

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS

October 27, 2005

A regular meeting of the Commission for Human Rights was held in the agency conference room on Thursday, October 27, 2005. Present at the meeting were Commissioners Dr. John Susa, Camille Vella-Wilkinson, Iraida Williams, Jean Stover and Randolph Lowman. Absent were Alton W. Wiley, Jr. and Alberto Cardona. The Chairperson called the meeting to order at 9:05 a.m.

A motion to approve the September 29, 2004 minutes was made by Commissioner Camille Vella-Wilkinson. The motion was seconded by Commissioner Williams and carried.

Status Report: Michael D. Évora, Executive Director-

A written report was handed out. All new information will be in bold print.

Case Production Report - Attached

AGED CASE Report - Attached

Outreach Report - Attached

STATUS REPORT - COMMISSIONERS-

GENERAL STATUS: Commissioner Stover suggested changing the name of the Commission to the RI Commission Against Discrimination. The Commissioners discussed it and made no decision.

OUTREACH : Commissioner Vella-Wilkinson reported that she attended a RI Coalition for Affirmative Action Meeting and the RI Minority Police Association Meeting. Commissioner Vella-Wilkinson reported that she received recognition from Year Up for support and sexual harassment training.

Commissioner Meeting -2- October 27, 2005

STATUS REPORT - LEGAL COUNSEL, Cynthia M. Hiatt and Francis Gaschen

LITIGATION: Report attached.

LEGISLATION: No Discussion at this time.

REGULATIONS: No Discussion at this time.

HEARING SCHEDULE: Discussed

DECISIONS: Commissioners Lowman, Stover and Vella-Wilkinson discussed Bagnall vs. UPN 28. They decided that the complainant did not prove that the respondent discriminated against her as alleged in the complaint.

The meeting adjourned at 11:00 a.m. The next regular meeting of the Commission is scheduled for Thursday, December 15, 2005 at 11:00 am.

Respectfully Submitted,

**Michael D. Évora
Executive Director**

**Notes taken by: B. Ross
EXECUTIVE DIRECTOR'S**

REPORT TO COMMISSIONERS

OCTOBER 27, 2005

I. BUDGET

On September 13, 2005, the Commission submitted its annual budget request (FY 2006 Revised and FY 2007 Proposed) to the Governor.

The salient details are:

	FY 2005	FY 2006	FY 2007
	(Actual)	(Revised)	(Request)
State	990,560	1,005,908	1,058,230
Fed.	107,662	312,482	324,862
Total	1,098,222	1,318,390	1,383,092

To review/obtain a full copy of the request, please see either me or Betsy Ross.

II. FEDERAL CONTRACTS

EEOC – The FY 2005 contract was for 328 cases. According to EEOC Project Director Marlene Toribio, we closed 329 co-filed cases for EEOC FY 2005. We do not yet have the FY 2006 contract.

HUD – For FY 06, as of 10/24/05, according to HUD Project Director

Angela Lovegrove, we have taken in 17 new housing charges, 11 of which are co-filed with HUD. Within this same time period, we have processed 10 housing charges, 6 of which were co-filed with HUD.

III. PERSONNEL

Senior Compliance Officer Glenn Cardozo, who returned safely from Iraq in September, will return to his Senior Compliance Officer position on November 1.

Investigator Stephen Strycharz, who left the Commission (effective 9/3/05) for a position with the state's Office of Child Support Services as a Child Support Enforcement Agent I, has decided to return to the Commission. He had not exhausted his six-month leave-to-protect status and thus is entitled to return to his position as Investigator. He will return to the Commission on October 31. As a result, the Investigator search process has been cancelled.

IV. OUTREACH – Refer to attached report.

V. GENERAL STATUS

●Meetings with staff members – I continue to meet with individual investigative staff members on a monthly basis to monitor case production.

●Case Closures – Refer to attached report.

●Aged Cases – Refer to attached report. Progress continues to be made on decreasing the aged caseload. The Commission successfully reduced the aged caseload by 81.2% (from 85 to 16 cases) in EEOC FY 04. The aged caseload was reduced by 77% in FY 2005 (from 26 to 6 cases)!

●Commissioner (Re)Appointments – No new information to report.

●Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 98. That number has steadily decreased. The Commission ended FY 2004 with 602 cases in inventory. We ended FY 05 with 382 cases in inventory and, as of 10/13/05, had 365 cases in inventory.

●Targeted Outreach/Education for FY 2006 – A primary goal for the Commission staff in this fiscal year is to engage in a concerted outreach/education effort targeted at communities that may not be fully aware of our services. The staff is “brainstorming”, with an update to be presented at the November staff meeting. On October 19, Susan Pracht and I met with officials at Roger Williams School of Law to discuss the possibility of the Commission participating in the school’s “StreetLaw” program, which presents law-related curricula in RI high schools.

●Mediation – A second goal for this fiscal year is the implementation of an Early Intervention Mediation Program here at the Commission. A committee has been formed to identify a strategy for implementation and will report on progress at the November staff meeting. Frank Gaschen, Nick Palazzo, Tina Christy and Susan Gardner are on the committee.

- Miscellaneous**

- The Commission has been selected as one of three agencies to conduct a study of “maximum target caseloads” with FY 2006 as the study period. Cynthia Hiatt, Frank Gaschen, Susan Pracht and I met with Union officials on 10/12/05 and 10/26/05 to discuss how to facilitate the study.**

- The Performance Audit by the Department of Admin./Bureau of Audits has been completed. Mary Murphy, who conducted the audit, has indicated that she is in the process of finalizing the report based on input from her superiors. We should receive a draft shortly.**

- Two grievances were filed against the Commission related to 1) interpreting services provided by staff, and 2) payment of Union dues by temporary employees (Jay Flanders and Susan Pracht). Both grievances were denied after a third-level hearing (held on October 19, 2004). The Union has appealed the denial of the second grievance; arbitration is scheduled to be held in March 2006.**

-FY 2005 Annual Report: The editing process has begun. I expect to have a final version for review/signature by Dr. Susa within the next two weeks.

Respectfully submitted,

**Michael D. Évora
Executive Director**

Attachments

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

**AGED CASE REPORT*
(EEOC FY 2003)**

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

11/25/02 158 9 149

12/20/02 148 9 139

1/24/03 139 9 130

2/24/03 125 9 116

3/25/03 115 9 106

4/22/03 105 9 96

5/23/03 93 9 84

6/25/03 86 9 77

7/23/03 82 9 73

8/28/03 69 9 60

9/23/03 66 9 57

9/30/03 63 9 54

***Figures reflect open cases filed between July 1, 1987 and June 30, 1998**

Aged case load reduced in EEOC FY 2003 by 63.8%

RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

AGED CASE REPORT*

(EEOC FY 2004)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

10/28/03 85 12 73

11/28/03 71 12 59

12/26/03 62 12 50

(32 investigation;

18 hearing/conciliation)

1/28/04 54 12 42

**(27 investigation;
15 hearing/conciliation)**

2/25/04 48 12 36

**(20 investigation,
16 hearing/conciliation)**

3/19/04 44 12 32

**(18 investigation,
14 hearing/conciliation)**

4/26/04 40 12 28

**(15 investigation,
13 hearing/conciliation)**

5/26/04 39 12 27

**(15 investigation,
12 hearing/conciliation)**

6/22/04 34 9 25

**(13 investigation,
12 hearing/conciliation)**

7/9/04 28 9 19

**(9 investigation,
10 hearing/conciliation)**

7/28/04 28 9 19

**(9 investigation,
10 hearing/conciliation)**

9/23/04 16 1 15

(5 investigation,

10 hearing/conciliation)

***Figures reflect open cases filed between July 1, 1987 and June 30, 1999**

Aged case load reduced in EEOC FY 2004 by 81.2%

AGED CASE REPORT*

(EEOC FY 2005)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

10/12/04 26 2 24

**(8 investigation,
16 hearing/conciliation)**

11/18/04 21 2 19

**(7 investigation,
12 hearing/conciliation)**

12/7/04 18 2 16

**(5 investigation,
11 hearing/conciliation)**

1/7/05 17 2 15

**(5 investigation,
10 hearing/conciliation)**

2/8/05 14 1 13

**(4 investigation,
9 hearing/conciliation)**

3/4/05 13 1 12

**(3 investigation,
9 hearing/conciliation)**

4/7/05 12 1 11

**(2 investigation,
9 hearing/conciliation)**

5/6/05 11 1 10

**(1 investigation,
9 hearing/conciliation)**

6/3/05 11 1 10

**(1 investigation,
9 hearing/conciliation)**

7/5/05 7 1 6

**(0 investigation,
6 hearing/conciliation)**

8/9/05 7 1 6

**(0 investigation,
6 hearing/conciliation)**

9/1/05 7 1 6

**(0 investigation,
6 hearing/conciliation)**

9/30/05 6 1 5

(0 investigation,

5 hearing/conciliation)

***Figures reflect open cases filed on or before September 30, 2000**

Aged case load reduced in EEOC FY 2005 by 77%

AGED CASE REPORT*

(EEOC FY 2006)

DATE TOTAL CASES STAYED CASES TOTAL LESS STAYED

11/02 158

10/03 85

10/04 26

10/7/05 14 1 13

**(1 investigation,
12 hearing/conciliation)**

11/

**(investigation,
hearing/conciliation)**

12/

**(investigation,
hearing/conciliation)**

1/

**(investigation,
hearing/conciliation)**

2/

**(investigation,
hearing/conciliation)**

3/

**(investigation,
hearing/conciliation)**

4/

**(investigation,
hearing/conciliation)**

5/

**(investigation,
hearing/conciliation)**

6/

**(investigation,
hearing/conciliation)**

7/

**(investigation,
hearing/conciliation)**

8/

**(investigation,
hearing/conciliation)**

9/

**(investigation,
hearing/conciliation)**

***Figures reflect open cases filed on or before September 30, 2001**

Aged case load reduced in EEOC FY 2006 by XX%