



# STATE OF IOWA

TERRY BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

IOWA CIVIL RIGHTS COMMISSION  
KRISTIN H. JOHNSON, EXECUTIVE DIRECTOR

## Approved Minutes – March 4, 2016 Meeting of the Iowa Civil Rights Commission

- I. Roll Call: Williams, Lipski, Conley, Cunningham, Oelschlaeger  
Staff: Director Johnson, ICRC staff members  
AG: Fiala, Bennett  
Counsel for the parties: Allen Richards, Robert Sabers (by phone)  
Hosts from Des Moines Civil and Human Rights Commission: Joshua Barr, Director; Christine Manbeck, Chair; Daniel Garza, Commission Member  
Public/Press: none
- II. Motion by Oelschlaeger, seconded by Cunningham to approve Minutes from 10-9-15; motion approved.
- III. Public hearing on motion to dismiss ICRC Nos. 03-13-64009 and 03-13-63965, DIA Nos. 14ICRC009, 14ICRC010 as untimely. Arguments were heard from Complainants, represented by Robert Sabers; the ICRC, represented by Katie Fiala, and Respondents, represented by Allen Richards. Commissioners asked questions and participated in active discussion around issue presented on appeal, i.e. whether the appeal was timely. The ICRC and Complainant asked the Commission to dismiss the appeal as untimely. For issues presented to the Commission, see briefs filed by parties. The representatives were thanked for their time and dedication in presenting excellent arguments and informed the Commission will conduct deliberations on the matter in closed session after other business has been discussed.
- IV. Director Johnson introduced DMCHRC Director Joshua Barr, who discussed his new position and welcomed the ICRC Commissioners and Staff. He introduced DMCHRC Chair Christine Manbeck and Commissioner Daniel Garza. Chair Manbeck mentioned the DMCHRC strategic plan involves more cooperative work with the ICRC, efforts to collect and share data, ideas and best practices, and outreach efforts by the DMCHRC. Commissioner Garza also thanked the ICRC for reaching out and mentioned recent changes in the DMCHRC and his confidence in moving forward under new direction.
- V. Commissioners' Reports
  - a. Commissioner Angela Williams – attended several events since the last meeting, including two events on cultural diversity sponsored by the Des Moines Partnership and the Heritage Dinner. She mentioned several events coming up. She expressed her support and pride in the Civil Rights History Toolkit created by ICRC staff for student education.
  - b. Commissioner Patricia Lipski – nothing to report.
  - c. Commissioner Tom Conley – nothing to report.
  - d. Commissioner Doug Oelschlaeger – discussed the 3<sup>rd</sup> Annual Symposium and indicated he found the presentations of high quality overall.
  - e. Commissioner Lawrence Cunningham – attended a panel on race on January 7, 2016 as a representative of the media viewpoint. He will also be attending a presentation on March 8 at 5:30 pm to help facilitate additional discussions concerning race relations, "Media and the Metro." He also attended the Iowa State Conference on Ethnicity on March 4, the goal of which is to identify

racially charged issues facing the Iowa State University community and address the concerns effectively.

- VI.** Director's Report – Director Johnson discussed legislation that has been proposed this session, which included a wage-gap task force to be staffed by the ICRC and proposed changes in response to a recent Iowa Supreme Court decision concerning accommodating pregnancy in the workplace. There was also “Ban the Box” legislation proposed, but it would not be enforced by the ICRC as enforcement was to be enforced by Iowa Workforce Development. Bills were still pending as of this date. The ICRC Civil Rights History Toolkit is posted on the website, and the Iowa Department of Education is helping actively promote it. The Department of Education has also submitted the Civil Right Toolkit to a national organization that ranks the states on Civil Rights history. There has not been an election of Commission Chair since May 2013. Most state commissions elect new chairs every year, usually at the first meeting after May 1. There are no current procedures or rules available that indicate when ICRC chair elections occur. It was decided to put election of chair and co-chair on the agenda for the next meeting. Finally, Waterloo Human Rights Commission has indicated a willingness to host an ICRC meeting.
- VII.** Public Comment - Director Barr invited everyone to attend the Des Moines Civil and Human Rights Symposium, to be held March 16, 2016 at 8 am. Director Johnson will also be making a presentation.
- VIII.** Next meeting will be at 1 pm on May 13, 2016. Director Johnson will check with Waterloo Human Rights Commission to see if they would be willing to host this meeting.
- V.** At approximately 1:02 pm, a motion was made by Commissioner Conley and seconded by Commissioner Oelschlager to close for deliberations pursuant to Iowa Code § 21.5(1)(f) to discuss a decision to be rendered in a contested case. A roll call vote was held and all members of the Commission present voted to go to closed session deliberations. Director Johnson excused herself from closed session due to her representation of the Commission in an earlier phase of the case.
- VI.** At approximately 3:18 pm, the Commission left closed session. Commissioner Lipski moved that the Commission deny the Motion to Dismiss the Appeal based on applicable law and rules, in accordance with the written ruling. Commissioner Oelschlager seconded the Motion. Each member stated his or her vote upon roll call approving the motion. See signed order for the written record of the vote.

**Meeting adjourned after motion and vote to adjourn.**