



## MINUTES

### Oregon Commission on Black Affairs

Saturday, March 20, 2010

9 – 11 AM

Portland Community College Cascade Campus

Terrell Hall Room 124

705 N Killingsworth St.

Portland, OR 97217

#### Attendees

**Chair:** Clifford Walker  
**Vice Chair:** Mariahm Stephenson  
**Commissioners:** Representative Lew Frederick, Senator Rod Monroe, Phyllis Rand, Carlos Jermaine Richard  
**Absent:** Jennifer Doncan, Willie Woolfolk  
**Staff:** Joy Howard, Daniel Rodriguez  
**Guests:** Commissioner Brad Avakian (BOLI), Sue Castner (OCFW Chair), Barbara Dumas, Jamin Dumas, Daniel Franks (Portland Media), Kate Newhall (BOLI), Pam Richmond (Portland Media), Jamaane Scott (Portland Media)

#### **I. Call to Order and Roll Call**

Meeting called to order by Chair Walker at 9:11 a.m.

#### **II. Approval of February 7, 2010 minutes**

Vote: Commissioner Rand motioned to accept the minutes; Commissioner Stephenson seconded, approved unanimously

#### **III. Commissioner Brad Avakian, Bureau of Labor and Industries Tools for Fostering Equity in Oregon**

The [Civil Rights Division](#) enforces laws granting individuals equal access to jobs, career schools, promotions, and a work environment free from discrimination and harassment. These laws ensure that workers' jobs are protected when they report worksite safety violations, use family leave or the worker's compensation system. Civil rights laws also provide protection for those seeking housing or using public facilities such as retail establishments, or transportation.

#### BOLI Civil Rights Complaint Process:

There are several steps involved in filing a civil rights complaint with the Bureau of Labor and Industries. The steps vary, depending on the findings of the intake officer and the investigator. The entire process generally takes seven months, but may take up to one year. The process includes the following components:

- [Fill out a Discrimination Questionnaire](#)
- [Review the Complaint](#)
- [Investigation](#)
- [Conduct a Fact-Finding Conference](#)
- [Conciliation](#)
- [Administrative Hearing](#)
- [Complainant Responsibilities](#)
- [Civil Rights Division Limitations](#)

The [Oregon Council on Civil Rights \(OCCR\)](#) is a diverse 25 member board established by BOLI to advise the Commissioner and the state on matters related to education and enforcement of civil rights in Oregon. One of the first orders of business for OCCR is to create an Action Plan for equal pay for equal work for women who make on average seventy cents to the dollar less than men.

BOLI compared to Attorney General:

The Attorney General has authority over criminal hate crimes, federal crimes, and housing discrimination. All other cases fall under BOLI who also has exclusive authority over employment and public accommodation cases. BOLI has authority to make decisions on cases internally, whereas the Attorney General must go through the court system.

Group Discussion:

- 1) BOLI jurisdiction in the prosecution government entities –
  - a) Commissioner Avakian: If evidence came to BOLI that a government service (e.g. police bureau) was being offered differently to one demographic group than another, then yes, BOLI Civil Rights Division can prosecute.
- 2) Advocating for legislative changes –
  - a) Senator Monroe asked if recommending legislative changes to the one year statute of limitations would help?
  - b) Commissioner Avakian: If changes incur and statute is lengthened, then changes would only be effective if BOLI had the resources to service the needs.
  - c) Commissioner Richard asked if BOLI could draft something that would tell how much money it would take to change (extend) statute?
  - d) Commissioner Avakian: Yes, however, it is important to consider the wider implications of making such a decision (e.g. time, resources, etc.)

#### **IV. OCBA Media Distribution List**

Joy passed out the list she created of Black and multicultural organizations city and statewide [[view here](#)]. Everyone is asked to review list and let her know of any additions/corrections.

Comments: Vice Chair Stephenson and Representative Frederick agreed assist in adding names and organizations to the list.

- V. “The State of Oregon Health” and needed legislation - Commissioner Rand**  
Commissioner Rand reported that legislation is now ready to be voted on tomorrow for Health Care Reform. The problems in the bill for Florida and North Dakota have been removed. The donor hole for prescription drugs has been filled and ninety-eight percent of all people will have access.

Comments:

Representative Frederick expressed interest in reporting out to commissioners on health care status of people aged 18-30

**VI. Discussion: use of the “N” word in State institutions and on State work sites**

Comments:

- 1) Commissioner Richard stated that if the Commission takes on a position in the use of the “N” word, then, they must also take a position on all racial slurs and that can be a huge undertaking given the limited time and resources the Commission has.
- 2) Mr. Dumas stated the Department of Corrections have strong rules and repercussions for inmates use racial slurs.
- 3) Representative Frederick suggested OCBA create a list of concerns about the way the Dumas case was handled and submit to the Attorney General and Governor.
  - a) Mr. Dumas offered to assist create letter

**VII. Guest, Community Comments**

- 1) Sue Castner, Chair, Oregon Commission for Women
  - a) Women of Achievement Awards – Nominations
    - i. All are invited to submit names of women to be honored. Applications are available through OACO and must be submitted by April 30, 2010
  - b) Joint Candidate Forums
    - i. April 29 - Governor and Metro Council President candidates
    - ii. May 4 - Multnomah County Commissioner and Portland City Council candidates

**VIII. Good of the Order**

- 1) Next meeting agenda suggestions
  - a) Taking a stand on the Dumas case and to what extent (i.e. letter to Attorney General, Governor’s pardon)

**IX. Adjournment at 11:40 a.m.**