

**COMMISSION MEETING MINUTES**  
**April 13, 2010**

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, April 13, 2010 at 10 a.m. , in Baltimore, Maryland.

**PRESENT** Norman Gelman, Sambhu Banik, Rabbi Elan Adler, Doris Cowl, Joyce DeLaurentis, Gary Norman and Shawn Wright.

**APPROVAL OF THE MINUTES** Chairperson Gelman changed the spelling of Lazurai to “Lazzeri”. Chairperson Gelman would also like the following paragraph added to the minutes under New Business. Chairperson Gelman made a motion to rescind the action adopted at the February meeting that the correspondence by the Chairperson be distributed to Commissioners at the next meeting. The motion was seconded by Commissioner De Laurentis. Chairperson Gelman said that policy statements were made on Commission stationery by members of the staff. Since the Commission does not maintain a reading file of all correspondence he did not believe it was appropriate to lay such a requirement on the Chairperson alone. However, while not willing to do so under compulsion, the Chairperson said he would be happy to comply voluntarily. After debate, the motion was approved. The minutes of the March meeting were accepted with the above-mentioned changes.

**CHAIRPERSON’S REPORT** Chairperson Gelman stated that he has several things to report that were not included in his monthly report because three weeks ago his wife had a heart valve operation and he was preoccupied with that. However; Chairperson Gelman did do some things before the operation happened and after the operation, by telephone.

Chairperson Gelman, the Executive Director, the Deputy Director and the General Counsel have had a number of communications from the Office of Elizabeth Harris, the Governor’s General Counsel, regarding how long it

takes to resolve pending cases. There have been numerous conversations regarding ways of preparing Complainants to the fact that cases are going to take longer to resolve than usual. Chairperson Gelman made suggestions to the Executive Director and the Deputy Director as to how to handle this matter. It was left up to the Directors as to how to handle these cases.

Chairperson Gelman stated that there were some items directed to him to which he responded. Copies of such responses were included in the Commissioners file today. These responses were passed through the Deputy Director in the Executive Director's absence, for approval prior to being sent out.

Chairperson Gelman had several conversations with Jeanne Hitchcock, the Governor's Appointments Secretary, regarding the status of the expired terms of Commissioners Banik, Hermina and himself. Due to interruptions during that conversation Chairperson Gelman did not receive a clear cut answer.

N. Charlynn Carter  
vs. Charles Lankford

Chairperson Gelman informed Commissioners that there is a new appeal case. Gary Norman agreed to serve on the Appeal Panel. Chairperson Gelman will Chair the panel if John Hermina is not available. Commissioner Hudhud will also serve on this panel.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

Chairperson Gelman stated that Mr. Ford is back. The Executive Director informed Commissioners that he is back today and is not sure whether he will be back every day all day. The Executive Director is trying to work himself back into a work routine. The Executive Director also stated that he feels better than he has and hopes to continue to recover.

The Executive Director informed Commissioners that there have always been some cases that take longer to process than others. It has always been the agency's practice to target the oldest cases to move along and to complete. The Executive Director stated that in HUD cases MCHR has to send out letters after 100 days if a case is not complete. This letter is to notify the parties that the case is not completed. The Executive Director stated that MCHR could send this letter to everybody whose case reaches a certain age, whether it is a HUD or an employment case. The letter would let all parties know that MCHR is aware that the case is taking longer than expected and that MCHR is moving as quickly as possible. Older cases are being tracked and MCHR will continue tracking.

Chairperson Gelman stated that the Deputy Director has stated at several meetings that the length of processing cases is growing because the agency has fewer investigators and resources.

The Executive Director thanked the Deputy Director, the Assistant Director, the General Counsel, his Executive Assistant, and Chairperson Gelman for keeping him informed regarding everything that transpired at the agency during his illness.

**DEPUTY  
DIRECTOR'S  
REPORT**

Commissioners received copies of the Deputy Director's Report (See attached). The Deputy Director informed Commissioners that MCHR is well ahead of its EEOC contract. This will allow MCHR to concentrate even more so on some of the aged cases.

EEOC Conference The EEOC Conference will be held the first week of June 2010 in Philadelphia, Pennsylvania.

EEOC The Deputy Director stated that all agencies were cut 2% of their projected number for the year, even though there was a 4 million dollar increase in the funding for FEPAs. The 2% would have been 16% had the 4 million not been included in the agency's budget.

There have been some questions regarding the EEOC 2011 budget justification. There was a comment made that EEOC has worked closely with FEPA agencies to develop a performance standard that is in concurrence with EEOC's strategic goal. The Deputy Director stated that he has spoken to no one at EEOC who is aware of the strategic goal. This issue will probably be raised during the EEOC Conference and if it is, Commissioners will be made aware of it.

The General Counsel stated that during the preparation of the 2011 EEOC Budget Report she reviewed the U.S. Inspector General's statements regarding the performance and accountability of EEOC. In the report was a directive for EEOC to develop best practices and a performance standard for measurement of FEPAs. EEOC never did this.

The Deputy Director informed Commissioners that when Congress recessed the President appointed a Secretary of EEOC and also filled the other vacancy. EEOC now has a full complement of five (5) Commissioners.

HUD Conference	The HUD Conference will be held the third week of July, 2010 in New Orleans.
<b>ASSISTANT DIRECTOR'S REPORT</b> FY 2010 Budget	Commissioners received copies of the Monthly Budget Status Report provided by the Assistant Director (See attached). The Assistant Director stated that the 2010 budget is coming to an end and will close in the black.
FY 2011 Budget	MCHR should know in the next several days the final numbers on the 2011 budget. State employees will again have to take furlough days.
	The Deputy Director stated that MCHR has a vacancy that it is going to request to fill. The request to fill a vacancy has to go to the Department of Budget and Management. Chairperson Gelman would like Elizabeth Harris copied on this request.
Information Technology Unit	The Information Technology Manager reported that during the month of March there were 1,500 visitors to the Spanish web site. There were 13,344 visitors and 150,000 hits to the regular web site. There were 46 complaints filed; 38 employment, 6 public accommodations, 1 housing and 1 commercial non-discrimination complaint.
<b>GENERAL COUNSEL'S REPORT</b>	Commissioners received copies of the General Counsel's Report along with the Training/Education Campaign Report (See attached).
Legislation	The General Counsel stated that during next month's meeting she will report on the roundup of the legislative results.
	The General Counsel reported that she participated on a panel with the Maryland Metro Washington Employment Lawyers Association Conference in DC on March 9, 2010. These are employment lawyers who practice in employment law.
EEOC FY 2011 Budget Report (FEPAs)	Commissioners received a draft of the language for the Commission's response to EEOC FY 2011 Budget Report (See attached). The General Counsel stated that Chairperson Gelman provided a draft to which she added information, conducted research and discovered the Inspector General's statement. The Inspector General's statement stated that EEOC had "inadequately addressed the need to assess the performance of its state and local partners." The gist of the report is to, in FY 2011, put language

in to emphasize the need to address some points involving the FEPAs.

Chairperson Gelman would like Commissioners to review the draft and if amendments or changes are necessary send them to the General Counsel by phone by the close of business Friday, April 17, 2010. When the report is finalized it should be sent to Jessica Berry, Senator Mikulski's Aide on the Appropriations Sub-Committee. The final report should be sent to Ms. Berry by the middle of the month.

Chairperson Gelman stated that during the meeting with Mr. Ishimaru Commissioner Cowl suggested that Commissioners should respond to Mr. Ishimaru on a variety of subjects. Chairperson Gelman asked that Commissioner Cowl prepare a draft that Commissioners might consider at the next meeting. Commissioner Cowl does not remember making any suggestions but agreed to listen to the tape to determine what the suggestions might be.

**NEW BUSINESS**  
Mediation Program

Chairperson Gelman informed Commissioners that Commissioner Norman talked to him during the past month about some thoughts regarding the Mediation Program. Commissioner Norman made suggestions as to what could be done to enhance the program. This matter will be discussed during the next Commission meeting.

Commissioner Banik informed Commissioners that he was invited to speak on Health & Human Rights in Bangalore, India. Commissioner Banik will email his presentation to the Administrative Assistant and she will forward it to Commissioners and staff.

The Commission adjourned at 11 a.m.

Barbara Wilson