

HUMAN RELATIONS COMMISSION MINUTES

January 18, 2024, 4:00 p.m.
City Council Chambers

PRESENT: CHAIRPERSON Richard Zaker
VICECHAIRPERSON Vivian Goodman
COMMISSIONERS Mark Schleeter and Joyce Keller

ABSENT: COMMISSIONERS Minnie Walker and Jerry Pelz

ALSO PRESENT: HUMAN RESOURCES MANAGER Penny Rogers
ADMINISTRATIVE ASSISTANT Sherry Beasley
HUMAN RIGHTS INVESTIGATOR Fred Spannaus

I. Call to Order

Commission Chairperson Zaker called the meeting to order at 4:01 p.m.

A. Roll Call

Four out of six Commissioners were present at the time of roll call. Commission Chairperson Zaker declared a quorum does exist to conduct and approve business.

II. Appearance of Citizens

There is none.

III. Approval of December 21, 2023, Meeting Minutes

Commissioner Mark Schleeter made a motion to approve the minutes, seconded by Commission Chairperson Zaker. Upon roll call, Commissioner Mark Schleeter and Commission Chairperson Richard Zaker voted aye. Commissioner Joyce Keller and Vice Chair Vivian Goodman abstained. Commission Chairperson Zaker declared the motion carried.

IV. Monthly Activity Report & Summary of Cases

Human Rights Investigator Fred Spannaus provided a monthly status report of cases. (Exhibit A) Case # 230831 will move to a public hearing. Commission Chairperson Richard Zaker and Vice Chair Vivian Goodman have agreed to serve as hearing officers. The hearing is set for March 25 in the City Council Chambers.

V. Unfinished Business

Commission Chairperson Zaker called for Unfinished Business.

A. Discussion on potential changes to Chapter 28 of the City Code

Human Rights Investigator Spannaus stated in the last meeting there were two items that need to be discussed in Article 3.

1. Section 3-2 The minimum age requirement to serve on the Commission,
2. Section 3-5 B Whether or not the Commission is going to be authorized to make rules and regulations.

Section 3-2: Discussion regarding minimum age requirement – Human Resources Manager Penny Rogers reported she did contact City Legal, Amy Waks. Amy could not find anything that addressed the age requirement. She did agree with the Commission that 18 would be a reasonable minimum age requirement. Fred said he researched other cities' age requirements. Bloomington, Danville, Springfield, Urbana, and the State of Illinois have no language regarding an age for a Commissioner. Champaign has a maximum of 2 youth members between the ages of 15 – 17 that may be appointed in the event of a vacancy. Youth members will be designated voting members and shall participate in the exercise of all the Commission's powers and performance of all its functions as provided by ordinance or by law but with one exception: Youth members may attend hearings concerning Human Rights violations but may not vote. Normal has an advisory committee of 7 members. Their functions are run through their City Legal department. They do not have a Human Rights Officer. Fred suggested one way to approach this is not to mention any age requirement. It can be worded, "If persons under the age of 18 are appointed to the Commission, they will be designated voting members and shall participate in the exercise of all the Commission's powers and performance of all its functions as provided by ordinance or by law but with one exception: They may attend hearings concerning Human Rights violations but may not vote." The consensus was to apply Champaign's requirement but avoid using an age requirement.

Section 3-5-B: Fred stated in the meeting it was discussed adding language that will empower the Commission to adopt such rules and regulations that may be necessary to carry out the purposes and provisions in the Code. He prepared a document showing the process. Chairperson Zaker asked if this would be added to Section 3-5-B. Fred stated it could be 3-5-C or 3-6. The consensus was to make it 3-5-C and use the Town of Normal's language.

Fred stated he would like to discuss in Article 2 Violations and General Definitions, the issue of whether the Commission wants to prohibit harassment on the basis of a protective class. Does the Commission want to prohibit harassment beyond sexual

harassment and beyond employment? Fred suggested Section 2-5 (P) add “or harassment” after means discrimination. Then add a definition of harassment in alphabetical order. It would go between “Gender” and “Human Rights Violation”. The definition of harassment would follow the EEOC definition that harassment is unwelcomed conduct that is based on (then list the conditions). Harassment becomes unlawful when enduring the offensive conduct becomes a condition of continued employment, housing, credit, or the things the Code protects against, or the conduct is severe or pervasive enough to create an environment that a reasonable person would find intimidating, hostile or abusive. The consensus was to apply the EEOC definition.

Fred stated he wanted to note a few items that the Commission should think about. Nowhere does he find either in the code or in the booklet anything about what should be confidential information or when it’s public information. He believes he has followed what the Human Rights Officer did before him. It may not have to be in the code but in the policies. Maybe legal counsel should be involved when the Commission has this discussion because it is not written down. The other item is called joint filing. This is when another person co-files a complaint with the Human Relations Commission and with the IL Department of Human Rights and/or with the EEOC. The current process is not to encourage them or discourage them from doing that but we process the complaint separately. The Commission does not communicate with the other agencies. If we find out they are processing the case, the Commission will back off. This is where the Commission might want to invite the legal counsel to discuss this. The consensus was to have certain items together before inviting legal counsel.

Commission Chairperson Zaker asked the Commissioners to read Articles 4 & 5 before February’s meeting.

VI. New Business

Commission Chairperson Zaker called for New Business.

A. Approval of Human Relations Commission Annual Report for 2023.

Human Rights Investigator Fred Spannaus provided the annual report that will be sent to the City Council in accordance with Chapter 28. Commissioner Mark Schleeter made a motion to approve the Annual Report for 2023, seconded by Vice Chair Goodman. Upon roll call, Commissioners Mark Schleeter and Joyce Keller, Vice Chair Vivian Goodman, and Commission Chairperson Richard Zaker voted aye. Commission Chairperson Zaker declared the motion carried.

VII. Other Business

Commission Chairperson Zaker called for Other Business.

Penny Rogers thanked Commission Chairperson Zaker for submitting a letter to the editor in the Herald & Review about the Commission and the number of vacancies. The same day someone called and inquired about serving on the Commission and came in and completed an application. Commissioner Schleeter suggested someone contact the Islamic Mosque. Fred will give Commissioner Schleeter the contact information for someone at the mosque. Commission Chairperson Richard Zaker mentioned he talked to someone at Soyland Access for Independent Living (SAIL) a few weeks ago and she seemed enthusiastic and mentioned she was on the Commission before. He will reach out to them again.

Commission Chairperson Richard Zaker asked if anyone attended the Martin Luther King activities. Vice Chair Vivian Goodman attended the gala and said it was nice. They had local art from young people in the community which they auctioned off. Ms. Beasley stated she attended the gala, as well. She said the program was long because it started late. The program itself was very good, and the speaker was excellent. The only issue she had was waiting for the dinner to be served after the doors were opened.

Commissioner Joyce Keller stated she really missed the Commission's involvement.

VIII. Adjournment

There being no further business, Vice Chair Vivian Goodman made a motion to adjourn the meeting, seconded by Commissioner Mark Schleeter. Upon call of the roll, Commissioners Mark Schleeter and Joyce Keller, Vice Chair Vivian Goodman, and Commission Chairperson Richard Zaker voted aye. declared the meeting adjourned at 5:00 p.m.