



Human Rights Commission
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**DRAFT VERMONT HUMAN RIGHTS COMMISSION
MINUTES
December 5, 2024**

PRESENT: Commissioners: Kevin **CHRISTIE**, Chair (remotely); Nathan **BESIO** (remotely); Joan **NAGY** (remotely); Bruce **WILSON** (remotely).

ABSENT: Dawn **ELLIS**.

Staff: Big Hartman, Executive Director & General Counsel (“**ED**”); Mitch Rotbert, Senior Counsel (minutes); Attorney Investigators Daniel Flynnjac and Kelly Poupore; Vanessa Bonebo, Executive Staff Assistant; Faith Orr, Clerk.

WILSON enters the meeting at 9:20 a.m.

Attorney Investigator Cassandra Burdyshaw enters the meeting at 11:20 a.m., excuses herself at 12:40 p.m., and returns at 3:28 p.m.

Attorney Investigator Flynnjac excuses himself at 10:22 a.m.

CHRISTIE calls the meeting to order at 9:10 a.m.

BUSINESS MEETING

Minutes

At 9:10 a.m., **NAGY** moves to accept as written the minutes of the Commission meeting held October 24, 2024. **BESIO** seconds. **Unanimous vote in favor (3-0)**.

Executive Director Report

At 9:11 a.m., **ED** commences their report to the Commissioners. Discussion on budget. **ED** reports that the Administration believes that Pay Act will cover shortfall for FY 2025. Administration also believes that Pay Act will cover any shortfall in FY 2026; accordingly, Budget Adjustment Act (BAA) for FY 2025 may not be necessary.

ED reports that the Administration is non-committal on securing additional staff positions. **ED** will continue to pursue funding for those positions in the legislative session to commence next month.

BESIO inquires on reliability of the Pay Act projections made to **ED** by the Administration. **CHRISTIE** responds that there is a national push for human rights commission work, and in light of Vermont's place as the "harbinger against fear," the Commission appears to be on solid ground.

EXECUTIVE SESSION

At 9:18 a.m., **BESIO** moves to go into executive session to discuss confidential cases. **NAGY** seconds. **Unanimous vote in favor (3-0).**

At 3:28 p.m., **CHRISTIE** takes the Commission out of Executive Session.

BUSINESS MEETING

In HRC Case EV23-0003, **NAGY** moves that the Human Rights Commission find that there **are not** reasonable grounds to believe that Respondent discriminated against Complainant based on disability, in violation of the Vermont Fair Employment Practices Act, 21 V.S.A § 495. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case EV23-0003, **NAGY** moves that the Human Rights Commission find that there are reasonable grounds to believe that Respondent retaliated against Complainant in violation of the Vermont Fair Employment Practices Act, 21 V.S.A § 495. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case PA24-0003, **BESIO** moves that the Human Rights Commission find that there **are not** reasonable grounds to believe that Respondent discriminated against Complainant based on race in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4502. **NAGY** seconds. **Votes in favor (2). Votes against (2). No Commissioner abstains.**

In HRC Case PA24-0003, **BESIO** moves that the Human Rights Commission reschedule the hearing of this matter with a fifth Commissioner present. **NAGY** seconds. **Unanimous vote in favor (4-0).**

In HRC Case PA24-0003, **NAGY** moves that the Human Rights Commission direct the **ED** to the extent of their power to compel Respondent's attendance at the rescheduled hearing of this matter. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case PA24-0001, **BESIO** moves that the Human Rights Commission find that there are reasonable grounds to believe that Respondent discriminated against Complainant based on disability in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4502. **NAGY** seconds. **Unanimous vote in favor (4-0).**

In HRC Case HV24-0011, **BESIO** moves that the Human Rights Commission find that there are reasonable grounds to believe that Respondents One and Two, discriminated against Complainant based on disability and retaliated against her in violation of the Vermont Fair

Housing and Public Accommodations Act, 9 V.S.A § 4503. **NAGY** seconds. **Unanimous vote in favor (4-0).**

In HRC Case HV24-0011, **NAGY** moves that the Human Rights Commission find that there **are not** reasonable grounds to believe that Respondent Three discriminated against Complainant based on disability in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4503. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case No. HV24-0011, **NAGY** moves that the Human Rights Commission find that there **are not** reasonable grounds to believe that Respondent Four discriminated against Complainant based on disability in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4503. **BESIO** seconds. **Unanimous vote in favor (4-0).**

In HRC Case No. HV24-0013, **BESIO** moves that the Human Rights Commission find that there **are not** reasonable grounds to believe that Respondents discriminated against Complainant based on disability in violation of the Vermont Fair Housing and Public Accommodations Act, 9 V.S.A § 4503. **WILSON** seconds. **Unanimous vote in favor (3-0). NAGY recused.**

Executive Director report (continued)

At 4:00 p.m., **ED** begins discussion for Commissioner recognition and approval of a Pre- or Post- Determination Conciliation Agreement (“PDCA”) reached in the following HRC Cases:

ED reports a PDCA resolving HRC Case No. PA23-0018. Commission votes to approve the PDCA.

ED reports a PDCA resolving HRC Case No. PA23-0014. Commission votes to approve the PDCA.

ED reports that in FY25, staff accepted 40% more cases than in FY24.

ED reports that outreach activities are progressing, including HHB training at Vermont Learning Collaborative in Springfield, Vermont; press conference to be held December 10, 2024, in light of Human Rights Day.

EXECUTIVE SESSION

At 4:15 p.m., **NAGY** moves to go into executive session to discuss matters about which premature general public knowledge would clearly place the Commission at substantial disadvantage. **BESIO** seconds. **Unanimous vote in favor of the motion (4-0).**

At 4:24 p.m., **CHRISTIE** takes the Commission out of Executive Session for the purpose of discussing matters about which premature general public knowledge would clearly place the Commission at substantial disadvantage.

At 4:25 p.m., **NAGY** moves to adjourn. **BESIO** seconds. **Unanimous vote in favor of the motion (4-0).**

The meeting was adjourned at 4:25 p.m.

NEXT MEETING Thursday, January 23, 2025.

Dated at Montpelier, Vermont, this day 5th day of December, 2024.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Big", with a stylized flourish extending to the right.

Big Hartman, Esq.
Executive Director & General Counsel