



Meeting Record

Human Rights Board (HRB)	Date: July 14, 2014 Call to Order: 1:01 PM
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Attendees

Judith Ann	Juana Cadi	S.F. Makalani-MaHee
Gregory Milford	Jose Morera	George Pedlar
Michael Rajner	Phyllis Shaw	Ben Sorensen
Kenneth Stevenson	Sandra Welch	
Barbara Ann McGovern, Board Coordinator	Richard Grillo, Asst. Cty. Atty.	

Members Absent

Maria Barth	Angelo Filippi	Nicole Foster
Rob Gillette	Brandon Hensler	

Key Decisions

- Board approved support of Commissioner Kiar’s efforts to amend the Human Rights Act to include protections for interns and volunteers.
- 7/14/14 Agenda adopted; 4/14/14 Meeting Minutes approved with amendment.

Action Items

	Description	Resource	Status
1.	County News Release for Ordinance 2013-29 referenced only homeowners’ associations versus the broader verbiage in the ordinance to also include condominium associations and cooperative associations	Outreach Committee	Ordinance Review in progress
2.	Background information on Human Rights Act religious exemptions for Board review	Outreach Committee	In progress

Discussion Points

- **BOARD APPOINTMENT:** Sandra Welch. Ms. Welch serves as a Coconut Creek City Commissioner and retired in 2013 from American Express after 18 years as an Executive Assistant.
- **COUNTY COMMISSION AGENDA ITEM #81, June 24, 2014:** Commissioner Martin David Kiar
MOTION TO DIRECT Office of the County Attorney to draft an Ordinance amending Section 16½-33 of the Broward County Code of Ordinances, which prohibits discriminatory practices in employment, to provide that the protections contained therein shall also apply to unpaid interns, volunteers, and other uncompensated workers in the workplace.
ACTION: (T-11:21 AM) Approved. The Board of County Commissioners raised concerns about the spectrum of unpaid workers to be included and possible unexpected consequences. In addition, input from the external entities such as the Broward League of Cities and the local business community should be sought.
 Commissioner Kiar requested the Human Rights Board’s support to enable him to draft a proposed ordinance. Currently,

federal and Florida laws do not protect interns and uncompensated workers against sexual harassment and other prohibited discrimination. The Commissioner will provide information on other jurisdictions considering this issue, and he believes Oregon has passed such legislation. Mr. Morera commented on the importance of seeking the input of the business community to hear concerns relevant to their legal exposure. Mr. Pedlar suggested interaction with Miami-Dade and Palm Beach counties on their operational thought process.

With Commissioner Kiar's prior agreement, Mr. Rajner referred to a "New Business" item: Briefing on Human Rights Act religious exemptions re: religious organizations engaged in ministry – those organizations tend to discriminate, basically, against certain classes of people. He has been in communication with national level lawyers concerning the county's current religious exemptions in the employment, real estate transactions and public accommodations sections of the Human Rights Act. The opinion, according to the National Center for Lesbian Rights, seems to be there is no valid reason to include the discriminatory classifications of sexual orientation, gender identity or gender expression as the Act provides religious organizations to prefer members of their own religion. At this point, Mr. Pedlar requested Mr. Rajner to pose his question. Mr. Rajner asked that these classifications be stricken from the respective sections. Commissioner Kiar advised the ordinance to be drafted is specifically for protections for uncompensated individuals, and the County Attorney will make the decision on what is permitted regarding religious institutions. He stated he would file this as an amendment to see if it will go through. Mr. Pedlar asked for discussion. The Board supported Commissioner Kiar's proposed amendment to the Act, but wanted more information on the religious exemptions issue.

MOTION by Mr. Rajner for the Human Rights Board to support Commissioner Kiar's efforts to amend the Human Rights Act to include protections for interns and volunteers and to further investigate consideration to strike the religious exemption contained in the Act that is out of bounds with Title VII. Seconded by Mr. Makalani-MaHee. The consensus is to receive more information on the second part of the motion before a vote. Mr. Rajner Called the Question. Vote on the motion: Yes, 4; No, 5. *Motion Fails.* **MOTION** by Mr. Rajner that the first part of the motion that the Human Rights Board supports Commissioner Kiar's efforts to go forward to include the provision relating to interns and volunteers as a protected class. Seconded by Ms. Ann. *Passed Unanimously.* **MOTION** by Mr. Rajner that the Human Rights Board recommends the County investigate the religious exemptions in the Broward County Human Rights Act to further investigate whether it actually is an overreach and to possibly consider recommendations for removal. Mr. Pedlar advised that this motion would be discussed, later, under the "New Business" item on the agenda. Mr. Rajner asked the Chair if he can telephone a National Center for Lesbian Rights attorney for legal guidance on this matter when discussed. Mr. Pedlar responded that he wanted to continue with the agenda. Mr. Morera thanked Commissioner Kiar for coming to the meeting. Commissioner Kiar advised he will forward the County Attorney's draft ordinance for the Board's review.

- **PRESENTATION:** Broward Cultural Division on *Broward 100 – Celebrating the Art of Community*. (Oct. 2014 – Oct. 2015) A yearlong celebration to promote the communities within the County and commemorate its history, culture and arts. www.broward.org/broward100
- **LITIGATION REPORT:**
 - A. *Glisson v. Publix Super Markets, Inc.* (Employment): Pending before the 17th Circuit Court.
 - B. *Davis v. Southpoint Condominium Association* (Housing): Complaint filed in federal court. Discovery ongoing. Ms. Davis has engaged counsel to represent her.
- **CHAIR'S REPORT:**

Mr. Pedlar accepted the 2014 Human Rights Day Proclamation at the June 24, 2014, County Commission meeting. He met with the Mayor and a number of Commissioners, and all were pleased with the work of the Human Rights Board. Mr. Pedlar reminded the members to bring issues they are passionate about before the Board.
- **COMMITTEE REPORTS:**

Strategic Planning: The committee will be meeting to select a new Chair.

Outreach: Mr. Rajner stated the County News Release on the recent amendment to the Act concerning real estate transactions, seems to appear just to homeowners' associations, and not all real estate transactions that require confirmation of application and written notice of denial. He stated this should be looked into to ensure the County is advertising what actually was adopted by ordinance.
- **OLD BUSINESS:**

Sun Serve (LGBT Social Service Agency): Mr. Maclellan (Coordinator of Senior Services and a Cultural Trainer) an openly gay man in a same-sex relationship had a partner succumb to cancer; he spoke on his challenge to access services. Sun

Serve is conducting cultural training with North Broward Hospital's Admissions and Emergency staff to allow equal access for everyone. Ms. Shaw noted the needs of parents/children dealing with a sexual identity conflict.

• **NEW BUSINESS:**

A. Board Meeting Time: Discuss if a time change to later in the day should be considered. To be discussed at the next Board meeting.

B. Human Right Board policies/practices as enumerated in the Human Rights Act: To be discussed at the next meeting.

C. Human Rights Act religious exemptions: Ms. Shaw requested background information from the Outreach Committee to enable the Board to have a discussion at the next Board meeting. Mr. Stevenson stated this is a national issue and needs to be studied and understood fully. The ACLU should be brought in to review this issue. **MOTION** by Mr. Rajner for an agenda item at the next meeting to have a presentation and invite the ACLU and the National Center for Lesbian Rights to provide an overview. Seconded by Ms. Shaw. *Passed Unanimously.*

• **CONCERNS/ANNOUNCEMENTS:** None.

• **PUBLIC INPUT:** No members of the public present.

With no further discussion, the meeting was adjourned at 3:09 PM.

The next scheduled Board meeting will convene:

Monday, October 20, 2014, 1:00 P.M., Governmental Center, Room 301.

These minutes are summarized from the recorded compact disk of the Human Rights Board Meeting. If any Board Member or other party would like more detailed information about the contents of these summarized minutes, the compact disk will be available by contacting the Human Rights Section at 954-357-7800.