

Michael V. O'Brien
City Manager



CITY OF WORCESTER

Human Rights Commission Meeting Summary
March 7, 2011 6:00 p.m.
Esther Howland Chamber

Present: Cheryl Pope, Edward Robinson, Cara Berg-Powers, Eduardo Rivera, Mable Millner, Edward Kwiypup

Guests: Herbert Cremer, Disabilities Commission; Delia Vega, EPOCA; Steve Denson, EPOCA; Benita Vega, EPOCA, Jacqueline Norton, Resident

Staff: David Moore, Ines Beron, James Estrella

- I. Welcome and Call to Order
 - a. Meeting called to order at 6:11 p.m.
- II. Approval of February Meeting Minutes – Approved as is.
- III. Guest – David Moore, City Solicitor – Cheryl introduced the City Solicitor. Cheryl asked The City Solicitor to go over the Fair CORI Practices Ordinance that was adopted in 2009. The City Solicitor obliged and offered a history. The City Solicitor went over key parts of the ordinance. Enforcement of the ordinance lies with the City Manager. The City Manager can designate which ever office he deems necessary to receive/review/investigate any complaints to this ordinance as the City Manager deems necessary.
 - a. Eduardo Rivera cited the last paragraph of the City Manager’s August 11, 2009 memo to City Council designating the Office of Human Rights to “review and investigate [word missing in memo] any that pertains to this ordinance” Eduardo’s question was is the office of Human Rights the official investigative unit that would receive and investigate complaints? The City Solicitor’s response was that, in general, the Human Rights Office is.
 - b. Eduardo Rivera asked The City Solicitor to discuss the towing contract issue that recently came up. The City Solicitor indicated that he didn’t know much about the Human Rights Office’s involvement with that issue. James Estrella responded to Mr. Rivera’s question, indicated that the Human Rights Office was asked to offer a recommendation on the towing company’s request for a waiver. Eduardo asked for a copy of the recommendation – James to follow up.
 - c. Eduardo Rivera asked The City Solicitor who the City’s authorized department/division to review the CORI. Mr. Rivera would like to know who is the certified reviewer of CORI when something appears on the record – James to follow up.



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- d. Eduardo Rivera asked The City Solicitor to explain the bullets on the City Manager's June 2, 2009 report to the City Council. The City Solicitor explained that the bullets reflected conflicts with the ordinance as proposed. The City Solicitor explained that the proposed ordinance would grant the Human Rights Office new powers, which can only be done by a reorganization process.
- e. Eduardo Rivera asked The City Solicitor to explain the Boston CORI model. The City Solicitor explained that the Boston Ordinance cited a purpose, which the proposed ordinance did not have initially, it excluded the Schools, and the ordinance had language that matched very closely with the Boston Human Resources language at the time.
- f. Eduardo Rivera wanted clarification on who the awarding authority was, citing language from the proposed ordinance. The City Solicitor indicated that the awarding authority being the "authority signing the award" in this case the City Manager. The City Solicitor then discussed the definition of the word "city" to mean the City of Worcester.
- g. Eduardo Rivera cited two ordinances – one dated June 29th and the other dated July 1st, 2009, wanted clarification on which ordinance is the accurate one. The City Solicitor reviewed the documents Mr. Rivera presented, responded that the June 23, 2009 date is the amended ordinance which was recommended by subcommittee and adopted on June 23, 2009 in by the City Council.
- h. Question was asked, who is the "rule making authority" – The City Solicitor responded that it is the City Manger.
- i. Question was asked – what role does the Human Rights Office have – The City Solicitor responded that the commission would recommend the City Manager designate who should be that person, the Human Rights office is not out of the loop.
- j. Eduardo Rivera asked – Does the Human Rights Office have the authority to review, receive, and investigate complaints relative to the ordinance? – The City Solicitor responded that the City Manager would receive complaints and take appropriate action.
- k. Cara Berg-Powers asked The City Solicitor – where does the directive come in? The City Solicitor responded; the intention is the Human Rights Office.
- l. Cara Berg-Powers asked The City Solicitor – how would we include additional duties to the Human Rights Commission ordinance? The City Solicitor responded that the commission would make a recommendation to the City Manager.
- m. Cheryl Pope opened the meeting for public comments.
 - i. Steve Denson, EPOCA, asked The City Solicitor if a "flood gate" would open since one waiver has been granted. The City Solicitor responded that it was hard to say if a flood gate would open, indicated that the ordinance has been in effect for 15 months and there was only one inquiry – that shows a good sign.
 - ii. Jacqueline Norton spoke.
 - iii. No additional public comments
- n. Eduardo Rivera asked if The City Solicitor agrees that the City Manager has designated the Human Rights Office as the primary investigator – The City Solicitor responded yes.
- o. Cara Berg-Powers asked The City Solicitor; since there is no Director – who does that responsibility fall to? The City Solicitor responded that City Ordinances state that duties can be reassigned. Ms. Berg-Powers asked if that duty has been reassigned to James Estrella – James responded that complaints would go to the City Manager's office to be addressed accordingly.

- p. Eduardo Rivera asked who Human Rights complaints go to now? James Estrella responded that complaints would go to the City Manager's Office to be address accordingly.
 - q. No further questions for The City Solicitor. The Commission thanked him for his attendance and answering the questions.
- IV. UPDATES – Cheryl Pope discussed meeting with Rachel Brown Mable Millner and the City Manager. Cheryl stated the reality of the current budget deficit and indicated that the City Manager asked for time to determine next steps, and that the Manager is open to alternatives – even the possibility of a part-time option. Mable discussed their meeting with the Mayor as well. Both meetings were very productive.
- a. Edward Robertson asked Cheryl if there was a possibility to have an “acting director.” Cheryl indicated that the idea was never raised – but will discuss it with Mable Millner and Rachel Brown before bringing it up with the City Manager.
 - i. Eduardo Rivera proposed that the commission ask the City Manager to appoint one of his staff members to fill the void. Mable Millner asked for clarification, would the proposal be to ask for staff person to be acting part-time or full time – Eduardo Rivera responded, Full Time. Cheryl indicated that she can ask, but reminded the commission that the City Manager's staff does have their own full-time job functions and duties. Cheryl discussed that the reason for the part-time was because the part-time person can focus his/her time to Human Rights Office duties. Mable Millner stated that it is important to keep in mind the written job description for the position is far different from the actual duties performed – Cheryl also stated that there is a legal understanding aspect to the position.
 - b. Cara has a meeting with Patricia later this week regarding Civics Initiative + HOPE Coalition
- V. NEW BUSINESS: Item 6a on the agenda taken out of order
- a. Announcement was made for Fran's reception held by the Mayor's office. Reception will be held on **March 8, 2011 6:00 p.m. – 7:00 p.m. in the Mayors Office.**
- VI. OLD BUSINESS: Item 5a on the agenda.
- a. Eduardo Rivera presented updates on the “Know Your Rights” Project. Presented a draft outreach plan, commission had no changes to it. Next steps will be to call and confirm panelists and locations, and determine dates and times – Eduardo and James to follow up. Eduardo will be making 2500 English Know Your Rights Cards and 2500 Spanish Know Your Rights Cards.
 - b. Cara Berg-Powers presented a draft updated Human Rights Commission for review and changes. Commission reviewed and offered suggestions. Cara will make edits for new draft.
- VII. Public Comment:
- a. Cheryl asked Ines Berón, Housing Intake Worker, to discuss her current work load. Ines passed out report. – Only 74 clients were non-Hispanic and most of the complaints were related to Housing. Ines indicated that the main issue is that the clients do no know what their rights are as a tenant.
 - b. Cheryl asked James to confirm next meeting dates and forward to the commission.
 - c. Edward Robertson presented “Delight in Diversity” bumper sticker that was designed by a college student. Student willing to donate 300 stickers. Cheryl stated that these items – bumper stickers, new brochure, would have to go before

the City Manager and perhaps the City Solicitor. Discussion on methods to disburse the sticker.

- d. Cheryl requested James to book meetings for the remainder of the year.
 - e. Cheryl indicated that Chief Gemme is likely to be available for April meeting to discuss Secure Communities – James to follow up.
 - f. Cheryl requested James mail contact information to the Commission Members.
- VIII. Adjournment:
- a. Eduardo Rivera's motion to adjourn – Cara Berg-Powers seconds – meeting adjourned at 7:48 p.m.

Next Meeting
Monday, April 4, 2011.
Esther Howland Chamber, 3rd floor City Hall
6:00 p.m. – 8:00 p.m.