State of Vermont
Human Rights Commission
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MISSION STATEMENT: The Commission promotes full civil and human rights in Vermont. The Commission protects people from unlawful discrimination in housing, state government employment and public accommodations and pursues its mission by enforcing laws, mediating disputes, educating the public and providing information and referrals.

MEMO TO: VHRC Commissioners

FROM: Jocelyn Bolduc, VHRC Executive Staff Assistant / Case Manager

DATE: May 27, 2015

SUBJECT: Commission Meeting Agenda

Enclosed please find information for the upcoming Human Rights Commission meeting scheduled for June 4, 2015. The meeting will take place at the Human Rights Commission Conference Room in Montpelier, Vermont, and will begin at 9:00 AM.

VERMONT

VERMONT HUMAN RIGHTS COMMISSION
MEETING AGENDA
Thursday, June 4, 2015
Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633

9:00 – 10:00 **BUSINESS MEETING**

1. Introductions

2. April 30, 2015 Minutes – Attachment 1

3. Executive Director's Report – Attachment 2

4. Legislative Report – Attachment 3,

10:00 -11:30 **EXECUTIVE SESSION** TO HEAR CONFIDENTIAL CASES

11:30- 12:00 **BUSINESS MEETING** CONTINUED

12:00 - 12:30 **LUNCH**

12:30- 1:00 **BUSINESS MEETING** CONTINUED

1. Brief discussion re: broader Human Rights agenda for VHRC

2. Discussion of Training Protocol Draft

1:00-close **EXECUTIVE SESSION** TO EVALUATE THE EXECUTIVE DIRECTOR

10:00 – 10:45   **VHRC Case No.: E15-0005**

COMPLAINANT: Linda Schindler

RESPONDING PARTY: Vermont Department for Children and Families

CHARGE: Employment discrimination based on disability and age

SUMMARY OF CHARGE: On December 9, 2014, Linda Schindler filed a Complaint of Discrimination alleging that the Vermont Department for Children and Families (DCF) discriminated against her based on her age and disability in violation of the Vermont Fair Employment Practices Act, 21 V.S.A. §495 et seq. Specifically, Ms. Schindler alleged that DCF failed to grant her request for a reasonable accommodation to her mobility impairment, and discriminated against her on the basis of age and/or disability by moving her to a new position against her wishes and failing to promote her into positions for which she applied and was otherwise qualified. Because the move to the new position was the reasonable accommodation granted, however, this report will discuss that transfer in the context of reasonable accommodations, and not as a separate claim.

SUMMARY OF RESPONSE: On February 11, 2015, DCF submitted a Response to the Complaint. In this Response, DCF admitted that Ms. Schindler made a request for accommodations, but states that the requests were granted. DCF provides Exhibit A, which is a request for parking accommodation, and Exhibit B, which is a request for either a new mentoring schedule eliminating the "roaming" required in the job or a transfer to the Fair Hearing Unit which is a sedentary position. DCF states that the parking request was granted and that the request to move to the Fair Hearing Unit

was granted. DCF denies that the move to the Fair Hearing Unit was an attempt to encourage Ms. Schindler to resign.

DCF further admits that Ms. Schindler applied for "several" positions, but denies that she was not given the positions because of her age or disability. Rather, DCF states that the employment decisions were made based on an interview rating system which is designed to be objective and to prevent discrimination.

PRELIMINARY RECOMMENDATION: This investigative report makes a preliminary recommendation that the Human Rights Commission find **no reasonable grounds** to believe that DCF violated the Vermont Fair Employment Practices Act (VFEPA), 21 V.S.A. §495 et seq. by discriminating against Linda Schindler because of her age and disability.

ATTENDING: Linda Schindler, Complainant

Jim Shea (in place of Shayna Cavanaugh), AAG, for Respondent