

Human Rights Board Meeting Agenda
September 10, 2024, 10:00 AM
5th Floor Conference Room
400 South Fort Harrison Ave, Clearwater FL 33756

1. Call to Order / Attendance
2. *Approval of Minutes – June 11, 2024 Meeting
3. Public Comment - Three (3) minutes per person
4. *Title VI Policy and Grievance Procedure
5. HUD Update
6. EEOC Update
7. Persons with Disabilities Update
8. Civil Rights Assurances Discussion
9. Diversity Dashboard Update
10. Anti-Harassment Policy Update
11. Discussion
12. Adjournment

Next meeting date: December 10, 2024, 10:00 AM

*Items to be voted on

Persons with disabilities requiring reasonable accommodations to participate in the proceedings/event should send an e-mail to accommodations@pinellascounty.org or call (727) 464-4062 (TTY) no later than three (3) days prior to the proceeding.

PLEASE ADDRESS REPLY TO:
Pinellas County Office of Human Rights
400 South Fort Harrison Avenue, 5th Floor
Clearwater, Florida 33756
PHONE: (727) 464-4880
FAX: (727) 464-4157
TDD: (727) 464-4062
pinellas.gov/department/office-of-human-rights

**Human Rights Board
Pinellas County
June 11, 2024 Meeting Minutes**

The Human Rights Board (HRB) met in regular session at 10:00 AM on this date in the Fifth Floor Conference Room at the Office of Human Rights (OHR), 400 South Fort Harrison Avenue, Clearwater, Florida.

Present

Mike Twitty, Chair, Property Appraiser
Lisa Arispe, Employees' Advisory Council Representative
Wade Childress, Chief Human Resources Officer
Thomas Dunne, representing Ken Burke, Clerk of the Circuit Court and Comptroller
Rodney Marion, representing Barry A. Burton, County Administrator
Lynda Morrill, representing Jeff Rohrs, Chief Information Officer, Business Technology Services (BTS)
Ralph Reid, Unified Personnel Board Representative
Charles W. Thomas, Tax Collector

Not Present

René Flowers, Vice-Chair, County Commissioner
Ken Burke, Clerk of the Circuit Court and Comptroller
Barry A. Burton, County Administrator
Julie Marcus, Supervisor of Elections
Jeff Rohrs, Chief Information Officer, BTS

Others Present

Jeffery Lorick, Director, OHR
Betina Baron, Compliance Manager, OHR
Keiah Townsend, Assistant County Attorney
Shirley Westfall, 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/ATTENDANCE

Chair Twitty called the meeting to order at 10:00 AM; whereupon, staff conducted a roll call of those present.

Responding to a query by Chair Twitty, Mr. Lorick confirmed that those representing Board members executed a proxy form and have the ability to vote at today's meeting.

APPROVAL OF MINUTES – MARCH 12, 2024 MEETING

Chair Twitty indicated that the minutes reflect a percentage of the OHR's budget as being provided by County funds, but that the percentage is actually the portion that is federally funded; whereupon, Mr. Lorick acknowledged the needed correction.

Upon the Chair's call for a motion, to include the aforementioned correction, Mr. Thomas made a motion to approve the minutes. The motion was seconded by Mr. Reid and carried unanimously.

PUBLIC COMMENT

Chair Twitty indicated that there are no members of the public present.

HOUSING AND URBAN DEVELOPMENT (HUD) / EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) UPDATE

Mr. Lorick indicated that June 30 is the end of the complaint process period; that all housing and employment cases need to be filed with the appropriate agency in order to receive full funding and meet contractual obligations with EEOC and HUD; and that the OHR is on track to meet those obligations.

FAIR HOUSING ACTIVITIES/FAIR HOUSING MONTH

Mr. Lorick informed the members that April is Fair Housing Month; that it is a part of the OHR's charge to be involved in activities which promote fair housing; and that an element of this process is to help coordinate an annual event with a consortium of agencies in the Tampa Bay area; whereupon, he requested that Ms. Baron provide additional information regarding the event.

Ms. Baron related that the Tampa Bay Fair Housing Symposium was held on April 17, 2024; that Chair Twitty conducted a presentation regarding the topic of appraisals; and that state and local partners also participated in the event.

PINELLAS COUNTY COUNCIL FOR PERSONS WITH DISABILITIES (PWD COUNCIL) UPDATE

Following the introduction of the item by Mr. Lorick, Ms. Baron provided information regarding a recent PWD Council meeting; whereupon, she indicated that the County's Parks and Conservation Resources Department attended the meeting, responded to the

members' concerns and questions, and presented a video showing the accessibility at a recently developed park. She related that staff will continue working with the Parks Department to review concerns, noting that additional Mobi-Mats will be installed for use by residents and tourists.

In response to a query by Chair Twitty, Ms. Baron, with input from Mr. Lorick, indicated that information related to beach access points for Mobi-Mats can be found on the County website; and that OHR facilitates requests regarding beach accessibility and beach wheelchairs to the Parks Department for additional information. Mr. Lorick clarified that County parks are accessible and compliant.

DIVERSITY DASHBOARD UPDATE

Mr. Lorick indicated that BTS is working to develop the diversity dashboard; that staff is working with them to include hire data for gender, race, and ethnicity by department, as requested by Mr. Burke; and that BTS has acquired new technology which will ensure that real-time data is available on the dashboard.

Responding to a query by Ms. Baron, the members confirmed that they would like to access the data through a SharePoint site.

OHR BUDGET

Introducing the item, Mr. Lorick indicated that departments were tasked by the County Administrator to determine where efficiencies could be found in their Fiscal Year 2025 budgets; that although OHR maintains a lean budget, he was able to reduce the budget by approximately \$6,000; and that part of this cost reduction is due to additional staff being certified to provide mediations in-house; whereupon, a discussion ensued.

Confirming no further questions regarding the budget, Chair Twitty requested a motion for approval; whereupon, Mr. Marion made the motion. The motion was seconded by Ms. Arispe and carried unanimously.

ANTI-HARASSMENT POLICY

Mr. Lorick provided brief information related to language updates in the anti-harassment policy, noting that OHR's standard operating procedures are being reviewed by the County Attorney's Office; whereupon, Attorney Townsend related that new enforcement guidance has been issued by the EEOC; and that her office is also now updating the

policy based on the new guidance. She provided information regarding the policy approval process and responded to queries by the members.

Discussion ensued regarding consistent policy enforcement, input from the Appointing Authorities, investigative, disciplinary, and conflict of interest components in the policy, and other related topics.

DISCUSSION

Mr. Lorick informed the members that the federal Underutilization and EE04 reports are due in December; that there is a new grant compliance requirement regarding specific civil rights assurances related to grant sub-recipients; and that discussions are being held with County staff to establish a team who will address the new compliance requirement for the upcoming Underutilization report; whereupon, Mr. Lorick related that he will provide an update when more information is available.

ADJOURNMENT

The meeting adjourned at 10:30 AM.

Title VI Policy and Grievance Procedure

No person in Pinellas County shall, on the ground of race, color, national origin, sex, age, disability, religion, or family status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance pursuant to the requirements of Title VI of the 1964 Civil Rights Act.ⁱ

Policy

It is the policy of Pinellas County that in the operation of any federally assisted program, it shall not, on the basis of race, color, national origin, sex, age, disability, religion, or family status, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

Pinellas County complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on **race, color, or national origin** (including **language**).

- *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

Pinellas County recognizes that retaliation is a form of intentional discrimination under Title VI. Anyone who files, or participates in the investigation of, a grievance under this Policy has the right to do so without fear of interference, intimidation, coercion, or fear of reprisal. Accordingly, Pinellas County will not take retaliatory measures against such persons.

Pinellas County further recognizes that in certain circumstances, a failure to ensure that persons with limited English proficiency (LEP) can effectively participate in or benefit from federally assisted programs and activities may result in the denial of program services, aids or benefits. To that end, it is the policy of Pinellas County government to ensure that whenever and wherever possible efforts will be made to ensure that information about the County's programs and services are provided in a manner that is conducive to the full participation of all persons living in this jurisdiction. These efforts shall include, but are not limited to:

- Identifying county employees who are fluent in languages in addition to English to act as translators whenever this is necessary;
- Publishing notices and announcements, based on an analysis of Pinellas County Population Demographics from the Bureau of Census, in Spanish and Vietnamese in order to ensure that the two largest groups of individuals who speak a language other than English at home have written access to the information about our programs; and
- Maintaining the capacity, through the Pinellas County Office of Human Rights, to access to telephonic or video translations of other requested languages, through contracted vendors.

Grievances

Any individual who believes that they have been the victim of unlawful discrimination in violation of Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, as described above may file a grievance with the Pinellas County Office of Human Rights located at 400 South Fort Harrison Avenue, 5th Floor- Clearwater, Florida 33756.

Filing a Grievance

This grievance procedure shall serve as the County's mechanism to respond to complaints of discrimination on the basis of race, color, national origin, sex, age, disability, religion, or family status, in the delivery of Pinellas County federally assisted programs and services. This procedure does not apply to complaints of discrimination in employment.

Procedure

Any individual who believes that they have been discriminated against in the provision of a program or service operated by Pinellas County Government shall have the ability to file a formal grievance, have the grievance responded to, and have the right to request an appeal if they are dissatisfied with the resolution of their grievance. The procedures to be followed in filing a formal grievance shall be available and accessible to the general public.

The Director of Pinellas County's Office of Human Rights serves as the ADA coordinator and ADA Officer for Pinellas County Government. The Pinellas County Office of Human Rights ("OHR"), and its Director, are located in the County Office Annex, 400 South Fort Harrison Avenue, 5th Floor, Clearwater, Florida 33756.

This office is also responsible for coordinating the County's Title VI Grievance procedure and it will serve as the conduit between the grievant and the department against whom the grievance is made. The OHR will provide the department/division with the necessary technical assistance needed in reaching resolution of the grievance. The OHR will make all attempts to assist the department in reaching an amicable resolution to the grievance; however, the Office of Human Rights shall have no authority to direct the department in the manner in which the department ultimately decides to respond to the grievance.

Any individual who feels they have been discriminated against in any federally assisted program or service provided by Pinellas County Government, under the provisions of Title VI of the 1964 Civil Rights Act, shall submit a grievance in writing addressed to: Director – Pinellas County Office of Human Rights.

A signed, written complaint should be filed with the Office of Human Rights, within 180 days of the date of the alleged discrimination. It should contain/describe:

- Your name, address, and telephone number;
- Your complaint must be signed;
- If you are filing on behalf of another person, include your name, address, telephone number, and your relation to that person (e.g., friend, attorney, parent, etc.);
- The name and address of the Pinellas County agency, division, or department you believe discriminated against you;
- How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you, if you know them; and
- The names of any persons, if known, that the Office of Human Rights could contact for additional information to support or clarify your allegations.

Within five (5) days of receipt of the grievance, the Office of Human Rights shall:

1. Inform the department/division of the grievance; transmit a copy of the grievance to the department/division with general instructions as to the format which the department should follow in their response, and a date by which the department/division shall return a response to the Office of Human Rights. The Office of Human Rights in consultation with the Office of the County Attorney will review the response with the department/division prior to final preparation of the response to the grievant.
2. The department/division shall have thirty (30) days from the receipt of a grievance from the Office of Human Rights to respond to the grievance. Attempts will be made by the department/division to clarify the facts of the grievance. The actions taken by the department/division shall be conveyed to the grievant in writing. This letter, addressed to the grievant and signed by the department/division, shall be transmitted to the Office of Human Rights within the specified time period. The response shall be transmitted to the grievant by the OHR with a cover letter informing the grievant of their ability to appeal the decision enclosed and the procedure which the grievant must follow in requesting an appeal. In no instance shall the department/division mail their response directly to the grievant.
3. In the event that a grievant submits a written grievance to the operating department/division, the department shall send a copy of the grievance to the Office of Human Rights within five (5) days. That action will constitute a filing by the grievant with the Office of Human Rights as required herein. The department will have thirty (30) days from receipt of the written grievance to respond to the grievant through the Office of Human Rights.
4. Where a department/division can solve a written grievance informally, the department/division will provide the Office of Human Rights a written statement

explaining the mutually agreeable solution. It should be signed by the grievant and the department/division representative.

All reasonable attempts should be made by the department/division with the assistance of the Office of Human Rights to mediate and resolve the grievance. Any individual who is dissatisfied with the recommended resolution of their grievance may request an appeal. In requesting an appeal the individual shall, within fifteen (15) days from the date of the written recommended resolution offered by the county, submit in writing to the Office of Human Rights their request to appeal the decision and express their willingness to appear before an impartial panel to present their grievance.

Upon receipt of a written request for an appeal, the Office of Human Rights shall:

1. Notify the County Administrator/Constitutional Officer or Appropriate Appointing Authority and request that a panel of three (3) senior managers of unaffected County Departments/Divisions be appointed to hear the grievance. The County Administrator/Constitutional Officer or Appropriate Appointing Authority shall designate one of the three panel members to serve as chairperson;
2. Set a time and place for the hearing that is convenient to the grievant, the affected department/division and the panel members, within twenty (20) days after the panel is appointed, if possible;
3. Instruct the department/division, against whom the grievance has been filed, to prepare a package with all necessary information pertinent to the grievance for each panel member to review prior to the hearing.
4. Monitor and tape record the hearing.

At the time of the hearing both the grievant and the affected department shall have an opportunity to present their positions to the panel. The panel members will also have the opportunity to pose questions to both parties. After the affected parties have made their presentations, and after all questions posed by the panel have been answered, the hearing shall be closed and the panel shall engage in deliberation.

Within fourteen (14) days from the date of the hearing the panel shall issue its decision. The Chairperson shall prepare the decision of the panel. The Chairperson shall send the written decision to each panel member for review and signature prior to its submission to the affected parties. The decision of the panel is final and no further appeal shall be available within the administrative branch of County Government.

The Office of Human Rights shall maintain files on grievances received along with all communications, recommendations, and other records pertinent to the grievance for a period of at least three (3) years. The establishment of this grievance procedure shall not preclude nor waive the grievant's right to seek redress under any alternative remedy available.

Notice to Federal Government

The Office of Human Rights shall advise any appropriate federal agency, department, bureau, or office of the filing of a complaint under this policy within fifteen (15) days. Any federal agency, department, bureau, or office so notified shall also be provided a plan of action taken pursuant to the complaint within fifteen days (15) of the Office of Human Rights' making a determination and undertaking any necessary plan of action.

Federal agencies, departments, bureaus, or offices to which such notices shall be provided as necessary includes, but is not limited to:

- The Federal Aviation Administration (FAA)
- The Department of Transportation (DOT)
- The Federal Emergency Management Administration (FEMA)
- The Department of Housing and Urban Development (HUD)
- The Department of Health and Human Services (HHS)
- The Department of Justice (DOJ)
- The Department of Homeland Security (DHS)

Contacts

The Pinellas County Office of Human Rights
Attn.: Jeffery Lorick, Title VI/ADA/Human Rights Officer
400 South Fort Harrison Avenue, 5th Floor
Clearwater, Florida 33756
Phone: (727) 464-4880 TDD/TTY: (727) 464-4062
Fax: (727) 464-4157

Individuals who are not satisfied with the resolution of a Titles VI complaint utilizing the procedures outlined above may file a complaint with the following entities:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Ave. SW
Washington, D.C. 20591

U.S. Department of Transportation
Departmental Office of Civil Rights
External Civil Rights Programs Division (S-33)
1200 New Jersey Ave, S.E.
Washington, DC 20590
Phone: (202) 366-4070 TTY: (202) 366-9696
Fax: (202) 366-5575

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Office of the Assistant Attorney General, Main
Washington, D.C. 20530
Telephone Number for the General Public: (202) 514-4609

Persons who have difficulty ascertaining this Policy due to disability or LEP may contact the Office of Human Rights at 727-464-4880 or HumanRightsDistributionGroup@pinellas.gov for assistance.

ⁱ See Pub. L. 88-352, Title VI, § 601, July 2, 1964, 78 Stat. 252 (codified at 42 U.S.C. §§ 2000d – 2000d-7 (Civil Rights; Federally Assisted Programs)); see also 28 C.F.R. Part F (Coordination of Enforcement of Non-Discrimination in Federally Assisted Programs); 28 C.F.R. § 50.3 (Guidelines for the Enforcement of Title VI., Civil Rights Act of 1964).