

COMMISSION MEETING MINUTES
July 12, 2005

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, July 12, 2005 at 10:15 a.m., in Baltimore, Maryland.

Present Thomas Owen and Norman Gelman.

APPROVAL OF THE MINUTES The minutes of the June Commission meeting were accepted as written.

CHAIRPERSON'S REPORT Commissioners received copies of the Chairperson's Report (See attached). Chairperson Owen stated that he would not be present for the meeting in August. Chairperson Owen also stated that he would check with Vice-Chairperson Hermina to see if he would be available to Chair the meeting.

New Law Clerk The General Counsel introduced the new Law Clerk, Erika Gilliam, who will be working with the legal department. Chairperson Owen welcomed Ms. Gilliam to the Commission. Ms. Gilliam has just completed her first year of law school.

Legislation Chairperson Owen asked if there was anything to report in reference to MCHR legislation. The General Counsel informed Commissioners that MCHR received a letter from Betty Anderson in reference to timing. This letter stated that if agencies had any accelerated legislation, it had to be in by early August. All other legislation has to be submitted in early September.

Remedy Bill The General Counsel stated that she wanted to talk to MCHR's liaison with the Governor's office to get a sense of the group that had been looking into MCHR's remedy's bill. The General Counsel will be following up on this matter to see what the outcome of this group was.

The General Counsel stated that if any Commissioner has any recommendations regarding legislation, he/she should let her know now.

Legislative recommendations have to be submitted to the Governor's office in early September.

Chairperson Owen stated that last month it was agreed that MCHR would invite Ms. Lori Valentine, Legislative Liaison, to the August meeting. Chairperson Owen inquired as to whether this has been done. The General Counsel stated that she did not know and would follow-up on this matter. Chairperson Owen and Commission Gelman would like to know when contact is made with Ms. Valentine.

Regulation Review

The General Counsel stated that in reference to the regulation review timetable process, MCHR would like to get the proposals approved by September. A draft of the report will be done by mid August. The General Counsel will meet with Commission Allen for the review of the draft. The draft report will be mailed to Commissioners for review. There will be a lot of technical corrections in the regulations. References in the housing regulations to other sections were incorrect and those sections will be corrected. There will not be a major overhaul of the regulations.

EXECUTIVE DIRECTOR'S REPORT

Commissioners received copies of the Executive Director's Report (See attached).

State Employees Health Benefit Costs

The Executive Director informed Commissioners that as of July 1 state employees have more of a burden by having to pay more of the cost of their state prescription plan. This totally wipes out the small raise that state employees received. Co-pays have risen drastically on all prescriptions. This impacts all state employees, especially state employees at the lower levels, where prescriptions that used to cost \$3.00 and \$5.00 for a ninety day supply, now cost up to \$25.00 for a thirty day supply. This is a tremendous financial burden on state employees. Co-pays also went up on doctor visits. Hopefully, the legislature and the Governor can do something about the rising cost health care in the foreseeable future.

Chairperson Owen inquired as to whether there was any negotiating on this issue. The Executive Director stated that there was no real negotiation on this issue as there is no binding collective bargaining within the State of Maryland. The Information Technology Manager stated that this was an issue with the last state administration. Governor Glendening issued an Executive Order agreeing to have bargaining with the employee representatives. The current administration reversed the order. Maryland does not have any form of collective bargaining for its employees.

FY 2007 Budget

The Executive Director informed Commissioners that MCHR received the mark for the 2007 budget. The target figure for FY 2007 budget is the same as it was for FY 2006 budget. MCHR will be preparing the FY 2007 budget in a few weeks. The budget is always subject to change.

The Executive Director informed Commissioners that Martha Dickey did end her tenure here last week. Ms. Dickey has offered to work for MCHR on a contractual basis, if we so desire, namely to finish the Annual Report.

DEPUTY DIRECTOR'S REPORT

Commissioners received copies of the Deputy Director's Report (See attached).

Case Processing

The Deputy Director informed Commissioners that for the next meeting Commissioners would receive a report that will reflect a snapshot of achievements covering the last five years. This was a good year for case processing, intake was up, and closures were up. The monetary benefits went up almost 30% over last year. The time in processing is down in housing, employment and public accommodation cases. There were significant achievements in Mediation.

HUD Contract

The Deputy Director informed Commissioners that MCHR still does not have the HUD contract. MCHR has completed all of the work for the evaluation period. HUD raised the per case fee this year, but took other things away.

EEOC Contract

The Deputy Director informed Commissioners that MCHR is close to finishing the EEOC contract, which ends October 1. There is money available for upward modification and MCHR is in the preliminary stage of negotiations. EEOC does not know how much money is available.

MCHR has not heard anything in reference to the grant proposal.

ASSISTANT DIRECTOR'S REPORT

Commissioners received copies of the Assistant Director's Report (See attached).

Fiscal Year 2005 Budget

The Assistant Director informed Commissioners that FY 2005 is over and will close out in the black.

Fiscal Year 2006 Budget

FY 2006 will be as challenging as FY 2005. There were other areas that were cut back to the bare bones.

Fiscal Year 2007 Budget

MCHR is starting at the mark for state general funds. MCHR tries to balance off cuts in general funds with federal funds. MCHR does not know what the federal funds will be for the FY 2007 budget.

The Assistant Director informed Commissioners that the bulk of MCHR's general funds money is dedicated to personnel costs. Once the payrolls are processed there is a very small percentage left. The Assistant Director discussed some of the mechanics of the budget process.

The Assistant Director informed Commissioners that the budget strategy meeting was held recently with the Department of Budget and

Management. The state is still projecting the four hundred million dollar operating gap for FY 2007. The state is also still projecting the eight hundred million dollar structural gap. These projections have to do with the gap in the Thornton funding. The Department of Budget and Management is going after larger agencies, which would be taking actual dollar cuts of one to two million dollars. Medium sized agencies will be assigned 3% cuts. The Department of Budget and Management is going to try not to cut small agency's budgets. The Department of Budget and Management are not going to tell agencies that they could not come in with over-the-mark requests; however, they admonish that agencies should carefully select any over-the-mark priorities. Requests for additional personnel will not be considered.

Information Technology
Unit

The Information Technology Manager stated that MCHR had one million three hundred sixty-four thousand five hundred twenty-six hits to the agency's website. The Information Technology Manager informed Commissioners that MCHR lost a hard drive on the server. The server has five hard drives, which is a security measure so that if one is lost we can automatically flip over to the other one. MCHR's server is six years old. MCHR, for three years, has not spent money to refresh the computer inventory. The state took information technology money out of the budget three years ago. The Executive Director stated that the agency's firewall failed, there has been a major switch failure, and these items are major for MCHR. Fortunately, replacing the switch at this time was not as critical because of a decrease in the staff, thus lessening the need for the switch for now.

The Assistant Director stated that this is one area that MCHR will ask for the over-the-mark money to replace the computer equipment. Hardware is wearing out and eventually companies are going to stop supporting the software that we are buying, which would force MCHR to buy upgraded software.

Commissioner Gelman inquired as to whether there is an organization of information technology professionals in the state. The Information Technology Manager stated yes, the organization is called the Information Technology Advisory Council, which he is a member of. Commissioner Gelman stated that this is a matter that should be called to the attention of the legislature.

**GENERAL COUNSEL'S
REPORT**

Commissioners received copies of the General Counsel's Report (See attached).

Appeals

Chairperson Owen pointed out that during his tenure as Chairperson there have been no appeals, and wondered why this was so. The General Counsel stated that this is partially because MCHR does not have compensatory damages in the remedies bill for employment cases.

Complainants are obtaining Right to Sue letters and filing in federal court, where they have a better opportunity to get remedies. A lot of cases are settled, even at the public hearing stage.

New Appointment

Chairperson Owen informed Commissioners that MCHR received a letter naming the most recent appointment to the Commission, Ms. JoAnn Fisher from Oxon Hill, Maryland.

OLD BUSINESS
Immigrant Issues

Chairperson Owen stated that he met with the Public Affairs Coordinator before she left to share thoughts on the next steps for the Commission's study on immigrant issues. Chairperson Owen suggests that there are two things that need to occur in terms of what to do with the information received from the speakers: 1) call attention to the difficulties that immigrants face; and 2) try to bring to bear some influence on making some changes if needed. There are two aspects to achieving the goals: 1) exterior – interface with the public, state government, etc., to call attention to these problems; and 2) interior - what does the staff need to know in order to carry out the objective.

Commissioner Gelman suggested that during the September meeting a proposal should be submitted to the Commission outlining what MCHR could do to reach the objectives. Chairperson Owen and Commissioner Gelman agreed to meet with MCHR staff to develop this proposal.

Commission meeting adjourned at 11:35 a.m.

Barbara Wilson