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

Withdraw 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 10th, 11th, 12th 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 verses 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 10th, 11th and 12th.

**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,

[Signature]
Laura Skinner
Commission Clerk