



**AGENDA**  
**HUTCHINSON HUMAN RELATIONS COMMISSION**  
**WEDNESDAY, SEPTEMBER 21, 2016 – 4:00 PM**  
**COUNCIL CONFERENCE ROOM – CITY HALL**

**1. CALL TO ORDER**

\_\_\_ David Dove

\_\_\_ Chris Givan\*

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

\_\_\_ Olivia Martinez

\_\_\_ 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 AUGUST 17, 2016 MEETING**

**4. REPORTS**

- A. HHRC Vacancies & Applicant Review
- B. HHRC Attendance Record
- C. Informal Complaint Report – No informal complaints in August.

**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, August 17<sup>th</sup>, 2016—Council Conference Room

1. **Call to Order**—Present: David Dove, J.W. Martin, Jr., Olivia Martinez, Chris Givan (Chair) and Natasha Russell. Absent: Mike Sullivan, Meryl Dye (staff liaison). Cynthia Flores (resigned).
2. **Oral Communications from the Audience**—No Audience.
3. **Minutes**-Russell made a motion to approve minutes of July 20, 2016. Martinez seconded the motion. Motion passed.
4. **Reports**- Commission reviewed the attendance record. Givan told of the resignation of Flores. We reviewed the informal complaint as well.
5. **Unfinished Business**- the Commission discussed the Goals. Givan noted we have accomplished two key goals on our list: Under Strategy 2, Key tasks 2 and 3. It was discussed that we should find a good awareness program (training) for discrimination in the work place, housing & public accommodations. We might use a state or federal program as a guideline. Givan shared information on West Lafayette, Indiana and their ordinance that allows their council to have greater powers than our commission does. There was discussion on the subject and it was agreed that the current city council would not approve our commission to have those powers (in our opinion). However, several council members would like to have a copy of the West Lafayette ordinance or the link to review it.
6. **New Business**—none.
7. **Communications**-Givan reminded us of several events going on in the community that we could attend and have a presence at: Reno County Resource Council Meeting, Tuesday, August 30 at Noon; Unity in the Community, put on by the Father's House, August 28<sup>th</sup> at 5pm. He also told of the 1<sup>st</sup> reading of an ordinance in Manhattan dealing with LGBT discrimination.
8. **Adjournment**-J.W. Martin, Jr. made a motion to adjourn, Givan seconded the motion.

Minutes prepared by David Dove, Commission Member.

**Next Meeting—September 21<sup>st</sup>, 2016 at 4:00p.m. in the Council Conference Room**

### HHRC Attendance Record

	2015												2016											
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec				
<b>HHRC MEMBERS</b>																								
1 Dove, David (second 3 yr term; expires 9/11/2018)	X	A	X	X	A	X	X	X	X	X	X	X	A	X	X	X								
2 Flores, Cynthia (first 3-yr term; expires 9/11/2017)	A	X	A	A	X	X	X	X	X	X	A	A	A	X	A	----								
3 Givan, Chris (partial term; expires 9/11/2016)	X	A	X	X	X	X	X	X	X	X	X	X	X	X	A	X								
4 Hopkins, Paula (first 3 yr. term; expires 9/11/2017)	X	X	X	X	X	X	X	A	X	X	A	X	X	X	----									
5 Martin, J.W., Jr. (first 3 yr. term; expires 9/11/2018)	A	X	X	X	X	X	A	X	X	X	X	X	A	X	X	X								
6 Martinez, Olivia (second 3 yr. term; expires 9/11/2018)	A	X	X	X	X	X	A	X	X	X	A	X	X	X	X	X								
7 Perrin, Linda (first 3 yr. term; expires 9/11/2016)	X	A	X	X	A	X	X	A	X	X	X	X	A	A	----									
8 Russell, Natasha (first 3 yr. term; expires 9/11/2018)	----	----	----	----	----	X	X	X	X	X	X	X	X	X	X	X								
9 Sullivan, Mike (first 3 yr. term; expires 9/11/2016)	X	X	X	X	X	X	A	X	X	X	X	X	X	X	X	A								
<b>Key</b>																								
Quorum = 5																								
No Quorum <5																								
Not A Member ----																								

**HUTCHINSON HUMAN RELATIONS  
INFORMAL COMPLAINT SUMMARY - 2016**

**August – No Complaints**

**July – One (1) Complaint**

A 56-year old Hispanic female began working full-time for a local employer in January. Within a month she had to take a leave of absence to provide care for her adult son who needed to start dialysis and become adjusted to the routine. Her employer told her to take the time she needed and that her job would be there for her when she returned. But when she returned about a month later, the employer assigned her to part-time work one or two days a week on second and third shifts. When she asked about full-time hours, she was told they didn't have full-time available except on 1<sup>st</sup> shift. They knew she was unable to work 1<sup>st</sup> shift because of her son's dialysis. However, she saw her full-time job advertised. When she asked again, they told her the job had been filled. She noticed that the company had hired several younger White Anglo males and females who were working her shift. Complainant believes she was passed over for the full-time hours on her shift due to her national origin, ancestry, age and her association with a person with a disability. Dye referred Complainant to the KS Human Rights Commission. *Area of Jurisdiction = Employment; Basis = National Origin or Ancestry, Age, and Disability.*

**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 to 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.*

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	1						3
Religion						1							1
Nat'l Origin							1						1
Ancestry							1						1
Disability						2	1						3
Retaliation			1			2							3
<b>Total Complaints</b>	0	0	1	0	0	8	4	0					15

### 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					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

### 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	1						6
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					8