

PITTSBURGH COMMISSION ON HUMAN RELATIONS
A G E N D A
August 7, 1995

I. CALL TO ORDER

II. ADOPTION OF MINUTES

III. COMPLIANCE UPDATE

Quarterly Intake Report

IV. STAFF & COMMITTEE REPORTS

A. Executive Committee

B. Director's Report

C. Solicitor's Report

Proposed Amendments to City Code

D. Nominating Committee Report

E. Budget & Finance Committee

F. Community Relations Committee

G. Housing Committee

Fair Housing Seminar - August 14, 1995

H. Personnel Committee

V. NEW BUSINESS

/cmz

PITTSBURGH COMMISSION ON HUMAN RELATIONS

MINUTES

August 7, 1995

Attendance: Denise Hughey, Chair Pro Temp

Robert McClenahan

Chuck Honse, Jr.

Elizabeth Pittinger

B. J. Samson

Harry Kunselman

Alma Speed Fox

Barbara Burstin

Father Lou Vallone

Staff: Charles F. Morrison, Acting Director

Connie Miskis Zatek

Yancy Miles

James Pulford

Christina Jumba

Janice Burris

Sheron D. Clark

George Monroe

Byrd R. Brown, Solicitor

Guest: Marianne Jackson, Assistant to the Mayor

I. CALL TO ORDER

The meeting was called to order at approximately 3:08 p.m. by Denise Hughey, who chaired the meeting in the absence of Dr. George Board.

II. ADOPTION OF MINUTES

The Minutes of June 5 Commission meeting were unanimously approved as circulated, upon motion of Commissioner Burstin and seconded by Commissioner McClenahan.

III. COMPLIANCE UPDATE

Case Activity

George Monroe, Acting Compliance Supervisor, reported that to date 119 cases have been submitted for EEOC credit under Title VII and 16 under the ADA portion of the contract. EEOC has recently removed the requirement limiting ADA cases to 10% of the total contract. Therefore, the Commission will receive credit for all of its 16 ADA cases. In addition, the Commission has requested that the contract be upgraded.

The Quarterly Intake Report was accepted as circulated without comment or question.

IV. STAFF AND COMMITTEE REPORTS

A. Executive Committee

Commissioner Hughey reported that all items discussed would be addressed during today's agenda.

B. Director's Report

1. The Acting Director represented the Commission at the national EEOC/FEPA Director's Conference in Arlington, Virginia, June 11-14, 1995. A new case processing system is being implemented to reduce EEOC's backlog of cases. Value judgments are being made at the intake level to dismiss or give first or second priority. EEOC believes it must take its strongest cases forward for more effective enforcement. Alternative Dispute Resolution is also being used in conjunction with local bar associations.

2. On June 27, the Acting Director participated in a training seminar for the Allegheny Valley Realtors' Group, along with the State Commission and the Pennsylvania Newspaper Publisher's Association. Approximately 90 realtors were present. The focus of discussion was fair housing advertisements.

3. On July 13, the Acting Director made a presentation to the Program for Female Offenders. The focus was equal employment, housing and public accommodations opportunities.

4. On July 25, the former director, Sofronia Harris, was presented with a proclamation unanimously endorsed by City Council.

5. The Acting Director attended the EEOC mini-conference in Philadelphia July 26 and 27, where this Commission was commended for its high settlement rate (40%) and lowest rate of administrative closures in the region.

Announcements

1. August 14: The Commission and The PennySaver will co-sponsor a fair housing seminar at the Allegheny Bar Association Conference Room, 10:30 a.m. The Pennsylvania Newspaper Publishers Association and the Pennsylvania Human Relations Commission will also be represented on the panel.

2. Public Hearings/Compliance:

August 8/9: Bender v. Mark Pi's Chinese Restaurant; filed on the basis of sex.

August 28/29: Warren v. Martin Media; filed on the bases of race and retaliation in employment.

3. The City Code has been updated with proposed changes affecting the Commission. The Solicitor will present a full report.

4. The preliminary bid process for contracting a solicitor has been initiated.

5. A final report was submitted to the Pittsburgh Foundation following its grant to conduct a workshop for strategic planning earlier this year.

Commissioner Burstin requested a copy of this report. It was also noted that the Commission must still prioritize several topic areas identified during the workshop.

Byrd Brown stated that the executive board of the Pittsburgh Foundation will meet on September 14. He urged the Commission to consider making an additional request for funds, but suggested that the project should be a comprehensive one of some significance with a definite end result. Proposals offering solutions to improve the inner city are seriously considered, as are proposals which can evolve into a self-supporting venture in the future.

Commissioners Burstin and Hughey volunteered to work with the committee to outline a specific proposal.

C. Solicitor's Report -- Substantial Equivalency

Staff was commended for doing an excellent job in inserting recent amendments into the City Code.

The Solicitor noted that HUD requires that the Commission's Ordinance and Regulations be consistent with federal law. Toward this end, he has submitted several proposals, but HUD continues to insist on further changes. City Council has amended the Code three times since 1992 in the hope of receiving HUD certification as being substantially equivalent.

This time, the Solicitor suggested that proposed changes be submitted to HUD for review and approval before they are submitted to City Council for further amendment to the Code. The Solicitor then outlined and explained each proposed change. Copies of the Code, with proposed changes, were distributed to Commissioners.

It was noted that HUD requires a dismissal of a complaint to be published. The Solicitor suggested that the Respondent be given the option to waive this provision. The Acting Director indicated this could be accomplished by adding a statement to the standard notice to respondents.

Commissioner Kunselman moved that the recommended changes to the City Code, (as outlined today), be submitted to City Council, subject to approval by HUD. The motion was seconded by Commissioner Samson.

The Solicitor suggested the cover letter to HUD indicate the Commission plans to present the proposed amendments to City Council in October 1995. Commissioner Fox stated that the proposed Code changes be submitted to City Council during the next session. Commissioner Kunselman accepted this as a friendly amendment. The second stood and the motion carried unanimously.

D. Nominations Committee

Commissioner Fox reported the Committee, consisting of Commissioners Honse, Glass and herself, as chair, met in July and recommended that the present officers be retained:

Chair	Dr. George Board
Vice Chair	Harry Kunselman
Vice Chair	Denise Hughey
Secretary	Alma Speed Fox
Treasurer	Elizabeth Pittinger

She distributed petitions for additional nominations and asked that completed forms be returned by August 28. Forms must be signed by the nominee and two supporting Commissioners. The election will take place at the September 11 Commission meeting.

E. Budget & Finance Committee

Commissioner Pittinger reported that the Commission's trust fund will be depleted in early 1996. The funds have been used to offset personnel costs. The 1996 budget request essentially asks for an additional \$100,000 to cover existing staff allocations, plus one and half full time positions, based on the increased caseload.

The Acting Director stated that the Commission was forced to use the only community relations staff person to work in compliance to help ease the growing case backlog. If an additional position is approved, the Commission would be able to do more in community relations.

Commissioner Pittinger stated that the Commission's budget request is asking that the City pick up the salaries for three staff persons: 1 1/2 current staff and 1 1/2 new staff positions. The trust fund was originally the result of a large settlement and was restricted to fund Commission activities. However, when the City's funds were reduced, the trust fund was diverted to cover the operating costs of the Commission.

Commissioner Pittinger stated that the Commission must re-establish the credibility of the department. She stated that the Commission knew it needed to pursue alternative funding sources for 1996, but it did not do it. She also raised the issue of Commission independence. "If we are begging to cover operating costs, there are intrinsic problems."

Solicitor Brown stated that he was not aware of the Commission's trust funds being used to cover the operating budget. He felt that if the trust funds are indeed restrictive, and are being used beyond those parameters, serious questions can be raised, including liability if money was misappropriated. Commissioner Fox stated that if, in fact, legislation states that the funds were to be used for staff salaries, the intention was for additional staff, not existing personnel.

Commissioner Kunselman asked that the Solicitor check into the issue of trust funds and their use before the next scheduled budget meeting with the City. The Solicitor agreed to do so.

E. Community Relations Committee

The Committee did not meet this month.

Police Training

Commission Representative Yancy Miles reported that the Police Department had requested training for supervisory personnel with only a week's notice. Due to the short preparation time, the Commission was not able to offer this training. Commissioner Burstin raised concern that the Commission has been working to have human relations training expanded among the Police Department, but the recent request was chaotic.

The Acting Director reported that he had spoken with Chief Buford and explained the need for more advance notice. Chief Buford stated that more than half of the officers are new to the force, including supervisory personnel. He promised to renew the request in the near future.

Commissioner Burstin stated that the Commission must decide "where to go from here," as the program has been in effect for approximately a year. She suggested that an application be made to the Pittsburgh Foundation for additional funds.

Public Hearings

In response to a motion made at the June meeting, plans have been set into motion to hold a public hearing focused around affirmative action in Pittsburgh's workforce. The recent publication of the University of Pittsburgh Benchmarks Study have provided a clearer focus. The public hearings will cover three days of testimony focusing on the causes and eliciting solutions of racial disparity in employment. The first day will include a panel discussion; the additional two days will be used to identify solutions. Following the public hearings, findings and recommendations will be drafted and submitted to the Mayor, City Council and County officers.

Commissioner Burstin suggested that to reduce costs of sponsoring the hearings, that a committee meet to brainstorm and then present findings to the Pittsburgh Foundation for funding. Commissioner Hughey stated that the University of Pittsburgh School of Public Health had offered to hold the hearings there. Additional costs would include television coverage, advertisement, transcripts and final report. Commissioner Kunselman suggested that funds to cover costs for hiring a person to coordinate materials and outline a report also be included in a grant proposal.

Connie Zatek reminded the Commissioners that any request for possible search for grants or outside funding must first be approved by the City's Grants Clearinghouse Committee, Mayor's Office. Approval must be received prior to drafting a proposal and application for a grant.

Commissioner McClenahan suggested inviting the Mayor and corporate leaders to "buy into" the need for additional funding for the public hearings and to provide initiatives as a result of the hearings. He offered to assist in planning the public hearings.

F. Housing Committee

No meeting was held.

G. Personnel Committee

Commissioner McClenahan reported that the Committee has met three times in recent weeks to develop a process for its search for a director. The Committee is working closely with Laura Zaspel of the Personnel Department and has developed a job description and advertised in 11 local and national publications during July and August. To date, 36 applications have been received.

The selection process will include Committee review of all applications and selection of persons to be interviewed. To date, 17 applications have been reviewed and four interviews held. Questions developed by the Personnel Department have been asked of all candidates interviewed. A writing sample will also be required.

A second round of preliminary interviews will be scheduled after all applications are received. It is anticipated that the application period will be closed around August 25 -- ten days after the last advertisement is published. Finalists will be chosen for a second interview. Commissioners will be invited to participate in this portion of the review process as the Home Rule Charter states that the Commission "hires the director." Following the final interview process, a recommendation will be made to the full Commission for vote.

Due to the expected length of interviews and follow-up discussion, it is anticipated the final interviews will take place on a weekend. The Committee hopes to be able to make a recommendation for director at the September meeting.

V. COMMISSION APPOINTMENTS

To date, the names of four persons have been suggested by Commissioners and staff as possible new appointments. Resumes for these persons have been forwarded to the Mayor's office for consideration.

Commissioner Vallone moved that City Council be petitioned to fill the vacancy created by the resignation of C. Lu Conser in March 1995. This vacancy has existed for more than 90 days. The motion was seconded by Commissioner Fox and carried unanimously.

As a matter of information, it was noted that the Commission had petitioned City Council on a similar issue in the past. Commissioners Cohen-Scott, Reed and Buice were appointed by City Council during the Masloff administration.

VI. NEW BUSINESS

Commissioner Burstin stated that the Commission's new procedures which automatically put a probable cause case on to a public hearing track, may interfere with the ability to negotiate with the parties. She asked that this be discussed at the next meeting.

The meeting was duly adjourned at 4:55 p.m.

/cmz

MEMORANDUM

TO: All Commissioners and Staff

FROM: James Pulford
Commission Representative

DATE: July 27, 1995

SUBJ: INTAKE REPORT - Second Quarter, 1995

Forty-eight (48) complaints were filed during the second quarter of 1995. This activity reflects a decrease of 33% in comparison to the first quarter of the year when seventy-two (72) case were filed.

The attached exhibits provide detailed information concerning the complaints filed during the second quarter of 1995.

EXHIBIT	A: Summary Data - Second Quarter	Page 1
	B: Intake Statistics for Last Ten Quarters . . .	Page 2
	C: Referral Statistics for Second quarter . . .	Page 3
	D: Bases of Discrimination	Page 4
	E: Race and Sex of Complainants	Page 5
	F: Issues	Page 6
	G: Income Level of Complainants	Page 7
	H: Respondents-Type of Business	Page 8

INTAKE REPORT, SECOND QUARTER 1995EXHIBIT AI. SUMMARY DATA: ALL INQUIRIES

	<u>April</u>	<u>May</u>	<u>June</u>	<u>TOTALS</u>
Telephone Inquiries				
Case-Related	348	398	470	1216
Intake	97	91	107	295
City/CHR Business	75	40	81	196
Community Relations	1	0	0	1
Other	363	303	313	979
Walk-ins	<u>8</u>	<u>10</u>	<u>9</u>	<u>27</u>
TOTAL REPORTED INQUIRIES	892	842	980	2714
Complaints Filed:	13	14	21	48

II. CASES FILED, SECOND QUARTER 1995

	<u>April</u>	<u>May</u>	<u>June</u>	<u>TOTALS</u>
<u>COMMISSION INITIATED</u>	1	0	0	1
<u>EMPLOYMENT</u>	12	10	18	40
<u>HOUSING</u>	0	3	2	5
<u>PUBLIC ACCOMMODATIONS</u>	0	1	1	2
<u>POLICE RELATIONS</u>	0	0	0	0
<u>COMMUNITY RELATIONS</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	13	14	21	48

INTAKE REPORT, SECOND QUARTER 1995EXHIBITB

INTAKE STATISTICS FOR PAST TEN QUARTERS

<u>Type</u>	<u>1st</u> <u>'93</u>	<u>2nd</u> <u>'93</u>	<u>3rd</u> <u>'93</u>	<u>4th</u> <u>'93</u>	<u>1st</u> <u>'94</u>	<u>2nd</u> <u>'94</u>	<u>3rd</u> <u>'94</u>	<u>4th</u> <u>'94</u>	<u>1st</u> <u>'95</u>	<u>2nd</u> <u>'95</u>
Commission Initiated	0	0	0	0	0	0	0	0	1	1
Employment	41	38	49	48	49	53	50	40	54	40
Housing	8	5	6	9	5	15	12	6	12	5
Public Accommodation	2	2	8	1	3	5	6	1	5	2
Police Relations	1	1	0	2	0	0	0	1	0	0
Community Relations	<u>0</u> 52	<u>1</u> 47	<u>6</u> 69	<u>0</u> 60	<u>1</u> 58	<u>0</u> 73	<u>1</u> 69	<u>0</u> 48	<u>0</u> 72	<u>0</u> 48

INTAKE REPORT, SECOND QUARTER 1995

EXHIBIT C

REFERRAL STATISTICS

The following is a percentage breakdown of referrals during the second quarter of 1995:

1. Referral Services (including NAACP, Mayor's Service Center, attorneys and unions, HELPLINE)	20.5
2. Telephone Assistance (including Tel-Tips, Blue Pages Directory Assistance and Donnelley Directory)	31.0
3. Personal knowledge	9.0
4. Co-workers, family and friends	15.0
5. Commissioners and staff	5.0
6. Former complainants	3.0
7. Media (includes Cable TV, radio, newspaper articles and bus signs)	16.5
	<hr/> 100.0

INTAKE REPORT, SECOND QUARTER 1995EXHIBIT DBASES OF DISCRIMINATION: SECOND QUARTER

I. EMPLOYMENT CASES

<u>Basis</u>	<u>Number</u>	<u>Percentage</u>
Race	19	47.5
Retaliation	7	17.5
Handicap/Disability	3	7.5
Race & Handicap/Disability	2	5.0
Sexual Orientation	2	5.0
Age	1	2.5
Age & H/D	1	2.5
Age & Race	1	2.5
National Origin	1	2.5
Race & Religion	1	2.5
Sex	1	2.5
Sexual Orientation & H/D	1	2.5
TOTAL	40	100.0

II. HOUSING CASES

<u>Basis</u>	<u>Number</u>	<u>Percentage</u>
Handicap/Disability	3	60.0
Race	2	40.0
TOTAL	5	100.0

III. PUBLIC ACCOMMODATION CASES

<u>Basis</u>	<u>Number</u>	<u>Percentage</u>
Race	1	50.0
Handicap/Disability	1	50.0
TOTAL	2	100.0

IV. POLICE RELATIONS CASES None

V. COMMUNITY RELATIONS CASES None

V. COMMISSION INITIATED CASES

<u>Basis</u>	<u>Number</u>	<u>Percentage</u>
Familial Status	1	100.0
TOTAL	1	100.0

INTAKE REPORT, SECOND QUARTER 1995EXHIBIT ERACE AND SEX OF COMPLAINANTS

I. EMPLOYMENT CASES

<u>Race and Sex</u>	<u>Number</u>	<u>Percent</u>
African-American Males	14	35.0
African-American Females	15	37.5
Caucasian Males	5	12.5
Caucasian Females	5	12.5
Asian Males	<u>1</u>	<u>2.5</u>
	40	100.0

II. HOUSING CASES

African-American Females	1	20.0
African-American Males	2	40.0
Caucasian Females	<u>2</u>	<u>40.0</u>
	5	100.0

III. PUBLIC ACCOMMODATION CASES

African-American Females	<u>2</u>	<u>100.0</u>
	2	100.0

IV. POLICE RELATIONS

None

V. COMMUNITY RELATIONS CASES

None

INTAKE REPORT, SECOND QUARTER 1995EXHIBIT FISSUES OF COMPLAINTS

I. EMPLOYMENT CASES

<u>Issue</u>	<u>Number</u>	<u>Percent</u>
Discharge	16	40.0
Different Terms & Conditions	9	22.5
Failure to Promote	1	2.5
Unjust Discipline	7	17.5
Failure to Hire	1	2.5
Layoff	<u>6</u>	<u>15.0</u>
	40	100.0

II. HOUSING CASES

<u>Issue</u>	<u>Number</u>	<u>Percent</u>
Denied Rental	2	40.0
Eviction	2	40.0
Harassment	<u>1</u>	<u>20.0</u>
	5	100.0

III. PUBLIC ACCOMMODATION CASES

<u>Issue</u>	<u>Number</u>	<u>Percent</u>
Failure to Accommodate	<u>2</u>	<u>100.0</u>
	2	100.0

IV. POLICE RELATIONS CASES

None

V. COMMUNITY RELATIONS CASES

None

INTAKE REPORT, SECOND QUARTER 1995

EXHIBIT G

INCOME LEVEL OF COMPLAINANTS: EMPLOYMENT CASES

<u>Income</u>	<u>Number</u>	<u>Percent</u>
Less than \$10,000	0	.0
\$10,001 - 15,000	15	37.5
\$15,001 - 20,000	14	35.0
\$20,001 - 25,000	7	17.5
\$25,001 - 30,000	1	2.5
\$30,001 - 35,000	1	2.5
\$35,001 - 40,000	1	2.5
\$40,001 - 45,000	0	0
\$45,001 - 50,000	0	0
Over \$50,000	<u>1</u>	<u>2.5</u>
	40	100.0

INTAKE REPORT, SECOND QUARTER 1995

EXHIBIT H

RESPONDENTS-TYPE OF BUSINESS: EMPLOYMENT CASES

Hospitals	6
Food Service Companies	6
Colleges/Universities	4
Educational Institutions (other)	3
Maintenance Firms	3
City of Pgh. - Departments	2
Hotels	2
Manufacturing Companies	2
Transportation Companies	2
Utility Companies	2
Appraisal Company	1
Business Products Company	1
Child Care Center	1
Communications Firm	1
Construction Firm	1
Law Firm	1
Retail Shop	1
Security Firm	<u>1</u>
	40