

Louisiana Commission on Human Rights (LCHR)  
Minutes  
Meeting Held: Louisiana Workforce Commission  
Tuesday, July 20, 2010  
Baton Rouge, Louisiana

Members Present:

Tamara Jacobson, Chairwoman  
Marshall Brumfield  
Willie Littleton  
Karen Ashford  
Alvin Roche, Jr.  
Angela Faulk  
Eursla Hardy  
Ronnie Williams

Members Absent:

Kirby Verret

Staff Present: Loyce Pierce Wright, Christa Davis, Leah Raby, Lauren Grundy, Ireyan J. Clark, and George Simpson

Guests Present: Katherine Green, Attorney General's Office

Chairwoman Tamara Jacobson called the meeting to order at 11:50 a.m. and requested a roll call. There was a quorum.

Chairwoman Jacobson began the meeting welcoming the newly appointed commissioner, Lonnie Williams and other guests. Subsequently, she requested that introductions of all attendees be provided.

After the introductions, Chairwoman Jacobson informed the Commissioners of the current state's budget freeze and its impact on LCHR's ability to meet with Governor's Office staff to request additional funding. Nevertheless, Chairwoman Jacobson expressed a desire upon the freeze being lifted to be tenacious in her request for an increased budget to purchase office supplies and increase the staff to help continue the LCHR's good work. This concluded the Chairwoman's remarks. She proceeded with the next item on the agenda, the Executive Director's Report by Mrs. Wright.

Mrs. Wright began her report expressing that the staff had been working diligently in an effort to meet LCHR's contractual obligations with the U.S. Equal Employment Opportunity Commission (EEOC) prior to the Fair Employment Practices Agency's (FEPA) conference which was held in Philadelphia during the first week of June, 2010. She stated that meeting EEOC's contractual obligation allows for LCHR to request an upward modification for additional cases. Mrs. Wright indicated that she was pleased to announce that LCHR did meet the contractual obligations by closing 94 cases at the end of May, 2010. As a result, LCHR will

seek an upward modification of an additional 20 cases which would result in increased revenue for LCHR upon closure.

Mrs. Wright reported that from July 1, 2009 - to date LCHR has had a case load of 240 cases; closing 118. Nine of those 118 closures resulted in settlement, one withdrawal with benefits, one successful conciliation, two resulted in unsuccessful conciliations, 82 no cause findings were issued and 23 were administratively closed. She further reported that four cause findings were issued, 11 cases resulted in compensatory and punitive damages received by Complainants, totaling \$122,583. She offered compliments to the staff for their hard work.

Continuing, Mrs. Wright stated that LCHR had been recently notified by the Alexandria Human Relations Commission (AHRC) that it has been reassembled. The AHRC had been inactive for several years, however, on April 1, 2010 the 13 member board, held its first meeting. LCHR was slated to attend; however, the meeting coincided with the immediate freeze on travel issued by Governor Jindal, thus negating LCHR's participation.

Mrs. Wright presented an update regarding LCHR's enforcement of the Genetic Information Non-Discrimination Act of 2008 and the efforts to mirror EEOC's jurisdiction. LCHR presented the statute modifications to the Governor's Office Legislative Liaison; however, it did not make it into the legislative packet for the last legislative session. Nonetheless, the Governor's Office has assured LCHR that it will be submitted during the next legislative session.

Mrs. Wright also discussed LCHR's partnership with the Southern University Law School Mediation Clinic, wherein 2<sup>nd</sup> and 3<sup>rd</sup> year law students would intern with the LCHR gaining experience in mediation and intake of cases. Thereafter, she reported that Mattie Horton and Arlinda Pierce Westbrook were no longer investigators for LCHR. She indicated that Attorney Westbrook was appointed by the Mayor of the City of New Orleans and the Superintendent of Police as the 1<sup>st</sup> Civilian Deputy Chief of Police for the Public Integrity Division and that would prevent her from working with LCHR. However, as it relates to Ms. Horton, she has been a contract investigator with LCHR for the past five years and has exhausted the contract maximum of \$49,000. LCHR will proceed with an open bidding process to acquire investigative services. Ms. Horton, an outstanding contractor with LCHR, has the opportunity to respond, if desired. Dr. Raby is currently working with the Division of Administration Contractual Review office to determine the steps of that process. Mrs. Wright announced that in light of losing two contract investigators, LCHR also gained one. Attorney Ireyan J. Clark has been contracted to work with LCHR replacing one of the contract investigators. Commissioner Roche mentioned that he was familiar with the work of Attorney Clark and that she would be an outstanding asset to the Commission.

Next, Mrs. Wright reported due to the increased volume of the intake unit, Intake Clerk, Lauren Grundy's work hours had been increased. A full-time position is needed; however, a full-time position was not currently an option due to the budget constraints and hiring freeze.

Mrs. Wright provided the Commissioners with copies of the posters that the LCHR worked with the Louisiana Workforce Commission (LWC) to generate. The new posters incorporate contact information for LCHR, which will be distributed statewide by the LWC, thereby enhancing LCHR's outreach efforts.

Mrs. Wright reported that she attended the FEPA conference in Philadelphia on June 8, 2010. She was asked by EEOC officials to introduce Ms. Lilly Ledbetter, who played a significant role in the revamping of the Equal Pay Act (EPA). The EPA was the first legislation signed by President Obama following his inauguration. Also, in recognition of the working relationship with the EEOC, LCHR was asked to present a case that was investigated by LCHR at the national conference. Mrs. Wright served as a panelist along with Field Director Keith Hill to discuss the case. Then, Mrs. Wright acknowledged that LCHR had received a media request from Penny Fontenot with the Baton Rouge Business Report. Mrs. Wright and Dr. Raby participated in an interview conducted on July 14, 2010 regarding sex discrimination complaints received by the office.

Commissioner Brumfield requested an update regarding a communication he received from Theodore Lamonica, Complainant. The complaint focused on Lauren Grundy's ability to request in-depth information as an Intake Clerk. Mrs. Wright and Mr. Simpson provided a detailed synopsis of the circumstance regarding Mr. Lamonica's complaint filed with LCHR. His complaint against Ms. Grundy was determined to be baseless. Mr. Simpson was assigned Mr. Lamonica's complaint and a thorough investigation was conducted. It was determined that there were many inaccuracies in his complaint and it was subsequently closed.

Mrs. Wright concluded her Executive Director's report with a status of the rebuilding process of the YWCA of New Orleans and announced that the International Association of Official Human Rights Agencies (IAOHRA) conference will be held in Mobile, Alabama in August. Lastly, Mrs. Wright expressed congratulations to Commissioner Karen Alford on the birth of her daughter and extended condolences to Chairwoman Jacobson at the loss of her father.

Next, Chairwoman Jacobson introduced Katherine Green of the Attorney General's Office who had been assigned to LCHR in February 2010. Attorney Green spoke about her role with LCHR; specifically that she provides legal advice to the LCHR staff regarding complaints, subpoenas, depositions, inquisitions, etc.

Commissioner Faulk asked Attorney Green if the complaints filed in LCHR would be available through a public records request. Attorney Green indicated that there would be some privacy challenges because the cases LCHR investigates actually belong to the EEOC.

Mrs. Wright stated that Dr. Raby handles LCHR's Public Records requests and asked her to explain the process. Dr. Raby proceeded to explain the process; while Mr. Simpson added his experience as a former EEOC Investigator, indicating that internal file notes are not released as it is considered a part of the deliberative process.

Attorney Green mentioned that some boards and commissions are protected against public records request and that may be something LCHR may want to consider as a precautionary method. She further indicated that LCHR would have to contact a legislator to begin the process.

Commissioner Faulk asked Attorney Green if LCHR should broach job description modifications in light of Mr. Lamonica's complaint. Mrs. Wright indicated that the job description situation can be considered, but only as related to the intake officer's capacity to conduct micro investigations once a complaint is filed. Chairwoman Jacobson asked if there is a need for a formal motion and Mrs. Wright indicated that it can be handled administratively.

Chairwoman Jacobson asked if there was any unfinished business.

Commissioner Hardy stated she would like everyone to consider the meeting dates, as her availability is limited to the 2<sup>nd</sup> Tuesday and the 4<sup>th</sup> Tuesday of the month. Chairwoman Jacobson stated that the Commissioners can be polled and requested everyone to email Christa Davis that information.

With no new business or further business to discuss a motion to adjourn was introduced by Commissioner Hardy and seconded by Commissioner Roche. The meeting adjourned at 12:45 p.m.