

TO: Legal & Finance Committee

FROM: Barry Hjort, Chair -- Human Relations Commission

DATE: March 10, 2010

RE: Semi-Annual Report

The Human Relations Commission's authorizing ordinance at Section 2.64.120 provides that the Commission make a report to the Common Council every six months. The first such report was provided on July 29, 2009 and this report is somewhat belated because of HRC meeting scheduling and quorum issues in early 2010.

Here is a summary of Commission activities since the HRC's last report to the Common Council:

1. **Discrimination complaint processing.** The Commission has received four complaints of discrimination. Two complaints based upon race and disability discrimination have been referred to the South Dakota Division of Labor and Management for assessment because the HRC did not have jurisdiction. (The complaints were made against City of Rapid City employees.) The remaining two complaints -- one based upon a claim of race and disability discrimination and the other based upon allegations of race and sex discrimination are currently being investigated and processed by the Commission. Both are in the pre-mediation stage.

2.. **Community outreach.** Members of the HRC have held meetings with, made presentations to, or initiated contact with the following groups in the last six months to explain the HRC mission: the Mayor's Disabilities Committee; the Rapid City School Administration; the NAACP; SANI-T; PAR; the Daughters of the American Revolution (DAR); the Center for Equality; the Pennington County Bar Association; Dakota Plains Legal Services; and Access to Justice, Inc. The HRC has also scheduled presentations by representatives of the South Dakota Division of Labor and Management (the "Division") which processes discrimination claims and after a "probable cause" determination forwards complaints to the South Dakota Human Rights Commission (SDHRC) for resolution; and by the Federal Equal Employment Opportunity Commission (EEOC). The establishment of these relationships is important because all complaints filed with the HRC are "dual filed" with the Division and the EEOC is the agency that resolves discrimination complaints based upon Federal Law.

3. **Forms, Bylaws, Procedures & Brochures.** The HRC has finalized and adopted a set of materials for the processing of discrimination complaints which are

posted on the City's Website. These include the instructions for filing a complaint, a complaint form, a Guide for the Respondent, a brochure explaining the HRC's role, and a poster explaining the various forms of prohibited discrimination. (Copies attached) The Commission has also adopted a "long form" for use in complaint investigation; a set of bylaws; a series of descriptive "panels" that describe specific forms of prohibited discrimination; and the HRC is in the process of finalizing a set of internal procedures to guide its processing and mediation of complaints. (Copies attached)

4. **Work in Progress.** The Commission is investigating the options for mediation training of its members. It is also working on the development of a Public Service Announcement (PSA) that would explain its role and mission which could be utilized on the City's PEG channel or in other media outlets. Commission members are actively engaged in the distribution of its Poster throughout the City -- asking that it be placed on bulletin boards in public and private business locations.