

Human Rights Board
Pinellas County
March 14, 2023 Meeting Minutes

The Human Rights Board (HRB) met in regular session at 10:02 AM on this date in the Clerk's Fourth Floor Conference Room at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

Present

Charles W. Thomas, Chair, Tax Collector (late arrival)
Mike Twitty, Vice-Chair, Property Appraiser
Lisa Arispe, Employees' Advisory Council Representative
Ken Burke, Clerk of the Circuit Court and Comptroller
Barry Burton, County Administrator (late arrival)
Rodney Marion, representing the County Administrator until his arrival
Kimberly Crum, Human Resources Director
Bryan Zumwalt, representing Jeff Rohrs, Chief Information Officer, Business Technology Services (voting)

Not Present

Julie Marcus, Supervisor of Elections
Kathleen Peters, County Commissioner
Joan Vecchioli, Unified Personnel Board Representative

Others Present

Jeffery Lorick, Office of Human Rights (OHR) Director
Keiah Townsend, Assistant County Attorney
Betina Baron, Human Rights Compliance Manager
Katie Poviones, Board Reporter, Deputy Clerk
Other interested individuals

All documents provided to the Clerk's Office have been made a part of the record.

CALL TO ORDER

In the absence of Chair Thomas, Vice-Chair Twitty called the meeting to order at 10:02 AM; whereupon, staff conducted a roll call of the members.

APPROVAL OF MINUTES – SEPTEMBER 13, 2022 MEETING

Mr. Zumwalt noted that he would be voting on behalf of Mr. Rohrs today, and Mr. Marion related that he would represent Mr. Burton until his arrival; whereupon, Mr. Burke made a motion to approve the minutes of the September 13 meeting. The motion was seconded by Mr. Zumwalt and carried unanimously.

PUBLIC COMMENT

None.

FISCAL YEAR 23/24 BUDGET

Mr. Lorick explained that there are two line items with increased amounts in OHR's proposed budget – for contractual services to acquire more law firms to handle an unusually high number of fair housing cases and for the Language Line Translation Service due to its increased use by the public.

ADDITIONAL LAW FIRMS

Attorney Townsend related that documents for the new legal services contracts are in the final stages of preparation; and that the County will be employing new tactics to connect with law firms that are more experienced with fair housing issues in state and federal courts. In response to queries by the members, she noted that funding to acquire the additional law firms is provided by Housing and Urban Development (HUD); whereupon, Mr. Lorick indicated that HUD approved additional litigation funds that OHR had applied for; and that contracting with law firms that specialize in fair housing will allow the cases to be handled more efficiently.

Chair Thomas and Mr. Burton arrived at 10:09 AM.

ADA TRANSITIONAL PLAN

Mr. Lorick indicated that he and Ms. Baron recently attended an Americans with Disabilities Act (ADA) transitional planning conference to gain insight into the planning process; and that they learned most municipalities use a consultant to accomplish the transition. He related that various County departments have expressed concerns regarding not having the necessary expertise, bandwidth, or funds to assess ADA compliance in-house; and that he spoke with the Office of Management and Budget (OMB) regarding working with a consultant and the importance of an ADA Transitional

Plan; whereupon, he requested the Board's permission to move forward with a consultant and create a decision package.

Mr. Burton related that he would like to understand the County's current ADA compliance efforts and the implications of adopting a Transitional Plan prior to doing so, and Mr. Lorick commented that an audit of County services, programs, and facilities as part of an ADA Transitional Plan is the only way to ensure the County fulfills its obligation to be accessible; and that the County's future plans to replace current facilities with new ones would provide a level of coverage for buildings that may not be accessible. Thereupon, discussion ensued regarding the County's current accessibility initiatives, potential ramifications of implementing an ADA Transitional Plan, and other topics.

Mr. Lorick expressed that OMB tasked OHR with determining the cost of implementing such a Plan; and that the County could engage with a consultant to establish an estimated price; whereupon, Mr. Burton indicated that he is comfortable with doing so, and the members discussed a potential timeline for the Transitional Plan.

HUD/EEOC REVENUE

Mr. Lorick provided information regarding revenue received from HUD and the Equal Employment Opportunity Commission (EEOC), highlighting that OHR has met its contractual obligations; and that some additional funding from the above agencies allowed for facilities and equipment upgrades, as well as outreach. Later in the meeting, Ms. Baron provided information regarding the outreach events.

UPDATE ANTI-HARASSMENT POLICY

Mr. Lorick referred to the most recently updated policy draft handed out to the members and explained that per discussion at the last meeting, language was added to fill gaps in the County's anti-harassment policy as suggested by the OHR's investigative staff; that one of the substantive changes to the policy sets a timeframe for filing a harassment/discrimination complaint to within 365 days of the alleged violation; that the two other substantive changes would add internal mechanisms allowing OHR to offer mediation and conciliation to departments prior to and towards the end of an investigation, respectively; and that successful mediation or conciliation would enable parties to withdraw the case if they are in agreement.

Mr. Twitty made a motion to approve the changes to the anti-harassment policy as suggested, and the motion died for lack of a second. In response to a query by Ms. Arispe, Mr. Lorick noted that the policy in the agenda packet did not include recent

revisions from Attorney Townsend; and that he would suggest a friendly amendment to clarify timeline-related language in the revised policy; whereupon, Attorney Townsend provided an overview of her revisions to the policy, emphasizing that language asserting that employees who believe they are subjected to harassment *must* report it to OHR has been modified to say that they *can* report such conduct; and that while she added a vague investigation timeframe, she will amend it to specify five days.

Thereupon, discussion ensued regarding the avenues through which reports of harassment are received by OHR, whether the Unified Personnel Board (UPB) has authority under the Special Act to implement the anti-harassment policy, and other topics. Mr. Burke requested to postpone a decision on the updated policy to allow Attorney Townsend to determine the UPB's authority, and Chair Thomas agreed, noting that the topic could be discussed again at the next HRB meeting.

In response to queries by the members, Mr. Lorick, with input from Attorney Townsend, related that he would distribute a spreadsheet with data detailing the number of harassment reports received by OHR, broken down by Appointing Authority; and that OHR can inform the appropriate Appointing Authority when one of their managers or supervisors reports harassment; whereupon, Chair Thomas summarized that the members would like a redraft of the policy, inclusive of all revisions, the spreadsheet data, and clarification regarding the UPB's authority to mandate the policy.

GRANTS BCC

Mr. Lorick indicated that OHR works closely with various County departments to assist with civil rights and ADA assurances in grant submissions; and that the County's Limited English Proficiency plan needs to be updated for grant purposes.

DIRECTOR'S EVALUATION

Mr. Lorick related that the members will soon be receiving an evaluation form regarding his performance since he assumed the Director position; and that results from the evaluation forms will be shared with the members at the next HRB meeting. In response to a query by Mr. Burke, Mr. Lorick discussed initiatives adopted within the past year to improve office atmosphere based on results from the most recent Employee Voice Survey.

DISCUSSION

Mr. Lorick noted that he has been providing Title III of the ADA training to Clerk's Office staff regarding how to best serve the disabled community based on legal requirements. Responding to a query by Chair Thomas, Mr. Lorick discussed guidance he recently provided to the Tax Collector's Office regarding accessibility of iPad kiosks, underscoring that any ADA accommodations have to be provided by the County free of charge; whereupon, he noted that OHR will be providing logistical support for the Diversity Committee/Workforce Cultural Advisory Council at the request of Mr. Marion.

ADJOURNMENT

Mr. Twitty made a motion, which was seconded by Ms. Crum, to adjourn the meeting; whereupon, the meeting was adjourned at 11:11 AM.