

**PENNSYLVANIA HUMAN RELATIONS COMMISSION
MINUTES OF COMMISSION MEETING
OF MARCH 27, 2017**

The meeting convened at 1:24 PM, Monday, March 27, 2017 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)
Michael Hardiman
Curtis Jones
Gerald S. Robinson

Commissioners Absent:

Kathleen Dormer-Carusone
Mayur Patel

Staff present:

JoAnn Edwards, Executive Director (Absent)
Tammy McElfresh, Special Assistant to the Executive Director
Kathy Morrison, Chief Counsel
Geoffrey Biringier, Director of Education and Community Services
Heather Roth, Harrisburg Regional Office Director
Carl Summerson, Hearing Examiner
Christine Reese, Press Secretary
Jinada Rochelle, Acting Housing Coordinator
Debbie Walters, Administrative Officer
Lyle Wood, Acting Pittsburgh Regional Office Director
Katie Petruczok, Mediation Coordinator

CALL TO ORDER

Chairman Bolstein called the meeting to order at 1:24 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

Attorney Michael Crocenzi of Goldberg Katzman P.C. was in attendance for this meeting.

APPROVAL OF COMMISSION MEETING MINUTES**MOTION:**

Commissioner Yiengst made a motion, seconded by Commissioner Jones to approve the January minutes of the Commission Meeting. With all in favor, motion carried.

MOTION:

Commissioner Yiengst made a motion, seconded by Commissioner Hardiman to approve the February minutes of the Commission Meeting. 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. Chief Counsel Morrison also provided in her report an outline of work done by the legal staff and trainings they have conducted. Chief Counsel Morrison also provided for the commissioners an overview of new cases filed in commonwealth court and cases of interest to PHRC.

EXECUTIVE DIRECTOR'S REPORT**Report on the Budget**

Special Assistant McElfresh provided an update of the PHRC budget and reviewed the current budget summary. A copy of the budget summary is included in the meeting records.

Report of Director of Education and Community Service

Director Biringer outlined his current activities within the monthly report. A copy is included with meeting records. Director of Education Geoffrey Biringer provided an update to his report noting the Commission is working around the state with school districts and on the settlement with the Reading School District (RSD). Chairman Bolstein recused himself and stepped out of the meeting prior to the discussion regarding RSD. Director Biringer noted he is still reviewing documentation and if it is determined RSD is not in compliance the recommendation will be to go to court.

Commissioner Yiengst informed Director Biringer she is not happy that he is the only one reviewing the documentation.

Commissioner Hardiman advised this discussion should be done during the Executive Session. The discussion was halted and after the conclusion of the Public Meeting the Executive Session was resumed to continue the confidential discussion.

Director Biringer noted the Taskforce meetings will now be held the third Thursday of each month. The Taskforce previously met every other month but due to ongoing incidents post-election the frequency has been increased.

Report on EEOC and HUD Contracts

The performance of each office towards meeting its MTD goal for the EEOC contract is provided in the monthly reports.

Performance reports for both the EEOC and HUD contracts were reviewed and reports are attached with meeting records.

Report on Mediation

An overview of the monthly report was provided. Ms. Petruczok noted the addition of Karen George of the Pittsburgh Regional Office to the Mediation team. Ms. George will assist in the front-end communications process. Also noted was that the regional offices will now be processing mediation cases for closure.

Commissioner Robinson asked how many cases are in the Mediation Program to be accepted or declined. Ms. Petruczok indicated there are approximately 75 such cases.

Advisory Councils

Director Biringer reviewed meetings held and noted the Lebanon Council meeting is to be held in ELL classrooms. Director Biringer was asked to provide information on the meeting to Commissioner Yiengst.

Local Human Relations Commissions

During April, Hearing Examiner Summerson is scheduled to speak with a new local commission. Director Biringer is reviewing ordinances being enacted and identifying where the possibility exists for new HRCs to be formed.

Chief Counsel Morrison noted confidentiality language is being developed for the MOU.

Commissioner Robinson noted his difficulty in understanding why, since this is outlined in our Act, we still are not providing information to local commissions. We are supposed to be providing the Local HRCs with information.

Chief Counsel Morrison explained the technical difficulty with current data fields available in CMS makes the system unable to define locality and determine the proper local HRC with regard to data sharing.

Chief Counsel Morrison shared information regarding the upcoming Partnership Summit to be held June 19, 2017.

Commissioner Jones referred to the upcoming Partnership Summit and requested commissioners be invited.

Report of Press Secretary

Secretary Reese shared information on an event held in York following the threat at the York JCC.

April is Fair Housing Month. PHRC will be releasing a two minute video on YouTube geared toward educating youth on discrimination. There will also be a post card mailer with QR code to drive traffic to our website. The home page of the website will be changed to offer a specific area focused on Housing discrimination. Secretary Reese is also working with PAI on template updates and they are expected to be done by the end of May.

Director Biringer participated as a speaker with WITF, the public television station after the events at the York JCC.

Upcoming legislative meetings are being scheduled for the executive director and include one with Representatives Harris and Grow to discuss House Bill 402, which is legislation geared toward reforming the PHRA and asks that the number of days until closure is within 223 days. This would create a number of concerns and ramifications for PHRC and want to talk to him and his staff about them and also provide some education on what we do and what is involved with an investigation.

Commissioner Jones asked if the legislator proposing the bill has any experience or involvement with the commission and what was his source of information about PHRC.

Secretary Reese indicated he has introduced legislation like this in the past but does not believe PHRC has had any interaction with the representative in the past. He may have gotten his information from a local business person who had gone through the investigation process with us.

With the recent budget cuts, this could be a golden opportunity to present our case to legislators. Commissioner Jones indicated his interest in participating in legislative meetings. The discussion was pushed to discussion to the Policy Committee meeting for further discussion. Regional Director Roth suggested Secretary Reese provide the Commissioner Jones with a copy of the proposed legislation and noted that there is a lot more he is proposing within the legislation that could have chilling effects for PHRC such as his proposal of closing all local HRCs, fining complainants when we find no probable cause, etc. It is clear he really does not understand the work of the agency.

Commissioner Jones then added, with the recent budget cuts, how can a legislator ask an agency to do more with less and then take even more away.

Secretary Reese said the draft Annual Report was sent to the directorship and commissioners with a request for comments and changes.

NEW BUSINESS ADJUDICATION

201600778 Raible vs. Grande Pizza, Inc., d/b/a Grande Pizza and Family Restaurant

201601887 Raible vs. Cesare Tiano

201601888 Raible vs. Otello Tiano

MOTION:

Commissioner Yiengst made a motion, seconded by Commissioner Jones to find the Respondent liable in the above three cases for failure to answer to the complaints. With all in favor, motion carried.

201300300 Harrison vs. Lazer Spot, Inc.

MOTION:

Commissioner Hardiman made a motion, seconded by Commissioner Agrawal to accept the findings, conclusions, and final orders in a recommendation to find the Respondent liable. With all in favor, motion carried.

201600381 Leach vs. Menasha Packaging Company, LLC

The request for action has been tabled until the April meeting.

NEXT SESSION

The April Commission meeting will be held Monday, April 24, 2016, at 1:00 PM in Harrisburg, PA.

ADJOURNMENT

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

MOTION:

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

Respectfully submitted,

S\Joel Bolstein

Joel Bolstein
Interim Chairman

S\Radheshyam Agrawal

Dr. Radheshyam Agrawal
Commissioner