

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS

October 19, 2012

A meeting of the Commission for Human Rights was held in the agency conference room on Friday, October 19, 2012. Present at the meeting were Commissioners Dr. John B. Susa, Chair, Nancy Kolman Ventrone, Camille Vella-Wilkinson, Iraida Williams and Alberto Aponte Cardona. Commissioner Rochelle Bates Lee arrived at 1 pm. Absent was Commissioner, Alton W. Wiley, Jr. Commissioner Vella-Wilkinson called the meeting to order at 12:10 p.m.

DECISIONS: Commissioners Williams, Vella-Wilkinson and Aponte Cardona discussed and determined the issue of damages in Stewart vs. T & T Donuts, Inc. et al. A written decision will issue.

A motion was made by Commissioner Cardona to approve the minutes of September 28, 2012. The motion to approve was seconded by Commissioner Ventrone and carried.

Status Report of Michael D. Évora, Executive Director

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

Case Production Report – Attached

Aged Case Report - Attached

Outreach Report - Attached

STATUS REPORT – COMMISSIONERS:

STATUS REPORT: No report at this time.

OUTREACH: Commissioner Vella-Wilkinson has been working on a housing program called “Homes for the Brave” with various agencies in the City of Warwick for veterans new and old. Commissioner Ventrone is involved with a “meet the candidates” forum in Jamestown focusing on issues with housing and tax problems.

Commissioner Meeting -2- October 19, 2012

STATUS REPORT - LEGAL COUNSEL by Cynthia Hiatt and Francis Gaschen

LITIGATION: Report Attached. Review of pending litigation.

LEGISLATION: No report at this time.

REGULATIONS: General Assembly passed a law requiring every

agency to review their regulations to determine the impact on small businesses. The Governor has mandated that 25% of the review must be completed by December 31, 2012. Cynthia Hiatt hopes to get the Commission's review to Commissioners by the next meeting.

HEARING SCHEDULE: Discussed.

DECISIONS: Benitez vs. Pyramid Case was discussed by Commissioners Susa, Ventrone and Vella-Wilkinson. Commissioners Susa and Ventrone found that the complainant did not prove discrimination or retaliation. Commissioner Vella-Wilkinson agreed with their findings except that she found that three of the respondents discriminated against the complainant with respect to compensation because of her ancestral origin. A written decision will issue.

The meeting adjourned at 2:35 p.m. The next regular meeting will be on Friday, November 30, 2012 at 12: 30 pm.

Respectfully Submitted,

**Michael D. Évora
Executive Director**

Notes taken by: B. Ross
EXECUTIVE DIRECTOR'S
REPORT TO COMMISSIONERS
19 October 2012

I. BUDGET

S = State/General Revenue; F = Federal (EEOC/HUD); T = Total

	FY 2012	FY 2013	FY 2013	FY 2014	FY 2014
	(Supp.)	(Enacted)	(Rev. Req.)	(Unconstr.)	(Constr.)
S	1,142,820	1,137,768	1,137,768	1,192,069	1,121,778
F	277,069	325,992	306,689	258,638	301,405
T	1,419,889	1,463,760	1,444,457	1,450,707	1,423,183

On May 31, House Finance passed a budget containing the FY 2012 Supplemental Revenues and FY 2013 Revenues highlighted in bold above. According to our Budget Analyst, the FY 2013 General Revenue reduction (\$23,949) is attributable to an offset for savings in retirement costs for current employees based on the Rhode Island Retirement Security Act of 2011. The Committee's budget also authorized the Commission's full 14.5 FTEs. (The 0.5 FTE – Sr. Compliance Officer – was vacated in August 2009 and we have not yet received authorization to fill this part-time position.) The budget has since passed the full House and Senate and has been signed by the Governor.

The Commission's FY 13 (Revised) and FY 14 (Proposed) Budgets were submitted to the Governor on September 25. The submission included a Budget Impact Statement detailing the consequences to be realized should the seven percent general revenue decrease requested of all state agencies be implemented for the Commission.

II. FEDERAL CONTRACTS

EEOC – For federal FY 2012 (beginning October 1, 2011), according to EEOC Project Director Marlene Toribio, we closed 237 co-filed cases. Our contract with EEOC for FY 2012 was for 235 cases.

HUD – For FY 12, according to HUD Project Director Angela Lovegrove, we took in 40 new housing charges, 37 of which were co-filed with HUD. Within this same time period, we processed 45 housing charges, 43 of which were co-filed with HUD. For FY 13 (beginning July 1, 2012), we have taken in 16 new housing charges, all of which are co-filed with HUD. Within this same time period, we have processed seven cases, all of which were co-filed with HUD.

III. PERSONNEL

No new information.

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.

We ended FY 2012 slightly behind the prior fiscal year's case processing rate. In FY 2011, we processed 422 cases; in FY 2012, we processed 411 cases (approx. 3.5% decrease). For FY 2013 (as of September 30, 2012), we have processed 108 cases (compare to 109 cases in this same time period in FY 12).

●Aged Cases – Refer to attached report. There are no aged cases in the Commission's inventory for federal fiscal year 2013 (beginning October 1, 2012).

●Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 1998. We ended FY 12 with 255 cases in inventory. As of 10/17/12, we had a total of 283 cases in inventory, 39 of these cases were pending assignment.

●Information Technology – DoIT has conducted a review of the Commission's server/IT system and determined that the server will end its useful life in 2014. DoIT has recommended the purchase of a

service agreement through Dell to cover the server until 2014, at which point the Commission will have to assess the benefit of purchasing a new server vs. connecting to the state’s “virtual” server system. The Commission has submitted a purchase order for the service agreement.

¶Performance Management Initiative – On August 14, I met with the Governor’s Performance Management Team to discuss the Commission’s agreed-upon performance goals. The Team noted that the Commission is one of the only state agencies that consistently complies with the Performance Management Directive in a complete/timely manner. These meetings will occur quarterly.

¶FY 12 Annual Report – I am in the process of completing a draft of the FY 12 Annual Report for review by Dr. Susa. The goal is to have the Report to the printer in November.

Respectfully submitted,

**Michael D. Évora
Executive Director**

Attachments