

**CITY OF PITTSBURGH
COMMISSION ON HUMAN RELATIONS**

BY-LAWS



CITY OF PITTSBURGH

Commission on Human Relations

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PITTSBURGH COMMISSION ON HUMAN RELATIONS

BY LAWS

I. NAME

The name of this organization, as established by the Home Rule Charter, is the "Commission on Human Relations" (hereinafter also referred to as the Commission). (*Amended April 1991*)

II. PURPOSE

The purpose of the Commission on Human Relations is to assure equal opportunity for all citizens of the City in employment, housing, public accommodations, and to do all things as authorized by the City Home Rule Charter and the Pittsburgh Code, and to promote amicable and cooperative relations among the various cultural, racial, economic, social and religious groups in the City. (*Amended April 1991*)

III. COMMISSION DUTIES

The Commission on Human Relations shall have the power and it shall be its duty to:

1. Initiate, receive, and investigate complaints charging unlawful practices as authorized by the City Home Rule Charter and as set forth in the Pittsburgh Code, Title Six, Article V, approved May 23, 1979, and any amendments thereto (hereinafter referred to as the Code). (*Amended April 1991*)
2. Seek satisfactory adjustments of such complaints, hold meetings and hearings, subpoena witnesses, make findings of fact, and issue orders and/or recommendations in accordance with the provisions of the above-mentioned Code. (*Amended April 1991*)
3. Certify particular occupations or positions as exempt from requirements of the Code.
4. Initiate or receive and investigate other complaints of discrimination against any person because of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, age, familial status, handicap or disability or use of support animals, and to seek conciliation, make findings of fact, and issue orders in reference to such complaints. Any complaint filed under this subsection which the Commission believes may constitute a violation of a law of the Commonwealth of Pennsylvania, of the United States of America, or a Code provision of the City of Pittsburgh, may be certified to its solicitor for such action as s/he may deem proper. (*Amended April 1991*)
5. Study and investigate by means of public hearings or otherwise any conditions having an adverse affect on inter-group relations, including alleged violations of the penal laws of the Commonwealth of Pennsylvania prohibiting discrimination in public accommodations, as well as any other laws of the Commonwealth or Code provisions of the City of Pittsburgh heretofore or hereafter enacted prohibiting discrimination against persons because of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, age, familial status, handicap or disability or use of support animals, as amended in the City Code.

6. Institute and conduct educational and other programs to promote the equal rights and opportunities of all persons, regardless of their race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, age, handicap or disability or use of support animals, and to promote understanding among persons and groups of different races, colors, religions, ancestries, national origins, places of birth, sexes, sexual orientations, ages, familial status, handicaps or disabilities or use of support animals. In the performance of its duties, the Commission may cooperate with interested citizens and with public and private agencies, as amended in the City Code.
7. Request other departments or the government of the City of Pittsburgh to assist in the performance of its duties.
8. Render from time to time, but not less than once a year, a written report of its activities and recommendations to the Mayor and to Council of the City of Pittsburgh.
9. Recommend legislation to promote and insure equal rights and opportunities for all persons, regardless of race, color, religion, ancestry, national origin, place of birth, sex, sexual orientation, age, familial status, handicap or disability or use of support animals.
10. Adopt such rules and regulations as may be necessary to carry out the purposes and provisions of the Code.
11. Assure the enforcement of fair practices in City contracts and compliance of all City contractors and subcontractors with the Code, the mandates of Commonwealth, and/or Federal laws relating to unlawful employment practices, and fair employment practices policies in compliance with the Commission's Rules and Regulations, Chapter 3, Rule 1. *(Amended April 1991, June 2016)*
12. Issue publications and reports of investigation and research in the field of human relations, and to cooperate with and accept grants from public and private bodies.
13. Receive a report from the Director at each regular Commission meeting, including a status of items acted on at the previous meeting, as well as additional information to be brought before the Commission. *(Amended April 1991)*

IV. MEETINGS

The full membership of the Commission shall meet at least once a month during at least ten (10) months of each calendar year for review, evaluation, determination of policy matters and adjudication of all pending matters. Subject to an enabling amendment to the Code, one-third of the members shall constitute a quorum for the transaction of business and a majority vote of those present shall be sufficient for any action taken by the Commission, EXCEPT that approval of an absolute majority of the members of the Compliance Review Section shall be required before any public hearing may be held. *(Amended May 1, 1991)* Participation by Commissioner via telephone conference or video conference shall constitute present attendance at meetings. *(Amended June 2016).*

Special meetings may be called by the Director or Chair, or upon the request of one-third of the members. Such meeting shall take place within seven (7) days of said call or request and state the purpose of the meeting. *(Amended May 1, 1991)*

All notices will comply with the Sunshine Act.

V. MEMBERSHIP

The Commission on Human Relations shall be composed of not more than fifteen (15) regular members (*Commissioners*) appointed by the Mayor, approved by City Council, and duly sworn, broadly representative of the cultural, racial, economic, social and religious groups in the City of Pittsburgh. The term of members shall be four (4) years. (*May 1, 1991*)

Each member of the Commission shall continue to serve until his/her successor has been sworn in or until s/he resigns. All members shall serve without compensation, but they may be reimbursed for all expenses necessarily incurred in the performance of their duties in accordance with appropriations made by City Council. (*Amended May 1, 1991*)

VI: COMMISSIONERS' DUTIES

The Commissioners will carry out all of their duties as set forth in the Code, By Laws, and Charter. They are expected to attend and participate in regular and special meetings during a year, serve on at least one standing committee, and preside as needed at private meetings and public hearings.

Each Commissioner shall:

1. Attend a minimum of nine (9) regularly scheduled Commission meetings. Commissioners who are unable to attend a scheduled meeting must notify the Commission, in writing (email and text messages are permissible forms of communication) or by telephone, prior to the meeting and receive acknowledgement;
2. Adopt policies and procedures necessary to accomplish the mission of the Commission;
3. Promote, and whenever possible participate in, Commission events;
4. All new Commissioners shall participate in training regarding the role of the Commissions, its powers and duties. In addition, Commissioners shall participate in federally recommended trainings at least annually or as needed.

Such participation is necessary so that the work burden is shared by all members on a substantially equal basis. Failure to do so shall constitute just cause for removal. Based on just cause, the Commission, by resolution, may recommend removal of a Commissioner to the appointing authority.

VII: RESIGNATIONS & RECOMMENDATIONS FOR REMOVAL

A Commissioner may resign by written notice to the Mayor, the Chair of the Commission, and the Executive Director, effective on the date specified in such notice.

The Commission reserves the right to recommend to the Mayor removal of a Commissioner if a Commissioner:

1. Fails to perform duties to the extent that the Commissioner's conduct impedes, corrupts or obstructs fulfillment of the Commission's mandate;
2. Consistently fails to adhere to the policies, rules and decorum established by the

Commission;

3. Violates laws related to confidentiality or disregards established procedures thereby compromising the due process rights of parties appearing before the Commission;
4. Creates, or aids in the creation of, a hostile/unwelcoming environment for staff and/or other Commissioners
5. Fails to attend two (2) consecutive Commission meetings without prior notice and acknowledgment;
6. Fails to adhere to the Commission's Confidentiality Agreement as determined in the sole discretion of the Commission.

The Executive Committee shall extend to a Commissioner accused of misconduct an opportunity to respond to an accusation of misconduct. Such opportunity will be conveyed through a written notice delivered to the accused Commissioner no fewer than ten (10) days prior to the relevant Commission meeting. A motion to adopt a resolution recommending to the Mayor the removal of a Commissioner shall be properly offered, seconded and the resulting vote recorded by roll call at a public meeting of the Commission. Commission recommendation to the Mayor that a Commissioner be removed for just cause and without notice, requires an affirmative vote of three-quarters (3/4) by the Commission.

Upon the affirmative vote adopting a resolution recommending the removal of a Commissioner for just cause, the Commission Chair will transmit a letter informing the Mayor of the Commission's finding of a cause substantiating the alleged willful misconduct by the accused Commissioner and recommend removal of the Commissioner.

VIII. OFFICERS

The Officers of the Commission shall consist of a Chair, two (2) Vice-Chairs, a Secretary, and a Treasurer. Officers shall be elected at the regular meeting in June. Officers may be re-elected to office but may not serve more than four (4) successive one-year terms in the same office. (*Amended April 3, 1991*) Officers shall perform the duties normally required for each office and shall be members of the Executive Committee.

1. Chair

The Chair shall preside at all meetings of the Commission on Human Relations and its Executive Committee. S/he shall make appointments, and in general, shall perform all duties pertaining to the office of Chair in performance with the purpose stated in Article IX of this document. The Chair shall be an *ex officio* member of all standing and ad hoc committees, except the Nominating Committee. (*Amended June 2016*).

2. Vice-Chairs

There shall be a 1st Vice-Chair and a 2nd Vice-Chair elected by the Commission. In the absence of the Chair, or in the event of his/her inability or refusal to act, a Vice-Chair according to rank will perform the duties of the Chair. (*Amended May 1, 2000*)

3. Secretary

The Secretary shall keep the minutes and shall report to the full Commission at the regularly scheduled meetings, and perform such other duties as from time to time may be assigned to him/her by the Commission.

4. Treasurer
The Treasurer shall serve as Chair of the Finance Committee.

IX. ELECTIONS

1. Regular
Election of officers shall be held annually in June. The responsibility of the Nominating Committee is to present candidates for each office. Voting shall be by secret ballot. The full slate shall be presented one (1) month in advance of the election and shall be mailed to the full Commission no later than ten (10) days prior to election. Nominees must meet the term limit eligibility under **Section VIII. OFFICERS**. Additional names may be placed on the ballot by petition. This petition shall be signed by two (2) Commissioners and bear the acceptance signature of the nominee. The petition must be received by the Chairperson of the Nominating Committee and postmarked no later than fifteen (15) days prior to the election.
2. Special
In the event a vacancy should occur in an elected office of the Commission, a special election will be held. This election shall occur at any regular meeting or at a special meeting called for the purpose of filling such vacancy, but in no case later than the second regular meeting following the creation of the vacancy. Notice that such meeting shall include as an agenda item the filling of the vacancy must be sent to each Commissioner at least five (5) days prior to the meeting.

At such meeting, the Commissioners shall act as a Committee of the Whole for the purpose of nominating candidate(s) to fill the vacancy. All nominations shall require a second; all nominee(s) must indicate his/her acceptance of nomination either in person or in writing. After the nominations are closed, the Committee of the Whole shall be adjourned. If there is more than one (1) nominee for an office, the Commission shall then recess for at least ten (10) minutes to give Commissioners time to consult with each other. This time may be extended by a majority vote of those present.

The election shall then be immediately held and shall be by secret ballot. Candidates must qualify **under Section VIII. OFFICERS**. If the term of office to be served is eight (8) months or longer, that period shall be considered a full term. During the transition period between the creation of the vacancy and the election of a person to fill the vacancy, the Executive Committee may make a temporary appointment to fill the vacant office. (*Amended April 3, 1991*)

3. Removal from Office
A petition to remove any officer may be made by one-third of the Commissioners. Notification that such petition has been made shall be mailed to all Commissioners within five (5) working days after its filing. A regular or special meeting must be held no sooner than thirty (30) and not later than forty-five (45) days following this notification. A vote of an absolute two-thirds of the Commissioners shall cause said officer to be immediately removed from his/her office. In such a case, a vacancy shall occur and be filled according to Sub-section 2 of this Section. (*April 3, 1991*)

X: CONFIDENTIALITY

While carrying out the duties as a Commissioner with the City of Pittsburgh Human Relation Commission, a Commissioner may learn confidential information. During and after tenure on

the Commission, confidential information may not be shared with anyone not associated with the Commission and may only be shared with someone associated with the Commission on a need-to-know basis. Violation of this agreement shall be grounds for an immediate recommendation to the Mayor for removal from the Commission.

Each Commissioner will annually sign a Confidentiality Agreement, which shall be maintained in their Commissioner file.

XI. STAFF

The staff provided by the City of Pittsburgh budget and selected by the Commission will perform staff services for the Commission on Human Relations. Said staff may be augmented at any time through funds secured from other appropriate sources. Students may serve on the staff for training purposes.

Staff members will be responsible to the Director and said Director will be responsible to the Commission.

XII. COMMITTEES / SECTIONS

The Commission shall have established standing committees/sections and may form ad hoc committees as deemed necessary. Standing Committees/Sections shall be constituted in September of each year. The Commission Chair shall appoint both standing, section and ad hoc committee chairs and members except for the Executive Committee and the Nominating Committee. In addition to Commissioners, other interested persons (community volunteers, volunteer consultants, elected / appointed officials, etc.) may be appointed by the Commission Chair or the Committee Chair to serve on any standing or ad hoc committee, and the Nominating Committee with the approval of the Commission. *(Amended May 1, 1991)*

The Commission Chair shall be an *ex officio* member of all standing committees and all ad hoc committees except for the Nominating Committee. *(Amended May 1, 1991)*

1. Standing Committees

1-1. Executive Committee

An Executive Committee, consisting of elected officers and any past Chairpersons who continue to sit on the Commission, and presided over by the Chairperson, shall have the authority to act for the Commission. It shall give general oversight to the staff operation through the Director; it shall initiate or review matters of policy for recommendation to the full Commission, and in general, coordinate the program activities of the Commission. It will meet as needed or necessary and make a report to the Commission at the full Commission meeting. Three-fifths of the members shall constitute a quorum for a meeting. *(Amended May 1, 1991)*

1-2. Personnel Committee

The Personnel Committee shall consist of at least one-fifth, but no more than one-third of the Commission. The Personnel Committee shall review applications and interview prospective candidates for Director and make its recommendation to the Commission for such hiring. This Committee shall also annually evaluate the Director and report such evaluation to the Commission. This Committee shall approve all other staff hiring made by the Director. *(Amended May 1, 1991)*

The Personnel Committee shall also develop policies and/or recommend procedures and programs for approval by the Commission that will assist the Director in managing the Commission office, including personnel in the performance of their daily work assignments. *(Amended May 1, 1991)*

1-3. Community Relations Committee

The Community Relations Committee may consist of at least one-fifth and not more than two-fifths of the Commission. The Committee shall have the responsibility of processing complaint cases arising from community tension having an adverse affect on inter-group relations and citizen complaints against the Pittsburgh Police Officers. The Committee shall also have jurisdiction over any other matter in the field of police and/or community relations which, in the opinion of the Commission may, tend to have an adverse affect on inter-group relations.

1-4. Finance Committee

The Finance Committee may consist of at least one-fifth, but not more than two-fifths of the Commission. The Treasurer shall serve as chairperson. The Committee shall be responsible for reviewing the Commission's annual budget and making recommendations for approval by the full Commission to the Mayor and Council of the City of Pittsburgh. *(Amended July 3, 1991)*

1-5. Nominating Committee

The Nominating Committee shall be a standing committee consisting of three (3) members of the Commission appointed annually by the Chairperson with the approval of the Commission. The Nominating Committee shall serve during the year of appointment. *(Amended January 3, 2000)*

The Committee shall have the responsibility of submitting a slate of officers one (1) month prior to the election meeting. In appointing this Committee, the Commission will, when possible, name at least one (1), but no more than two (2) members of the Commission who are not members of the Executive Committee. *(Amended July 3, 1991)*

1-6. Housing Committee

The Housing Committee shall be a standing committee that may consist of at least one-fifth of the Commission. The Committee shall have the responsibility of developing policies or programs, and/or creating education and outreach materials or events in support of the enforcement and education of the Unlawful Housing Practices provisions of the Pittsburgh City Code, Chapter 659.03.

In an effort to make sound housing related decisions and recommendations, members of the Housing Committee shall complete HUD recommended trainings, at least annually, or as needed.

1-7. Motions Commissioners

The Commission Chair may designate no more than two Commissioners to serve as Motions Commissioners. The Motions Commissioners may be appointed annually at the September Commission meeting. *(Amended May 1, 2000)*

2. Sections

2-1. Compliance Review Section

The Compliance Review Section shall consist of no fewer than three Commissioners and not more than seven Commissioners appointed by the Chair. The Compliance

Review Section shall be responsible for reviewing and approving or disapproving staff findings presented by Commission Representatives as to whether or not probable cause exists with respect to complaints before the Commission alleging unlawful discriminatory practices. Three Commissioners shall constitute a quorum for the transaction of business and a majority vote of those present shall be sufficient for any action taken by the Section. In the event that there is a tie vote on any business before the Section, the business will be placed on the agenda for review at the next regularly scheduled meeting. *(Amended May 6, 2002)*

2-2. Public Hearing Section

The Public Hearing Section shall consist of no fewer than three Commissioners and not more than seven Commissioners appointed by the Chair. The Public Hearing Section shall conduct public hearings and, upon majority vote of the current members of the Public Hearing Section, render the Commission's final decision. *(Amended May 6, 2002)*

3. Ad Hoc Committees

The Commission Chairperson shall have the power to establish and dissolve ad hoc committees, with the approval of the Commission, to further the mission, goals and objectives of the Commission. *(Amended July 3, 1991)*

XIII. MEDIA COMMUNICATION

The Chairperson and/or Executive Director are the designated Commission Representative to the Media. Rules and regulations regarding media communications are governed by the Commission's Media Policy

XIV. RULES AND REGULATION

1. The Commission shall adopt and promulgate from time to time Rules for the conduct of investigations, informal proceedings and public hearings.
2. The Commission shall adopt and promulgate from time to time Regulations designed to carry out the purpose and provisions of the Pittsburgh Code, approved May 23, 1979, and any amendments thereto.

XV. AMENDMENT OF BY LAWS

These By Laws may be amended by an absolute two-thirds majority of the regular membership at any regular or special meeting of the Commission on Human Relations. Proposals to amend the By Laws shall be submitted in writing to the members at least ten (10) days before the meeting at which the amendment is to be voted on. *(Amended May 1, 1991)*

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