



**AGENDA**  
**HUTCHINSON HUMAN RELATIONS COMMISSION**  
**WEDNESDAY, JULY 20, 2016 – 4:00 PM**  
**COUNCIL CONFERENCE ROOM – CITY HALL**

**1. CALL TO ORDER**

\_\_\_ David Dove

\_\_\_ Cynthia Flores

\_\_\_ Chris Givan\*

\_\_\_ J.W. Martin, Jr.

\_\_\_ Olivia Martinez

\_\_\_ Linda Perrin

\_\_\_ Natasha Russell

\_\_\_ Mike Sullivan\*\*

**STAFF LIAISON: Meryl Dye, Assistant City Manager**

**\* Chairperson \*\* Vice Chair-Person**

**2. ORAL COMMUNICATIONS BY AUDIENCE** – Please limit your remarks to five (5) minutes and to items NOT on the agenda.

**3. APPROVAL OF MINUTES OF JUNE 15, 2016 MEETING**

**4. REPORTS**

- A. HHRC Attendance Record
- B. Informal Complaint Report

**5. UNFINISHED BUSINESS**

- A. Review of HHRC Goals & Activities
- B. Other

**6. NEW BUSINESS**

**7. COMMUNICATIONS AND COMMENTS**

- A. Commissioners
- B. Staff

**8. ADJOURNMENT**



**MINUTES**  
**HUTCHINSON HUMAN RELATIONS COMMISSION**  
**Wednesday, June 15, 2016 – Council Conference Rm**

1. **Call to Order** – Present: David Dove, Cynthia Flores, Chris Givan (Chair), Paula Hopkins, J.W. Martin, Jr., Olivia Martinez, Natasha Russell, Mike Sullivan and Meryl Dye (staff liaison). Absent: Linda Perrin.
2. **Oral Communications from the Audience** – No audience.
3. **Minutes** – Russell made a motion to approve the minutes of May 18, 2016. Martin seconded the motion and the motion passed.
4. **Reports** – Dye shared an attendance report. A correction is needed to show J.W. Martin as absent in May. There were two (2) informal complaints in May. Dye said she revised the format of the narrative report summary to show the description for each complaint made in the year rather than just a monthly report. Three (3) informal complaints have been received through May of 2016.
5. **Unfinished Business** –
  - **Letter to City Council for HHRC Staffing** - Givan said he plans to attend the City Council's budget study session scheduled for 8 a.m. on June 16<sup>th</sup>. Dye said City Manager John Dearthoff has once again provided to the City Council copies of the HHRC's staffing request letter and the letter from Mike Sullivan. She distributed an updated summary of HHRC activities since the HR Officer position was eliminated. Givan said the number of cases from Hutchinson handled by KS Human Rights Commission is on their website under "publications" in their annual reports. Flores said she contacted former HR Officer Lila Fritschen for input on reasons to reinstate the position. She said Fritschen responded with twelve reasons to reinstate the job, which Flores shared with the HHRC.
  - **Monthly Meeting with Law Enforcement** – Flores reported that she attended the last meeting with local law enforcement. She said only five people attended, but there was more discussion about formalizing the group. She said they want a steady attendance first. The next meeting is scheduled for July 11<sup>th</sup> at 2:30 due to the holiday.
6. **New Business** – none.
7. **Communications** – Hopkins said she is resigning from the HHRC effective today. She shared her resignation letter and discussed her reasons. She said she believes the group should share diverse opinions within the meetings, but once a decision is made all members of the team should endorse the decision. Citing the work of Patrick Lencioni on team work, Hopkins said she aligns herself with Lencioni's team model and has decided she is on the wrong team. Therefore, she believes she must resign. Several members agreed that differences of opinion should be shared within the group, and expressed disappointment that this was not done during the vote to request staffing and said it gives the appearance of not supporting the human relations

ordinance. Members thanked Hopkins for her time on the Commission, and she left the meeting.

Further discussion ensued about the future of the group if the staff position is not reinstated. Concerns were expressed about how much impact the HHRC can have within the community given their own limits as volunteers. Martin suggested taking up the discussion once it is known whether the City Council will budget for the staff position. He offered a motion to table the discussion. Dye said a motion was not needed.

8. **Adjournment** – Dove made a motion to adjourn, and Martinez seconded the motion for adjournment.

Minutes Prepared by Meryl Dye, Assistant City Manager (Staff Liaison)

**Next Meeting – July 20, 2016 at 4:00 p.m. in the Council Conf. Room**



## HUTCHINSON HUMAN RELATIONS INFORMAL COMPLAINT SUMMARY - 2016

### June – Two (2) Complaints

A 63-year-old African-American female states she has a disability and a record of a disability. She was hired to do medical records and is trained as a medical aide. The employer informed her job cuts were needed and that her hours were being reduced. Later she found her hours were given to a lesser qualified younger White female with less seniority and who is also friends with the supervisor. She was told she could be reassigned as a medical aide, but when she reminded management of her physical limitations she was placed in on-call status. She believes she was discriminated against based on race, age, and disability, and that she was retaliated against when she expressed these concerns. She also believes her religion was a factor because she did not hide the fact that she is Christian. Dye referred Complainant to file a formal discrimination charge with the KS Human Rights Commission. *Area of Jurisdiction = Employment; Basis = Race, Age, Religion, Disability, Retaliation.*

An African-American male worked as a cook for a local employer. He says over the course of his employment he has received disciplinary warnings for minor infractions, while White employees went without discipline for the same types of infractions. Another African-American male also went without discipline, but he is the live-in boyfriend of his White female supervisor. He says the supervisor also tried to make him do tasks that she knew he was not able to perform due to a previous back injury. Further, he says this supervisor harassed him about taking off work for 11 days to care for his dying mother in the hospital and to carry out her funeral, although he used approved PTO leave. Complainant went to the assistant manager to complain about his supervisor's treatment. He later learned from a co-worker that the supervisor had expressed that she was "out to get him" for going to upper management. Complainant says he had enough and decided to call the assistant manager to say he was not coming back to work. A few days later, management called him to the office to tell him he was fired for job abandonment. Dye referred Complainant to file a formal discrimination charge with the KS Human Rights Commission. He was also referred to the US Dept. of Labor to make a complaint under the Family Medical Leave Act (FMLA). *Area of Jurisdiction = Employment; Basis = Race, Disability, Retaliation.*

### May – Two (2) Complaints

A young adult female alleges her landlord made demands for sexual favors in exchange for rent payments and when her common law husband intervened, the landlord sought an eviction for non-payment of rent. She also alleges sexual battery on the part of the landlord's son, who she says entered her home in the middle of the night while her husband was gone, that he watches her house from the alley, and that he has made lewd suggestive remarks to her about her two-year old child and about herself. She says she has made a report with police. Dye assisted Complainant in filing a charge of sex discrimination in housing with the Kansas Human Rights Commission. *Area of Jurisdiction = Housing; Basis = Sex.*

## **May – Continued**

A male with a disability has medical documentation to support his need for an Assistance Animal while living in a local rental, but the landlord still tries to get a “pet fee” from him and threatens him with eviction. Dye provided materials on HUD’s ruling regarding Assistance Animals under the Fair Housing Act, suggesting to Complainant that he share the materials that outline both the tenant’s and landlord’s rights and obligations under Federal law. She also offered further assistance in filing a fair housing complaint with the Kansas Human Rights Commission if the matter goes unresolved. *Area of Jurisdiction = Housing; Basis = Disability.*

## **April – No Complaints**

## **March - One (1) Complaint**

A 60 year-old African-American male worked for a local employer for 38 years. He was working in a supervisory position when he was terminated for allegedly breaching the confidentiality of a subordinate employee (a White male) during a disciplinary meeting involving the union rep and a management rep (both White males). Complainant denies he discussed the disciplinary meeting with anybody. He believes the union rep breached the employee’s confidentiality, and then blamed it on Complainant so he would get fired. Complainant cited instances of racially discriminatory treatment or harassment against him that involved this union rep over the years, and well as other instances involving other White employees. He said when he reported these matters to upper management, he was ignored. He also believes his age was a factor in his termination. Dye assisted Complainant in filing a race, age and retaliation complaint with the Kansas Human Rights Commission. *Area of Jurisdiction = Employment; Basis = Race, Age and Retaliation.*

## **February – No Complaints**

## **January – No Complaints**

## 2016 HHRC INFORMAL COMPLAINTS BY JURISDICTIONAL AREAS AND BASIS

### EMPLOYMENT

Basis	Jan.	Feb.	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec	Total
Race			1			2							3
Color													
Sex													
Age			1			1							2
Religion						1							1
Nat'l Origin													
Ancestry													
Disability						2							2
Retaliation			1			2							3
<b>Total Complaints</b>	0	0	1	0	0	8	0	0	0	0	0	0	11

### HOUSING

Basis	Jan.	Feb.	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec	Total
Race													
Color													
Sex					1								1
Age													
Religion													
Familial Status													
Nat'l Origin													
Ancestry													
Disability					1								1
<b>Total Complaints</b>	0	0	0	0	2	0	0	0	0	0	0	0	2

### PUBLIC ACCOMMODATIONS

Basis	Jan.	Feb.	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec	Total
Race													
Color													
Sex													
Age													
Religion													
Nat'l Origin													
Ancestry													
Disability													
<b>Total Complaints</b>	0	0	0	0	0	0	0	0	0	0	0	0	0

### REFERRALS

Agency	Jan.	Feb.	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec	Total
City Inspection													
EEOC													
First Call for Help						1							1
KS Human Rights Comm.			1		2	2							5
KS Dept of Labor													
KS Legal Services													
KS Workers Comp													
PILR													
US HUD													
US Dept of Justice													
US DOL						1							1
<b>Total Referrals</b>	0	0	1	0	2	3	0	0	0	0	0	0	7