



**Human Rights Commission AGENDA**  
**Regular Meeting**  
**June 18, 2020**  
**Virtual/Electronic Meeting**  
**6:00 pm**

Please take Notice that this virtual meeting of the Human Rights Commission is for the purposes of planning, developing and drafting management and administration documents for the Human Rights Commission. For the purpose of addressing issues during the quarantine, this virtual meeting will be a limited public forum to discuss the agenda items designated under Section 5 below and to ensure the continuity of services provided by the Commission. The Commission Chair may limit public comments or discussion points that are unrelated to agenda items under Section 5 or that pertain to topics outside the scope of this Agenda. Members of the public are limited to three minutes of comment time per person related to the Agenda below. A maximum of sixteen public comment time slots are allotted per meeting. This will be a virtual/electronic meeting open to the public and registration information is available at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom).

**1. WELCOME**

- a. CALL TO ORDER
- b. ROLL CALL
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*

**2. MATTERS BY THE PUBLIC**

- a. PUBLIC COMMENT
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

**3. MINUTES\***

- a. Retreat meeting minutes 2/1/2020
- b. Work session meeting minutes 2/5/2020
- c. Regular meeting minutes 2/20/2020
- d. Ad Hoc Committee meeting minutes 6/11/2020

**4. BUSINESS MATTERS**

- a. OHR STAFF REPORT
- b. CHAIR UPDATE
  - i. COVID-19 response by the City
  - ii. Meeting with Kyna Thomas on effective work sessions with City Council

**5. WORK SESSION**

- a. OHR/HRC STRUCTURE RECOMMENDATIONS
  - i. Review draft documents detailing qualities and recommendations for new OHR Manager/HRC Director
  - ii. Recommendations and letter sent by Walt Heinecke on behalf of other social justice organizations
- b. AD HOC COMMITTEE UPDATES
  - i. Ad Hoc Committee: Updated rules and procedures including Martha's Rules
  - ii. Ad Hoc Committee: Joint work session with City Council
  - iii. Ad Hoc Committee: Policy review
  - iv. Ad Hoc Committee: Disability awareness PSAs

**6. INDIVIDUAL COMMISSIONER UPDATES AND ANNOUNCEMENTS**

**7. MATTERS BY THE PUBLIC**

- a. PUBLIC COMMENT
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

**8. NEXT STEPS & ADJOURN**

\* ACTION NEEDED

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.



**Human Rights Commission  
Regular Meeting  
June 18, 2020  
Virtual/Electronic Meeting  
6:00 pm**

**Agenda Packet Attachments**

1. Draft HRC Retreat Meeting Minutes 02-01-2020
2. Draft HRC Work Session Meeting Minutes 02-05-2020
3. Draft HRC Regular Meeting Minutes 02-20-2020
4. OHR Staff Report – June 2020
5. Letter to the Human Rights Commission from local organizations 03-09-2020
  - a. Charlottesville Human Rights Ordinance with revisions by Walt Heinecke
  - b. OHR Manager Position description with revisions by Walt Heinecke
6. Current position description for OHR Manager
7. Current position description for Department of Human Services Director (for reference)
8. OHR Manager Qualities – from HRC Work Session 02-05-2020

## Human Right Commission Minutes 2020 Retreat

**DATE:** February 3, 2020

**LOCATION:** 7 Rockbrook Drive, Charlottesville, VA 22901

Shantell Bingham called the meeting to order at 10:15 am.

**ROLL CALL:** Lyndele Von Schill, Andy Orban, Ann Smith, Jeanette Abi-Nader, Sue Lewis, Ernest Chambers, Kathryn Laughon, Matthew Tenant, Shantell Bingham, Rob Woodside

### **Facilitated discussion by Cristine Nardi and Mary Davis from the Center for Non-profit Excellence**

- High Functioning Meeting Norms
  - Ms. Nardi led an exercise during which Commissioners identified hopes and fears
    - Hopes
      - More support from the City regarding the office and our relationship.
      - We have one clear policy change presented.
      - Greater clarity and efficiency in our process.
      - To be a meaningful voice for change, heard and respected by City Council and City Manager
      - More visibility with City officials regarding policy recommendations
      - More visibility with the public regarding an interactive dialogue on issues that citizens care about.
      - Get more community members to attend meetings by contacting neighborhood associations, church leaders, and representatives from the underserved populations of Charlottesville.
      - Find ways to be more effective and vocal in our advocacy before City officials.
      - Follow outcomes of individuals bringing issues to the OHR; find out what are the roadblocks to effective remedies (what happens after referrals).
      - Attention and positive response from CPD.
      - Continued/increased opportunity to collaborate among HRC Commissioners on human rights issues.
      - More people attend regularly.
      - We get our policies passed with the help of City Council going along with us.
      - More resolutions.
      - Public and private sector partnerships.
    - Fears
      - Four more years of the Trump Administration.
      - The dance of the Police Review Board.
      - Charlene is leaving. That was an important hub for our work.
      - Policy review(s) are never heard by Council.
      - Continued lack of impact on critically important policies, especially related to L.E.
      - Bogged down in minutiae.
      - NRAO and local services

- Not pursuing the more difficult options for fear of not succeeding.
- Not aiming high enough.
- The end of our impact because of the Council and City Manager.
- Weakening of the OHR role and the Commissions voice and partnership potential.
- Boggled down in minutiae by neo-liberal do-gooders who are worried about making true change.
- Meandering aimlessly from idea to idea.
- That the City doesn't give us the wrong Director.
- The we become more militant.
- Ms. Davis led several discussions and activities that explored team function
- Review of HRC role and responsibilities
  - Ms. Nardi led a discussion around the primary mission and function of the HRC
  - A key theme emerged of improving the effectiveness and impact of policy review and recommendations
- Meeting agenda structure
  - Ms. Nardi led an exercise to review the HRC Regular Meeting agenda structure
  - She shared the following key principles
    - You drive the agenda. The agenda does not drive you.
    - Look forward vs. backwards
    - Watch for signals
  - Commissioners suggested the following recommendations for the Regular Meeting agenda
    - Things to add
      - Board packets should go out to Commissioners one week in advance of meeting
      - Agenda items that are informational only and require no action should be noted as such
      - Agenda items that require action should be noted as such
      - An agenda item that offers the option of creating new ad hoc committees
      - An agenda item to review next steps and actions
      - A moment of silence
      - State the mission at the top of the agenda
    - Things to keep
      - Matters by the public (required)
      - Written staff reports and short discussion
      - Other business (where Commissioners share updates about other meetings)
      - Updates from the Ad hoc committees
        - Materials should be included in board packets in advance
    - Things to lose or improve
      - Other business
        - Some Commissioners felt that this did not contribute toward moving the HRC forward
      - The agenda and attachments should be provided a week beforehand
      - Clarify the difference between business matters and work sessions
      - Move announcements to the end of the meeting
      - Put the most important items first

### **Review of hopes and fears raised by Commissioners and identification of goals – Charlene Green**

- Key themes that emerged from a review of the Hopes

- More City support
- More visibility and attendance at meetings
- Policy effectiveness
- Ideas for 2020 Goals
  - Continue writing letters of support
    - Coupled with a better understanding of the supported groups
    - Grounded in the background work of the HRC
  - Motivate City Council and the City Manager to support the HRC
  - Pursue FEPA status
  - Advocate for response and action the City when providing recommendations
  - Increased public awareness
  - Improved HRC member attendance at meetings
  - Have clear priority City policy issue areas
    - ADA access for deaf and hard of hearing at City Council
    - LGBTQ+ employee rights and benefits
    - Equitable policing
      - Explore relationship with to the Civilian Review Board
      - Explore collaboration with the People’s Coalition
      - Explore HRC’s role in community/police relations
    - Housing
      - Potential advocacy around HB6 and HB357
      - Explore relationship with the Charlottesville Low-income Housing Coalition
      - Explore relationship with the Housing Advisory Committee

#### **Discussion regarding report to City Council on February 18, 2020**

- Review of key achievements by the HRC – Shantell Bingham
- Review of education & awareness and facilitation & leadership actions – Charlene Green
- Review of service provision data and emerging trends – Todd Niemeier

#### **Status of the OHR and Charlene’s departure**

- Charlene provided a summary of her reasons for moving on

#### **HRC Chair leads closed discussion**

**Meeting Adjourned: 3:10 pm.**

#### **ACTION ITEMS**

- **All Commissioners**
  - **Follow-up meeting to continue retreat discussion**
  - **Wednesday, February 5, 2020, from 6pm to 8pm**
  - **Wesley Memorial United Methodist Church (Aldersgate Room)**
  - **1901 Thomson Road**
- **Todd**
  - **Post public notice for 2/5 meeting on Monday, February 3.**
  - **Type minutes from retreat and return to HRC before 2/5 meeting.**

**Human Right Commission Minutes  
Work Session**

**DATE:** February 5, 2020

**LOCATION:** Wesley Memorial United Methodist Church  
1901 Thomson Road, Charlottesville, VA

Shantell Bingham called the meeting to order at 6:10 pm.

**ROLL CALL:** Kathryn Laughon, Andy Orban, Rob Woodside, Lyndele Von Schill, Sue Lewis, Ernest Chambers, Shantell Bingham, Ann Smith.

*\*Please note, the summarized notes presented below are recorded in real time and are not concise quotes from the correlated speaker. Please review the posted audio recording for specific language. The HRC intends to get word-for-word transcript meeting notes for accessibility purposes in the future.*

**MATTERS BY THE PUBLIC**

None.

**COMMISSION RESPONSE TO MATTERS BY THE PUBLIC**

None.

**REVIEW OF PREVIOUS MEETING MINUTES**

Postponed.

**BUSINESS MATTERS**

None.

**MARIA'S SANCTUARY – KATHRYN LAUGHON**

Kathryn explained that the church is hosting Maria on-site.

**WORK SESSION**

1. Executive Director of OHR discussion
  - a. Discussion regarding whether Director should be an attorney
    - i. Previous Director/Manager was an attorney
    - ii. Not necessarily beneficial for some of the work HRC tried to do
    - iii. City Attorney's office tends to be risk averse, HRC may want to push that
  - b. Discussion of potential characteristics of a future Director
    - i. Many years' experience in human and civil rights

- ii. Local connections
- iii. "Outsider" (non-local) perspective
- iv. FEPA or fair housing experience
- v. Experience working with legislators at state level
- vi. Skills that Charlene brought
  - 1. Outreach
    - a. Commissioners could help
  - 2. Facilitation
    - a. Commissioners could help
  - 3. Presentations
- vii. Comfortable working with the people who come to the OHR for service support
- viii. Someone who can interact well with staff and HRC
- c. Distinguishing and clarifying the roles of the OHR and HRC will be important going forward

## ENGAGEMENT PROCESS FOR CITY COUNCIL

### 1. Talking points

- a. Lyndeale will develop a list of talking points to share with the HRC on Google Drive
  - i. Stress the importance of hiring an OHR Manager/HRC Director
  - ii. Discuss concern of merging OHR/HRC into Office of Equity and Inclusion
    - 1. General interest in remaining separate
      - a. Human Rights Ordinance dictates OHR/HRC duties/responsibilities
      - b. Merging could dilute enforcement capacity
  - iii. Preface talking points with a history of the HRC and OHR
  - iv. Ordinance stipulates the inclusion of the advice and consent of HRC when hiring
  - v. Commissioners must specify that they are not speaking on behalf of the HRC
- b. Public comment at City Council
  - i. Make Council aware that City Manager's Office has not yet attended an HRC meeting
  - ii. Commissioners agreed to make public comment during Council meeting on 2/18
    - 1. Discussed during the January meeting and is in the minutes
    - 2. Strategy is to comment before Charlene presents report
  - iii. Could offer a public invitation to City Manager at Council
    - 1. Tone of presentation will be important to ensure that invitation is accepted
    - 2. Could send a letter to City Manager prior to February 18<sup>th</sup>
      - a. Catherine Spear offers to write a draft letter by February 10<sup>th</sup>
      - b. Reiterate invitation to February 20<sup>th</sup> meeting
      - c. If no response, then take to public comment in next Council meeting
  - iv. Could make comment at Council that he has been invited to Feb. 20<sup>th</sup> meeting

### 2. Scheduling one-on-ones with Commissioners, Council, and City Manager

- a. Shantell requests that Commissioners copy her on their scheduling with City officials
- b. Lloyd Snook
  - i. Sue
  - ii. Ann
- c. Sena Magill
  - i. Lyndeale
  - ii. Kathryn

- d. Heather Hill
    - i. Andy
    - ii. Sue
  - e. Nikuyah Walker
    - i. Shantell
    - ii. Catherine
  - f. Michael Payne
    - i. Ernest
    - ii. Shantell
    - iii. Lyndele (separately)
  - g. Tarron Richardson
    - i. Lyndele
3. Recognizing Charlene Green's decades of service
    - a. Commissioners discussed various ideas for honoring Charlene
    - b. Sue will reach out the VAHR
  4. Agenda recommendations
    - a. General agreement that the new draft agenda looked good
  5. Robert's Rules & meeting governance rules
    - a. Suggestion to use "Martha's Rules of Order" as an alternative to "Robert's Rules"
    - b. Check Bylaws to see if they specify parliamentary procedure
      - i. If so, will vote at next HRC meeting
      - ii. If not, will adopt new practices without a vote

#### **MATTERS BY THE PUBLIC**

None.

#### **COMMISSION RESPONSE TO MATTERS BY THE PUBLIC**

None.

#### **NEXT STEPS**

**Meeting Adjourned:** 7:59 pm.

#### **ACTION ITEMS**

1. Lyndele will develop a list of talking points to share with the HRC on Google Drive.
2. Catherine Spear will write a draft letter to the City Manager by February 10<sup>th</sup>.
3. Shantell requests that Commissioners copy her on their scheduling with City officials.
  - a. See meeting assignments above.
4. Commissioners will discuss plans for honoring Charlene over email.
5. Sue will reach out the VAHR regarding Charlene's departure.
6. Todd will check the HRC Bylaws to see if they specify parliamentary procedure.

**Human Right Commission Minutes  
Regular Meeting**

**DATE:** February 20, 2020

Shantell Bingham called the meeting to order at 6:12 PM.

**ROLL CALL:** Phoebe Brown, Lyndele von Schill, Catherine Spear, Kathryn Laughon, Andy Orban, Shantell Bingham, Matthew Tennant, Sue Lewis, Jeanette Abi-Nader, Ernest Chambers, Olivia Gabbay, Ann Smith and Robert Woodside, .

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**WELCOME**

1. Mission recitation
2. Moment of silence

**MATTERS BY THE PUBLIC**

None.

**COMMISSION RESPONSE TO MATTERS BY THE PUBLIC**

None.

**REVIEW OF MINUTES: HRC Meeting January 16, 2020**

1. Motion to accept (Commissioner name): Sue Lewis
2. Seconded by (Commissioner name): Jeanette Abi-Nader
3. Vote Record
  - a. # In favor: 8
  - b. # Opposed: 0
  - c. # Abstained: 3

**BUSSINESS MATTERS**

1. OHR Staff Report – Todd Niemeier
  - a. See attached written report
  - b. Regarding ongoing investigation
    - i. Shantell and Sue will serve as Administrative Judging Committee
    - ii. They will recuse themselves if the finding comes back to the HRC for appeal
2. Chair Update
  - a. Presentation to City Council
    - i. Tentative work session with City Council July 28 or possibly earlier
    - ii. Council wants to discuss the following

1. Relationships
  - a. Office of Equity and Diversity
  - b. City Council
  - c. City Manager's Office
  - d. Police Civilian Review Board
2. HRC to set an agenda prior to meeting
  - a. HRC Chair asked for volunteers to form ad hoc committee
    - i. Jeanette – will chair
    - ii. Ernest
    - iii. Olivia
    - iv. Pheobe
  - iii. John Blair approached Shantell after Council meeting
    1. Offered to meet and discuss any unresolved matters with City Attorney's Office
    2. Reiterated that Attorney's Office is available to serve the HRC
    3. Charlene notes that Allyson Davies is the primary contact
    4. Catherine Spear willing to spearhead meeting
      - a. Shantell will join
3. HRC Award & Recognizing of Charlene Green
  - a. Shantell presents award
  - b. Commissioners share appreciation for Charlene's Service

**Recess called: 7:02pm**

**Called back to order: 7:08pm**

#### **WORK SESSION**

1. OHR Manager discussion
  - a. Commissioners review draft document outlining qualities of a Human Rights Manager
    - i. Charlene suggests that HRC should create MOU's with other organizations before offering endorsements
    - ii. Suggestion that "Legal Background" does not necessarily reflect what the Manager requires
      1. Compliance, Policy, or Regulatory background
      2. Deep knowledge of the Civil Rights field
      3. Ability to analyze and discuss the related issues
    - iii. Change title from "Manager" to "Director"
    - iv. Add an overarching mission statement to ground the position
    - v. List required skills by saying "demonstrated ability" associated with specific skill
    - vi. Look at the job description that is currently on file with the City
    - vii. Ensure that language does not imply that the Director needs to be an attorney
    - viii. Does not have to be someone from Charlottesville
    - ix. "Sense of Place" rather than "Place"
    - x. Outreach
      1. "with specific focus on" rather than "preference toward"
      2. Consideration should be given to other socio-economic sectors as well
2. Policy Ad Hoc Committee Report
  - a. None.

3. Community Engagement Ad Hoc Committee Report
  - a. Have volunteers ready to speak for the PSA
  - b. Next step is to set up filming
    - i. Charlene has communicated with Joe Rice
      1. David Dillahunt runs studio at York Place
      2. Need to set date
      3. Someone should go through production training (\$50 from OHR budget)
4. Dialogue on Race
  - a. Still has action groups that are meeting
  - b. Charlene will continue to work with history and media accountability groups
5. Charlene may also be coming back to HRC for collaboration around housing issues in her new role at PHA
6. Adopting Martha's Rules
  - a. This process was discussed at previous meetings
  - b. Under this process motions are typed up ahead of time as part of agenda
    - i. Still space for new motions to emerge during meetings
    - ii. Concern about the practicality of typing motions in advance
    - iii. Council already follows this procedure
    - iv. Motions can emerge from ad hoc committees
    - v. This is an incentive to get agendas out a week ahead of time
    - vi. Having the motions on agendas ahead of time gives HRC time to consider ahead of time
  - c. Concern that motions require a super majority (3/4 vote) to pass
    - i. Our bylaws say 7 members can vote
    - ii. If we do not change the bylaws, only 2 negative votes in 7 will stop a motion
  - d. HRC could adopt a modified set of Martha's Rules with a simple majority
  - e. Concern that newcomers might not understand these rules
    - i. Could note on agenda
    - ii. Could pass out rules to anyone attending
  - f. Suggestion that consensus concept should remain
  - g. Question raised of who will be parliamentarian

## **MOTION**

Motion being considered: *Adopt an amended version of Martha's Rules of Order that uses a simple majority in place of a super majority.*

1. Motion to accept (Commissioner name): Kathryn Laughon
2. Seconded by (Commissioner name): Lyndele von Schill
3. Discussion:
  - a. No additional discussion
4. Vote Record:
  - a. # In favor: 9
  - b. # Opposed: 1
  - c. # Abstained: 2
5. Post-vote discussion
  - a. Ad hoc Committee formed for amending the bylaws
    - i. Olivia
    - ii. Lyndele

- iii. Sue
- iv. Shantell
- b. Suggestion that a parliamentarian would be helpful
  - i. Chair can appoint per bylaws

#### **OTHER BUSINESS**

1. Commissioners comment on meetings and other events attended since the last monthly meeting.
  - a. Sue
    - i. Spoke with VAHR Steering Committee
      1. All would like to honor Charlene
      2. Would like to invite Charlene to annual meeting in Prince William Co.
        - a. First Saturday in June
    - ii. Notes that VAHR will be invoicing OHR for membership dues

#### **MATTERS BY THE PUBLIC**

None.

#### **COMMISSION RESPONSE TO MATTERS BY THE PUBLIC**

None.

#### **NEXT STEPS**

1. **Jeanette will be in touch about City Council Work Session ad hoc committee meeting**
2. **Shantell will be in touch about bylaws amendment ad hoc committee meeting**

**Meeting Adjourned: 7:53 PM.**

**Human Right Commission Minutes  
Ad Hoc Committee Meeting  
Planning for July 28, 2020 Work Session with City Council**

**DATE:** June 11, 2020

**LOCATION:** Virtual/Electronic Meeting

*\*Please note, the summarized notes presented below are recorded in real time and are not concise quotes from the correlated speaker. Please review the posted audio recording for specific language.*

**1. WELCOME**

- a. CALL TO ORDER
  - i. Jeanette Abi-Nader (Ad Hoc Committee Chair) called the meeting to order at 6:00 pm.
- b. ROLL CALL
  - i. Sue Lewis, Phoebe Brown, Lyndele von Schill, Shantell Bingham, Catherine Spear, Jeanette Abi-Nader, Rob Woodside, Ernest Chambers, Kathryn Laughon, Ann Smith (joined at 6:02 pm), and Andy Orban (joined at 6:09 pm).
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*

**2. MATTERS BY THE PUBLIC**

- a. PUBLIC COMMENT
  - i. None.
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
  - i. None

**3. WORK SESSION**

- a. Check-ins
  - i. If people want to give feedback for the Letter of support/Statement. Pheobe has been joining protest and offered a draft.
  - ii. Working on supporting community members who have been discriminated against at distribution sites and encouraging them to go to OHR.
  - iii. Catherine
    - 1. Could help with statement to BLM.
    - 2. Working on supporting her team and the broader community at UVA.
    - 3. Working to ensure that an equity lens is included.
    - 4. Working with new changes to Title XI.
  - iv. Social justice and diving into issues of white supremacy and anti-racism. Doing the self-work and making sure they know what all this means.
  - v. People have been showing up at protests and doing work in Richmond as well as elsewhere in the country. Black indigenous people of color have been hit hard

and team is working to provide support for them.

- vi. Will be crucial for us to be involved when the statue work begins to happen. Ernest appreciates everyone that is protesting, and he is with them.
- vii. Engaging with people through work and supporting people in Southwood. Giving stimulus checks to those that need it.
- viii. Conversations on the phone and listening to others is big.
  - 1. How do we support one another and keep moving on?
- ix. Mutual aid is providing \$20,000 for people need support with medication co-pays.

**b. Develop HRC/City Council Joint Session Agenda Items & Roles:**

- i. Commission/City Management Relationship
  - 1. Define the critical role of the HRC and the mandate of the OHR
  - 2. Consider a mandated protocol for check-ins and adjust a framework for follow-up.
  - 3. Clarify CRB relationship with HRC
    - a. HRC Police policy work on hold until relationship defined.
  - 4. Clarify Office of Equity and Inclusion relationship to HRC
    - a. Identify overlaps and potential for collaboration
    - b. HRC should offer its help in defining relationship
  - 5. Things to review: Need to look at goals of the meeting, and discuss mandate of office.
  - 6. FEPA certification has not moved forward due to a lack of OHR staff.
    - a. Allyson Davies willing to work on application process with OHR.
- ii. OHR Manager/HRC Director position
  - 1. Robert and Andy met with Heather Hill about hiring for OHR Manager/Director.
  - 2. Charlene left the position on Feb 24<sup>th</sup>.
  - 3. City Manager is responsible for authorizing the hiring.
  - 4. Mid-September is the recommended target hiring date, though this may not be attainable.
    - a. 6 months after Charlene's departure.
  - 5. Commissioners discussed various amendments to the OHR Manager job description
    - a. Suggested additional text that focused on thought leadership
    - b. Experience with mediation
    - c. Increasing the number of years' experience required
    - d. Commissioners would like to also compare the current OHR Manager job description with a comparable director-level job description
- iii. Review Policy Priorities/ HRC feedback for Council

1. Review documents that have been shared with Council

**4. MATTERS BY THE PUBLIC**

- a. PUBLIC COMMENT
  - i. None.
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
  - i. None.

**5. NEXT STEPS**

- a. Shantell will forward the email with the invitation to the Council work session
- b. Jeanette will create an editable version of the OHR Manager job description on which collect suggested changes.
  - i. Commissioners are encouraged to provide edits by Wednesday 6/17.
- c. Todd will provide a copy of the Director of Human Services job description for review.
- d. Shantell will draft a note to City Council regarding the joint work session.
- e. Catherine will draft a statement from the HRC regarding the current protests around police violence and race.

**Meeting Adjourned:** 7:42 pm.

Pending HRC Approval





## Active Investigations:

- Case 2019-1
  - Public Accommodation Discrimination on the basis of race
    - Investigative Report submitted to the City Attorney's Office on 5/18/2020
  - City Attorney's Office notes that, per the language of the Charlottesville Human Rights Ordinance, City Staff must serve as the administrative judge on the case
    - In the absence of an OHR Manager/HRC Director this responsibility now falls on the City Manager or his designee
    - Currently awaiting decision by City Manager

## Outreach:

- COVID-19 Response
  - OHR staff was asked to assist with the Charlottesville Resource Hotline
    - To-date this has included 375 incoming and outgoing contacts
    - Currently providing follow-up when people call for status requests of Pathways payments
- Service Provision
  - None to report
- Education & Awareness
  - None to report
- Facilitation & Leadership
  - Public Housing Association of Residents Community-Based Research Review Board (CRRB)
    - Three-way MOU between PHAR, the Equity Center, and the Institutional Review Board for the Social and Behavioral Sciences under review
    - Equity Center funds for the CRRB set for release before the end of June
    - OHR staff continues to provide input, feedback, and administrative support
  - Affordable Housing
    - Code for Charlottesville has nearly completed the affordable housing navigation software
      - Pending meeting with housing navigators for testing and feedback
    - OHR staff continues to assist with coordination between Code for Charlottesville, navigators, and other interested parties on discussions around improving housing navigation
    - A bill to limit housing discrimination on the basis of source of payment, i.e. vouchers, has passed the General Assembly and was signed by Gov. Northam. The language will be included in the Virginia Fair Housing Act and will go into effect July 1.
  - Welcoming Greater Charlottesville (WGC)
    - Welcoming Week activities will shift to virtual/electronic format
    - The refugee resettlement simulation will likely not be a part of this event this year
    - OHR staff is engaging WGC task force members in thinking about ways to address ongoing concerns about conflicts between new immigrants and long-time residents, especially in public and subsidized housing

March 9, 2020

Dear Members of Council,

We the undersigned ask that you address and correct, as specified below, the significant problems with the Charlottesville Office of Human Rights/Human Rights Commission in this current budget cycle.

The original intention of the Charlottesville Human Rights Commission was to address and remedy complaints about employment and housing discrimination especially by race through enforcement as well as to conduct major studies of systemic discrimination in order to make substantive recommendations to Council for equity policy changes. It was intended to be a major tool in the struggle to make Charlottesville a more equitable and fair community. There are still many citizens who on a daily basis suffer from employment and housing discrimination. The OHR/HRC has not evolved into an effective tool for equity as originally intended by citizens participating in the Dialogue on Race when the HRC was established.

As you know the Office of Human Rights/Human Rights Commission was intended to have three main functions: 1) to address individual complaints of discrimination by race, ethnicity and other protected classes in employment, housing, credit, public accommodations and private education; 2) to conduct major and significant studies of systemic discrimination in Charlottesville by empaneling experts, calling witnesses, conducting research and holding town hall meetings and then providing Council with recommendations for policy change; and 3) to conduct education and outreach such as the dialogue on race.

In the past several years the OHR/HRC has not been effective in functions #1 and #2 above. This has been due to certain systemic or structural problems that were ignored by the Council when it enabled a weak OHR/HRC ordinance. For instance, there is too close a relationship between City Manager's office and the businesses that might be investigated for there to be any effective way to conduct enforcement with the compliance mechanism being housed in the City Manager's office as it is now. The OHR/HRC has not reached its potential because of deep structural issues that were present from the beginning and steps that have been taken since then to weaken it. For instance, many have been asking for a workshare agreement with EEOC (FEPA) and HUD (FHAP) for several years so that the OHR could do local investigators of companies employing more than 14 persons. To date there has been no action on this request.

On the matter of the HRC conducting significant studies of systemic discrimination with policy recommendations, this function has not been adequately fulfilled.

One of the primary stumbling blocks to the OHR/HRC effectiveness relates to decisions to de-prioritize the need for the OHR director to have significant civil rights and legal experience, as specified by the original position description. In addition, rather than deal with the roots of continued commission dysfunction, Council expanded the number of commissioners to 16 and

this has hindered the HRC from effective process. As a result the HRC and OHR have been ineffective and is not producing its intended impact on community equity. In essence, the OHR/HRC was derailed from its original intentions by bureaucratic decisions. Hence, we ask you to remedy this problem at the level of Council policy.

We ask Council now to remedy this problem in the current budget cycle by making the following policy changes:

- 1) Hiring a Manager of the OHR/Director of the HRC who has legal and civil rights credentials and significant experience with human rights compliance;
- 2) Revising the position description for the position of Manager/Director to include the skills necessary to direct, supervise and manage the mandated HRC task of conducting one major study of systemic discrimination per year and producing substantive policy recommendations to Council (We attach the original position description with some suggested modifications);
- 3) Changing the ordinance to direct the new Director of the OHR to work with the HRC to establish agreements with EEOC and HUD for workshare agreements (FEPA and FHAP) in order for the HRC/OHR to expand complaint investigations in housing and employment;
- 4) Reduce the HRC membership back to 7 or 9 by using a first in, first out format for reducing its size for effective deliberation and action;
- 5) Requiring that 4 HRC commissioners have subject-matter expertise in housing, health, employment, education and that at least 2 commissioners be from organizations representing citizens from historically marginalized communities affected by housing and employment discrimination;
- 6) Moving the OHR Director/HRC functions related to discrimination complaint compliance and major systemic studies of discrimination into the City Attorney's Office with direct oversight by Council;
- 7) Designating a Council liaison to the HRC;
- 8) Modifying the ordinance to mandate the chair of the HRC report directly to Council every quarter on progress related to systematic studies of discrimination;
- 9) Modifying the current ordinance and bylaws of the OHR/HRC to reflect the changes specified above.

We have waited too long for the OHR/HRC to meet the intended outcomes of the HRC as specified by the citizens who cried out for effective employment and housing discrimination complaint resolution many years ago in the City's Dialogue on Race initiative.

Signed,

Legal Aid Justice Center  
Public Housing Association of Residents  
Virginia Organizing  
Charlottesville Low-Income Housing Coalition

Black Lives Matter-Charlottesville  
Standing Up For Racial Justice-Charlottesville  
People's Coalition on Criminal Justice Reform

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, BY ADDING A NEW ARTICLE XV ENTITLED HUMAN RIGHTS.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia that Chapter 2 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and reordained by adding a new Article XV entitled Human Rights, which Article shall read as follows:

Article XV. Human Rights

Sec. 2-430. Short title.

This Article shall be known and referred to as the Charlottesville Human Rights Ordinance.

Sec. 2-431. Unlawful discrimination prohibited.

(a) It shall be unlawful and a violation of this article for any person, partnership, corporation or other entity to engage in discrimination in housing, employment, public accommodations, credit, and education on the basis of race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status or disability.

(b) As used herein, the term “discrimination on the basis of sex” is defined to include, but not be limited to, discrimination on the basis of gender identity, transgender status or sexual orientation.

(c) As used herein, the term “unlawful discriminatory practice” includes conduct in violation of any comparable Virginia or federal statute or regulation governing unlawful discrimination.

Sec. 2-432. Human Rights Commission.

(a) There is hereby created in the City of Charlottesville a Human Rights Commission, consisting of ~~nine members appointed by the City Council. The Commission membership shall be broadly representative of the City’s population, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood and age groups within the City. The membership shall consist of one subject-matter expert in each: housing, employment, education discrimination. At least two members of the Commission shall represent communities that have historically experienced employment and housing discrimination.~~ Of the members first appointed, at least three shall be appointed for terms of three years, at least three shall be appointed for terms of two years, and at least three shall be appointed for terms of one year. Thereafter members shall be appointed for terms of three years each. Any vacancy shall be filled by the City Council for the unexpired portion of a term. Following notice to the member, any member of the Commission may be removed for good cause by a majority vote of City Council.

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(b) The Commission shall elect from its members a chair, a vice-chair, and such other officers as the Commission may deem appropriate. The Commission may also adopt rules and procedures to govern the conduct of its affairs.

(c) Members of the Commission shall serve without compensation, but funds may be appropriated in the City's annual budget for reasonable and necessary expenses to be incurred by Commission in the conduct of its prescribed functions.

(d) All meetings of the Commission shall be advertised in advance and in the manner required by law, and shall be open to the public except for meetings lawfully closed pursuant to the Virginia Freedom of Information Act. At the beginning and at the end of each of its public meetings the Commission will receive public comment in accordance with City Council's "Rules for Public Participation".

(e) The Commission may, in its discretion, delegate any of its duties or responsibilities hereunder to a panel of not less than three Commissioners.

(f) There shall be a full-time Director of the Commission, who shall be appointed by the [City Council] with the advice and consent of the Commission and who shall serve full time in that capacity. The Director will be responsible for and report to the Commission in the day-to-day operational conduct of the Commission's activities. The Director shall report directly to the [City Attorney] for administrative and fiscal matters. The [City Attorney] shall delegate to the Director the authority to employ such additional staff as authorized and funded by the City Council, in order for the Commission to fulfill effectively its obligations under this Ordinance.

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(g) All City departments, boards and commissions shall cooperate with and provide assistance to the Commission, including the provision of information in response to reasonable requests from the Commission.

(h) Legal counsel shall be provided to the Commission and its staff through the Office of the City Attorney. The City Council may authorize retention of outside counsel where deemed appropriate upon recommendation of the City Attorney.

(i) City Council shall appoint one of its members to be a liaison to the Human Rights Commission.

Sec. 2-433. Role of the Human Rights Commission.

The role of the Human Rights Commission is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights. The Commission will:

- (a) Identify and review policies and practices of the City of Charlottesville and its boards and commissions and other public agencies within the City and advise those bodies on issues related to human rights issues;
- (b) Collaborate with the public and private sectors for the purpose of providing awareness, education and guidance on methods to prevent and eliminate discrimination citywide;
- (c) Assist individuals who believe they are the victim of an act of unlawful discrimination within the City;
- (d) Make recommendations regarding the City's annual legislative program, with an emphasis on enabling legislation that may be needed to implement programs and policies that will address discrimination;

Sec. 2-434. Duties and responsibilities – Community dialogue and engagement.

- (a) The Commission will serve as a forum for the discussion of human rights issues, and

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be responsible for conducting ongoing efforts to engage community members in an open, honest and creative dialogue regarding issues of equity and opportunity, including but not limited to issues considered by the City's Dialogue on Race initiative.

- (b) The Commission may conduct or engage in educational and informational programs for the promotion of mutual understanding, reconciliation and respect between all classes of individuals protected by this ordinance and the larger Charlottesville community.

Sec. 2-435. Duties and responsibilities – Systemic issues.

- (a) The Commission will be responsible for identifying and reviewing policies, practices and systems of an institutional nature that:

- (1) May be unlawful discriminatory practices; or,

- (2) May not constitute unlawful discriminatory practices but nevertheless which produce disparities that adversely impact affect individuals on the basis of a status such as their race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, criminal record, income or disability.

- (b) Any review undertaken pursuant to this section may be initiated at the request of any other public or private entity, or by the Commission on its own initiative.

(c) The Commission will conduct on an annual or bi-annual basis one major study of discrimination in Charlottesville which may include conducting its own research and review of existing studies and literature, collaborating with other research organizations or experts, organizing public focus groups and townhall meeting and holding such hearings as may be necessary to identify policies, practices and systems as referenced in (a), above. For each such identified policy, practice or system, the goal of the Commission will be to formulate recommendations for City Council and to propose concrete, actionable reforms that will eliminate discriminatory practices or the adverse effects of lawful other practices.

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Sec. 2-436. Reserved.

Sec. 2-437. Duties and responsibilities – Investigation of individual complaints and issuance of findings.

(a) The Director will develop and implement a central intake mechanism for receiving and processing individual complaints that allege an unlawful discriminatory practice in the City.

(b) In cases where investigation and remediation are already available in the City, such as employment discrimination complaints within the jurisdiction of the Equal Employment Opportunity Commission (“EEOC”) or fair housing complaints addressed by the Piedmont Housing Alliance, the complaint will be referred to that agency so that investigation and enforcement may be initiated by those bodies, which will offer services in the City and, to the extent allowed by law, report their findings to the Commission. The Director shall make efforts to enter into workshare agreements such as FEPA with the EEOC for employment discrimination complaints and FHAP with HUD for housing discrimination complaints which shall govern the processes defined in section (c) below.

(c) For all other complaints alleging an unlawful discriminatory practice as defined herein within the corporate limits of the City, the Director or other designated professional staff will conduct, as authorized by this ordinance, fact-finding, mediation, conciliation, and, if necessary, full investigation of the complaint as he or she deems appropriate to ascertain the facts underlying the charge of discrimination, provided that the complaint may be dismissed by the Director without investigation if it fails to adequately allege a violation of this ordinance or is otherwise deficient on its face. If the complaint is not dismissed the Director will serve a copy on

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each respondent named therein. Upon completion of the initial investigation, the Director shall render a written determination of whether there is probable cause to believe a violation of this ordinance has occurred, and the facts supporting such determination. The written determination shall promptly be served on the parties.

(d) If the Director determines that there is probable cause to believe a violation has occurred, the Director will propose an initial meeting between the parties for the purpose of exploring a resolution of the complaint through voluntary mediation or other informal means. Nothing herein shall be interpreted as requiring any party to participate in mediation or any other conciliatory efforts. Materials used and communications made during a mediation or informal conciliation shall be confidential, and shall not be disclosed to the public by the Director, the Commission or its staff unless disclosure is authorized in writing by all parties to the dispute.

(e) If the mediation or conciliation is concluded to the satisfaction of both parties, the complaint will be considered resolved upon the parties' execution of a written conciliation or settlement agreement. Unless all parties agree otherwise the execution of a written agreement is solely for the purpose of settling a disputed claim, and does not constitute an admission by any party that the law has been violated. No further action on the initial complaint will be taken by the Commission or its staff once the agreement is executed. If mediation or conciliation is not successful, the Director or designee may conduct further investigation or, if further investigation is not warranted, either dismiss the complaint as not constituting a violation or proceed with the preparation of materials for consideration by the Commission, as provided in section 2-439.1 (b).

(f) In order to fulfill the requirements of this section, the [Cty Attorney] is authorized to contract on behalf of the City with any objective, neutral third party qualified to assess allegations of discriminatory conduct as prohibited in section 2-431, for the purpose of receiving complaints, conducting investigations, rendering written determinations of whether there is probable cause to believe a violation of this ordinance has occurred, conducting mediations or conciliations of complaints and advising the Director of the Commission of the results of any investigation, mediation or conciliation of complaints.

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(g) The chair of the Human Rights Commission shall report to Council, on a quarterly basis, the progress of complaint statistics and the progress of its annual/bi-annual discrimination studies.

Sec. 2-438. Reserved.

Sec. 2-439.1. Enforcement authority – The role of the Commission.

(a) If the Director determines that there is insufficient probable cause to believe a violation of this ordinance has occurred, the Director shall dismiss the complaint and advise the complainant in writing that such dismissal shall become final unless, within ten (10) business days of receipt of notice of the dismissal, the complainant files with the Commission a request for a review of the determination of the Director. On written petition of the complainant the Commission may review the Director's conclusion, and may either overrule or affirm the finding of no probable cause. The parties may submit such additional information as they desire for the Commission's consideration. If the Commission determines that probable cause exists, it shall direct the Director to continue the investigation or proceed with conciliation efforts.

(b) If the Director determines that probable cause to believe a violation did occur and either party declines to participate in mediation or other informal means of resolving the complaint, or if such efforts are attempted but unsuccessful, the Director shall prepare a written summary of the evidence on which the determination of probable cause is based, and shall

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recommend appropriate remedies for the discriminatory actions in a report to the Commission. The Commission shall determine by majority vote whether to hold a public hearing on the complaint. **Unless and until there is a vote to hold a public hearing, the name of the complainant shall be kept confidential.** The Commission shall base its determination on its judgment as to how enforcement of this ordinance would be best served. If the Commission determines not to hold a public hearing, it shall either dismiss the complaint or take such action as it deems appropriate and consistent with the purposes of this ordinance and the powers of the Commission hereunder.

(c) If a hearing is to be held, the Commission shall promptly notify the parties of the time, date and location of the hearing and serve upon them a statement of the charges against the respondent, the Director's summary of the evidence and recommended remedies, and the issues to be considered at the hearing. The Commission will have the option to consider all of the allegations and issues set forth in the complaint or, in its discretion, may limit the scope of the hearing to one or more of the allegations or issues. The notice and statement shall be served no later than 14 days prior to the date of the hearing. Hearings of the Commission may be held before the entire Commission or before designated hearing panels, consisting of three or more members of the Commission, as the Commission in its discretion may determine. The Chair or a Commissioner designated by the Chair shall preside over the public hearing, which shall be open to the public.

(d) Whenever the Commission has reasonable cause to believe that any person has engaged in or is engaging in any unlawful discriminatory practice, and the Commission, after a good faith effort to obtain the data and information necessary to determine whether a violation has occurred, has been unable to obtain such information, it may request the City Attorney to apply to the judge of the circuit court of the jurisdiction in which the respondent resides or is doing business for a subpoena duces tecum against any person refusing to produce such data and information. The judge of the court, upon good cause shown, may cause the subpoena to be issued. Any person failing to comply with such subpoena shall be subject to punishment for contempt by the court issuing the subpoena. For purposes of this section, "person" includes any individual, partnership, corporation, association, legal representative, mutual company, joint stock company, trust, unincorporated organization, employee, employer, employment agency, labor organization, joint labor-management committee, or an agent thereof.

(e) In cases to be heard by the Commission the complainant and the responding parties shall be entitled:

(1) To file written statements or arguments with the Commission prior to the hearing; (2) To be represented by privately retained counsel of his or her choice;

(3) To present his or her case or defense by oral or documentary evidence, to be given under oath or by affirmation;

(4) To submit rebuttal evidence; and

(5) To conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received, but the Commission as a matter of policy shall provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence. The Commission shall not be bound by the strict rules of evidence prevailing in the courts of law or equity.

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(f) The Director shall be responsible for assuring the development of the evidentiary record before the Commission and may introduce evidence, examine or cross-examine witnesses, or make argument if he or she deems it advisable in order to fully apprise the Commission of the facts or the applicable law. The Commission shall keep a full record of the hearing, which record shall be public and open to inspection by any person unless otherwise provided by any applicable law or regulations. Any party may request that the Commission furnish such party a copy of the hearing record and shall reimburse the Commission for the cost of producing the copy. In matters where any party is represented by counsel, the office of the City Attorney shall provide an attorney as counsel to the Commission who will also assist the Director in preparing the case.

(g) If, after the hearing, the Commission determines by a preponderance of the evidence that the respondent has committed or is committing the alleged violation(s) of this ordinance, the Commission shall state its findings and may issue recommendations, to be served promptly on the parties, which recommendations may include notice to the respondent to cease and desist from such violation(s) and to take such action as may be authorized by law to effectuate the purpose of this ordinance, including but not limited to the payment by respondent of compensatory damages to any person or persons found by the Commission to be so entitled by reason of the violation(s) of this ordinance, or the placement or restoration of any person in or to such status in which the Commission finds he or she would be but for respondent's violation(s) of this ordinance.

(h) If, after receiving the evidence presented at the hearing, the Commission finds that the respondent has not engaged in the alleged violation(s) of this ordinance, the Commission shall

state its findings and shall dismiss the complaint. Prompt notice of such action shall be given to the parties.

(i) Nothing herein shall be construed as authorizing the Commission to issue subpoenas, award damages or grant injunctive relief.

Sec. 2-439.2. Enforcement authority – Court enforcement.

(a) If the Commission finds that a respondent has committed a violation of this ordinance and determines that appropriate remedial measures have not been taken, the Commission, through the City Attorney, and subject to approval by the City Council, may file an appropriate action in any court of competent jurisdiction to prove, de novo, that the respondent violated this chapter; secure compliance with this chapter; and/or obtain appropriate relief available under any applicable federal or state statute or regulation including, but not limited to an award of injunctive relief, compensatory and / or punitive damages and a recovery of costs and attorney's fees for any person, including the City, injured as a result of a violation of this chapter.

(b) If the City Council approves the institution of any proceeding in court, the proceeding shall be brought in the name of the City Council and the Human Rights Commission of the City of Charlottesville.

Sec. 2-440. Confidentiality.

It shall be unlawful for any Commissioner, officer, employee, contractor or staff member of the Commission to disclose or make public any complaints, investigative notes, or other correspondence and information furnished to the Commission or its staff in confidence with respect to a complaint, an investigation or conciliation process involving an alleged unlawful

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discriminatory practice. A violation of this section shall be a Class 3 misdemeanor.

Sec. 2-441. Annual Report.

The Commission shall make an annual comprehensive report to City Council that outlines its efforts during the preceding year in the areas of identifying and addressing systemic or institutional discrimination; processing individual complaints of unlawful discrimination; and facilitating a community dialogue regarding issues of human rights. The report shall also outline the Commission's work plan for the ensuing year, which shall be subject to approval or modification by City Council.

Sec. 2-442. Severability.

The provisions of the Article are severable; and if any provision, sentence, clause, section or part thereof is held illegal, invalid, unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Article, or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Article would have been adopted if such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included therein, and if the person or circumstances to which the chapter or any part thereof is inapplicable had been specifically exempted therefrom.

Sec. 2-443. Reserved.

## Original Position Description for Director Charlottesville Office of Human Rights (with suggested changes)

### General Summary

Works at an advanced professional and managerial level in planning, organizing, and coordinating the Human Rights Program within the City Manager's Office (ORDNANCE CHANGE: "or City Attorney's Office"). Work includes directing, including providing support for and legal guidance to the Human Rights Commission; coordinating and conducting investigations into allegations of discrimination on the basis of race, color, sex, religion, national origin, marital status, handicap, or age as prohibited by local ordinance in the areas of private sector employment, private education, credit and public accommodations. Evaluates staffing needs of the Office, advocates for further or different staffing as public need dictates, develops position descriptions for, and recruits and hires staff accordingly. Assigns and evaluates the work of office staff; provides technical guidance and training. Negotiates with respondents, complainants and their representatives; speaks to various civic, faith and private business groups; and performs special projects as assigned. Primarily and most frequently the work is performed independently, with diverse functional areas and more specialization and ability to train others.

This position reports to the City Manager with day-to-day operational oversight provided by the Assistant City Manager.

### Essential Responsibilities and Duties

- Administers and coordinates activities of the Human Rights program.
- Coordinates, assigns, and evaluates the work of office staff.
- Develops partnerships that identify and address issues of discrimination on the basis of race, color, sex religion, national origin, marital status, including workshare agreements such as FEPA agreements with Equal Employment Opportunity Commission (EEOC) and FHAP agreements with the Department of Housing and Urban Development (HUD).
- Investigates allegations of discrimination.
- Supervises subordinate personnel.
- Primarily and most frequently the work is performed independently, with diverse functional areas and more specialization and ability to train others.
- Directs and coordinates efforts to investigate, mediate, and reconcile complaints.
- Develops and disseminates human rights literature.
- Provides staff support for the Human Rights Commission:
  - o Responds to Human Rights Commission and community inquiries regarding issues, policies, and complaints.
  - o Helps to conceptualize, develop, and carry out research projects for the Commission including one major study per year on an issue of systemic discrimination that may include potential research, hearings, expert witnesses and townhalls that result in significant policy recommendations for City Council.
  - o Provides preliminary data and research for Commission to evaluate feasibility and strategy of possible projects.
  - o Works with Commission to develop a strategy when moving forward with a given issue.

- Administers and implements programs including discrimination prevention, education, voluntary compliance and outreach efforts to citizens, and community and business groups.
- Recommends amendments and additions to the Charlottesville Human Rights Ordinance.
- Prepares reports, correspondence and memoranda.
- Coordinates, assigns, and evaluates the work of office staff.
- Assigns and reviews investigations performed by office staff.
- Interprets policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations.
- Trains staff on new or revised policies and procedures.
- Investigates allegations of discrimination.
- Receives and review initial complaints; conducts intake conferences; conducts.
- Prepares and manages the Office's annual budget.
- Researches and designs program evaluation criteria and methods; collects and reports performance measures for the Human Rights Office's programs.
- Performs related tasks as required.

#### Education, Experience and Skills

Education: Any combination of education and experience equivalent to a Master's degree from an accredited college with major work in Public Administration, Personnel Administration, Sociology, Psychology, Law, **Mediation Training and Employment Investigation Training** or related fields. A Law degree is not required but preference will be given to applicants with work experience, training and/or education in the legal field.

Experience: Three years' experience in civil/human rights compliance, investigation, or administration.

Skills: Ability to read and comprehend complex legal materials. Ability to interpret policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations. Ability to supervise the work of others. Assigns and reviews investigations performed by staff. Ability to compose and edit reports, proposals, procedures, policies, recommendations, etc. Ability to develop and disseminate human rights literature. Ability to organize major studies of systemic discrimination including conducting research, enabling expert panels, conducting hearings and townhalls and producing policy recommendations; Interpersonal skills to resolve complaints, maintain liaison, and speak in public. Ability to negotiate with involved parties and/or their representatives to resolve complaints; recommends further action. Ability to define problems and collect relevant information to recommend policy solutions. Ability to interpret policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations. Thorough knowledge of federal guidelines and regulations pertaining to human rights issues.

#### Organization Competencies

Interpersonal Effectiveness/Communication: Reviews documents for professional, technical, and content errors, and may be called on to review and revise more complex documents. Often acts as a formal or informal team leader or project leader. Provides communication support or consultation.

Service/Support Orientation: Assists others to find answers to the more difficult and complex questions.

Forms professional working relationships with individuals in other departments and organizations to resolve issues. Coaches or trains others to reach positive service and support outcomes. In addition to applying city and agency guidelines, provides consultation to others in more diverse and complex situations.

Multi-tasking/Problem Solving: Independently balances multiple complex tasks. Trains, coaches or mentors others to develop skills in multi-tasking and problem solving. Trains, coaches or mentors others to develop project management skills.

Organization: Sets and adjusts priorities to accomplish objectives. Advises others in matters of standard or routine technical assistance, interpretation and consultation. Provides professional support to other workers. Assists in resolving schedule conflicts within the team. Assists team members in managing appointments and assignments. Trains, mentors or coaches others in matters of organization skill and knowledge.

#### Job Family Competencies

Performance Management: Demonstrates skill and proficiency in integrating the performance management of several functional or operational areas. Manages the performance of others who have responsibility for supervising others, for complex decision-making, and the coordination of various functions and interaction with professional and technical specialists.

Teamwork and Cooperation: Brings multiple units or departments together to pool resources in support of goal accomplishment. Creates cross-function teams in a variety of specialized operational and programmatic areas. Builds and implements the framework for team accountability and performance in multiple functional areas to reduce the negative impact of functional barriers imposed by hierarchical structure and department boundaries. Explores best practices of how the work of teams and units within the department or division can contribute to the goals and objectives of city government.

Coordination, Planning, and Decision-Making: Uses a wider variety of inter- and intra-departmental resources to address problems and to carry-out decisions. Uses integrated project management to coordinate several different complex projects and deploys work break-down structures for identifying work, assigning resources, and estimating. Evaluates performance metrics, process design, and output of several differing functional areas to determine needed improvements and creates plans to meet identified needs. Applies systematic multi-factor

analysis, trend analysis, and other forms of data analysis and assessment to a diversity of operations and programs for the purpose of planning and managing resources.

Technical and Content Knowledge: Serves as a subject matter expert or resource person in specialty areas of services, operations or programs, policy, finances, planning, or other areas of professional or administrative expertise. Demonstrates understanding of the purpose, processes, procedures, methods, technologies, tools, equipment, terminology, standards, performance measures, and outcomes of work teams, units, and specialty areas of multiple functional areas and units.

Physical Conditions & Work Contacts

Standard work environment.

FLSA Status: Exempt



CITY OF CHARLOTTESVILLE  
 Established Date: May 31, 2013  
 Revision Date: Jul 30, 2015

# Office of Human Rights Manager

Class Code:  
1002

## SALARY RANGE

\$35.32 - \$68.88 Hourly  
 \$2,825.92 - \$5,510.18 Biweekly  
 \$6,122.84 - \$11,938.72 Monthly  
 \$73,474.02 - \$143,264.58 Annually

### GENERAL SUMMARY:

Works at an advanced professional and managerial level in planning, organizing, and coordinating the Human Rights Program within the City Manager's Office. Work includes providing staff support for the Human Rights Commission; coordinating and on occasion conducting investigations into allegations of discrimination on the basis of race, color, sex, religion, national origin, marital status, handicap, or age as prohibited by local ordinance in the areas of private sector employment for employers employing 6 to 14 employees, private education, credit and public accommodations. Assigns and evaluates the work of office staff; provides technical guidance and training. Negotiates with respondents, complainants and their representatives; speaks to various civic, faith and private business groups; and performs special projects as assigned. Primarily and most frequently the work is performed independently, with diverse functional areas and more specialization and ability to train others.

This position reports to the City Manager with day-to-day operational oversight provided by the Assistant City Manager.

### ESSENTIAL RESPONSIBILITIES AND DUTIES:

- Administers and coordinates activities of the Human Rights program.
- Coordinates, assigns, and evaluates the work of office staff.
- Develops partnerships that identify and address issues of discrimination on the basis of race, color, sex religion, national origin, marital status.
- Investigates allegations of discrimination.
- Supervises subordinate personnel.
- Primarily and most frequently the work is performed independently, with diverse functional areas and more specialization and ability to train others.
- Directs and coordinates efforts to investigate, mediate, and reconcile complaints.
- Develops and disseminates human rights literature.
- Provides staff support for the Human Rights Commission:
  - Responds to Human Rights Commission and community inquiries regarding issues, policies, and complaints.
  - Helps to conceptualize, develop, and carry out research projects for the Commission.
  - Provides preliminary data and research for Commission to evaluate feasibility and strategy of possible projects.
  - Works with Commission to develop a strategy when moving forward with a given issue.
- Administers and implements programs including discrimination prevention, education, voluntary compliance and outreach efforts to citizens, and community and business groups.
- Recommends amendments and additions to the Charlottesville Human Rights Ordinance.
- Prepares reports, correspondence and memoranda.

- Coordinates, assigns, and evaluates the work of office staff.
- Assigns and reviews investigations performed by office staff.
- Interprets policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations.
- Trains staff on new or revised policies and procedures.
- Investigates allegations of discrimination.
- Receives and review initial complaints; conducts intake conferences; conducts.
- Prepares and manages the Office's annual budget.
- Researches and designs program evaluation criteria and methods; collects and reports performance measures for the Human Rights Office's programs.
- Performs related tasks as required.

## **EDUCATION, EXPERIENCE AND SKILLS:**

**Education:** Any combination of education and experience equivalent to a bachelor's degree from an accredited college with major work in Public Administration, Personnel Administration, Sociology, Psychology, Law, Law Enforcement or related field. A Law degree is not required but preference will be given to applicants with work experience, training and/or education in the legal field.

**Experience:** Three years' experience in civil/human rights compliance, education, investigation, or administration.

**Skills:** Ability to read and comprehend complex legal materials. Ability to interpret policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations. Ability to supervise the work of others. Assigns and reviews investigations performed by staff. Ability to compose and edit reports, proposals, procedures, policies, recommendations, etc. Ability to develop and disseminates human rights literature. Interpersonal skills to resolve complaints, maintain liaison, and speak in public. Ability to negotiate with involved parties and/or their representatives to resolve complaints; recommends further action. Ability to define problems and collect relevant information to recommend policy solutions. Ability to interpret policy/procedures, and provides technical assistance and guidance to staff and volunteers; recommends alternative solutions to difficult negotiations. Thorough knowledge of federal guidelines and regulations pertaining to human rights issues.

## **ORGANIZATION COMPETENCIES:**

**Interpersonal Effectiveness/Communication:** Reviews documents for professional, technical, and content errors, and may be called on to review and revise more complex documents. Often acts as a formal or informal team leader or project leader. Provides communication support or consultation.

**Service/Support Orientation:** Assists others to find answers to the more difficult and complex questions.

**Forms professional working relationships** with individuals in other departments and organizations to resolve issues. Coaches or trains others to reach positive service and support outcomes. In addition to applying city and agency guidelines, provides consultation to others in more diverse and complex situations.

**Multi-tasking/Problem Solving:** Independently balances multiple complex tasks. Trains, coaches or mentors others to develop skills in multi-tasking and problem solving. Trains, coaches or mentors others to develop project management skills.

**Organization:** Sets and adjusts priorities to accomplish objectives. Advises others in matters of standard or routine technical assistance, interpretation and consultation. Provides professional support to other workers. Assists in resolving schedule conflicts within the team. Assists team members in managing appointments and assignments. Trains, mentors or coaches others in matters of organization skill and knowledge.

**JOB FAMILY COMPETENCIES:**

**Performance Management:** Demonstrates skill and proficiency in integrating the performance management of several functional or operational areas. Manages the performance of others who have responsibility for supervising others, for complex decision-making, and the coordination of various functions and interaction with professional and technical specialists.

**Teamwork and Cooperation:** Brings multiple units or departments together to pool resources in support of goal accomplishment. Creates cross-function teams in a variety of specialized operational and programmatic areas. Builds and implements the framework for team accountability and performance in multiple functional areas to reduce the negative impact of functional barriers imposed by hierarchical structure and department boundaries. Explores best practices of how the work of teams and units within the department or division can contribute to the goals and objectives of city government.

**Coordination, Planning, and Decision-Making:** Uses a wider variety of inter- and intra-departmental resources to address problems and to carry-out decisions. Uses integrated project management to coordinate several different complex projects and deploys work break-down structures for identifying work, assigning resources, and estimating. Evaluates performance metrics, process design, and output of several differing functional areas to determine needed improvements and creates plans to meet identified needs. Applies systematic multi-factor analysis, trend analysis, and other forms of data analysis and assessment to a diversity of operations and programs for the purpose of planning and managing resources.

**Technical and Content Knowledge:** Serves as a subject matter expert or resource person in specialty areas of services, operations or programs, policy, finances, planning, or other areas of professional or administrative expertise. Demonstrates understanding of the purpose, processes, procedures, methods, technologies, tools, equipment, terminology, standards, performance measures, and outcomes of work teams, units, and specialty areas of multiple functional areas and units.

**PHYSICAL CONDITIONS & WORK CONTACTS:**

Standard work environment.

FLSA Status: Exempt



CITY OF CHARLOTTESVILLE  
 Established Date: Jul 12, 2013  
 Revision Date: Jan 8, 2014

## Dir. of Human Services

Class Code:  
126

### SALARY RANGE

\$42.91 - \$85.82 Hourly  
 \$3,432.61 - \$6,865.22 Biweekly  
 \$7,437.32 - \$14,874.64 Monthly  
 \$89,247.86 - \$178,495.71 Annually

#### GENERAL SUMMARY:

Serves as a human services policy advisor to the City Manager. Acts as a liaison to and/or works to advance the work of a variety of local and State human service planning organizations. Will be responsible for leading committees established by the City Council or City Manager to address human service related needs in our community. The job requires the ability to work closely with people from diverse backgrounds and the ability to build consensus on solutions to human service challenges in our community.

Responsible for the management of all operations concerning Community Attention programs include providing residential and community-based support for youth. Community Attention programs including but are not limited to a group home, foster care family recruitment and supervision, and a variety of community-based programs serving at-risk children and/or children in trouble and their families.

Reports to the Assistant City Manager.

#### ESSENTIAL RESPONSIBILITIES AND DUTIES:

Researches, coordinates and implements social policy initiatives at the request of the City Manager. Plans, organizes and directs through delegated subordinates departmental operations including but are not limited to a group home, foster care family recruitment and supervision, and a variety of community-based programs serving at-risk children and/or children in trouble and their families.

Researches, coordinates and implements social policy initiatives at the request of the City Manager.

Secures resources for Community Attention programs, supervises the preparation of grant applications, plans and coordinates the implementation and evaluation of programs.

Reviews policies, rules and procedures and implements changes in the interest of improving departmental operations.

Enforces local state and departmental rules, regulations and procedures.

Serves as a human services policy advisor to the City Manager.

Ensures the investments made by City Council in human service organizations meet their vision, values, and expected outcomes.

Acts as a liaison to and/or works to advance the work of a variety of local and State human service planning organizations working in the following areas including but not limited to juvenile justice and

detention, adult offender re-entry, public housing, human rights, homelessness, mental health, community health, workforce development, aging, and others as determined by the City Manager.

Serves on the Comprehensive Services Act Community Policy and Management Team.

Provides direct oversight and management or through a designee to the Youth Council, City of Promise initiative and other similar community grants and initiatives.

Oversees and participates in the preparation of the department budget, defends program expenditures, monitors financial operation, certifies departmental payments.

Maintains extensive contacts with numerous local social service agencies, attends professional meetings, local and state committees, local, regional and national conferences and assists in developing plans for improving and coordinating services of community resources, gives talks, interprets programs, regulations, procedures and explains services and eligibility requirements and procedures.

Performs related tasks as required.

## **EDUCATION, EXPERIENCE AND SKILLS:**

**Education:** A bachelor's degree in a field related to human and social welfare from an accredited college or university is required. A master's degree is preferred.

**Experience:** 8-10 years of increasing responsible administrative management experience in a human/social services agency.

**Skills:** Comprehensive knowledge of principles and methods of administration, including planning, directing, and personnel and fiscal management; comprehensive knowledge of human behavior essential to working effectively with individuals and groups; comprehensive knowledge of current social, economic, adolescent and health programs; comprehensive knowledge of social welfare administration; comprehensive knowledge of federal, state and local human services policies and programs, and the laws on which they are based; ability to plan, organize and direct a large staff of professional and nonprofessional employees; ability to plan to analyze complex data and develop comprehensive courses of action; ability to express complex ideas effectively, orally and written; ability to establish and maintain effective working relationships with officials, employees, community agencies, the public and various community officials.

## **ORGANIZATION COMPETENCIES:**

**Interpersonal Effectiveness/Communication:** Independently prepares concise and clear complex and strategic documentation. Analyzes complex or difficult communication situations and formulates effective responses. Balances and optimizes the skills and contributions of others; creates an environment that allows others to willingly share expertise with others. Able to provide ongoing feedback, perform formal evaluations. Promotes positive solution-oriented communication.

**Organization:** Sets strategic priorities and monitors attainment of goals. Leads or directs major, organization-wide, multi-faceted projects. Oversees distribution of responsibility for program and work processes. Leads, directs development of new processes, or process improvement. Makes final decisions concerning conflicting priorities and resource needs among units. Evaluates and manages the performance of others and develops corrective action plan when appropriate.

**Service/Support Orientation:** Provides leadership in improving service and support processes, procedures, and productivity. Applies extensive knowledge of internal and external resources in addressing challenges and improving professional service delivery. Leads or directs organization-wide efforts to accomplish professional strategic service and support objectives. Anticipates others' needs, is proactive in reacting to them and helps others to do the same. Resolves issues using discretionary judgement in the absence of any explicit protocol.

**Multi-tasking/Problem Solving:** Assesses multiple, complex tasks or projects and service demands and develops processes to address them. Equitably and effectively assigns responsibilities to others to accomplish projects and meet service demands. Anticipates and identifies potential problem situations and develops strategies or policy for resolution.

**JOB FAMILY COMPETENCIES:**

**Teamwork and Cooperation:** Transforms "business as usual" to the reality of teamwork and collaboration at the organizational decision-making level. Collaborates with various internal and external decision makers to create strategic alliances and partnerships on an organization-wide level. Reorganizes departments or divisions to incorporate and facilitate team alignment, teamwork, collaboration, and information sharing. Develops and implements policies that promote teamwork on a systemic and organization level.

**Performance Management:** Demonstrates the ability to set strategic objectives for the achievement of multi-functional, department-wide, or organization-wide priorities. Shows "turn-around" ability to intervene in sub-standard performance at the department-wide or organization-wide level and get performance back on track. Identifies and addresses gaps in the organization's current state performance and the desired future state performance needed to meet the changing demands of the customer and the business environment.

**Coordination, Planning, and Decision-Making:** Identifies and implements strategic plans and objectives at the departmental or organizational level. Acts as "master architect" for strategic, planned organizational change, factoring in the needs of the various stakeholders. Integrates and translates the operational plans and objectives of various departments and functions into budgetary requirements, making the final budgetary decisions. Provides the specialized consultation and advice needed to finalize organization-wide strategy, polices, and regulations.

**Technical and Content Knowledge:** Serves as final approval subject mater expert with whom other managers and professional throughout the organization may consult in matters of management decisions, law, budget, operations, programs, or other areas of specialized knowledge and expertise. Understands the roles and responsibilities and the interactions and interdependencies of all units and divisions within the organization. Heads or directs efforts to improve processes, procedures, methods, technologies, tools, equipment, terminology, standards, performance measures, and outcomes of work teams, units, and specialty areas on an organizational level.

**PHYSICAL CONDITIONS & WORK CONTACTS:**

Standard work environment.

FLSA Status: Exempt

## **Draft Document Outlining Qualities of Human Rights Manager Created During the February 5<sup>th</sup> Work Session**

The numerous duties of Office of Human Rights Manager include working with investigation staff in identifying civil rights violations, gathering information and facts, interviewing those violated and the violators. It also includes directing the Human Rights Commission a body of volunteer board members across the City of Charlottesville. In holding institutions accountable this job may require capacity to intervene with local authorities on behalf of victims. A high level of collaboration is needed to work with other organizations in the Charlottesville area, and a deep understanding of history as well as working practical knowledge of how history impacts present day inequities.

### **Qualities**

**Outreach:** Openness in engaging with clients from all backgrounds including race/ethnicity, religious beliefs, income level, gender/sexuality, age, ability, and nationality. Comfortable in participating in community outreach across every neighborhood in the city, with specific preference towards low wealth communities of color and homeless community members that may face more barriers to resources than others.

**Facilitating Difficult Conversation and Dialogue:** Strong ability to host discussions across differences. A background in mediation and conflict resolution is a plus. Ability to engage in dialogue as a grounded voice while advancing goals for social equity to promote achieving the Human Rights Ordinance.

**Place:** Deep understanding of place and history. Knowledge and practical base for navigating different neighborhoods and institutions in the Charlottesville Area.

**Public Speaking & Thought Leadership:** Strong public speaking and communication skills. Ability to contribute meaningfully to local conversations of Equity and uplift the city's leadership position in local discussions.

**Strong Advocate:** Well-seasoned ability to work in collaboration with the City office or decision makers concerning manners of unlawful discrimination or unfair treatment of citizens. Ability to work with City Council to advocate for legislative agenda's that speak to ailing pressing needs for the community. Background in advocating for equal rights within any field including but not limited to education, racial equity, policing/prison reform, health, immigration, LGBTQ rights and disability.

**Legal Background:** Ability to work in collaboration with City Attorneys, understand the city code and ordinance, and bringing stronger legal tools to navigate issues concerning civil rights. Ability to support the office in becoming an EEOC / FEPA.