



MINUTES OF A REGULAR MEETING

APPROVED

HUMAN RELATIONS COMMISSION

DATE: Wednesday, January 13, 2021

TIME: 5:30 p.m.

PLACE: Urbana City Council Chambers
Urbana City Building
400 South Vine Street
Urbana, Illinois 61801
*Virtually Via Zoom

MEMBERS PRESENT: Megan McKissack, Peter Resnick, Frances Rigberg, Julie Robinson Schaeffer.

MEMBERS ABSENT: Carol Bradford, Stacie Burnett, Florence Caplow, Daniel Larson,

1. CALL TO ORDER, ROLL CALL, AND DECLARATION OF QUORUM

Chair Frances Rigberg called this meeting of the Urbana Human Relations Commission to order at 5:30 p.m. Roll was taken. A quorum was present.

2. APPROVAL OF AGENDA

Chair Frances Rigberg called for a motion to approve the agenda. Peter Resnick moved to approve the agenda. Megan McKissack seconded the motion. Peter Resnick amended his motion to move **Presentation on EEO Workforce Statistics efforts from Duce Construction** to immediately follow public input. Megan McKissack seconded the amendment. The motion was approved with a roll call vote.

3. APPROVAL OF MINUTES

- a. December 9, 2020
- b. December 15, 2020

Peter Resnick made a motion to approve the minutes from the December 9, 2020 and December 15, 2020 meetings. Megan McKissack seconded the motion. The motion was approved by a roll call vote.

4. PUBLIC PARTICIPATION

- a. Christopher Hansen shared an idea on who to reach out to in order to fill the vacancy on the HRC. Mr. Hansen addressed the issue of who the HRC ordinance applies to and whether that includes the Urbana city government. He shared his frustrations with this question not being clarified yet.

5. NEW BUSINESS

- a. **Presentation on EEO Workforce Statistics efforts from Duce Construction**

Danny Wilson with Duce Construction addressed the topic of a lack of diversity in the building trades that he represents. He shared his desire to learn more about the HRC's

process and requirements for issuing EEO Certificates. Discussion ensued and Commissioners gave advice on future efforts. They discussed diversity within the union workforce and how businesses and the HRC could work with unions to increase that diversity.

6. UNFINISHED BUSINESS

a. Proposed Changes to HRC Ordinance

Peter Resnick introduced the topic to the new HRC members and gave an update on HRC ordinance proposed changes. He summarized the research and work he and Daniel Larson have completed so far. Mr. Resnick presented a resolution for changes to the ordinance that outlined different options that would clarify the language in the ordinance. Commissioners discussed all options and preferences on which version to recommend to City council.

Peter Resnick made a motion to send the resolution attached to this set of minutes to the City council including all options discussed for proposed changes to the HRC ordinance. Julie Robinson Schaeffer seconded the motion. The motion was approved by a roll call vote.

7. NEW BUSINESS

a. EEO Workforce Statistics

- Berns, Clancy and Associates
- Davis-Houk Mechanical, Inc.
- Duce Construction Company
- Waters Mowing Service

The EEO Workforce Statistics applications were reviewed. Peter Resnick made a motion that the Commission approve Berns, Clancy and Associates for 1 year, Davis-Houk Mechanical for 1 year, Duce Construction Company for 1 year and Waters Mowing Service for 2 years. Julie Robinson Schaeffer seconded the motion. Discussion followed. The motion was approved by a roll call vote.

b. Complaint Handling Procedures

Peter Resnick asked to defer this topic at this time. It will be discussed at the next meeting.

c. Schedule of 2021 Meetings

Peter Resnick made a motion to accept the proposed meeting schedule for 2021 as presented. Megan McKissack seconded the motion. The motion was approved by a roll call vote.

d. Staff Report – Elizabeth Hannan

Elizabeth Hannan presented the monthly activity report to the Commission. Comments and questions from the Commission were addressed by Ms. Hannan.

8. ANNOUNCEMENTS

There were none.

9. ADJOURNMENT

There being no further business to come before the Commission, Frances Rigberg declared the meeting to be adjourned at 6:45 p.m.

Respectfully submitted,
Tamra Jane Corbin
Recording Secretary

A RESOLUTION RECOMMENDING THE AMENDMENT OF CITY CODE CHAPTER 12

WHEREAS the Urbana Human Relations Commission has discovered ambiguities in the Urbana Human Rights Ordinance in the course of its handling of complaints; and

WHEREAS the Urbana Human Rights Ordinance is ambiguous with regard to whether the City and its representatives are subject to the complaint process described in Article III of the Human Rights Ordinance; and

WHEREAS the Urbana Human Relations commission wishes the City and its representatives not to discriminate in its employment practices and provision of services to the public.

NOW, THEREFORE, BE IT RESOLVED BY THE HUMAN RELATIONS OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That it is recommended that the City Council clarify City Code Chapter 12 to indicate that the City and its representatives either is or is not subject to Article III of the Human Rights Ordinance by amending the Human Rights Ordinance with one of the following:

A. Changes to Clearly Include Urbana to Being a Respondent

UCC 12-39:¹

Employer. One or more individuals, partnerships, associations, corporations, cooperatives, trustees, owners, or the government of the City of Urbana, including any agent or representative of any of the foregoing. ~~Any person~~ who, for compensation, employs any individual except for the employer's parents, spouse or children; or who employs domestic servants engaged in and about the employer's household.

Employment agency. One or more individuals, partnerships, associations, corporations, cooperatives, trustees, owners, or the government of the City of Urbana, including any agent or representative of any of the foregoing. ~~Any person~~ regularly undertaking or attempting, with or without compensation, to procure employees for an employer or to procure for employees the opportunity to work for an employer, ~~including any agent of such a person.~~

Owner. One or more individuals, partnerships, associations, corporations, cooperatives, trustees, or the government of the City of Urbana, including any agent or representative of any of the foregoing. ~~Any person~~ who holds legal or equitable title to, or owns any beneficial interest in, any real property or who holds legal or equitable title to a share of, or holds any beneficial interest in, any real estate cooperative which owns any real property.

¹ In addition to clearly excluding the City of Urbana, the changes here are also to avoid circular definitions that appear in the current ordinance.

Person. One or more individuals, labor ~~unions~~ organizations, employers, employment agencies, partnerships, associations, creditors, corporations, cooperatives, ~~legal representatives, government agency,~~ trustees, owners, the government of the City of Urbana, or any agent or representative of any of the foregoing.

Public accommodations. All places, businesses or ~~individuals~~ persons offering goods, services (including governmental services) or accommodations to the general public.

UCC 12-63:

(1) *Generally.*

- (a) It shall be an unlawful practice to do any of the following acts wholly or partially for a reason based on discrimination: To deny, directly or indirectly, or charge a higher price than the regular rate, for the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any ~~place of~~² public accommodation; to print, circulate, post, mail, or otherwise cause, directly or indirectly, to be published a statement, advertisement or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of a ~~place of~~ public accommodation will be refused, withheld from or denied an individual; or that an individual's patronage of, or presence at, a ~~place of~~ public accommodation is objectionable, unwelcome, unacceptable or undesirable. [...]

UCC 12-81:

- (a) Any individual who believes that he or she has been aggrieved by a violation of the provisions of this article may file a complaint with the commission or officer. An individual seeking compensatory damages must file a complaint with the ~~human relations~~ officer. The officer shall keep records of all complaints made to the human relations office, whether or not a formal complaint has been filed.

New Section – UCC 12-85 – Conflicts of interest

In cases where the human relations officer or the city attorney have a conflict of interest in performing the duties of this division, they may designate another person to perform these duties. If the designee is not an employee of the City of Urbana, the city shall be responsible for paying the costs of such designee.

UCC 12-103:

- (b) If the commission determines that the respondent(s) have not, after thirty (30) calendar days following service of its order, corrected the unlawful practice and

² It might make sense to remove “place of” in any event, but it certainly makes no sense for governmental services.

complied with this article, the commission shall certify the matter to the city attorney, or their designee as described in section 12-103(d), for enforcement proceedings.

- (c) The city attorney, or their designee as described in section 12-103(d), shall institute, in the name of the City of Urbana, or the name of the commission in cases where the City of Urbana or any agent or representative thereof is the respondent to a complaint, civil proceedings, including the seeking of such restraining orders and temporary or permanent injunctions, as are necessary to obtain complete compliance with the commission's orders.
- (d) In cases where the City of Urbana or any agent or representative thereof is the respondent to a complaint, the city attorney will designate an independent outside attorney to perform the responsibilities in this section. The City of Urbana shall be responsible for paying the costs of such designee.

UCC 12-105:

- (d) The provisions of this article shall not apply to units of government other than the City of Urbana, including the Federal government or any of its agencies, the State of Illinois and any other political subdivision, municipal corporation or their agencies.

B. Changes to Clearly Exclude Urbana from Being a Respondent:

UCC 12-39:

Employer. One or more individuals, partnerships, associations, corporations, cooperatives, trustees, or owners, including any agent or representative of any of the foregoing. ~~Any person~~ who, for compensation, employs any individual except for the employer's parents, spouse or children; or who employs domestic servants engaged in and about the employer's household.

Employment agency. One or more individuals, partnerships, associations, corporations, cooperatives, trustees, or owners, including any agent or representative of any of the foregoing. ~~Any person~~ regularly undertaking or attempting, with or without compensation, to procure employees for an employer or to procure for employees the opportunity to work for an employer, ~~including any agent of such person.~~

Owner. One or more individuals, partnerships, associations, corporations, cooperatives, or trustees, including any agent or representative of any of the foregoing. ~~Any person~~ who holds legal or equitable title to, or owns any beneficial interest in, any real property or who holds legal or equitable title to a share of, or holds any beneficial interest in, any real estate cooperative which owns any real property.

Person. One or more individuals, labor ~~unions~~ organizations, employers, employment agencies, partnerships, associations, creditors, corporations, cooperatives, ~~legal~~

~~representatives, government agency,~~ trustees, owners, or any agent or representative of any of the foregoing.

UCC 12-105:

- (d) The provisions of this article shall not apply to ~~other~~ units of government, including the Federal government or any of its agencies, the State of Illinois and any other political subdivision, municipal corporation or their agencies.

Section 2. That, in the case that the City Council clarifies City Code Chapter 12 to indicate that the City and its representatives are not subject to Article III of the Human Rights Ordinance, it is recommended that the City Council ensure the commitment of the city not to discriminate in its employment practices and provision of services to the public by adding the following to the Human Rights Ordinance:

“It is the intent and commitment of the City of Urbana to conform to the requirements of Article III Division 2 of this Chapter (Sections 12-61 through 12-80) in its own employment practices and provision of city services to the public. Any individual who believes that the City of Urbana is engaged in a discriminatory practice as defined in Article III Division 2 may report their concern to the commission. The commission shall review the report, work with the mayor, city council, city departments, agencies and officials in accordance with section 12-22 in order to correct any discrimination that may exist, and report the outcome to the public.”

Passed by the Human Relations Commission January 13, 2021.

Ayes: McKissack, Resnick, Rigberg, Schaeffer.

Nays: none.

Abstentions: None.

X



Frances Rigberg
Urbana Human Relations Commission Chair

Signature Certificate

Document Ref.: PWJGA-52CNE-5Q3FS-E7XWB

Document signed by:

	<p>Frances Rigberg Verified E-mail: missriggy@gmail.com</p> <p>IP: 73.73.197.147 Date: 03 Feb 2021 19:46:53 UTC</p>	 
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Urbana Human Relations Commission

Proposed 2021 meeting dates

February 10, 2021 – 5:30 p.m.

March 10, 2021 – 5:30 p.m.

April 14, 2021 – 5:30 p.m.

May 12, 2021 – 5:30 p.m.

June 9, 2021 – 5:30 p.m.

July 14, 2021 – 5:30 p.m.

August 11, 2021 – 5:30 p.m.

September 8, 2021 – 5:30 p.m.

October 13, 2021 – 5:30 p.m.

November 10, 2021 – 5:30 p.m.

December 8, 2021 – 5:30 p.m.