

***DRAFT MEETING MINUTES; THE APRIL 28, 2016 ARE SUBJECT FOR APPROVAL AT  
THE NEXT MEETING ON MAY 26, 2016***

**WASHINGTON STATE HUMAN RIGHTS COMMISSION  
COMMISSION MEETING  
APRIL 28, 2016 @ 4:30PM  
LACEY COMMUNITY CENTER  
6729 PACIFIC AVENUE SE  
LACEY, WA 98503**

**AGENDA**

**ATTENDANCE**

**Commissioners:** Charlene Strong, Chair; Clarence Henderson, Commissioner;  
Skylee Sahlstrom, Commissioner; Guadalupe Gamboa, Commissioner.

**Absent:** Lenore Three Stars, Commissioner.

**Staff:** Sharon Ortiz, Executive Director; Cheryl Strobert, Asst. Director for Enforcement;  
Janice Whitman, Specialist; Laura Lindstrand, Policy Analyst; Isaac Williamson, AAG

**OPENING AND WELCOME**

Chair Strong called the meeting to order at 4:40PM.

**PETITIONS FOR REPEAL OF WAC 162-32-060:**

Chair Strong explains process of the 2 petitions for repeal of WAC 162-32-060.

1. Sue Lani W. Madsen

Withdrew petition.

2. Gary Brown

Policy Analyst Lindstrand stated the WSHRC received a petition to repeal WAC 162-32-060 from Gary Brown; addressed each issue submitted by Mr. Brown individually and provided information reflecting the rules under WLAD.

Commissioner Henderson stated he appreciates the petition; disagrees with argument, not that the argument doesn't hold up but that is why protected classes exist.

Commissioner Sahlstrom commented in regards to protected classes.

Commissioner Gamboa commented regarding social controls; laws to prevent inappropriate behavior.

Chair Strong stated conducted listening session regarding rules; considered concerns before rules put in place.

Commissioner Sahlstrom made motion to oppose petition to repeal; Commissioner Henderson seconds; motion carried.

**Break 5:20PM**  
**Resume 5:30PM**

### **PUBLIC COMMENT**

Several individuals spoke in regards to the petition to repeal WAC 162-32-060 during public comment; heard from both sides of the issue that were for and against the sexual orientation/ gender identity rules.

### **RECONSIDERATIONS, JANICE WHITMAN**

Specialist Whitman presented reconsiderations:

Specialist Whitman provided overview of complaint by Ivan Avila Perez v. Conagra Foods, 11EDS-0367-14-5; provided information why the recommendation was made to deny the request.

Commissioners voted to overrule the recommendation to deny and granted the reconsideration; stated they would like the case reopened to review Dr. notes; how it affected health and well being and to interview witnesses.

Specialist Whitman provided overview of complaint by Beth Adsero v. Crown Beverage Packaging, 34EDZ-0393-14-5; provided information why the recommendation was made to deny the request.

Commissioners voted to overrule the recommendation to deny and granted the reconsideration; stated they would like the case reopened to interview witnesses.

Specialist Whitman provided overview of complaint by Seattle Office for Civil Rights v. Neptune Apartments, 17HSX-0485-14-5; provided information why the recommendation was made to deny the request.

Commissioners discussed details of the investigation and how the testing is conducted.

Director Ortiz explained the testing procedures.

Commissioners voted to deny the request for reconsideration.

Specialist Whitman provided overview of complaint by Ronald King v. Radio Yakima, 34EAD-0877-13-4; provided information why the recommendation was made to deny the request.

Commissioners asked questions regarding the reconsideration and discussed witnesses.

Commissioners voted to deny the request for reconsideration.

Specialist Whitman provided overview of complaint by Heather Moore v. Capitol Club House, 34ESXZ-0611-14-5; provided information why the recommendation was made to deny the request.

Commissioners discussed allegations by co worker against Complainant and the case did not make prima facie, closed at intake level.

Commissioners voted to deny the request for reconsideration.

Specialist Whitman provided overview of complaint by Jose Diaz v. WA ST OMWBE, 34EWZ-0111-14-5; provided information why the recommendation was made to deny the request.

Director Ortiz stated she reviewed the file, should have been closed failure to cooperate; put a lot of time into case and closed it based on information that was previously provided.

Commissioners discussed case regarding him being a candidate for a position; scored lower; discussed the panel making the decision regarding Complainant not being considered.

Commissioners voted to deny the request for reconsideration.

### **MEETING MINUTES**

Commissioner Sahlstrom made motion to adopt March 24, 2016 meeting minutes; Commissioner Henderson seconds; motion carried.

### **CASE CLOSURES**

Director Ortiz went over corrections and typos for the following cases:

Espino v. Subway

Cossette v. City of Vancouver

Myers v. Brookdale Senior Living

Hovley v. American Rock Products

Maricruz v. CM Holtzing Fruit Company

Vega v. McDonalds

Bartlett v. Washington Utilities and Transportation Commission

Jones v. Western Institutional Review Board

Director Ortiz went over cases that were pulled from agenda:

Mendoza v. Agri Northwest

Commissioner Henderson made motion to adopt case closures; Commissioner Sahlstrom seconds; motion carried.

### **ED REPORT**

Director Ortiz provided packet for Commissioner's review.

### **COMMISSIONER REPORTING**

Chair Strong spoke at Northwest Native Youth Conference; spoke of individual's rights, know your rights; well attended.

Commissioner Henderson met with NAACP in Snohomish County; trying to establish partnership with our Commission; new Diversity of Commission of the City of Edmonds, attended meeting; provided information regarding HRC.

Commissioner Sahlstrom, nothing to report.

Commissioner Gamboa, nothing to report.

### **AAG UPDATES**

AAG Williamson provided update regarding Morrison v. Haney Trucking; complaint filed with OAH, hearing scheduled for September 26, 2016.

AAG Williamson provided update regarding Garcia v. Agri Pak, issued an amended complaint and will be filed with OAH.

AAG Williamson informed the Commissioners of the 2 new attorney's who joined the civil rights unit.

### **EXECUTIVE SESSION**

The Commission will move into Executive Session: Pursuant to RCW 42.30.110; the Commission shall move into closed session for the purpose discussing litigation and will reconvene on record at approximately 7:15PM.

### **OLD BUSINESS**

#### **2016 Meeting schedule:**

May 26, 2016 – Olympia  
June 23, 2016 – Conference call  
July 28, 2016 – Seattle  
August 25, 2016 – Conference call  
September 22, 2016 – Spokane  
October 27, 2016 – Bellingham  
November 17, 2016 – Conference call  
December 15, 2016 – Conference call

Director Ortiz brought to Commissioner's attention possible special meeting on June 30, 2016 to approve HUD cases, end of contract year.

June 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> will be in Yakima for meeting with Commission on Hispanic Affairs.

Director Ortiz and Commissioner's discussed Pride parades, Seattle, Olympia and Spokane.

**Presentation of Education Project:**

Chair Strong and Commissioner Henderson worked on it, ready to be presented; Cascade High School; have dates will talk to instructor; forms for students for feedback.

**Corporate Cards:**

Director Ortiz explained why corporate cards are a benefit, tracks travel better; explained payment process; receipts are important.

Director Ortiz mentioned WA ST Auditor's report; explained why it's important to have corporate cards; identify State Government rate not Federal.

Director Ortiz and Chair Strong went over addressing media and when speaking as a private citizen versus a Commissioner; contacting Chair and Director Ortiz before speaking as Commissioner, check with AAG.

**NEW BUSINESS**

**Addressing future petitions:**

Director Ortiz stated the item is scratched from agenda.

**Sponsoring Farm Worker Policy Conference:**

Yakima meeting with Commission on Hispanic Affairs June 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup>.

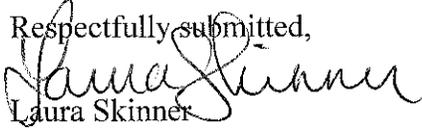
**CASE PROCESS PRESENTATION, JANICE WHITMAN**

Specialist Whitman provided PowerPoint overview of case processing.

**ADJOURN**

There being no further business, the meeting adjourned at 8:20PM.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Skinner". The signature is written in black ink and is positioned above the printed name.

Laura Skinner

Commission Clerk