

State of Maryland

Commission on Human Relations



OFFICERS

Henry B. Ford, Executive Director
J. Neil Bell, Deputy Director
Benny F. Short, Assistant Director
Glendora C. Hughes, General Counsel

COMMISSION MEETING MINUTES

SEPTEMBER 13, 2005

Governor
Robert L. Ehrlich, Jr.

Chairperson
Thomas E. Owen

Vice-Chairperson
John W. Hermina, Esq.

Commissioners
Roberto N. Allen, Esq.
Sambhu N. Banik, Ph.D.
Barbara Dezmon, Ph.D.
JoAnn Fisher
Norman I. Gelman
Peter R. Lee, Esq.

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, September 13, 2005 at 10:20 a.m., in Baltimore, Maryland.

Present

Thomas Owen, Sambhu Banik, Norman Gelman and Peter Lee.

Chairperson Owen requested that the Commission engage in a moment of silence in memory of the folks who have lost their lives and for the well-being of the survivors of the Gulf Coast hurricane disaster. The Commission observed a moment of silence.

Commissioner Peter Lee's Resignation

Chairperson Owen informed Commissioners that Commissioner Peter Lee would be leaving the Commission to go to Los Angeles. Commissioner Lee will be starting a new career in Los Angeles. Commissioner Lee informed Commissioners that he would be working as a legal advisor for the Department of Homeland Security in Los Angeles. Commissioner Lee also stated that he would be getting married at the end of this month. Commissioner Lee also stated that he will miss everyone at the Commission and that he has enjoyed being part of the Commission. He also thanked Chairperson Owen for his leadership and management of the Commission.

On behalf of all Commissioners and staff, Chairperson Owen thanked and congratulated Commissioner Lee and wished him well.

APPROVAL OF THE MINUTES

The Deputy Director requested that the following change be made to the minutes: page 3, 5th paragraph, line 3, 2nd word should be EEOC instead of HUD. The minutes of the August meeting were approved as corrected.

CHAIRPERSON'S REPORT

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

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**EXECUTIVE
DIRECTOR'S REPORT**
2007 Budget

Commissioners received copies of the Executive Director's Report (See attached). The Executive Director informed Commissioners that MCHR finalized the 2007 Budget Proposal. MCHR was given level funding by the state for 2007. This is the first time in four years that MCHR was not cut by the state. The budget meeting, with Budget and Management, will probably take place sometime in October. The budget is submitted to the General Assembly, by the Governor, after the budget hearing. Hopefully, the budget that MCHR has submitted will be MCHR's final budget.

MCHR's Managing for Results, which is the Strategic Plan, was also submitted with the budget. The plan was reduced as a result of elimination of some of MCHR's programs.

Draft of Letter to Lieutenant
Governor

Commissioners received copies of the draft letter to the Lieutenant Governor (See attached). The Executive Director drafted a letter, which asked for the Lieutenant Governor's support of the legislative proposal. The letter is enclosed for Commissioners review and input. Commissioner Gelman reminded Commissioners that it was agreed during discussions at last month's meeting that all Commissioners would sign this letter.

Commissioner Gelman suggested that the first sentence in paragraph three be moved to the third sentence after the first two. The third sentence should read "Nor does current law provide for recovery of damages due to the loss of... Commissioner Gelman also suggested that the first three words of the second sentence in paragraph three be changed to read "Available damages do not" ...

The letter will be revised and emailed to all Commissioners. Commissioners should reply yes or no and should also send their signature by fax to MCHR. The Commissioners' Assistant will prepare final form of the letter and obtain Commissioners electronic signatures for the letter.

**DEPUTY DIRECTOR'S
REPORT**

Commissioners received copies of the Deputy Director's Report (See attached). Intake was low last month due to a number of complaints not getting authorized prior to running of the report.

EEOC Contract

MCHR received the upward modification to the EEOC contract. The modification was for one hundred cases, which will add \$50,000 to the contract.

HUD Contract

MCHR received the HUD contract. The HUD contract was slightly higher than what MCHR anticipated. In the past HUD has provided between \$25,000 and \$34,000 a year in training funds. This year HUD provided the money but will hold the money. Absent \$5,000, MCHR gets to use the money for expenses to send our employees to HUD's training academy. HUD does not know how to bill agencies for staff

attending the training so they will keep the money and deduct it when employees attend the courses that they offer.

HUD Grant Proposal

MCHR has not heard anything regarding the grant proposal. MCHR does not know when a decision will be made regarding grant proposals.

**ASSISTANT DIRECTOR'S
REPORT
2006 Budget**

The Assistant Director apologized to the Commission for not having copies of the normal budget report this month. There is a problem with the RSTARS Accounting System in Annapolis. This being the first quarter of the fiscal year MCHR does have some money and is proceeding along at the rate we need to in order to finish out the year in the black.

2007 Budget

The Assistant Director informed Commissioners that the 2007 Budget has been submitted. MCHR has also sent an unfunded request with the 2007 budget. The unfunded request is seeking \$62,000 to upgrade MCHR's computer system. A continuing request is also included in the unfunded request to have funds available to upgrade MCHR's computer system for succeeding years until 2012.

MCHR has been assigned a new Budget & Management Budget Analyst, Darrin Aycock. MCHR will be meeting with Mr. Aycock in the near future.

Information Technology Unit

The Information Technology Manager informed Commissioners that the Salisbury office has been added to MCHR's network (Vertical Private Networking). Vertical Private Networking allows the employees in the field offices to work the same as employees in the Baltimore office. As things progress the other field offices will also be added.

**GENERAL COUNSEL'S
REPORT**

Commissioners received copies of the General Counsel's Report (See attached). The General Counsel informed Commissioners that there were three settlements this month. One was an employment case, involving race discrimination and the other two were public accommodation cases.

Legislative Package

The General Counsel informed Commissioners that the legislative package was completed and forwarded. A supplemental package was forwarded to Ms. Valentine. Ms. Valentine was called prior to mailing the packet. Ms. Valentine had some questions, which were answered. A chart noting the fifty states and federal law that deal with employment discrimination, and a copy of the Civil Rights Act of 1991, was also sent to Ms. Valentine.

Chairperson Owen requested a copy of the packet that was sent to Ms. Valentine. The General Counsel will provide the Chairperson with a copy.

Regulatory Review and

The General Counsel informed Commissioners that a report was

Evaluation Act

prepared for the regulation review (See attached). The amendments that are being recommended were technical, which included correcting citations; cross-references that have been repealed and are obsolete and need to be replaced; language that need to be changed; and regulations that were reorganized so that they would read more clearly and additional language was added to help clarify some definitions. Language was also needed regarding how to dismiss a claim if a private right of action is filed in state court; and what does MCHR do if this happens. This report is due October 1, 2005 and requires the approval of the Commissioners.

The General Counsel informed Commissioners that there is nothing in the regulations that explain the Mediation process. This type of evaluation is an opportunity to turn policy into regulation so that people are placed on notice of what to expect when mediation takes place. The evaluation review report has to be approved prior to the regulations being drafted.

Commissioner Gelman moved that the Commission approve the Regulatory Review and Evaluation Act report. Commissioner Banik seconded the motion. Motion passed.

OLD BUSINESS
Immigrant Issues

Commissioners received copies of the proposal regarding the Study of Immigrant Issues in the State of Maryland (See attached). Chairperson Owen informed Commissioners that there have been meetings with MCHR senior staff, Commissioner Gelman and himself regarding how to proceed to make use of the information gained from speakers. Commissioners and staff discussed the objectives of the study. Commissioner Gelman reported that he has contacted the Human Relations Office at UMCP to ask for help with the study, and Commissioner Gelman is exploring the possibility of UMBC taking on the study. Commissioner Banik offered to contact the Administration of Bowie State University to see if they would be interested in taking on the study. After a lengthy discussion, the Commissioners gave their assent to continuing the project.

The General Counsel suggested contacting Carmen Pratt to ask for her assistance.

The Executive Director will contact Carmen Pratt to see if she would be willing to meet with the Immigrant Issues Committee.

Commission meeting was adjourned at 11:40 a.m.



Barbara Wilson