

PITTSBURGH COMMISSION ON HUMAN RELATIONS

A G E N D A

July 12, 2010

I. CALL TO ORDER

- A. Introduction of New Commissioners
- B. Brief overview of the mission of the Commission

II. ADOPTION OF MINUTES

III. STAFF AND COMMITTEE REPORTS

- A. Compliance Update
- B. Director's Report

IV. OLD BUSINESS / NEW BUSINESS

V. OPEN FLOOR

VI. ADJOURNMENT

Please be considerate of others; turn off cell phones.

PITTSBURGH COMMISSION ON HUMAN RELATIONS

Minutes of Meeting

July 12, 2010

Attendance: Adelaide Smith, *Chairperson*

Leah Williams-Duncan	Curtis A. Smith
Neil Parham	Dr. Lee Fogarty
Winford Craig	Mary K. McDonald
Gerald Robinson, III	

Called/Unable to Attend: Lynette Drawn-Williamson

Absent:	Rev. Timothy L. Smith, Sr.	Amanda Rubio
	Anne McCafferty	Elizabeth Pittinger

Staff:	Charles Morrison, <i>Director</i>	Sheron D. Clark
	W. Kevin Trower, <i>Solicitor</i>	Diana Marin
	Connie Miskis Zatek	Rebecca Conley

Guests: Darlene Harris, City Council president
Eric Horwith, Commission nominee
And approximately 30 residents from neighborhood

I. CALL TO ORDER

Chairperson Adelaide Smith, called the meeting to order at 6:20 p.m. Tonight's meeting was held at the Urban League of Pittsburgh Family Support Center in Northview Heights. Commissioner Smith briefly introduced the work of the Commission and the reason for the Commission periodically holding its meeting in the community. The Chairperson went on to thank those persons who made this meeting possible, particularly the staff and administration of the Family Support Center.

II. ADOPTION OF MINUTES

The Minutes of the June 7, 2010, Commission meeting were unanimously adopted as circulated, upon motion of Commissioner Williams-Duncan and second by Commissioner Curtis Smith.

III. STAFF & COMMITTEE REPORTS

A. Compliance Update

- EEOC Contract

Director Morrison reported that 68 cases have been submitted under the EEOC contract to date. He stated that the Commission has exceeded the FY2010 contract which is for the processing of 64 dual-filed cases. Director Morrison went on to explain that EEOC typically conducts a performance review in June or July, and that the Commission may be eligible for an upward modification of the contract based on excellent performance.

- Allegheny County Human Relations Commission

Director Morrison reported that the County established its own Human Relations Commission late in 2009, which became operational soon after. However, they have not yet established operating procedures, and have already received four cases with no means for processing those cases. They have asked the PCHR for assistance in processing those cases. Although there is nothing definite to report as yet, the County may be looking to develop a worksharing arrangement with this Commission. Director Morrison assured the Commissioners that the decision to move forward with this is up to the Commission.

Of the four cases received by the County HRC, only one is in the city. The attorney for that complainant has also filed with this Commission on the advice of the County HRC. The other three cases could potentially be handled by the PaHRC.

IV. OPEN FLOOR FOR DISCUSSION

Chairperson Smith thanked Commissioner Craig for suggesting the facility for tonight's meeting and asked Director Morrison to review the ground rules for opening the floor for public comment.

The Director explained that the Commission is charged with enforcement of civil rights laws in the city of Pittsburgh. The Commission contracts with the federal government to enforce locally those laws that are the equivalent of federal law. The Director informed the audience that Pittsburgh's fair practices laws go beyond what the federal laws require. As an example, he stated that while this Commission contracts to work with the Equal Employment Opportunity

Commission, the EEOC will only accept charges alleging violations of the law which occurred within the past 300 days, whereas, the Commission's law covers 365 days.

The Commission also contracts with the U.S. Department of Housing & Urban Development to enforce fair housing laws. The City of Pittsburgh's laws in this area are equivalent to the federal Fair Housing Act. Therefore, HUD recognizes the Commission and its work, and works in partnership with the Commission. The law is broad and covers all aspects of housing arrangements.

The Director explained that the Commission works to bring about a resolution in a constructive fashion while maintaining confidentiality. The Commission is also charged with the enforcement of fair practice laws in public accommodations – things that impact the quality of life in the city.

The Commission is made up of 15 persons from all walks of life. They are appointed by the mayor. The Director explained that the Commission's regular monthly meeting is being held in the community tonight because they want feedback from the community; they want to know how the Commission can make things better for the community.

Valerie Jackson, vice-president of the Parent Council, requested more written information about the Commission, stating that "a lot of people don't know about the Commission." She indicated that she will help to get the word out.

Chairperson Adelaide Smith stated that the Commission is divided into two sections – one that reviews cases monthly and the other serves as the panel for cases that go to public hearing. Commissioners who serve on the hearing panels for public hearing are not privy to any information about the case until the public hearing commences. This is done to insure fairness for all. The work of these Commissioners is similar to that of a judge.

Director Morrison took a moment to recognize a few persons in the audience, including the Honorable Darlene Harris, president of City Council, Dr. Lorraine Eberthardt and Eric Horwith, mayoral nominees to the Commission, and Gerald Robinson, III, the most recent appointee to the Commission.

The audience was encouraged to take printed materials about the work of the Commission available at the entrance, or to find more information about the Commission at its website or on Facebook.

Commissioner Craig reminded those in attendance that many of them had brought various issues to his attention in previous meetings. He encouraged them to speak

now as this Commission is a valuable resource for dealing with many of those issues. He stated that if a particular issue is not within the Commission's legal jurisdiction, it can give direction as to where to turn next.

One potential problem raised was that of young adults living in a senior citizen high rise as tenants, not as caregivers. The speaker felt this was unfair to both the young persons and the seniors as the two groups have totally different needs physically as well as socially and emotionally. She stated that anyone on SSI or disability can live there. "It's like raising your kids all over again."

Director Morrison offered to take some of these kinds of concerns back to the Housing Authority, which by law is required to fully cooperate with the Commission. He stated that when an individual cannot get answers, it is more likely that the Commission may be able to do so. Officials of the Housing Authority were invited to tonight's meeting, but to his knowledge no one has identified themselves as a representative of the HACP.

Commissioner Williams-Duncan suggested that it may be that a young adult is visiting a particular resident. Members of the audience denied this, stating that the young adults are actual residents in the buildings which were previously designated for seniors only. One senior resident stated "As seniors we do certain things and putting young people in with us is difficult. They have a right to their life, too, but be fair to older seniors." The Director stated that it is entirely possible that the young people about whom they are speaking may have a disability or handicap that is not obvious.

Rebecca Franklin raised the issue of needed housing repairs. She stated that some of her neighbors have called for repairs ranging from very minor to major, and have waited a week or more for the repair people to arrive. Depending on the actual repairs, the Director suggested that residents can call the Allegheny County Health Department if there is a safety or health risk. The landlord will be issued a citation and given ten days to correct the problem.

Commissioner Craig gave as an example a resident who went without heat for the entire winter. Allegedly, the HACP's solution was to give the tenant a space heater. Director Morrison stated that this particular example speaks to habitability issues and reporting it to the Health Department may have resulted in a real solution.

Another member of the audience stated that she knows of someone whose refrigerator is broken, the food has spoiled, and a week later she is still waiting for repairs.

Director Morrison explained that the area of the Commission's expertise is limited to civil rights laws, but he asked the audience to still call the Commission if they are faced with problems or concerns and the Commission staff will make every effort to provide information and direction as to who can best help in a given situation.

The Director next addressed the audience with regard to HUD's Section 3 program. This program requires contractors who receive federal funds for projects and who must increase the number of employees needed to perform the work, to first hire local residents. He stated that this could be a good opportunity for local residents to learn a trade and possibly be retained should permanent positions become available.

Director Morrison also noted the difficulty some people have in securing a job, especially if they have had experience with the criminal justice system. They may feel they are un-employable and may not even try to find a job. However, the law says that if you have paid your debt to society, you are not foreclosed from obtaining a job. It is against the law for an employer to hold a criminal record against you if the conviction is unrelated to the work. He asked the audience to be vigilant to this possibility, and if it is suspected that an employer is not hiring persons with criminal records solely because of past criminal activity, to notify the Commission. A complaint can be filed, and the Commission can launch an investigation. The Commission can ask questions and get answers which may not be readily offered to others.

Statistics confirm that African-Americans have a greater incidence of arrests and incarceration than the White population. This has a disproportionate impact. If a criminal record is used as a bar to employment against someone, it has an adverse impact on people of color.

Other protected classes include people over the age of 40, and those who suffer mistreatment and retaliation. Director Morrison said that the "beauty of this Commission is that you have real people making real decisions, not like the state or federal agencies which have staff making the decisions." In addition, the courts cannot substitute its judgment for that of this Commission.

Another resident asked about reverse discrimination, "If I have a roofing company, can I hire only black employees? If a white person wants to work for me, can I 'lose' his application?" Director Morrison explained that no one is exempt from the law except for very small shops who employ fewer than five persons (excluding family members).

The Director reiterated that there is a tremendous amount of interest at HUD to make the Section 3 program work. If a contractor is being paid with federal tax dollars, and there is a need to hire more people, the contractor must hire from the community – if there are qualified and eligible applicants. One of the residents indicated that the community is aware of Section 3 and it is working for those persons who are unskilled laborers, but the contractors don't seem to hire skilled laborers from the neighborhoods.

The Director told the audience that “the Commission is a tool to help you. We can get the necessary records, interview witness and overall have very broad powers of discovery. At times, we find the cause of the complaint is only the tip of the iceberg to other problems that exist.”

Dr. Fogarty urged the audience to contact the Commission if they have questions; “that is how you will get answers.” If the question is out of the jurisdiction of the Commission, staff will refer you to someone who can help.

Director Morrison said that a letter of invitation about tonight's meeting was extended to Louise Garner, manager of the Northview Heights community for HACP. A member of the audience informed him that Ms Garner has recently been replaced with someone named Gretchen.

V. ADJOURNMENT

The Chairperson thanked those in the audience for attending and encouraged them to remain to listen to the proceedings of the Compliance Review Section, which would give them an idea of the kinds of cases the Commission deals with, as well as a glimpse of the Commission's process.

Commissioner Robinson was appointed to the Compliance Review Section.

Chairperson Adelaide Smith adjourned the meeting at 7:20 p.m.

/cmz



CITY OF PITTSBURGH

"America's Most Livable City"

Commission on Human Relations

Luke Ravenstahl, Mayor

Charles F. Morrison, Director

Adelaide Smith, Chair

Leah Williams-Duncan, 1st Vice Chair

Curtis A. Smith, 2nd Vice Chair

Lynette Drawn-Williamson, Secretary

Winford Craig, Treasurer

Elizabeth C. Pittinger, Chair Emeritus

Lee Fogarty, Ph.D.

Eleanor P. Loftus, RSM, Ph.D.

Anne McCafferty

Mary K. McDonald

Neil Parham

Amanda Z. Rubio, Esq.

Rev. Timothy L. Smith, Sr.

MEMORANDUM

To: All Commissioners

FROM: Connie Miskis Zatek
Secretary to Director

DATE: July 6, 2010

SUBJECT: **MEETING NOTICE**

The next meeting of the Commission is will take place in the **Northview Heights Community at Urban League of Pittsburgh Family Support Center, 101 Hazlett Street** on **MONDAY, JULY 12, 2010.**

The meeting of the Compliance Review Section will begin promptly at 5:30 p.m., followed by the full Commission meeting at 6:00 p.m.

Enclosed for your review are:

1. Minutes of the June 7, 2010, Commission meeting
2. Director's Report for June 2010
3. Case Summary Package (for Compliance Review Section Members Only)

If you are unable to attend the July 12th meeting(s), please call 412-255-2600 and let us know so that we can be assured of a quorum. We appreciate your commitment to the work of the Commission.

/cmz
Enclosures

Pittsburgh Commission on Human Relations
Director's Report

July 2, 2010

- June 3-5, 2010 Director Morrison participated in the program "Race in America," a national conference hosted by the University of Pittsburgh School of Social Work. Sessions covered a wide array of topics including education, health, police relations, the criminal justice system, employment, housing, etc.
- June 8-11, 2010 Director Morrison attended the U.S. Equal Employment Opportunity Commission's annual training conference in Philadelphia, PA. Items discussed included "Emerging Issues: Gender Identity and Sexual Orientation Discrimination;" cooperation between state, local and federal agencies in the investigation and litigation of employment discrimination cases; criminal records as a bar to employment; the genetic information non-discrimination act "GINA;" equal pay and fair wages, legal update and the Americans with Disability Act.
- June 21, 2010 Director Morrison attended the meeting of the City of Pittsburgh/Allegheny County Task Force on Disability. Items discussed at the meeting included the Southwest Pennsylvania Transportation Improvement Plan and UPMC Center for Inclusion.
- June 23, 2010 Director Morrison met with representatives from the Fair Housing Partnership of Greater Pittsburgh and the Three Rivers Center for Independent Living to develop an outreach program utilizing the Playback Theatre approach of story telling to communicate information about housing discrimination.
- July 01, 2010 Director Morrison attended the meeting of the Allegheny County Human Relations Commission during which the Commission voted to adopt the Rules and Regulations of the Pittsburgh Commission on Human Relations. The AC Human Relations Commission has received four complaints since it was established.