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PENNSYLVANIA HUMAN RELATIONS COMMISSION

M I N U T E S

TIME: 3:00 P.M.

Held at
Heritage Rooms
333 Market Street
Harrisburg, PA 17101

January 23, 2023

Pennsylvania Human Relations Commission
January 23, 2023

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COMMISSIONERS:

Joel Bolstein, Esquire, Chair
Dr. Raquel O. Yiengst, Vice Chair
Mayur Patel, Esquire, Secretary (via telephone)
Dr. Rad Agrawal (via telephone)
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
Desiree Chang, Director of Education
Amanda Brothman, Director of Communications
Tamara Shehadeh-Cope, Esquire, Hearing Examiner
Kurt Jung, Esquire, Director of Enforcement
Robert Lindsey, Regional Office Director, Philadelphia
Debbie Walters, Administrative Officer
Heather Roth, Regional Office Director, Harrisburg

Pennsylvania Human Relations Commission

January 23, 2023

MEETING CALL TO ORDER AND OPENING STATEMENT

[Joel Bolstein, Esquire, Chair, called the meeting to order at 3:00 p.m. Pursuant to Section 711 (a) of the Sunshine Act, this Commission meeting may be recorded by attendees. Voluntary participation in the meeting constitutes 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.

The monthly meeting of the Pennsylvania Human Relations Commission was hereby convened. The presence of a quorum was noted, and the meeting was called to order.]

1 ADOPTION OF AGENDA

2 CHAIR BOLSTEIN:

3 Is there a Motion to adopt the
4 agenda?

5 COMMISSIONER HARDIMAN:

6 So moved.

7 CHAIR BOLSTEIN:

8 Is there a second?

9 COMMISSIONER AGRAWAL:

10 Second.

11 CHAIR BOLSTEIN:

12 So moved and seconded. All those in
13 favor of adopting the agenda please
14 say aye? Any opposed?

15 [The motion passed unanimously.]

16 ***

17 APPROVAL OF MINUTES - None

18 ***

19 [Chair Bolstein stated the Commission is scheduled to
20 vote on the disposition of a complaint for which a
21 public hearing has been held. In such cases, the
22 Pennsylvania Human Relations Act requires the

1 Commission to review the recommended findings,
2 conclusions and order made by the Hearing Examiner or
3 Hearing Panel and to approve or reverse the findings,
4 conclusions and order for service of such order on
5 the parties to the complaint.

6 Each Commissioner voting today signifies by his
7 or her vote that he or she has reviewed the entire
8 record in the matter to determine whether the
9 recommended findings are supported by substantial
10 evidence.

11 Furthermore, because it is for the
12 Commission as the adjudicative body to determine
13 whether the Respondent has engaged in or is engaging
14 in an unlawful discriminatory practice as defined by
15 the PHRA. Any findings, conclusions and order
16 approved at this meeting are so approved only after
17 the Commission itself has determined that the
18 evidence upon which it is based has been resolved
19 correctly and that any credibility determinations
20 have been decided correctly.]

21 ***

22

1 ADJUDICATIONS-RECOMMENDATIONS AND PROPOSED FINAL
2 ORDERS

3 CHAIR BOLSTEIN:

4 Our first case is PHRC Case No.
5 201803194, EEOC Case No.
6 17F202060475 and PHRC Case No.
7 201903162. We have the Proposed
8 Findings of Fact and Conclusions of
9 Law and a revised Order that was
10 provided to us by email just a
11 little while ago. Is there a motion
12 to accept?

13 COMMISSIONER PATEL:

14 So moved.

15 CHAIR BOLSTEIN:

16 Is there a second?

17 COMMISSIONER AGRAWAL:

18 Second.

19 CHAIR BOLSTEIN:

20 Chair Bolstein noted the Order
21 requires the Respondents to pay Mr.
22 Rivera the lump sum of \$20,097.60.

1 The revision to paragraph three of
2 the Final Order now reads that each
3 Respondent is jointly and severally
4 liable for Rivera's damages.

5 And that within 30 days of the
6 affected date of the Order
7 Respondent shall pay Rivera the lump
8 sum of \$20,097.60 in a check made
9 payable to Jose Rivera, delivered to
10 the care of Stephanie M. Chapman,
11 Esquire, at the Commission's
12 Harrisburg Regional Office.

13 So it's been moved and seconded
14 that we accept the recommendation of
15 the Hearing Examiner. Is there any
16 discussion.

17 Not hearing any, all those in
18 favor of the recommendation of the
19 Hearing Examiner please say aye?

20 [The motion passed unanimously.]

21 ***

22

1 CHAIR BOLSTEIN:

2 The next case is PHRC Case No.
3 201902964, EEOC Case No.
4 17F202060370; PHRC Case No.
5 201903148 and PHRC Case No.
6 202000391.

7 We have the recommendation of
8 the Permanent Hearing Examiner in
9 front of us. The only revision that
10 was made to that case is the same
11 one which paragraph three of the
12 Order now reads that Respondents are
13 jointly and severally liable and
14 shall pay Complainant the lump sum
15 of \$29,620 in a check, delivered in
16 care of Stephanie M. Chapman,
17 Esquire, at the Commission's
18 Harrisburg Regional Office.

19 Is there a motion to approve
20 the recommendation of the Permanent
21 Hearing Examiner?
22

1 COMMISSIONER HARDIMAN:

2 So moved.

3 COMMISSIONER AGRAWAL:

4 Second.

5 CHAIR BOLSTEIN:

6 It's been moved and seconded. Is
7 there any discussion? Not hearing
8 any, all those in favor of approving
9 the recommendation of the Permanent
10 Hearing Examiner please say aye?

11 [The motion passed unanimously.]

12 ***

13 CONCILIATION AGREEMENTS/CONSENT ORDERS

14 CHAIR BOLSTEIN:

15 We also had several Conciliation
16 Agreements and Consent Orders that
17 are shown as Items 8, 9, 10 on the
18 agenda.

19 Case No. 202001950, Case No.
20 202002446, Case No. 202101575. Is
21 there a motion to approve those
22 Conciliation Agreements and Consent

1 Orders?

2 COMMISSIONER HARDIMAN:

3 I make a motion that we approve the
4 recommendation of the Hearing
5 Examiner.

6 CHAIR BOLSTEIN:

7 Is there a second?

8 COMMISSIONER AGRAWAL:

9 Second.

10 CHAIR BOLSTEIN:

11 It's been moved and seconded that we
12 approve the Conciliation Agreements
13 and Consent Orders that are
14 identified as Items 8, 9 and 10 on
15 our agenda.

16 Is there any discussion? Not
17 hearing any, all those in favor of
18 the motion please say aye? Any
19 opposed?

20 [The motion passed unanimously.]

21 ***

22

1 REQUESTS FOR PRELIMINARY HEARINGS

2 CHAIR BOLSTEIN:

3 There are also several requests for
4 Preliminary Hearings. Those are
5 identified as Items 11 through 18 on
6 the agenda, Case Nos. 201901721,
7 202000655, 202101106, 202101504,
8 202101516, 202101517, 202101687, and
9 202200129. For each one of these,
10 and we'll do it collectively, what
11 I'm looking for is a motion to deny
12 the Request for Preliminary Hearing.
13 Is there such a motion?

14 COMMISSIONER HARDIMAN:

15 So moved.

16 COMMISSIONER AGRAWAL:

17 Second.

18 CHAIR BOLSTEIN:

19 It's been moved and seconded that we
20 deny the request for Preliminary
21 Hearings for Items 11 through 18 on
22 the agenda. Is there any discussion

1 of any of those items?

2 Not hearing any, all those in
3 favor of the motion please say aye?

4 [The motion passed unanimously.]

5 ***

6 MOTIONS AND OTHER ACTIONS - None

7 ***

8 PENNSYLVANIA LEGISLATIVE UPDATE - None

9 ***

10 MANAGEMENT REPORTS - None

11 ***

12 ELECTION OF OFFICERS

13 CHAIR BOLSTEIN:

14 There was a recommendation made
15 during Executive Session to re-
16 nominate Vice Chair Yiengst and to
17 re-nominate Secretary Patel to those
18 positions. Is there any discussion?

19 I make a motion that we re-
20 elect Vice Chair Yiengst to another
21 term as Vice Chair; we re-elect
22 Secretary Patel to another term as

1 Secretary of the Commission.

2 Is there a second?

3 COMMISSIONER AGRAWAL:

4 Second.

5 CHAIR BOLSTEIN:

6 It's been moved and seconded. All
7 those in favor of that motion please
8 say aye? Commissioner Hardiman
9 abstained.

10 CHAIR BOLSTEIN:

11 Those officers are approved.

12 [The motion passed. Commissioner Hardiman abstained
13 from voting on the motion.]

14 ***

15 ADJOURNMENT

16 CHAIR BOLSTEIN:

17 Is there a motion to adjourn?

18 COMMISSIONER HARDIMAN:

19 So moved.

20 COMMISSIONER AGRAWAL:

21 Second.

22 [The motion passed unanimously.]

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[The meeting adjourned at 3:11 p.m.]

[Next meeting date: February 23, 2023.]

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.



Victoria Lantz,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

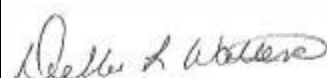
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APPROVAL OF MINUTES

MOTION: At the May 23, 2023, Public Meeting, Commissioner Yiengst made a motion, seconded by Commissioner Agrawal to approve the minutes of the January 23, 2023, Public Meeting. With all in favor, motion carried.



M. Joel Bolstein, Chairman

 o/b/o Commissioner Mayur Patel

Mayur Patel, Secretary