

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

PENNSYLVANIA HUMAN RELATIONS COMMISSION

**M I N U T E S**

TIME: 3:03 P.M.

Held at  
State College Borough Hall  
243 South Allen Street  
State College, PA 16801  
as well as

**VIA MICROSOFT TEAMS**

November 28, 2022

Pennsylvania Human Relations Commission  
November 28, 2022

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

COMMISSIONERS:

Joel Bolstein, Esquire, Chair  
Dr. Raquel O. Yiengst, Vice Chair - Absent  
Mayur Patel, Esquire, Secretary  
Dr. Rad Agrawal -Excused  
Michael Hardiman, Esquire  
Curtis Jones - Absent  
Aleena Sorathia -Absent

EXECUTIVE DIRECTOR

Chad Dion Lassiter, MSW

INTERIM CHIEF COUNSEL

Martin Cunningham, Esquire

COMMISSION COUNSEL

Damian DeStefano, Esquire

STAFF

Grace Dunigan, Director of Policy, Intergovernmental  
Affairs and Mediation  
Adrian Garcia, Director of Fair Housing and Commercial  
Property  
Kurt Jung, Esquire, Director of Enforcement  
Robert Lindsey, Regional Office Director, Philadelphia  
Zulay Rojas, Special Assistant to Executive Director  
Debbie Walters, Administrative Officer  
Lyle Wood, Regional Office Director, Pittsburgh

GUESTS

Brittany Mellinger, Fair Housing Educational and  
Outreach Coordinator  
Joanne Tosti-Vasey, Chair of the Centre County  
Advisory Council (CCPHRC)

\*\*\*

Pennsylvania Human Relations Commission

November 28, 2022

\*\*\*

MEETING CALL TO ORDER AND OPENING STATEMENT

[Joel Bolstein, Esquire, Chair, called the meeting to order at 3:03 p.m. Pursuant to Section 711 (a) of the Sunshine Act, this Commission meeting may be recorded by attendees. Voluntary participation in the meeting constituted consent to be recorded.

This meeting had been advertised in accordance with the provisions of the Sunshine Act. Prior to the meeting, in keeping with the confidentiality requirements of the Sunshine Act, there was a closed session to discuss compliance matters, management updates, and adjudicative case deliberations.

After concluding the business portion of the meeting, guests will be invited to introduce themselves, noting the organizations they represent. Guests will have a brief opportunity to address the Commission. The Commission welcomed comments about equal opportunity, Civil Rights issues or problems of discrimination. The Commission values the partnership in promoting equal opportunity and wants to hear about the work of organizations represented; however, the Commission cannot hear the specifics of



1 Mr. Lassiter discussed the upcoming Fair Housing  
2 conference to be held in December 2022 in  
3 Philadelphia, PA. He offered to share additional  
4 information if requested. The Disability Panel will  
5 launch a Disability conference in the Spring of 2023.

6 Mr. Lassiter explained PHRC is more than the top  
7 civil rights supportive agency in the Commonwealth.  
8 PHRC is present for all of the protected classes, as  
9 well as all of the people of the Commonwealth.

10 The 3<sup>rd</sup> Annual PHRC School-to-Prison Pipeline  
11 project is being planned, focusing on community and  
12 input from the community. Under social justice  
13 marketing, PHRC continues to push forward with the  
14 Alternative Dispute Resolutions (ADRs), which  
15 addresses LGBTQ discrimination. PHRC regulations are  
16 being reviewed by the Independent Regulatory Review  
17 Commission (IRRC). The regulation will address  
18 antisemitism and bring together law enforcement.

19 Mr. Lassiter outlined the Alternative Dispute  
20 Resolution programs launched by the PHRC. Under  
21 PHRC's social justice outreach, EEOC and HUD  
22 trainings for both PHRC staff and communities are  
23 conducted. Discrimination in the workplace training  
24 is also offered. He noted the Asian American and  
25 Pacific Islander (AAPI) initiative with regard to

1 crime and hate being experienced in the Commonwealth.

2 Mr. Lassiter discussed the recent PHRC Advisory  
3 Council Summit held in Harrisburg, PA. PHRC will be  
4 announcing a Social Justice committee to provide  
5 resources for the Advisory Councils.]

6 \*\*\*

7 INTRODUCTION OF COMMISSIONERS AND STAFF

8 [Chad Dion Lassiter, Executive Director, requested  
9 the staff and Commissioners introduce themselves.

10 Commissioners and staff members in attendance  
11 outlined their positions and length of employment  
12 with PHRC.]

13 \*\*\*

14 MANAGEMENT REPORTS

15 Interim Chief Counsel

16 [Martin Cunningham, Esquire, Interim Chief Counsel,  
17 reporter on five public hearings. He stated 11 cases  
18 are awaiting decision following a public hearing.  
19 Four conciliation agreements were drafted.

20 Mr. Cunningham stated the staff are assisting the  
21 Chair with the passage of the Commission's LGBTQ  
22 regulations.

23

24 Regional Director - Pittsburgh Regional Office

25 [Lyle Wood, Regional Office Director - Pittsburgh,

1 reported on the additional staff member added to  
2 assist this office on its cases. The Pittsburgh  
3 office has been reaching out to begin a partnership  
4 with different organizations. He noted an increase  
5 in the Latino population in Pittsburgh. Advisory  
6 councils have been established within the western  
7 counties in Pennsylvania to assist the PHRC task  
8 force to eliminate discrimination and hate within the  
9 Commonwealth.

10 Mr. Wood reported on work in Mon Valley in  
11 Western Pennsylvania, which was a heavily  
12 industrialized steel industry that suffered a decline  
13 and created a myriad of problems. The PHRC recently  
14 partnered with the University of Pittsburgh and the  
15 Urban League of Greater Pittsburgh to host a generous  
16 Turkey Giveaway at the David L. Lawrence Convention  
17 Center. Information was also provided to individuals  
18 of PHRC's services.

19 The staff has been very busy with re-establishing  
20 contacts and outreach to the communities.]

21

22 Regional Director - Harrisburg Regional Office  
23 [Heather Roth, Regional Office Director - Harrisburg,  
24 noted the counties in Pennsylvania the Harrisburg  
25 office serves, including Centre County. The office

1 focuses on the intake of new cases, the investigation  
2 of cases, and then the litigation of cases where a  
3 probable cause is determined.

4 Ms. Roth reported that 22 of the 25 staff  
5 positions are filled in the Harrisburg office. She  
6 encouraged anyone looking for a position to visit the  
7 Civil Service website.

8 Ms. Roth announced an LBGTQ \$275,000 settlement  
9 for a woman who was fired from her job after she  
10 brought her partner to a work event. She urged all  
11 to contact the office regarding any discrimination  
12 complaint. Most complaints are drafted and forwarded  
13 to the employer within 20 days.

14 Ms. Roth noted training at the PHRC office in  
15 Scranton, PA. She noted requests from the general  
16 public for proactive training of staff on anti-  
17 harassment.

18 Ms. Roth reported on the work on recent  
19 discrimination cases. She noted recent up-to-date  
20 training of the Harrisburg office staff.]

21

22 Regional Director - Philadelphia Regional Office

23 [Robert Lindsey, Regional Office Director -

24 Philadelphia, noted the numerous complaints brought

25 to the Philadelphia PHRC office. He commended his

1 staff of highly trained and motivated individuals.

2 Mr. Lindsey reported on the successful,  
3 informative C.R.O.W.N., "Create a Respectful and Open  
4 World for Natural Hair," Act event held in  
5 Philadelphia. He added his office is always looking  
6 for additional staff.]

7

8 Director of Policy, Intergovernmental Affairs and  
9 Mediation

10 [Grace Dunigan, Director of Policy, Intergovernmental  
11 Affairs and Mediation, reported in October 2022 11  
12 cases were sent to mediation. Fourteen (14)  
13 mediations were scheduled. There were eight  
14 additional cases pending scheduling. Of the eleven  
15 mediation cases, eight resulted in a resolution. The  
16 current resolution rate is 78%. The resolutions in  
17 October 2022 totaled over \$162,000. The total  
18 settlement since the program's inception in 2020 is  
19 over \$4.1 million. For 2022, year-to-date, the total  
20 settlement is over \$1.3 million. Referrals continue  
21 to be received from the regional offices.

22 Ms. Dunigan reported the General Assembly had a  
23 limited session in the Fall of 2022, given the  
24 election year. She noted the new House taking seat  
25 in January 2023 as far as the implications to the

1 PHRC's strategies.]

2

3 Director of Fair Housing and Commercial Property

4 [Adrian Garcia, Director of Fair Housing and

5 Commercial Property, informed all of a PCN cable

6 network show known as "PHRC Speaks: Fair Housing in

7 the 21st Century," which broadcasts on the first and

8 third Sundays of the month. The next airing will be

9 on December 4, 2022, at 3:30 p.m. or go to pcn.com.

10 This show will transmit an interview with Grace

11 Dunigan on Intergovernmental Affairs and how PHRC

12 plans to work with government, the legislators, and

13 the partners across different departments.

14 Mr. Garcia discussed the upcoming Housing

15 Equality Conference to be held at the Weitzman

16 National Museum of American Jewish History in

17 Philadelphia. June 21, 2022, is the date currently

18 under consideration.

19 Mr. Garcia noted working on a Fair Housing white

20 paper, taking a look at the issues of fair housing

21 across the Commonwealth for possible solutions by the

22 PHRC and recommendations to the legislators.]

23

24 Director of Enforcement

25 [Kurt Jung, Esquire, Director of Enforcement,

1 reported that many of the agency's processes have  
2 been changed so the agency is running on a high  
3 productivity level. The time for investigations is  
4 much shorter.

5 Mr. Jung discussed meeting with the Asian  
6 communities and special interest groups to deal with  
7 their issues. He noted an Ambassadorship program  
8 where PHRC provides training to offices that offer  
9 help to individuals.

10 Mr. Jung outlined an internship program for legal  
11 students. He stated PHRC has received many  
12 applications for the program.]

13 \*\*\*

14 REGULATION UPDATE

15 [Joel Bolstein, Esquire, Chair, made the public aware  
16 that the PHRC has a package of regulations that will  
17 be in front of IRRC in December.

18 Chair Bolstein outlined the authority of PHRC to  
19 adopt policies and regulations related to the Human  
20 Relations Act. He referred to a policy adopted in  
21 2018 following public comments to handle and  
22 investigate complaints filed by the LGBTQ community.

23 Chair Bolstein discussed the US Supreme Court  
24 Case, Bostock, where several individuals had been  
25 discriminated against on the basis of their sexual

1 orientation or gender identity. In light of the US  
2 Supreme Court decision and case law, PHRC has drafted  
3 a regulatory package that would define the terms  
4 "sex," "race," and "religion." Public comment has  
5 been received on the regulatory package. A comment-  
6 response document has been posted on the website.

7 Chair Bolstein explained the regulatory process  
8 for the passage of its regulatory package. PHRC will  
9 present before IRRC on December 8, 2022, for its  
10 comments.]

11 \*\*\*

12 [Executive Director Lassiter requested Commissioner  
13 Michael Hardiman provide an explanation as to how the  
14 PHRC came to be and its current state after 67 years  
15 to fight for justice for the people of the  
16 Commonwealth.

17 Mr. Hardiman stated, in 1953, the then Governor  
18 John S. Fine of the Commonwealth conducts a survey of  
19 over 1,200 employers in Pennsylvania. He asked,  
20 among other questions, how many would admit to not  
21 hiring African Americans for unskilled, labor  
22 positions? Over 30 percent of the employers admitted  
23 to not hiring these individuals. How many would  
24 admit to not hiring African Americans for management  
25 positions? Over 50 percent admitted to not hiring

1 these individuals. For upper-level management  
2 positions, over 70 percent would not hire.

3 In 1955, a Bill pended before the General  
4 Assembly in Pennsylvania adopted the Fair Employment  
5 Practices Act, which would prohibit discrimination  
6 based on race. Mr. Hardiman stated the Governor  
7 placed on each member's desk of the General Assembly  
8 a copy of the survey and its results. He noted a  
9 response by one member of the General Assembly  
10 stating the Bill would allow the lesser qualified to  
11 blackmail their way into jobs over others more  
12 qualified.

13 Mr. Hardiman stated PHRC has come a long way.]

14 \*\*\*

15 OLD BUSINESS

16 [None.]

17 \*\*\*

18 NEW BUSINESS

19 [Executive Director Lassiter explained the  
20 requirements of the recipient to receive the  
21 Executive Director Award.

22 PHRC Commissioners and Mr. Lassiter presented the  
23 Executive Director Award to Brittany Mellinger, Fair  
24 Housing Educational and Outreach Coordinator.]

25 \*\*\*

1 PUBLIC COMMENT

2 [Joanne Tosti-Vasey, Chair of the Centre County  
3 Advisory Council (CCPHRC), welcomed the Commissioners  
4 and the PHRC staff. She offered special thanks to  
5 Brittany Mellinger, the PHRC liaison to the Centre  
6 County Advisory Council.

7 She also welcomed the public in attendance.

8 Ms. Tosti-Vasey stated the CCPHRC has monitored  
9 discrimination for several decades and provided a  
10 welcoming and diverse community throughout Centre  
11 County. She described the staff at CCPHRC. She  
12 stated that social media is monitored to identify  
13 community tensions relating to discrimination, unfair  
14 treatment, hate crimes, hate speech, and bias to  
15 report these activities to the PRHC.

16 Ms. Tosti-Vasey mentioned being most proud of the  
17 CCPHRC work with the local government in reviewing  
18 and creating ordinances to foster harmony in the  
19 community. A Joint Public Forum was held in 2006 and  
20 2007 on school nation issues with the State College  
21 Borough. A most comprehensive, local  
22 antidiscrimination ordinance was then crafted.

23 CCPHRC, approximately four years ago, met with  
24 several municipalities in Centre County and crafted a  
25 regional, multi-municipality ordinance and memorandum

1 of understanding to create a regional, municipal  
2 Human Relations Commission and ordinance, which  
3 covers all of the protected classes, as well as  
4 sexual orientation, gender identity, family status,  
5 family responsibility across the lifespan, marital  
6 status, and source of income. Ms. Tosti-Vasey  
7 outlined the enforcement of the ordinance.

8 Ms. Tosti-Vasey described additional projects of  
9 the CCPHRC in the community. She outlined methods to  
10 contact the CCPHRC, including their monthly meetings.  
11 Interested individuals may make contact through  
12 CCPHRCadvisorycouncil@gmail.com.]

13 \*\*\*

14 [Mr. Lassiter requested additional members in the  
15 audience introduce themselves.]

16 \*\*\*

17 [Chair Bolstein suggested the audience members  
18 contact the PHRC Housing team lead by Mr. Garcia for  
19 any issues related to housing. He referenced  
20 conferences and seminars for the public.

21 Chair Bolstein outlined the role of the  
22 Commissioners and Hearing Examiners to hear and  
23 adjudicate cases. He discussed issues related to  
24 support animals. PHRC also has jurisdiction over  
25 education and school districts. Always open to

1 assisting with issues with discrimination. PHRC  
2 provides justice for individuals being discriminated  
3 against.

4 Regional Directors run a regional PHRC office in  
5 their counties in order to receive and investigate  
6 all complaints. Chair Bolstein encouraged feedback  
7 to PHRC from the public.]

8 \*\*\*

9 PRESENTATION

10 [Mr. Garcia provided a presentation to outline what  
11 fair housing is. He noted the fair housing laws, the  
12 Federal Fair Housing Act of 1968, its amendment in  
13 1988, and Section 504 of the Rehabilitation Act for  
14 Americans with Disabilities, which all intersect with  
15 housing discrimination. He also noted the  
16 Pennsylvania Human Relations Act and additional  
17 protections to these acts.

18 The Fair Housing Act of 1968 made it unlawful to  
19 discriminate in housing because of race, color,  
20 national origin, and religion which applies to the  
21 sale and rental of houses. He noted the Pennsylvania  
22 Human Relations Act has language regarding occupancy,  
23 purchase and the use of the housing with local  
24 statutes being even broader. Sex, familial status  
25 and disability were later added as protected classes

1 to the Federal Fair Housing Act.

2 He noted two goals of the Federal Fair Housing  
3 Act that are "forgotten" including enforcement and  
4 affirmatively furthering fair housing intended to  
5 make all neighborhoods places of opportunity by  
6 providing residents with access to community  
7 resources to ensure their ability to flourish, be  
8 free from barriers and be provided access to  
9 opportunity.

10 Mr. Garcia noted some barriers could include  
11 language, disability, LGBTQ, income that prevent  
12 people from getting into housing. He discussed the  
13 importance of and read into the record Section 2 of  
14 the Pennsylvania Human Relations Act as follows: Such  
15 discrimination foments domestic strife and unrest,  
16 threatens the rights and privileges of the  
17 inhabitants of the Commonwealth, and undermines the  
18 foundations of a free democratic state. The denial of  
19 equal employment, housing and public accommodation  
20 opportunities because of such discrimination, and the  
21 consequent failure to utilize the productive  
22 capacities of individuals to their fullest extent,  
23 deprives large segments of the population of the  
24 Commonwealth of earnings necessary to maintain decent  
25 standards of living, necessitates their resort to

1 public reliefs and intensifies group conflicts,  
2 thereby resulting in grave injury to the public  
3 health and welfare, compels many individuals to live  
4 in dwellings which are substandard, unhealthful and  
5 overcrowded, resulting in racial segregation in  
6 public schools and other community facilities,  
7 juvenile delinquency and other evils, thereby  
8 threatening the peace, health, safety and general  
9 welfare of the Commonwealth and its inhabitants. Mr.  
10 Garcia noted some examples of barriers. He and the  
11 Director of Intergovernmental Affairs will be talking  
12 to legislators regarding the matter.

13           Partnerships are what is going to "get this  
14 done" as well as having an increased understanding of  
15 how the Fair Housing Act actually interacts with local  
16 ordinances.

17           Mr. Garcia talked about some of the things that  
18 increase Fair Housing knowledge which identify some of  
19 the key housing variances, public spaces and public  
20 accommodations. Be conscious about how to frame the  
21 housing needs and issues. He noted some tools  
22 utilized by the federal government including special  
23 purpose credit programs that are being used to let  
24 people have access and opportunity to be a homeowner.



1 He commented that the number one qualification is that  
2 a person cares deeply about civil rights and  
3 preventing discrimination.

4       Chair Bolstein encouraged anyone interested in  
5 being a Commission member to go to the Governor's  
6 transition team webpage and express an interest. He  
7 stated the Commission tries to have a diversity of  
8 views due to the time spent talking about  
9 discrimination and that everybody brings something  
10 unique to the table. Other members provided histories  
11 of their previous work experience and talked about  
12 some other credentials that would make one Commission  
13 eligible.

14       Mr. Hardiman read statutory language regarding  
15 commissioner requirements into the record as follows:  
16 The Commission shall consist of 11 members to be known  
17 as commissioners who shall be appointed by the  
18 Governor by and with the advice and consent of a  
19 majority of the members of the Senate, not more than  
20 six of such commissioners to be from the same  
21 political party, each of whom shall hold office for a  
22 term of five years or until their successor shall have  
23 been duly appointed and qualified. Each member of the  
24 Commission shall receive per diem compensation at the  
25 rate of \$60 per day for time actually devoted to the

1 business of the Commission.

2 Chairman Bolstein commented that some of the  
3 commissioners are members of other boards and  
4 commissions. There was further discussion.]

5 \*\*\*

6 [Chairman Bolstein expressed appreciation for being  
7 present at this meeting and encouraged that the  
8 Commission be contacted with any other questions or  
9 comments.]

10 \*\*\*

11 ADJOURNMENT

12 [The meeting adjourned at 4:30 p.m.]

13 \*\*\*

14

15

16

17

18

19

20

21

22

23

24

25

26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

## CERTIFICATE

I hereby certify that the foregoing summary minutes of the Pennsylvania Human Relations Commission, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the Pennsylvania Human Relations Commission meeting.



Matthew Ford,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

## **APPROVAL OF MINUTES**

### **MOTION:**

At the April 24, 2023, Public Meeting, Commissioner Hardiman made a motion, seconded by Commissioner Yiengst to approve the minutes of the November 28, 2022, Special Meeting. With all in favor, motion carried.



**M. Joel Bolstein, Chairman**



o/b/o Commissioner Mayur Patel

**Mayur Patel, Secretary**