

# **Pittsburgh Commission on Human Relations**

## **Minutes of Meeting**

**June 1, 1998**

**Attendance:** Harry Kunselman, *Chair*

Robert McClenahan

Alma Speed Fox

Reverend William Morgan

Curtis Smith

Christine Williams

Charles Honse, Jr.

Rev. Lou Vallone

Elizabeth Pittinger

Pamela Golden

**Staff:** Charles F. Morrison, *Director*

George Monroe

Kevin Trower, Solicitor

Yancy Miles

Connie Miskis Zatek

**Guests:** David Greenberg, Controller's Office  
Father Donald McIlvane

### **I. CALL TO ORDER**

The meeting was called to order at 3:39 p.m. by Commissioner Harry Kunselman, Chair.

### **II. ADOPTION OF MINUTES**

The Minutes of the May 4, 1998 meeting of the full Commission were unanimously adopted as mailed upon motion by commissioner Robert McClenahan.

### **III. STAFF REPORTS**

#### **A. Compliance Update**

George Monroe, EEOC Liaison, reported that 139 cases have been reported to EEOC for contract credit as of May 31, 1998. This year's contract is for 140 cases. There still has not been any notification from EEOC as to whether or not the Commission may be eligible for an upward modification. It is anticipated that contract reviews will be conducted in mid-June or July.

B. Director's Report

1. Reappointment of Commissioners

Commissioners Fox, Pittinger and Samson were interviewed by City Council on May 6 regarding their reappointment as Commission members. Dr. Board was interviewed on May 20.

Commissioner Fox stated that the Council members expressed more concern about the Commission and its mission than in past years, and took the time to individually question the Commissioners. Commissioner Pittinger agreed the Council interview was a positive experience and noted that they are interested in the Commission's police training as well as how this Commission will interact with the Civilian Review Board. Commissioner Kunselman also noted Council's encouragement for our Director to meet with the director of the Civilian Review Board and, overall, seemed very complimentary of the Commission.

During the course of the interview, Councilman Ricciardi complimented the Commission on its fairness and ability not to allow a case to be "tried" in the media. Commissioner Kunselman felt this is indicative of Director Morrison's efforts to educate Council members in the work of the Commission. The only real concern raised was the need for geographical diversity. Director Morrison noted that Councilman Ricciardi has been assigned to the Commission.

2. Fair Housing Class

Director Morrison participated in a two-day class in fair housing held at the Community College of Allegheny County, comprised largely of licensed real estate agents.

3. Unity Celebration

The 1998 Unity Celebration was held on May 17 in Market Square and was attended by more than 300 persons. The Director agreed that there were too many speakers, but other activities were geared for family-type entertainment. Overall, he felt it was a success.

#### 4. PaHRC Meeting

On May 18, Director Morrison attended the Commission meeting of the Pennsylvania Human Relations Commission. He reported that the Pa Commissioners are very interested in our Commission and in city government. Director Morrison reminded the Commissioners that last year he had asked for and received the support of the PaHRC when the City was slashing departmental budgets. He felt the relationship between the two Commissions is very good.

#### 5. EEOC Conference

The Director attended the Annual EEOC/FEPA Conference in Washington DC May 19 – 21, 1998. Recent legal updates were presented and discussed. The Director reported that a new trend seems to be that employers are seeking to avoid liability through the use of temporary-contractual employees. EEOC's guidelines define an employer as one that "controls the manner and means" of the work. Other employers are requiring employees to sign a mandatory arbitration clause prior to being hired. In many instances, the employer or their representative is the arbitrator.

The Director stated that during investigations, staff must look closely at independent contractors such as taxi-drivers, to determine who actually "controls the manner and means of work." Commissioner Honse stated that taxi companies, in particular, are finding this as a way to skirt the Commission's jurisdiction.

#### 6. Crime Prevention

Director Morrison reported that he has met with the crime prevention officers in each police zone in an attempt to educate them about the Commission's jurisdiction, inquire about the progress/problems of the youth curfew, etc. He felt that he has been generally well received.

#### 7. Management Class – Audit

The Director reported that at the request of Commissioner Pittinger, he audited a management class for non-profit agencies offered at Community College of Allegheny County – Elmer Traupman Non-Profit Development Academy. Three main topics covered were sexual harassment, the Family and Medical Leave Act and the Age Discrimination in Employment Act.

The Director stated that in addition to the focus areas, he was asked to present some background information about the work of the Commission.

#### 8. Lifeguard Training

The Director participated in a day-long training program for 200 lifeguards that covered the areas of customer service and human relations training. The program, sponsored by the Department of Parks & Recreation, was held at Reizenstein Middle School.

#### Open Discussion:

Commissioner Fox inquired if there has been any further discussion regarding a Human Relations Commission in Allegheny County since the passage of the County's Home Rule Charter. Director Morrison responded that he had written to the Home Rule Study Commission with the recommendation that they incorporate a human relations commission in the language of the Charter, has not received a response. However, he noted that the County's Home Rule Charter has been criticized because did not contain a human relations component, as did the City's Charter.

#### IV. ELECTION OF OFFICERS

Ballots were distributed to all Commissioners. Prior to the votes being cast, Commissioner Honse asked that his name be removed from the nominees for chair. The Chair regretfully accepted his withdrawal. Father Vallone also asked that his name be withdrawn as a nominee for vice chair.

As there were no contested positions, Commissioner Fox moved that a unanimous ballot be cast for the remaining candidates. Father Vallone seconded the motion. However, the Chair stated that the By-Laws stipulate elections must be conducted by secret ballot. Therefore, Commissioners were asked to cast a written vote for each candidate. Father Vallone, as chairperson of the Nominations Committee, counted the votes. For the record, it was noted that all candidates were unanimously accepted. There were no abstentions.

The officers for the 1998-99 term are as follows:

**Elizabeth Pittinger, Chair**  
**Pamela Golden, Vice Chair**  
**Robert McClenahan, Vice Chair**  
**Reverend William Morgan, Secretary**  
**Christine Williams, Treasurer**

Commissioner Kunselman stated "it has been an honor to serve as chair for the last two terms" and symbolically passed the gavel to Elizabeth Pittinger, who then assumed the position of Chair.

Commissioner Pittinger expressed pleasure in following Commissioner Kunselman as Chair of the Commission, extended her thanks to the Commissioners for their support and confidence, and welcomed their advice and direction in the coming year in defining priorities, personal interests, agenda, etc. Commissioner Pittinger pointed out that the Commission has a rich heritage and a wealth of incredible talent in its membership. The Chair expressed her intent to develop programs and projects that are important to Commissioners, and asked Commissioners to relay their interest in serving on the various committees. Assignments will be made at the September Commission meeting.

Commissioner Pittinger praised Harry Kunselman for the fine job he had done as Commission Chair for the past two years and expressed the hope that he will continue to be involved with the work of the Commission. Commissioner Golden added that she appreciated his professionalism and fresh approach in directing and running Commission meetings.

#### **IV. OPEN FLOOR**

Father Donald McIlvane of the Pittsburgh Religion & Race Council asked to be recognized. He noted he has been a long-standing supporter (and sometimes critic) of the Commission, and stated that he is not impressed with today's attendance. He requested attendance records to determine if attendance is a continuing problem, as it had been several years ago.

Father McIlvane stated that he has been advised that Mayor Murphy has appointed three police officers to the Commission. He stated that the Commission must maintain the appearance of impartiality and balance, and over-representation of any occupation, organization, faith, etc. was not correct. He maintained that the Commission must be fully diversified to appropriately represent a diversified city. Father McIlvane stated that he hoped, at the very least, that these officers recuse themselves from voting on issues that may affect the policy of their own work. He stated that he will "fight hard to see that these police officers are not re-appointed to the Commission."

Commissioner Pittinger asked Father McIlvane if he had any evidence to suggest that the Commission, or these police officers, have acted improperly. Father McIlvane responded no, but reiterated that the appointments were wrong.

Commissioner Pittinger explained that the Mayor makes all appointments, which are then confirmed by City Council. She advised Father McIlvane to address his concern to the Mayor. Father McIlvane stated that he intends to direct correspondence to the Mayor on this issue.

Father McIlvane congratulated Director Morrison on his efforts regarding the cross-burning at Mifflin School. He stated he was astounded to learn that not one public official spoke with the principal following the incident – not the Mayor, not Council, not officials of the School Board – only Director Morrison and the Robert Fadzen (school security chief). He also noted that many members of the police force live in that community, and to his knowledge, no member of the police force went officially or unofficially to the Police Chief to advise him of what has been occurring in the community for the last 15 years.

Commissioner Honse disagreed with Father McIlvane regarding the inappropriate appointment of officers to the Commission. He stated that all members of the Commission bring a background to the Commission. When they have been involved in any discussion, they are able to educate the other Commissioners about their jobs and give advice based on their own diverse experiences.

Commissioner Fox stated that she and Father McIlvane have worked together for civil rights for more than 30 years, and have had their differences over the years. She stated that Father McIlvane was “fighting for biases that black folks did not even recognize as biases” at the time. She stated that over the years, she has seen new members come to the Commission with allegiances to the mayor who appointed them, but in time they, too, fight for the right kinds of changes and work for the rights of all individuals, regardless of the administration’s position. Commissioner Fox stated that she has seen what other people, including the Church, have done to Father McIlvane because of his beliefs. And urged the Commissioners to listen to him; “he is a fair person.”

Commissioner McClenahan stated that he has followed the career of Father McIlvane from his assignment as pastor at St. Paul’s Cathedral many years ago, and believes Father McIlvane is a man deserving great respect. He said that Father has his right to his opinion, but on the issue of the appearance of impartiality, he disagreed with Father. Commissioner McClenahan agreed that

Father McIlvane's quarrel is with the Mayor, not the Commission. He noted that he has worked with the three police officers on the Commission and believes that they have done outstanding work and have never exhibited any biases in favor of the police.


Commissioner Kunselman thanked Father McIlvane for attending the Commission meeting, noting that during his tenure as Commissioner the public has very rarely attended a meeting, let alone spoke out in defense or support of an issue. Commissioner Kunselman cautioned Father McIlvane as to what he "may ask for, because you just may get it." He explained that there have been cases where these same officers made decisions that may have adversely impacted the Public Safety Department. In retrospect, these decisions could be construed as flawed due to arguments of bias or impartiality. Commissioner Kunselman reiterated his concern for the integrity of the Commission, and how this may be perceived in the community. Commissioner Kunselman thanked Father McIlvane for "serving as the conscience of this body."

With all business having been conducted, the meeting was properly adjourned at 4:45 p.m.

/cmz

MEMORANDUM

TO: Commission Members

FROM: Connie Miskis Zatek   
Secretary

DATE: May 19, 1998

SUBJECT: MEETING NOTICE

The next meeting of the full Commission is scheduled for 3:30 p.m., Monday, June 1, 1998 in the Commission Conference Room. Enclosed are the Minutes of the May 4th meeting.

Indira Raichoudry, Director of the Civilian Review Board has agreed to meet with the Commission on June 1.

Enclosed is the final nominations slate for 1998/98 officers. No further nominations were received after the May 4 meeting. Election will take place (by secret ballot) at the June 1st meeting.

An Executive Committee meeting has NOT been scheduled.

If you are unable to attend the June meeting, please call me at 255-2600.  
Thank you.

/cmz

Enclosures