



November 13, 2013

Rapid City Common Council
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Dear Council Member:

The purpose of this letter is to notify you of the Chamber Boards position on the proposed changes to the Human Relations Commission. The Chamber of Commerce supports the mission of the Rapid City Human Relations Commission and its goal of local resolution of discrimination complaints. However, we do not support the proposed changes to the Human Relations Ordinance and feel that proposed expansion to the authority of the Human Relations Commission is an unnecessary addition to the local discrimination claims process.

Members of the Chamber, the Public Policy Committee and the Board of Directors met with Wade Nyberg of the City Attorney's office, as well as with members of the Human Relations Commission, we were presented information on the proposed changes. We appreciate being given the extra time to properly review the ordinance and its potential impact to our business community.

After careful review and consideration, the Chamber has concerns about the necessity and impact of increasing the authority of the Human Relations Commission. We have outlined our concerns below:

- **There has not been compelling rationale presented that justifies the increased authority.** We appreciate the time and careful considerations made by the Human Relations Commission with the discrimination cases that it hears. However, the number of discrimination cases filed with the Commission is very low and of that, the number of founded cases of discrimination is even lower. We have not been presented a valid justification as to how the current process is not working.
- **The benefits of a Fair Employment Practices Agency (FEPA) designation are unclear.** We feel that the claimed benefits of a FEPA designation are not certain, nor clearly defined.
- **There is a general lack of safeguards and protections in regards to commission members, and the investigation and hearing processes within the proposed changes.** The PPC has concerns of the lack of training requirement and qualifications of Commission members specified in the ordinance.
- **The absence of clear confidentiality requirements is a concern.** As written, the confidentiality of the claims process is very vague. Claims of discrimination can potentially be damaging for the claimant as well as the respondent therefore we feel that the confidentiality practices of the HRC be spelled out in the ordinance.

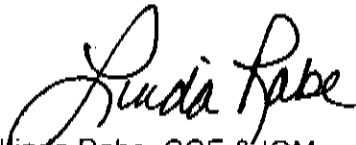
- **We feel that the objective by the HRC of a more local approach to resolving cases of discrimination can be addressed without increases to the authority of the Commission.** We remain unclear about the impact these changes would have on the discrimination claim process. We feel that there are other ways to address the concerns of the HRC without extending the scope of their authority.
- **There are currently sufficient avenues in place to ensure proper remedies of complaints.** The increased authority of the local HRC would be an unneeded duplication of services.

The Chamber strongly supports the mission of the Human Relations Commission and does not support discrimination of any kind. We would welcome the opportunity to work with the City and the Commission to further research this issue.

As a membership organization, the Chamber of Commerce represents almost 1200 businesses in the Black Hills area. We are dedicated to working with our local governmental bodies to create a friendly business environment. We strongly feel that as our businesses grow and thrive so does the quality of life for all citizens.

Again, thank you for allowing more time for us to consider this important change.

Sincerely,



Linda Rabe, CCE & IOM
President and CEO
Rapid City Area Chamber of Commerce