

**Pittsburgh Commission on Human Relations
Minutes of Meeting
February 4, 2019**

Attendance:

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| Liddy Barlow, secretary | Gabriel McMorland |
| Winford Craig | Wasiullah Mohamed (by phone) |
| Helen Gerhardt | Richard Morris |
| Sharyn Henry | Lori Roth |
| Eric Holmes (by phone) | Mariana Padias, chair |
| Eric Horwith | Gwendolyn Young |

Staff: Mark Hamilton, Rachel Salem-Shepherd, Megan Stanley

Guest: Majestic Lane

I. Call to Order

Commissioner Padias called the meeting to order.

II. Public Comments

There were no public comments.

III. Committee and Staff Reports

A. Deputy Director's Report

Deputy Director Stanley reviewed her report from the busy month of January. At the beginning of the month, she and Counsel Hamilton met with Councilwoman Strassburger to work on the upcoming pregnancy protection legislation (see below).

The AFFH steering committee met to clarify its role. In April the task force will present recommendations to the Commission; the future of the task force beyond that point is open for Commission discussion. Commissioner Padias suggested that Commissioners Gerhardt, Morris, and Roth offer a recommendation at the next Commission meeting.

Deputy Director Stanley met with the Law Department to discuss the AFSCME sidebar to bring it up to date. They also discovered that AFSCME did not file for arbitration in the Rick Rogow case, so that investigator position is now open and can be filled.

22 people attended the Urban League Section 8 Homeowners Workshop.

The local FBI field office did a presentation on Hate Crimes. Deputy Director Stanley has set up a monthly meeting with the field office to help share information about civil rights issues noted by each office.

The Fair Housing Assessment contract with Pitt. They said we had the option to stop doing data collection; Deputy Director Stanley has asked them to stop doing so, so now data analysis will begin.

Deputy Director Stanley conducted trainings focused on rights of immigrants and refugees for both the Women's Center and Shelter and Americorps.

The panel discussion at the Racial Justice Summit was well-attended including by Councilwoman Strassburger and a group of students from Allderdice. Commissioner Craig served as moderator of the panel.

Deputy Director Stanley and Rachel Salem-Shepherd attended a monthly meeting with a city budget analyst to assess monthly spending; so far, everything appears to be on track.

Commissioner Gerhardt and Deputy Director Stanley spoke on a panel for the county's Immigrant and Internationals Advisory Committee.

Upcoming events in February include ongoing video filming for Commission promotional videos, an outreach visit to senior center in Sheraden, a meeting with Welcoming Pittsburgh to pursue collaboration, a meeting with Rob Reid from the Attorney General's office to meet staff and commissioners at 10 a.m. on February 13 prior to the "Unifying Our Community" event in packet, a Feb 20 meeting with the Housing Authority (a monthly meeting to pursue ongoing dialogue), the Feb 20 staff & commissioner party at Commissioner Horwith's house (bring a dish), and the monthly collaborative meeting at FBI field office.

The commission also celebrated Rachel Salem-Shepherd's recent wedding and the announcement of her pregnancy; she is due in late August.

Commissioner Roth asked Deputy Director Stanley to summarize key takeaways from the meeting with the FBI. Deputy Director Stanley said that the FBI has asked that community members report potentially-offensive materials to help them connect: take a screen shot or photo, send to FBI: fbi.gov/tips. There is no such thing as over-sharing or bothering them. The Commission will create social media posts to help share this information; we will also reach out to city departments and the library.

Commissioner Padias extended thanks to the staff for their efficiency and professional attitude in the busy month of January, especially in the absence of the Director. Deputy Director Stanley said the staff has been working uncomplainingly under heavy workloads.

Pregnancy Legislation

Deputy Director Stanley explained that although pregnancy discrimination is already prohibited as an aspect of sex discrimination, this new legislation makes it clearer that pregnancy is protected, and also offers protections to partners (to attend medical appointments, grieve a miscarriage, etc.). Pittsburgh will be the first municipality in the nation to protect partners. The legislation adds definitions to the city code, and the guidance document is intended to help employers in implementing the legislation. It is based on a document from New York, but has been fully customized with legal assistance.

Deputy Director Stanley will meet on February 13 with Councilwoman Strassburger and Gender Equity Commission Director Anu Jain to plan a February 26 press conference at 9 a.m., followed by the legislation's introduction to City Council at 10 a.m.

Deputy Director Stanley asked the Commission's opinion on a portion of the guidance document that concerned female employees who may become pregnant; is this category or language too broad to be helpful? Commissioner Roth said she finds the language useful as written. Commissioner Gerhardt suggested the deletion of the word "female," which has already been deleted from other parts of the document.

Commissioner Horwith asked where the idea for this legislation came from. Deputy Director Stanley and Commissioner Roth said it was a project of Director Torres and Councilwoman Strassburger. He asked if it was inspired by a particular case; Deputy Director

Stanley said the Commission has several cases right now that relate to pregnancy that have been filed under sex. The purpose of the legislation is to clarify that this kind of discrimination is unacceptable.

MSP: that the Commission recommend this legislation and the guidance document, as amended (deleting the word “female”).

B. Finance Committee

Commissioner Young said it was very informative to meet with Deputy Director Stanley and the budget analyst; the finances seem to be in good order right now.

Regarding the Outreach and Education position, Director Stanley said the option mentioned at the last meeting was to use the fourth investigator position to do a combination of intake and education. HR recommends keeping the title the same, as the job description already includes this type of work; it would be a union position on the same pay scale as current roles.

Commissioner Morris asked if this would allow us to continue our contract with FHP. Deputy Director Stanley said yes, it would continue uninterrupted; we have already seen an increase in referrals from them.

MSP: that we accept the finance committee’s recommendation regarding the fourth position for education and outreach and that we sustain the partnership with FHP.

C. Community Relations Committee

Commissioner Pinchback had been the chair of this committee. Following her resignation, Commissioner Craig volunteered to serve as interim chair. Deputy Director Stanley suggested that the committee might facilitate a meeting to discuss the annual report.

D. Housing Committee

There was no report. Deputy Director Stanley said April is Fair Housing Month and so the committee will need to approve planned Fair Housing advertising.

E. Personnel Committee

Commissioner Young conducted an exit interview with Kyle Nowak (questions asked were included in the meeting packet). He indicated that he was not feeling comfortable, supported, or wanted in his role. He had a background in investigation and had been looking forward to using that background here, but he felt that the process of investigation was different here; he stumbled and felt he was not supported. He said he would come back under different circumstances. He found the investigators supportive and helpful but did not feel supported by administration. Deputy Director Stanley said he left at the end of his probationary period.

Staff and guests departed; the Commission and Counsel entered executive session (see separate confidential minutes). After a brief time, the Commission re-entered their public meeting.

F. Public Hearing Section

Commissioner Barlow had no report. There is a case on the public hearing track. CHR is setting up a pre-hearing conference with Jeff Ruder for mid/late February, with a public hearing to follow in the next few months.

G. Bylaws Committee

Commissioner Morris reviewed the proposed bylaw revisions with the Commission.

III.5 broadens the Commission's duties by adding public hearings to investigate conditions having an adverse effect on inter-group relations.

III.6 adds "status as a survivor of domestic violence."

III.8 proposes an annual public meeting to be held each January. Commissioner Gerhardt noted that January can be a challenging month for annual events given weather conditions. Deputy Director Stanley said the intention was to gather information for the annual report which is issued in March. Commissioner Barlow suggested that specifying a particular time may be unduly restrictive. Commissioner Padias suggested editing to read "annually hold a public meeting [phrases to be omitted] that affords ..." and the Commission agreed by consensus that this was acceptable.

III.9 says the Commission will propose legislation to provide equal rights to protected classes. Commissioner Gerhardt suggested that this might be edited to include other classes not yet defined by code. To do this, Commissioner Padias suggested deleting the end of the proposed sentence, so that it will end at "for all persons."

Commissioner Padias noted that since a number of edits have already been suggested, it would probably make sense to bring the bylaws back for approval by the Commission in March, rather than voting on a heavily-edited document today.

VI adds language that if Commissioners fail to fulfill their duties they may be removed. Commissioner Padias noted that this language is also found in article VII.

VI.2: proposes that commissioners must attend at least 8 meetings in person, and that calling in will no longer be an option. Extensive conversation ensued. The goal was to increase in-person participation. Some commissioners may be able to call in but not attend in person, for reasons such as work travel or illness. Commissioners who have work jobs that do not have flexible hours may also struggle with 3:30 downtown meetings. Some suggested rotating times and locations; others felt that the requirements are clear when choosing to accept the nomination to serve as a commissioner. There is also no clarity on how long the meetings last and whether it is required to stay until the closing gavel. In the end, the commission agreed that in-person meetings are important and that having a call-in option is also needed, at least in some cases. Commissioner Young suggested that perhaps a solution would be to have 8 in-person attendance, 1 phone-in, and 2 excused absences.

Commissioner Padias suspended this discussion until later in the meeting so that the Commission could conduct the rest of its business before any Commissioners needed to depart.

IV. Adoption of Minutes

MSP: That we postpone voting on the minutes until next time so that we have opportunity to read them.

V. New Business

Commissioner Padias drew the Commission's attention to the version of the meeting calendar in the packet, rather than the one distributed via email. We will meet first Monday of the month for the rest of the year, excepting August when there is no meeting. Megan Stanley noted that she will be absent for the April 1 meeting.

Deputy Director Stanley asked the Commission to note the CHR Interview Questions in the packet, which come from Brian Calfano at the University of Cincinnati, who has requested to include Pittsburgh in his survey of national CHRs. He would like to complete this by mid-March. Commissioner Padias said maybe we could do this in small groups. Commissioner Padias will send a poll.

Deputy Director Stanley clarified that the Commission is exempt from Right to Know legislation and will notify requesters as such.

VI. Bylaws Revisions, continued

Commissioners returned to their discussion of the bylaws.

VI.3 asks Commissioners to attend Commission events; the language should be modified to say "at least" one event.

The Commission agreed to delete the blue language in the introduction to section VI because it is already included in section VII.

Revisions to article VIII propose eliminating nominating committee; officers will instead be nominated at the May meeting.

Commissioner Horwith said that just as in other bylaws work elsewhere, there are points we may never agree on, like the attendance requirement. Commissioner Padias said we need to keep the priorities of commissioner retention and participation both in mind. We need to present duties clearly to potential commissioners and to get clarity ourselves on the process the mayor's office is using to recruit commissioners.

In section IX, the revisions added the ability to nominate from the floor prior to the election. After discussion, the Commission recommended requiring all nominations to be made during the May meeting so that all nominations (whether from others or by self) can be placed on the ballot in June.

Section XI was revised to clarify the Commission's responsibility to supervise, and evaluate the Executive Director and appoint an Acting Executive Director as needed. Commissioner Horwith asked about designating the Commission chair specifically to oversee the ED so that lines of authority are clear. Commissioner Padias noted that the phrase "Board of Commissioners" should be edited to read "Commission." She also recommended clarifying when hiring an Acting ED is appropriate, i.e. only in the absence of a permanent ED. Commissioner Barlow suggested that the fact that the Commission selects and hires the ED, which is in the city code, should also be part of the bylaws.

Section XII refers to committees, adding requirements that committees prepare a calendar of annual activities and provide written reports. Commissioner Padias said written reports to the Executive Committee might be duplicative to the reports made to the Commission. Commissioner Horwith said the reports could be made to the Commission in writing, saving time in meetings.

Item XII.1.1 refers to the Executive Committee reviewing all publications before they are released to the public. Commissioner Morris said this is because in the past documents have

been released without approval. Commissioner Barlow asked for clarity on what requires this approval and what does not; e.g., does it include every post on social media, every flier, every press release, or only more extensive documents? Commissioner Young said major changes and additions do require vetting, but not every item. She recommended reviewing the current guidelines and updating them as necessary. Commissioner Gerhart helped to develop these guidelines and will try to locate them.

Commissioner Young said that prior to his departure, Solicitor Hamilton said item XII.1.2 personnel committee should say “it” rather than “them” in the second paragraph.

Commissioner Padias thanked Commissioner Morris and Commissioner Young for their hard work in bringing forward the revisions. The Commission offered a round of applause.

MSP: that the motion be adjourned.