become part of the permanent record.

Commissioner Yiengst made a motion, seconded by Commissioner Hardiman to adjourn. With all in favor, Chairman Dawson adjourned the Public Session.

Respectfully submitted,

S\Joel Bolstein

Joel Bolstein
Interim Chairman

S\Radheshyam Agrawal

Dr. Radheshyam Agrawal
Commissioner