Louisiana Commission on Human Rights (LCHR)

Minutes

Tuesday, October 25, 2016

11:30 a.m.

Louisiana Workforce Commission

1001 North 23rd Street

Baton Rouge, Louisiana

Members Present: Members Absent:

Tamara K. Jacobson, Chairwoman Kirby Verret

Angela Faulk Julia Mendez

Courtney Hunt

Terry L. Jackson

F. Clayton Latimer

Richard Perque

Staff Present: Dr. Leah Raby, Christa Davis, Desha Gay, Iriane Lee

Chairwoman Tamara Jacobson called the meeting to order at 11:35 a.m. and requested a roll call. There was a quorum.

Chairwoman Jacobson introduces herself and asks for each Commissioner and staff member to do the same; each present Commissioner proceeds accordingly. After that, Chairwoman Jacobson continues to inform the Commissioners of Kirby Verret’s resignation due to health reasons and acknowledged his years of service and commitment to humanity. Chairwoman Jacobson communicates that Mr. Verret is of Native American descent and brought an extensive background in that area to the Commission. She also shares that newly appointed Commissioner, Julia Mendez was convalescing from surgery.

Afterward, the staff introduces themselves.

Then Dr. Raby discusses outreach. She expresses that if an outreach event occurs in the Commissioner’s area, an invitation will be extended. Dr. Raby stated that she travels around the state and speaks on behalf of the Commission regarding the laws enforced, or on a particular topic such as diversity or LGBT acceptance. She also mentions that in previous years, LCHR has hosted the International Association of Official Human Rights Agencies Conference (IAOHRA).

Chairwoman Jacobson compliments the staff on an incredible job.

Chairwoman Jacobson yields the floor during Chairwoman’s remarks to Dr. Raby who informed the Commissioners that she has a familiarity with the laws and interacting with the legislators. However, if an issue arises that requires the Commissioners input, they will be contacted. She expresses that everything regarding case investigations is confidential. Commissioner Faulk states that Dr. Raby was informing the newly appointed Commissioners of such because their names may be included in press releases, announced on the radio and/or posted a the website.

Commissioner Faulk inquires as to whether the minute’s approval was skipped and was informed by Chairwoman Jacobson that it could not be approved due to lack of a quorum at subsequent meetings.

A discussion ensues regarding the Commissioners voting for Dr. Raby to have the final decision authority on behalf of the Commission administratively, and for case investigations.

Chairwoman Jacobson explains the investigative process. She further explains the motion would give the Executive Director the right to confer with the investigator and the final signature authority for the cases. Chairwoman Jacobson states that the vote on the table at the moment is whether it should be the Executive Director who has the final authority to sign for and/or represent the Commission or develop an alternative process. She states that the Commissioners are welcomed to come up with a different process but, she does not know if another one would make sense.

Commissioner Perque inquires as to the appeal process for a Complainant. Dr. Raby responds by informing Commissioner Perque and others that the Complainants can appeal to LCHR, but may also request a substantial weight review. If the Complainant is unhappy, an appeal may be taken to the EEOC as LCHR investigates on their behalf. The EEOC may request the file, and either concur, or disagree with the findings and request we investigate further.

Commissioner Latimer moved and it was seconded by Commissioner Faulk that Dr. Raby will have the final authority administratively and on case investigations adjudicated by LCHR. Motion passes.

Subsequently, Chairwoman Jacobson discusses waiving the per diem for travel expenses. Dr. Raby explains that the Commission’s operating budget is $365,000, which covers salaries.

She further enlightens the Commissioners that EEOC funding is about $60,900 per year and is used to investigate the cases. Indicating; nonetheless, that a small portion of the budget is allocated toward the per diem for the Commissioners. Dr. Raby notes that a copy of the budget was provided to each Commissioner. Chairwoman Jacobson suggests that a formal vote is unnecessary, but the per diem was available to the Commissioners should they chose to be reimbursed.

Commissioner Latimer inquires as to what the Commissioners needed to do to enhance the budget. Dr. Raby suggests lobbying the Governor’s Office and legislature to push the Governor’s office to raise the revenue so LCHR could hire a full-time investigator in the office. She states that LCHR is in need of a full-time employee to handle equal-pay as well as other issues.

Commissioner Latimer states she is unaware if this Commission is treated differently from other Commissions but, she contends that this Commission is one of the most important Commissions as we are talking about human beings who are being protected from discrimination in various areas. She then inquires as to whether other Commissioners with other Commissions are forgoing the per diem and expenses?

Commissioner Latimer then states she understood from the minutes that LCHR needs a larger staff, and volunteers to investigate the role of other Commissions as well as their budgets.

Thereafter, Chairwoman Jacobson explains the Ethics form to the Commissioners and informs them of the deadline to submit the forms to the Ethics office.

Next on the agenda is the Executive Director’s report.

Dr. Raby reiterates her history and experience. She added that she has worked at the Louisiana Commission on Human Rights in various capacities for almost 18 years. The forms LCHR uses, the relationships the office has established, and the policies initiated and implemented, started with Dr. Raby and the first Executive Director, Rodney Braxton. Dr. Raby states that it was an honor to be selected by Governor John Bel Edwards’ administration to serve as the Executive Director and that she holds the position in high regard.

Dr. Raby explains the contents of the binders provided to each Commissioner.

Then Dr. Raby communicates that there was a preexisting deficit in the number of cases closed to meet the contractual obligation with the EEOC upon her return to LCHR. However, with the LCHR team, we were able to successfully investigate and close 87 cases and processed three intakes as per the EEOC/LCHR contract by September 2016.

Dr. Raby informs the Commissioners that statistically, 86 percent of LCHR’s cases come from the 7th Congressional District, comprising of the Felicianas, EBR, Tangipahoa, Washington, WBR, Ascension, Iberville, and Point Coupee parishes. She encourages the Commissioners to disseminate the word out across the state that LCHR is here to help prevent and protect the rights of citizens.

Dr. Raby continues with the Executive Director’s report by informing the Commissioners of office delegated tasks. Internally, Dr. Raby mediates, fields Public Records Requests and reviews the final disposition of cases, while Attorneys Desha Gay and Iriane Lee investigate cases, while Mrs. Davis processes the initial intake of the cases. She states, the LCHR also has a few contracted EO Specialists, Attorneys John Allen, Natalie Blackman, Harry Landry and juris doctors James Roberts and Erin Sanders. She also stated that LCHR also has a new intern, Ahmed Soussi, who is scheduled to begin in January 2017. Mr. Soussi is a second-year law student at LSU and has an interest in civil and immigrant rights. Dr. Raby continues by sharing that during the summer, Ms. Kelly Ward served as an intern for about eight weeks and that she was very beneficial and instrumental in helping to reorganize files. She also announces that Mrs. Davis is scheduled to take a certification class to become a mediator in December 2016.

Dr. Raby continues by sharing that for the first time in the history of the Commission, Public Accommodation and Banking and Lending complaint forms have been created, which have been placed on the Governor’s Office website. Additionally, she added, that LCHR now publishes a quarterly newsletter. She stated that LCHR is organizing the office files and keeping up with the retention schedule, which is scheduled to be completed within the next six to nine months. Dr. Raby expresses LCHR has signed a new contract with the EEOC for 87 case investigations, three intake cases and that LCHR has also signed an agreement for engagement funding with the EEOC. She states Attorney Marvis Hicks, the new Outreach Coordinator for the EEOC, has partnered to achieve the goals of the engagement plan. The Commission has set out to collaborate with the HDO and NOFO to conduct joint outreach on immigrant workers. Erin Sanders, EOS, is working on this component. Dr. Raby states the Commission will also target funeral directors, employment agencies, and community colleges, concerning sexual harassment or any of the protected bases.

Dr. Raby continues by discussing outreach. She stated the Commission is slated to have a town hall meeting regarding Title VII, Sex, Sexual Harassment, and the EPA in 2017. The Commission has also reached out to the Society of Human Resource Managers (SHRM) Chapters across the state to present tailored presentations to Human Resource personnel. Mentioned also was that Attorney Hicks and Dr. Raby recently participated in a Women’s Conference to discuss Title VII, Sex, EPA, and Sex Harassment; and Attorneys Gay and Lee were conducting future outreach at a Job Fair sponsored by the Louisiana Workforce Commission (LWC). Numerous activities were shared in which the Commission has participated with the Governor’s Office.

Dr. Raby announces that equal pay was presented before the legislature again and failed.

Dr. Raby concludes her Executive Director’s report by extending her congratulations to Mrs. Gay, Ms. Lee, and Mr. Allen as they were recently sworn in as attorneys. She states Mr. Allen has taken a full-time job with the Public Defender’s Office in St. Martinville Parish as well as maintaining a private practice.

Chairwoman Jacobson motioned for acceptance of the Executive Director’s report. It was moved by Commissioner Faulk and seconded by Commissioner Perque. Motion passed.

Next, Attorney Gay presents two cases.

Commissioner Jackson inquires as to whether there was a way residents from the Bossier City could be educated on employment discrimination. Commissioner Jackson suggests that a forum is developed along with Dr. Raby to help inform people of their rights. Chairwoman Jacobson suggests coordinating with an event that has already been planned. Dr. Raby agreed, and Commissioner Jackson further suggested collaborating with an event she had planned for February 2017.

Dr. Raby provides her work cell phone number and email address to the Commissioners.

Chairwoman Jacobson notes that they would not go into Executive Session and that new business is welcomed. There was none.

Chairwoman Jacobson discusses the next meeting date, February 7, 2017.

Chairwoman Jacobson motions for the meeting to adjourn. It was moved by Commissioner Faulk and seconded by Commissioner Perque. Motion passed.

The meeting ended at 12:50 p.m.