

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS

November 30, 2012

A meeting of the Commission for Human Rights was held in the agency conference room on Friday, November 30, 2012. Present at the meeting were Commissioners Dr. John B. Susa, Chair, Rochelle Bates Lee, Alberto Aponte Cardona. Commissioner Iraida Williams arrived at 1:35 pm due to parking problems. Absent were Commissioners Nancy Kolman Ventrone, Camille Vella Wilkinson and Alton W. Wiley, Jr. Commissioner Susa called the meeting to order at 12:50 p.m.

A motion was made by Commissioner Lee to approve the minutes of October 19, 2012. The motion to approve was seconded by Commissioner Cardona and carried.

Status Report of Michael D. Évora, Executive Director

A written report was handed out. All new information is in bold print. The Executive Director attended a budget meeting on November 2nd to discuss the FY13 (revised) and FY 14 (proposed) budget submissions. The Director reported that Dr. Susa, Chairperson has signed the Annual Report and it is ready for printing.

Case Production Report – Attached

Aged Case Report – No aged cases to report.

Outreach Report - Attached

STATUS REPORT – COMMISSIONERS:

STATUS REPORT: The Ethics Commission has a new regulation on reporting of travel expenses that will apply to the Commissioners and the Executive Director. They must report on their yearly ethics financial statement all travel expenses greater than \$250 when the travel is paid for by someone other than the Commission or their primary employer and when the circumstances make it likely that they would not have been provided the travel but for their official position. This new regulation will cover all applicable travel in 2012.

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OUTREACH: No outreach to report at this time.

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's recommendations are that the Commission maintain rules 1-6 of the Procedural Regulations. A motion to maintain the regulations was made by Commissioner Cardona. The motion was seconded by Commissioner Susa and carried.

HEARING SCHEDULE: Discussed.

DECISIONS: No decisions were discussed at this time.

The meeting adjourned at 1:45 p.m. The next regular meeting will be on Friday, December 14, 2012 at 12:00 pm.

Respectfully Submitted,

**Michael D. Évora
Executive Director**

Notes taken by: B. Ross
EXECUTIVE DIRECTOR'S
REPORT TO COMMISSIONERS
30 November 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. For federal FY 2013 (beginning October 1, 2012), we have closed eight co-filed cases. Our contract with EEOC for FY 13 is as yet unknown.

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 18 new housing charges, 17 of which are co-filed with HUD. Within this same time period, we have processed 14 cases, 13 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 October 30, 2012), we have processed 125 cases (compare to 134 cases in this same time period in FY 12).

●Aged Cases – 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 11/29/12, we had a total of 299 cases in inventory; eight 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 – The FY 12 Annual Report is ready for review by Dr. Susa. Once he has reviewed the Report and signed the transmittal letter, the Report will be sent to the printer.

●Providence Nuisance Ordinance – On November 8, I sent a letter to the Providence City Council expressing the Commission's concern with a proposed nuisance ordinance and its impact on victims of domestic violence. The ordinance has since passed the City Council and been signed by the Mayor.

●Budget Analyst – The Commission has learned that Theo Toe, the agency's Budget Analyst for the past 17 years, has left the Budget

Office for a new position in state service. We await word on his replacement.

Respectfully submitted,

Michael D. Évora

Executive Director

Attachments