

**Council on Human Rights
Friday, March 9, 2007
Ground Floor Conference Room
Pocahontas Building
11:00 a.m.**

Council Members Present: Jon D. Strother, Chairman; David A. Drachsler, Vice Chairman; Charles F. Baugham; Dyana Mason; and Deborah Segaloff.

Staff Present: Sandra D. Norman, Director; Stacey Brayboy, Deputy Director; and Gerald Snead, Senior EEO Manager.

Council's Attorney Present: Guy Horsley, Senior Assistant Attorney General.

Call to Order and Adoption of Minutes

The Chairman called the meeting to order. On motion by the Vice Chairman and seconded by Member Mason, the minutes from the December 15, 2006 meeting were adopted.

Ms. Norman explained that Ms. Espinal was unable to attend due to a prior commitment and was forwarded the schedule of tentative dates for future meetings.

Director's Report

Ms. Norman greeted the board and gave an overview of the following topics.

Human Rights Day Forum

- The forum scheduled for April 19th has been postponed due to unforeseen expenses related to the agency's office relocation and the timetable involved with the move.

Relocation of Human Rights Office

- The agency will move on March 30, 2007 to 202 North 9th Street, 11 floor in the 9th Street Office Building. The staff will remain at 9th Street until renovations are completed at the Washington Building on Bank Street and return to that site.
- Currently, minor renovations are underway with the 9th Street site, such as a painting, etc. Ms. Norman was able to surplus good pieces of office suite furniture from the previous agency that occupied the space. The agency financed its moving expenses and this initiative helped keep the expense of buying new office furniture at a minimum.

Death of Former Chairman, Edwin “Zeke” Allison

- Mr. Edwin “Zeke” Allison passed away on January 31st. Mr. Allison served as chairman of the Council and loved the work of the agency, its staff and board members, and the citizens that it serves. Ms. Norman attended his funeral service and a letter from Governor Kaine was presented to the family.

Training

- Lisa Hetrick is attending the “New Investigator” training in Nashville, TN sponsored by the U.S. Equal Employment Opportunity Commission (EEOC), March 5th-8th. This training is free of charge to the agency.
- Cortley West attended the McCauley and Burch Employment Law Workshop on December 6th.
- Ms. Norman attended the Charlotte District Office of the EEOC Federal Employment Practices Agency (FEPA) quarterly meeting in Charlotte, NC on January 26th. This was her first time attending the quarterly meeting since the agency was aligned with the Charlotte office. The meeting’s program was well planned and included many of the organizations in partnership with the EEOC and its FEPAs.

State of the Black Union

- Ms. Norman attended the 2007 State of the Black Union on the campus of the College of William and Mary in Williamsburg on February 10th hosted by Tavis Smiley.

Annual Report and Statistical Report

- Ms. Norman compiled six years of data to assist with the intake section of the Annual Report. Efforts are being made to track the trends of the basis of discrimination charges filed within the last six years. She disbursed copies of the intake statistical report for the last quarter.

Audit

- The agency is scheduled to undergo an audit with the Auditor of Public Accounts within the next week.

IT Update

- The Virginia Information Technology Agency (VITA) has partnered with Northrup Grumman to give technological support to state agencies. Agency equipment such as computers and printers is now owned by VITA and a monthly service fee will be assessed. The monthly amount has not been determined and an estimate of this unforeseen expense has been included in the current agency budget.

Statistics

- Member Baugham inquired if there could be statistics provided on case aging. Ms. Norman answered that this initiative was already in progress to give a statistical report similar to the intake report.

Jon D. Strother Student Human Rights Award

- Ms. Brayboy gave an overview of the Jon D. Strother Student Human Rights Award. Eighth grade students will submit essays answering questions involving human rights issues. John Rolfe Middle School will be the pilot school. Recipients of the award will be honored during John Rolfe's annual RISE program in June 2007. RISE is an abbreviation for Reaching, Inspiring, Soaring and Excelling for eighth graders in transition to the high school venue. We will need Council Members' assistance to assist in drafting questions.

Assistant Attorney General Horsley

Information for Case Data

Comments were given concerning information requested and presented by both the Complainant and Respondent. Legislation may not be needed to assist with gaining information. Additional information may be accessible via the state's Freedom of Information Act.

Appeals

The brief discussion was held on the discussion of appeals by Council or a panel appointed by the Chairman. No legislation may be needed to assist with this procedure.

Chairman's Report

Appeal Assignment

- The Chairman appointed an appeal panel for Case #1693 with Rev. Baugham, as chairman.

Night Club in Tidewater Virginia

- The Vice Chairman made comments concerning the administrative closure of the Council's inquiring on a night club in Tidewater Virginia that allegedly barred persons because of their hairstyle because the American Civil Liberties Union (ACLU) filed a lawsuit against the night club's management. His concern was why a state agency, such as the Council, would defer such a case to a private, non-profit organization, such as the ACLU, to handle when the Council has statutes for enforcement. Ms. Norman responded that according to the Virginia Human Rights Act, any time a case or complaint has been filed within the courts, the practice of the agency has been to cease any investigation in obedience to the authority of the courts.

After a very involved discussion, the Council will continue to practice its policy regarding complaints filed in the courts and the Human Rights Act may need to be revised according to the Council's role in certain cases, such as public accommodation complaints.

Strategic Plan

- The Chairman gave an overview of goals met or in progress of the board's Strategic Plan. It was suggested that any goals that have not been met, should be met by the June meeting prior to the new fiscal year.

New Business

Southwest Virginia Public Hearing

- Danville is the designated city for the public forum. Ms. Norman commented that it is the practice of the agency to notify the public officials of the area and partner with them on holding the forum. The partnering also helps include the Council on some of the current issues that are being raised in that area. At a previous forum, because of the area's concerns regarding housing concerns, the Council was able to have a staff member from the state's Office on Fair Housing represented. Early June 2007 is the targeted timeframe.

Legislative Review

- A brief discussion was held on indirect bills associated to the Virginia Human Rights Act and those that involved local human rights ordinances.
- Quorum
The Administration requested any bills that impacted of the Council's ability to do its job were to be considered priority. Because the board members have been very good in attending the meetings consistently, this legislation was not pursued.
- Age Discrimination Complaints involving 15-19 Employees
Ms. Norman mentioned that draft legislation could help the Virginia Human Rights Act to include employers that employ 15-19 employees for age discrimination complaints. The Human Rights Act covers employers with 6-14 employees when terminated. The federal Age Discrimination in Employment Act (ADEA) covers employers with twenty (20) employees or more. This is an opportunity to fix this gap.

There being no new business to discuss, the meeting adjourned at 2:07 p.m.

Submitted by,

Jon Strother
Chairman