

COMMISSION MEETING MINUTES
March 11, 2008

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, March 1, 2008 at 10:10 a.m., in Baltimore, Maryland.

Present

Norman Gelman, Rabbi Elan Adler, Sambhu Banik, JoAnn Fisher, John Hermina, Thomas Owen and Shawn Wright.

**APPROVAL OF THE
MINUTES**

The minutes of the February meeting were accepted as written.

Hispanic Study

JoAnne Schneider and John Willis from the University of Baltimore attended the meeting to discuss the Hispanic Study. Mr. Willis informed Commissioners that there is an agreement between the Baltimore Metro Council and the University that initiated one part of the proposed study. There is not much interest in conducting the study as had been planned. Mr. Willis would like a letter from Commissioners to take to the Baltimore Metro Council to reformulate the partnership, if that is the Commissioners' wishes. Mr. Willis would like to know whether or not the Commissioners are going forward with the study.

Chairperson Gelman stated that the Commission had hoped to find a department within State government, namely the Dept. of Labor, Licensing and Regulation, to help fund the study. Chairperson Gelman also stated that Commissioners have tried to generate some political support for conducting a study. Two Hispanic commissions have been appointed by the County Executive of Montgomery County. The two Hispanic commissions have brought forth a set of recommendations. There is not much interest in conducting the study. Chairperson Gelman was informed that the Dept. of Labor, Licensing and Regulation is conducting a study of the entire immigrant population of the State of Maryland.

Chairperson Gelman stated that there is no way the Commission can go forward with the Hispanic study. It was agreed that a letter will be

drafted and sent to the University of Baltimore informing them that at this time Commissioners are unable to proceed with the study. Commissioner Owen would also like this letter to be sent to Lieutenant Governor Brown. Chairperson Gelman requested that Commissioner Owen write the letter to the Lieutenant Governor.

Commissioner Owen and Commissioners appreciate the welcoming reception received from Dr. Wievel and the University of Baltimore. Commissioner Owen also appreciated the hard work and effort that JoAnn Schneider has put into this matter over the past couple of years. Chairperson Gelman would like to thank the Provost of the University of Baltimore.

CHAIRPERSON'S REPORT

Commissioners received copies of the Chairperson's Report (See attached). Chairperson Gelman informed Commissioners that he spoke to and had an email exchange with the Executive Director to see if we could arrange, as soon as the legislative session is over, a meeting with MCHR's Liaison with the Governor's office. During the meeting Chairperson Gelman would like to persuade the Liaison that the Commission is being under-utilized and that it would be beneficial to the Governor's program if MCHR were allowed to hire an additional person that would re-establish the outreach and education function of the agency.

Chairperson Gelman has prepared a personal letter to the Chair and Vice-Chair of the committees in the House and Senate that deal with MCHR's budget. This is an introduction letter and a letter to also arrange a meeting with them after the legislative session is over.

EXECUTIVE DIRECTOR'S REPORT

Commissioners received copies of the Executive Director's Report (See attached). In the absence of the Executive Director the Deputy Director had nothing to add to the Executive Director's Report.

DEPUTY DIRECTOR'S REPORT

Commissioners received copies of the Deputy Director's Report (See attached). The Deputy Director informed Commissioners that the total monetary benefits as of this month have surpassed the total from last year. Ninety percent of the monetary benefits are coming out of the Mediation Unit.

EEOC Director's Conference

The Deputy Director informed Commissioners that he attended the annual EEOC Director's Conference last month. EEOC will only fund 93% of the agency's contract.

Agency's Vacancies

Chairperson Gelman inquired as to whether the vacancies will be filled. The Assistant Director stated that MCHR is moving forward to fill the vacancies.

ASSISTANT DIRECTOR'S REPORT

Commissioners received copies of the agency's Monthly Budget Status Report provided by the Assistant Director (See attached). The

FY 2008 Budget

Assistant Director informed Commissioners that MCHR is moving along in the FY 2008 budget on target.

FY 2009 Budget

The Assistant Director informed Commissioners that MCHR has not heard anything regarding the FY 2009 budget.

Information Technology Unit

Chairperson Gelman informed Commissioners that the Information Technology Manager, James Watkins, will be resigning effective today. Chairperson Gelman also stated that MCHR will certainly miss Mr. Watkins. Mr. Watkins stated that he has enjoyed working with each and every Commissioner.

The Deputy Director, in the absence of the Executive Director, presented a proclamation, from the Governor's Office, to the Information Technology Manager. Mr. Watkins thanked the Commissioners and staff of the Commission. The Assistant Director, on behalf of the staff, thanked and presented a monetary token to Mr. Watkins for his dedication and diligent service to the agency. The General Counsel thanked Mr. Watkins for his contributions to the agency and the legal department.

GENERAL COUNSEL'S REPORT

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

Senate Bill 976
House Bill 1598

Gender Identity Bills – These bills were filed by private sponsors instead of as departmental bills. These bills have not been assigned to a committee on the Senate or the House side. As a result of these bills not being assigned yet they may not be heard prior to the end of the legislative session.

Senate Bill 528
House Bill 399

Sovereign Immunity - This bill passed with an amendment during the second reading in the House.

Senate Bill 563
House Bill 439

Ledbetter Fair Pay Act of 2008 - This bill was reported unfavorably out of the House. The Senate has not voted on their bill.

House Bill 618

MCHR Discrimination in Housing – Reasonable Accommodation for Religious Practices – This bill would amend the statute to provide a reasonable accommodation for persons in housing based on religious discrimination. The technical drafting of the bill is faulty and would create a huge problem with enforcement. MCHR cannot support this bill as drafted, but would do so if it is appropriately amended. MCHR would have difficulties enforcing this bill because an amendment of Article 49B is in the disability section. The disability section has a whole different concept and definitions, and it does not define reasonable accommodation based on religion. The General Counsel has informed the bill drafters that the bill needs amending. MCHR will submit testimony indicating that MCHR cannot support this bill as drafted; but with an amendment.

House Bill 1261

Source of Income – Amends Article 49B to add source of income as a protected basis. MCHR will be submitting testimony in support of this bill.

Rules of Procedures

The General Counsel requested final approval from Commissioners regarding the regulations for the Rules of Procedure. MCHR received one comment from the Walt Whitman Clinic, which is based in DC, but has a lot of clientele and provides services in the DC suburbs. The Clinic misunderstood the process regarding the regulations. The General Counsel spoke to the Clinic and explained the process. MCHR will have to make several changes to the regulations as a result of conversations and comments from the Clinic.

Monetary Awards

The General Counsel listed two cases in the monthly report that were awarded monetary settlements (See attached Report).

The General Counsel informed Commissioners that there will be a re-codification of Article 49B. Article 49B is one of the few articles that have not been re-codified. A task force has been formed to begin that process and the General Counsel has been asked to serve on the task force. The re-codification is expected to be complete by next year.

NEW BUSINESS

Chairperson Gelman would like Commissioners to facilitate conversations with faith and/or ethnic groups throughout the State. There would be a number of sessions for several hours each session. Facilitating this type of dialogue would create a better understanding of each group and contacts would be created that have not been there before. The purpose of such a gathering would be to establish relationships, to increase understanding on the part of all parties involved and to facilitate further conversations that the parties can carry on themselves.

Rabbi Adler informed Commissioners that he is involved in such a group and asked that Commissioners start with the Commission itself. Commissioner Owen suggested Study Circles as a method of handling the faith and/or ethnic groups' dialogue.

Commissioner Banik informed Commissioners that he could contact the Director of the Interfaith Conference of Washington D. C. It was decided that the above mentioned Director would be invited to attend the meeting next month.

The Commission meeting was adjourned at 11:45 a.m.