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VERMONT HUMAN RIGHTS COMMISSION
MINUTES
October 22, 2015

PRESENT: Commissioners: Mary Marzec-Gerrior, Chair, Donald Vickers, Mary Brodsky, Nathan Besio, Dawn Ellis. Staff: Karen Richards, Executive Director, Nelson Campbell, and Ellen Maxon, Administrative Law Examiners, Jocelyn Bolduc, Executive Staff Assistant (minutes).

Commissioner Marzec-Gerrior called the meeting to order at 9:05 a.m.

COMMISSIONER and STAFF MEETING – FUTURE DIRECTION OF THE VHRC:

Open meeting refreshers: The executive director conducted a brief refresher course on the Open Meeting law for Commissioners and staff.

Commissioner roles/Commission hearings: The Commissioners updated a protocol passed by a prior Commission in 2005. Commissioners will review the new draft at the 12/3/15 meeting.

Vision and Strategic Planning: The Commissioners conducted a brief exercise examining the three major areas of protection enforced by the Commission as a means of informing the VHRC's vision and strategic plan for the coming year. The Commission will spend some additional time on the topic at the 12/3/15 meeting.

EXECUTIVE SESSION:

Marzec-Gerrior made a motion to go into executive session to discuss confidential cases at 12:30. The motion was seconded by Vickers. Vote 5-0

Marzec-Gerrior made a motion to be brought out of executive session at 1:03 p.m. The motion was seconded by Ellis . Vote 5-0

Marzec-Gerrior made a motion to go into executive session to hear confidential cases at 1:04 p.m. The motion was seconded by Besio. Vote 5-0

Marzec-Gerrior made a motion to be brought out of executive session to vote at 3:10. The motion was seconded by Brodsky . Vote 5-0

Marzec-Gerrior moved to accept the Administrative Law Examiners recommendation of reasonable grounds with regard to discrimination in public accommodations based on national origin and color in *Alcudia v. Grand Isle Sheriff's Department*, VHRC Case No PA15-0021. The motion was seconded by Besio. Vote 3-2 (For: Besio, Ellis, Marzec-Gerrior – Against: Vickers, Brodsky)

Marzec-Gerrior made a motion to go into executive session to discuss confidential cases at 3:13 p.m.. The motion was seconded by Brodsky . Vote 5-0

Marzec-Gerrior made a motion to be brought out of executive session at 3:26. The motion was seconded by Vickers . Vote 5-0

Vickers moved to accept the Administrative Law Examiners recommendation of no reasonable grounds with regard to discrimination in public accommodations based on race in VHRC Case No PA15-0010. The motion was seconded by Brodsky. Vote 5-0

PRE-DETERMINATION CONCILIATION AGREEMENTS (by staff)

Tenant v. Landlord

VHRC Case No. HV16-0006

HUD Case No. 01-15-042-8

Approved by the Commissioners 5-0

Tenant v. Landlord

VHRC Case No. HV16-0002

HUD Case No. 01-15-0430-8

Approved by the Commissioners 5-0

Homeowner v. Condominium Association

VHRC Case No. HV16-0011

HUD Case No. 01-15-0560-8

Approved by the Commissioners 5-0

Individual v. Municipalities

VHRC Case No. PA14-0002

Approved by the Commissioners 5-0

BUSINESS MEETING:

MINUTES: Ellis moved to amend minutes of the September 24, 2015 meeting to include that two other contact persons be included/asked for upon acceptance of a complaint. The motion was seconded by Brodsky. Vote 4-0 (Besio absent)

EXECUTIVE DIRECTOR REPORT:

Budget: Planning for the FY17 budget process continues. Budgets were submitted on September 25, 2015. ED Richards met with the Secretary of Finance on October 20, 2015. Agencies are being asked to level fund again this year. We will have vacancy savings due to the open ALE position.

Hiring: We received a total of 20 applications for the position about a third of which are from people in protected categories. We will be interviewing on October 26th and 29th and hope to have a new ALE on board by the beginning of December.

Updates:

VHRC Policies – The policy has been amended per the vote at the last meeting to add DHR as an entity to whom an employee of the VHRC can report discrimination related to their employment at the VHRC.

AG / DHR Agreements – ED Richards sent an edited draft of the confidentiality agreement used to protect sensitive information back to Senior Assistant Attorney General Michael Duane on August 25th and is still waiting for his response.

Litigation Update:

Silloway and VHRC v. DOC and DHR, Docket No. 778-11-12 Wncv.

No decision has been issued.

STATISTICS and OUTREACH

A comparison of cases accepted through the end of the first quarter of the 2014 and 2015 fiscal years shows that the numbers of housing and employment cases have almost doubled and public accommodations are up slightly. We have nearly doubled the number of total cases received in the same period last year.

For the first three months of the 2016 fiscal year, HRC staff conducted six (6) training events including three (3) housing. About half were in response to complaints and the other half were affirmative. A total of 222 people were trained.

SUCCESSION PLANNING:

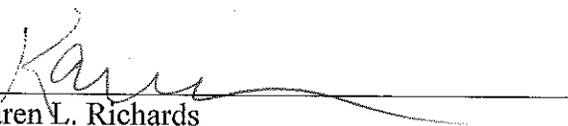
When the executive director is out of the office temporarily another Vermont licensed attorney on staff steps in during the ED's absence. ED Richards indicated that this person is currently Nelson Campbell, ALE. Marzec-Gerrior would like ED Richards to work on tightening up the succession plan for the VHRC (ED and Commissioners).

Motion to adjourn at 4:20 p.m..

NEXT MEETING: DECEMBER 3, 2015.

Dated at Montpelier, Vermont this 22nd day of October 2015.

Respectfully submitted:


Karen L. Richards
Executive Director