



CITY OF GRAND RAPIDS HUMAN RIGHTS COMMISSION
CITY HALL CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVE.
DATE: JUNE 27, 2012
TIME: 4:00 P.M.

4:00 CALL TO ORDER:

ACTION

CALL OF ROLL:

	Present	Absent
Commissioner Hendrickson	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Dowell	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman, Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hain	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hall, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Learmont	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Mundt, Sec'y./Treasurer	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Sanderson	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Weidendorf	<input type="checkbox"/>	<input type="checkbox"/>

MEETING PROTOCOL POLICY:

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

SETTING OF REGULAR AGENDA:

This is an opportunity to approve the regular agenda as presented or add/delete an Agenda item by a majority vote of the Commission members present.

APPROVAL OF MINUTES: May 30, 2012 regular meeting

CORRESPONDENCE:

PUBLIC COMMENT:

OLD BUSINESS:

- Update Human Rights Training Showcase

NEW BUSINESS:

- Treasurer's Report

REPORTS ON CALLS AND INQUIRIES:

PENDING COMPLAINTS:

OTHER:

ADJOURNMENT:

CITY OF GRAND RAPIDS HUMAN RIGHTS COMMISSION
CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVENUE
WEDNESDAY, MAY 30, 2012 – 4:05 P.M.

CALL TO ORDER: Pursuant to due notice and call thereof a regular meeting of the Grand Rapids Human Rights Commission was held in Conference Room 2B of City Hall, 420 North Pokegama Avenue, Grand Rapids, Minnesota, on Wednesday, May 30, 2012 at 4:05 p.m.

CALL OF ROLL: On a Call of Roll, the following members were present: Commission Chair: Freeman, Commissioners: Hall, Dowell, Learmont, Weidendorf and Sanderson. Absent: Commissioners Hain, Hendrickson and Mundt.

Staff Present: Lynn DeGrio, Kimberly Johnson-Gibeau

1. **CALL TO ORDER:** The meeting was called to order by Chair Freeman at 4:05 p.m.
2. **SETTING OF REGULAR AGENDA:** Agenda accepted as presented.
3. **APPROVAL OF MINUTES:** **April 25, 2012 regular meeting**

MOTION BY COMMISSIONER HALL, SECOND BY COMMISSIONER LEARMONT TO APPROVE THE MINUTES OF MAY 25, 2012 AS PRESENTED. The following voted in favor thereof: Sanderson, Weidendorf, Dowell, Freeman, Hall, and Learmont. Opposed: None, motion passed unanimously.

4. **CORRESPONDENCE:** Noted correspondence received from League of Minnesota Cities Human Rights Commission.
5. **PUBLIC COMMENT:** None.
6. **OLD BUSINESS:**
 - a. Human Rights Training Showcase – Rescheduled.
Received poster rescheduling. RSVP for new date by June 4, 2012.
 - b. 2012 Goals.
Discussed basic areas of discrimination. Reviewed past action plan items. Specific areas addressed: distribution of accessibility brochures, website development, rack card update, provide update on Human Rights to Council, booth at fair, Cityworks program, Facebook page/social media and networking, training, collaboration with other interested groups and potluck in the park, providing diverse cuisine with music.

There being no further business the meeting adjourned at 5:45 p.m.

Respectfully submitted, Kimberly Johnson-Gibeau, City Clerk

**CITY OF GRAND RAPIDS
HUMAN RIGHTS COMMISSION**

**SCHEDULE OF CHANGES IN REVENUE AND EXPENDITURES
FOR THE PERIOD ENDING JUNE 18, 2012**

With Comparative Totals for the Period Ending December 31, 2011

	<u>Actual 6/18/2012</u>	<u>Actual 12/31/2011</u>
Human Rights Budgeted Expenditures	\$ 3,000	\$ 4,000
Brochures	7	1,100
Poster, Letterhead & Reprints	-	212
Copy Supplies	-	
Video	-	16
Advertising	-	-
Dues	55	55
Postage	-	667
Seminars/Meetings/Schools	-	638
Speaker Expenses	-	900
Awards	-	-
City Staff Training	-	-
Contracted Services-Legal	-	-
	<u> </u>	<u> </u>
Balance Available	<u><u>\$ 2,938</u></u>	<u><u>\$ 412</u></u>

	<u>2011/2012 Actual</u>	<u>2011 Budget</u>
Blandin Foundation Grant	\$ 3,000	\$ 3,000
Original Mailing	231	500
Follow up Mailing	231	500
Brochures	1,830	1,000
Posters/Stickers	715	1,000
	<u> </u>	<u> </u>
Human Rights Funds	<u><u>\$ (7)</u></u>	<u><u>\$ -</u></u>

Human Rights Materials Available as Video & Audio

View the latest programs by the Minnesota Department of Human Rights in video or audio formats.

The Right Focus On... is a quarterly public affairs program produced by the Minnesota Department of Human Rights in cooperation with Saint Paul Neighborhood Network. These programs are typically one-hour long and feature expert panelists speaking on important human rights issues of today. Experience these programs as video or audiocast, or read an edited transcript.

The Right Focus on... Beyond Age Discrimination

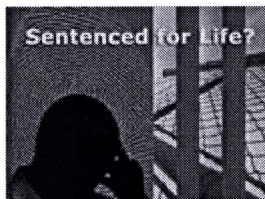
JANUARY 2010



As Minnesotans grow older, many become vulnerable, dependent upon others to meet their basic needs. Are they vulnerable to discrimination as well? In two separate half-hour discussions, this program looks beyond age bias to other, less-talked-about challenges facing older Minnesotans.

The Right Focus on... Crime, Justice and Second Chances

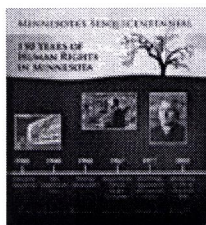
December 2009



Should an arrest or conviction remain on one's record for years? Decades? This program examines the debate over the need to help ex-offenders rejoin society and the requirements of public safety.

Human Rights History DVD

December 2008



150 Years of Human Rights in Minnesota, a video produced for Minnesota's Sesquicentennial and introduced at our 25th annual Human Rights Day Conference recalls some of the milestones that have marked the struggle for human rights in our state.



The Right Focus on... Pregnancy and Discrimination

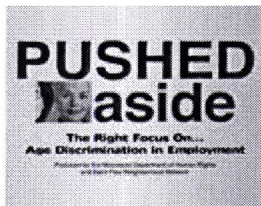
July 2008



Pregnancy discrimination has been illegal for more than 30 years, yet the number of pregnancy-related charges continues to climb. Why? What employees and employers need to know about their rights and obligations under state and federal law.

The Right Focus on... Age Discrimination

MAY 2008



The economy crashes, older workers get laid off, and charges of age discrimination soar. But what's legal, and what isn't?

VIDEO AND AUDIO ARCHIVE

The Right Focus on...

- [Sexual Harassment](#), Feb 2008
- [Mental Disability](#), Oct 2007
- [Predatory Lending](#), May 2007
- [Behind the Kitchen Door](#), March 2007
- [Crime, Race, and Justice](#) Dec 2006

Human Rights Day Speeches on Video

- [Dr. Frank Wu, 2009 Keynote](#)
- [Kweisi Mfume, 2008 Keynote](#)
- [Mike Farrell, 2007 Keynote](#)
- [Gov. Arne Carlson, 2007 Plenary](#)
- [Mary Frances Berry, 2006 Keynote](#)

Public Service Announcements (PSA)

- [Sexual Harassment Radio Spots](#)

Department Overview

How does the Minnesota Human Rights Act protect against discrimination?



Presented by:
Minnesota Department of Human Rights



1

MDHR at a Glance

Key Functional Areas

- **Enforcement**
 - Investigate
 - Mediate
 - Conciliate/Litigate
- **Compliance**
 - Audits
 - Technical assistance to contractors



2

Minnesota Human Rights Act

- 8 Areas of Protection
- 13 Protected Classes

Statute of Limitations
You have one year after the discrimination happened to file a complaint.

PROTECTED CLASSES	AREAS OF PROTECTION							
	Employment	Housing	Public Accommodations	Public Services	State Actions	Contracts	Businesses	Apprenticeship
Race	●	●	●	●	●	●	●	●
Color	●	●	●	●	●	●	●	●
Creed	●	●	●	●	●	●	●	●
Religion	●	●	●	●	●	●	●	●
National Origin	●	●	●	●	●	●	●	●
Sex	●	●	●	●	●	●	●	●
Marital Status	●	●	●	●	●	●	●	●
Disability	●	●	●	●	●	●	●	●
Public Assistance	●	●	●	●	●	●	●	●
Age	●	●	●	●	●	●	●	●
Sexual Orientation	●	●	●	●	●	●	●	●
Marital Status	●	●	●	●	●	●	●	●
Local Human Rights Commission Activities	●							



3

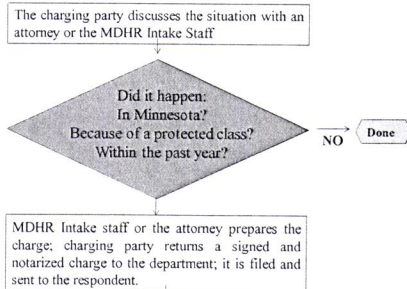
Types of Discrimination

- Differential treatment
- Harassment
- Failure to provide reasonable accommodation
- Disparate impact (employment)
- Unlawful pre-employment inquires



4

The Administrative Process: *Intake Phase*



Representation is not required; however, legal counsel may represent you at any proceedings before the department.

5

The Administrative Process: *Service to Respondent and Answer*

The department will ask for two separate submissions

- Answer
 - Position statement
 - Provided to the charging party
- Initial information Request
 - Policies, files and other documents
 - Confidential information
 - Requested under protection a subpoena



5

The Administrative Process: *Mediation*

- Confidential dispute resolution process
- No direct cost to either party

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    graph TD
      A{Mediation successful?} -- Yes --> B[Settlement agreement]
      A -- No --> C[Investigation]
  
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THE MARYLAND BOARD OF DISCIPLINARY HEARINGS

The Administrative Process: *Investigative Phase*

```

    graph TD
      A[Investigation] --> B{MDHR makes a determination}
      B -- "No Probable Cause (NPC)" --> C[Charging party may appeal]
      B -- "Probable Cause (PC)" --> D[Attorney General's office conducts conciliation with the charging party and the respondent to obtain a settlement. Respondent may appeal]
  
```

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THE MARYLAND BOARD OF DISCIPLINARY HEARINGS

Examples of Employment Discrimination

Because of protected class status

- Refusing to hire
- Termination
- Refusing to provide equal opportunities for training, promotion and pay
- Harassment

Disability and Religion: duty to accommodate


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THE MARYLAND BOARD OF DISCIPLINARY HEARINGS

Common Employer Mistakes

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10


Failing to realize that the duty to provide a reasonable accommodation does not end when an employee is no longer eligible for FMLA or when insurance coverage changes.



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11

Failing to engage in the interactive process with regard to reasonable accommodation and disability.



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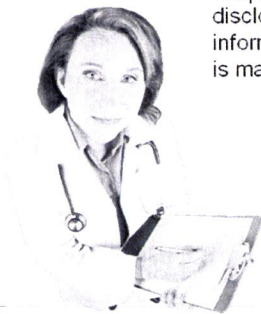
Failing to realize that pregnancy is protected under the MHRA and may require an accommodation, whether or not it involves a disability.



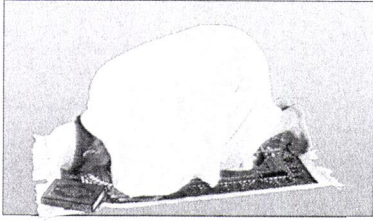
Failing to realize that the requirements of the MHRA are different -- and often broader -- than federal law.



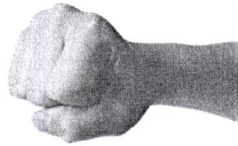
Requiring job applicants to disclose any health information before a job offer is made.



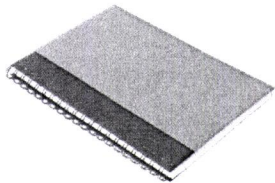
Failing to engage in the interactive process to accommodate religious practice and beliefs.
(Religious dress issues.)



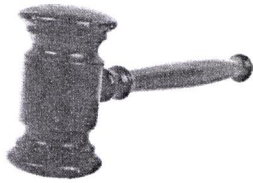
Engaging in retaliation,
which can result in a
finding of probable
cause, even if the
department found no
merit to the
original charge.



Failing to adopt, distribute and apply
written, consistent policies and procedures with
respect to employee performance, discipline and
termination.



Failing to keep training current to reflect changes in the law.



Failing to provide ongoing training to ensure manager and employee awareness and deal with turnover.



Failing to realize that undocumented workers have the same protection as all other workers under the MHRA.



Sample Case # 1:

Charging Party, a Catering Attendant, alleges discrimination when she is caught setting aside wine bottles in a private suite at a Vikings game.



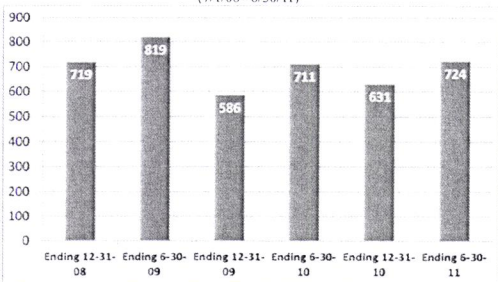
Sample Case #2

Charging Party alleged sex discrimination for denial of benefits male managers received; was required to work more hours than other male managers; held to higher standards; and ultimately terminated for complaining about the unequal treatment.



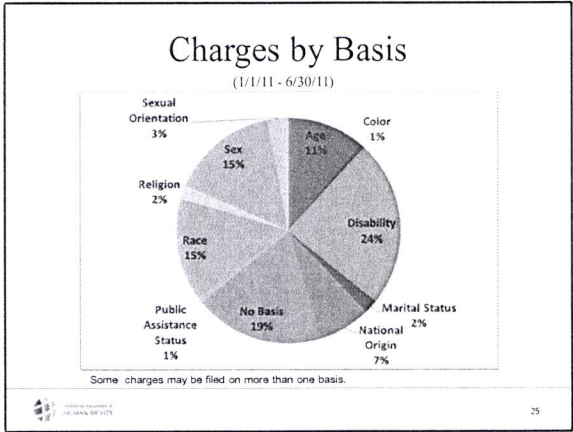
Total Charges (six-month period...)

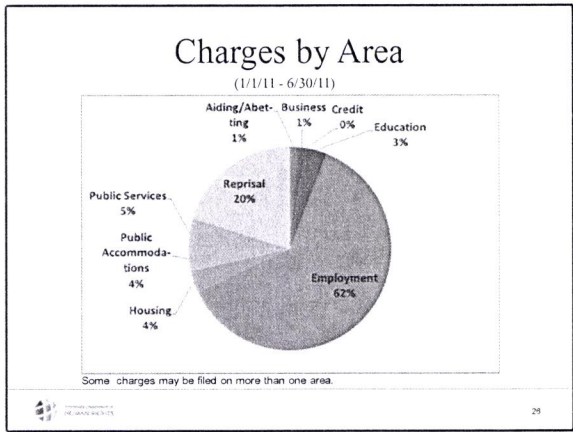
(7/1/08 - 6/30/11)



Some charges may be filed on more than one basis.







Questions?

Our Mission is:
To Make Minnesota Discrimination Free

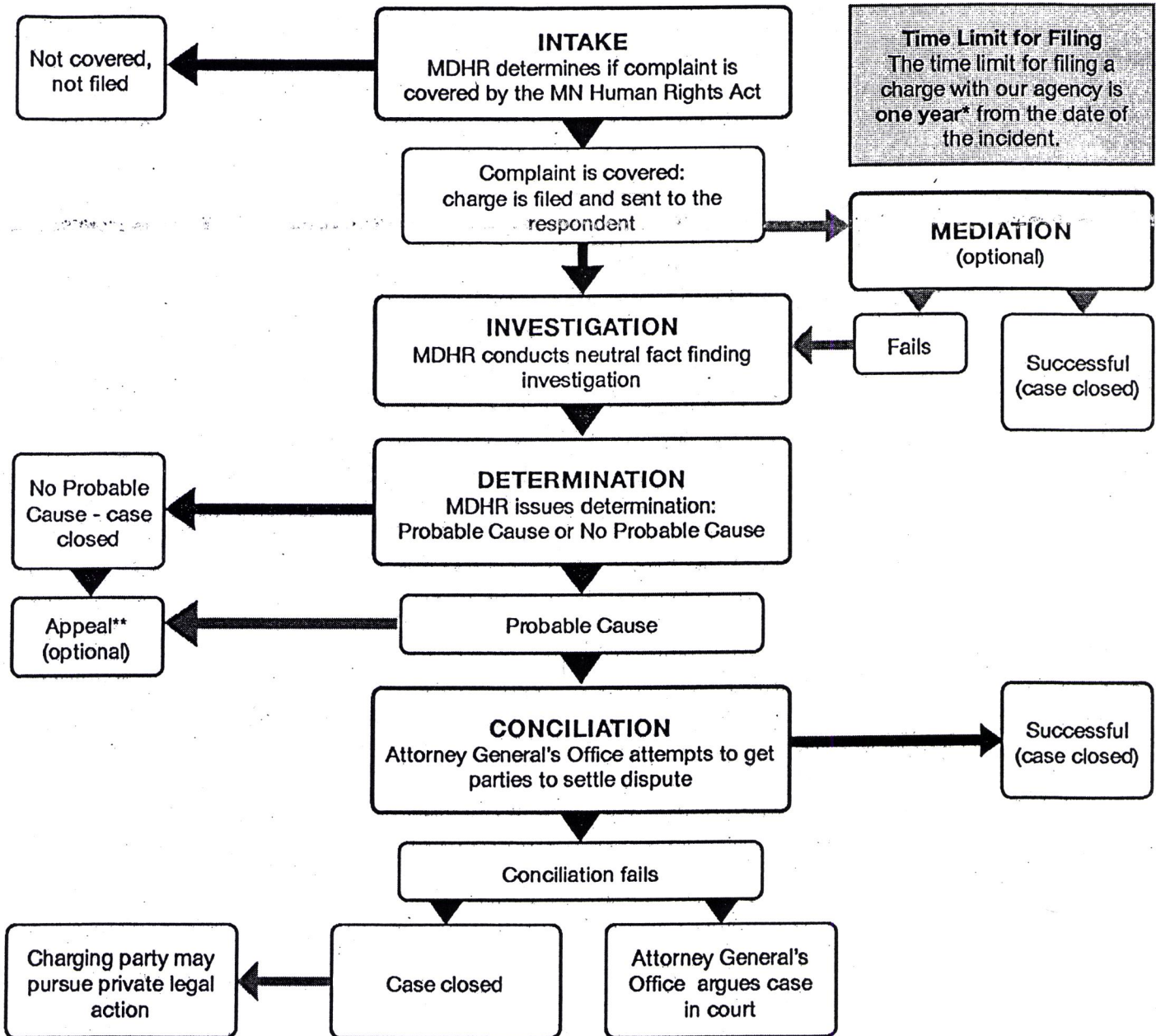
851-539-1100
851-296-1283 TTY
800-657-3704 toll free

Minnesota Department of Human Rights
The Freeman Building
625 Robert Street North
Saint Paul, MN 55155

www.humanrights.state.mn.us

MINNESOTA DEPARTMENT OF HUMAN RIGHTS
27

Minnesota Department of Human Rights (MDHR) COMPLAINT HANDLING PROCESS



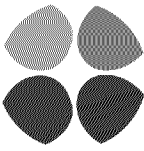
Time Limit for Filing
The time limit for filing a charge with our agency is **one year*** from the date of the incident.

NOTE: Charging party may decide to pursue their charge in district court at any time during this process by withdrawing their charge(s); MDHR will close the case at this time.

NOTE: Representation is not required, however, either party may choose to have their attorney present at any proceedings before the department.

* Time limit: Tolling for the one year time limit is suspended during alternative dispute resolution.

** Appeals: Either party may appeal determination, if appeal is successful the case returns to investigation, otherwise the case determination is unchanged.



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CITY HALL CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVE.

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