

MINUTES	Thursday, April 8, 2021 at 12:00 PM	
Human Relations Commission Meeting	Commission Room 1st Floor—City Hall 224 West Ninth Street Sioux Falls, South Dakota or by teleconference at (605) 367- 8898 Code 531-1967	

BOARD MEMBERS PRESENT: Nassir Yemam, Bill Wood, Kassidi Smith
PRESENT BY PHONE: Anny Libengood, Megan Grode Wolters, Justine Schoolmeester, Ryan Chase
BOARD MEMBERS ABSENT: Alex Ramirez, Megan Myers, Karen Gourley
STAFF PRESENT: Sharla Svennes, Lyndsey Meier

CALL TO ORDER

A quorum being present, the meeting was called to order at 12:11 p.m.

ADOPT THE AGENDA

A motion was made by Schoolmeester and seconded by Smith to adopt agenda. Motion passed.

APPROVAL OF MINUTES

Grode Wolters requested amendment to draft minutes from March meeting to note that she was present by phone. A motion was made by Smith and seconded by Libengood to approve amended minutes from the March 2021 meeting. Motion passed by a vote of 7-0.

BUSINESS OR PENDING ISSUES BROUGHT BEFORE THE BOARD

Discussion regarding Human Relations Intake Questionnaire and update from Subcommittee: Wood referenced impending vacancies as both he and Ramirez’s terms will expire at the end of the month and they are not eligible for reappointment due to serving two consecutive terms. With Ramirez and Wood’s terms expiring, Schoolmeester is the sole subcommittee member so she volunteered to work with the Human Relations office on reevaluating and updating the intake process. Libengood volunteered as a back-up resource if Schoolmeester is unavailable.

Discussion regarding Possible Renaming of Commission to Better Reflect its Purpose: Smith recommended changing terminology suggesting equality as this would give a clearer understanding of the purpose of the office and Commission. Smith also stated it appears that Human Relations is prevalently used throughout other parts of the country when defining similar roles and suggested renaming to Human Rights may be another option to consider. Discussion held about incorporating other terms such as diversity, equity, inclusion, and importance of changing the language to ensure clearer understanding of office and Commission functions. Libengood suggested researching and

bringing suggestions to next month's meeting before any formal action is taken. The Commission concluded they would give this some more thought and discuss again at next month's meeting.

Update from Board Diversity Recruitment Committee: Libengood stated they met again since last Commission meeting. Libengood tried obtaining a comprehensive list of other board chairs for input and participation in this matter, but has found media outlets to be outdated making this a harder task than expected. Wood and Schoolmeister echoed Libengood's sentiments noting they will need to pursue this information independently. Commission members discussed having three vacancies at the end of the month so if anyone knows of qualified individuals who are interested in applying, they are encouraged to contact the Human Relations Office. Discussion was held about individuals needing to be a resident of Sioux Falls to apply. This automatically disqualifies those working in Sioux Falls but living outside city limits despite having a vested interest in the city.

Update from Communications and Outreach Committee: No update at this time.

UPDATE REGARDING HUMAN RELATIONS OFFICE

Svennes introduced Lyndsey Meier as the new Human Relations Specialist. Meier shared background information and enthusiasm to work with Commissioners.

HUMAN RELATIONS DIVISION STATISTICS

There are currently 48 active discrimination cases, and the top three bases are race, disability, and retaliation. In March, the Human Relations Office had 11 walk-ins or phone calls regarding housing; one phone call regarding employment; and seven walk-ins or phone calls regarding other discrimination-related items.

CIVIL RIGHTS UPDATE

- March 29, 2021 – DOJ announced settlement agreement with the City of Orlando resolving allegations that the city discriminated and retaliated against Dawn Sumter, a female Assistant Fire Chief with the Orlando Fire Department. The EEOC received a charge of sex discrimination and investigated the matter finding reasonable cause to believe that the Fire Department discriminated against and retaliated against its employee. After unsuccessful conciliation efforts, the EEOC referred the matter to the Justice Department. The complaint filed in the U.S. District Court for the Middle District of Florida alleges that Assistant Chief Sumter's immediate supervisor, the former fire chief, regularly subjected her to sexual harassment in the workplace. After Ms. Sumter filed a charge with the Equal Employment Opportunity Commission (EEOC) complaining about discrimination, the Fire Department began to retaliate against her. Fire Department leadership, including the former chief and deputy chiefs, took several harassing, retaliatory actions designed to derail Ms. Sumter's career and prohibit her from advancement within the Fire Department because of her discrimination complaint. Under the terms of the consent decree, the City of Orlando will develop and submit to the United States for approval its discrimination and retaliation policies, complaint investigation procedures, and trainings that will be used at the Fire Department. The consent decree further requires the city to provide training for all Fire Department employees on these policies and provides for future annual training on these subjects. The city will also pay Ms. Sumter \$251,500 in compensatory damages and \$182,640 in attorney's fees to her private counsel.
- March 23, 2021 – DOJ announced settlement today with Cumberland County, Tennessee, to resolve allegations that the county discriminated against ten female employees because of their

sex. The complaint alleged that Cumberland County failed to take adequate precautions to prevent the former director of the county's Solid Waste Department from sexually harassing the women. According to the complaint, the former director regularly subjected the women, all of whom worked for him, to unwanted sexual contact, including kissing and groping; unwelcome sexual advances, including propositioning the women for sexual favors; and offensive sexual remarks about their bodies and sex acts. Under the terms of the settlement, Cumberland County will pay approximately \$1.1 million in compensatory damages to the ten women as well as revise its policies, procedures, and training to better prevent sexual harassment in the workplace. The former director has been indicted on criminal charges and is awaiting trial in state court.

PUBLIC INPUT

No members of the public were present either in person or telephonically.

NEXT MEETING

May 13, 2021

ADJOURNMENT

A motion was made by Libengood and seconded by Wood to adjourn the meeting. Motion passed by a vote of 7-0.

Meeting was adjourned at 12:56 p.m.

Respectfully submitted,

Lyndsey Meier
Human Relations Specialist