



## **HUMAN RIGHTS COMMISSION**

### **MEETING MINUTES**

#### **REGULAR MEETING**

**Monday, January 27, 2014**

**5:30 – 6:30 pm in City Hall Council Chambers**

**6:30 pm to adjournment in Room 1027**

**301 W. Second Street, Austin, TX 78701**

Chair Paul Rhea called the meeting to order at 5:36 p.m.

Commission Members in Attendance:

Paul Rhea, Chair

Jonathan Luu, Vice-Chair

Elizabeth Brenner

Sara Clark

Judy Cortez

Will Krueger

DeWayne Lofton

Human Resources Department Staff Present:

Jonathan Babiak, Administrator, Equal Employment/Fair Housing Office  
(EE/FHO)

Rose Xavier, EE/FHO Staff Liaison

#### **1. CITIZENS' COMMUNICATION**

There was no citizens' communication.

#### **2. APPROVAL OF MINUTES**

The minutes of the November 25, 2013 regular meeting were approved on a 6-0 vote; Commissioner Luu motion, Commissioner Lofton seconded, Commissioner Cortez was not present.

#### **3. ANNOUNCEMENTS**

Will Krueger has been named as the newest commissioner to the Human Rights Commission.

#### **4. OLD BUSINESS**

- a. Discussion on recommendations to the City Council related to the presentation by Nelson Linder, President, National Association for the Advancement of Colored

People, Austin Branch, and resolutions related to disparities in Austin's African American Communities.

- i. An alternate resolution was proposed by Commissioner Luu in collaboration with the African American Resource Advisory Commission.
- ii. Resolution addressing economic disparities in the African American community was approved on a 7-0 vote. Commissioner Luu motion, Commissioner Brenner second.

## **5. NEW BUSINESS**

- a. Presentation by Ceci Gratias, Austin Human Rights Campaign, regarding the Lesbian, Gay, Bisexual and Transgender (LGBT) Community. In 2013, the City received a 100 point score on the Municipal Equality Index. In 2014, some of the criteria in the rating index will change, and there are some improvements that the City will have to make in order to retain the 100 point score. The Austin Human Rights Campaign considers the most urgent changes to be: AISD incorporating gender identity and expression into its anti-harassment statement; the City providing services to LGBT youth, LGBT homeless individuals, and people living with HIV/AIDS; and the Austin Police Department filling the vacancy for an LGBT Police Liaison
- b. Presentations regarding current issues facing the Asian American and Pacific Islander Community.

Shubhada Saxena – citizen, South Asians' International Volunteer Association (SAIVA), spoke about the lack of transportation assistance for the elderly and that meals provided do not conform to the dietary restrictions related to religious beliefs of Muslims and Hindus in the Asian American community.

Lesley Varghese, Executive Director and General Counsel, Asian American Resource Center Non-Profit (AARC), made a presentation concerning the Asian American and Pacific Islander community. Austin's Parks and Recreation Department (PARD) currently has programs geared toward seniors. However there are issues with access for the Asian American community. The problems include the programs not being culturally appropriate and language accessible. Many of the late stage immigrants are not English language speakers and translation services are unsatisfactory. For many, the programs are not physically accessible because transportation to PARD locations is not available. None of the locations have satisfactory dietary options available. Those who are vegetarian for religious reasons are not able to participate. They were

told that they could not participate in the meal program if they did not eat the lunch that was provided. In addition to lunch, participants share social and recreational activities and receive additional benefits such as nutrition education, health and welfare counseling, and information and referral services. The result of not participating in the meal is loss of the transportation benefit. Immigrants are being denied services because of religion. AARC and PARD were not able to come to agreement on the original conception of a partnership, which was that the community would be in the space programming and ensuring culturally appropriate programs, including a program for seniors. Ms. Varghese has not determined why PARD is unable to provide this service. Providing meals is critical because the transportation grant is tied to the senior meal program. PARD is currently running the program. Because they operate it in this fashion, \$70,000 in funding for appropriate meals at the Asian American Resource Center facility still has not been put into place. PARD believes that they don't have the appropriate kitchen to prepare and serve meals at that facility. In meetings with Meals on Wheels, which handles most of the senior contracts for the City, Ms. Varghese was told that they could easily prepare a culturally appropriate meal program. Meals on Wheels stated that they had not been asked to do so by PARD. They are also capable of providing fresh frozen meals that can be transported to the facility. The AARC facility has a commercial freezer and a microwave and has hosted events that require meal service. Ms. Varghese requests the City to explore grant programs for transportation services that are not tied to meal programs. City departments lack translated program information, and this is particularly an issue within Health and Human Services. There are sometimes efforts to provide translated services, but they are using volunteers, not certified language translators. By using non-certified translators, customers receive erroneously translated information. AARC is conducting Asian American health assessment focus groups. The findings show that the Asian American community has a significant limited English proficient population across socio-economic lines. Limited English Proficiency (LEP) in this community is not always captured within the traditional services provided. Currently services are provided primarily to lower socio-economic groups and seniors. This does not capture the many families that move to Austin following a family member who has been recruited to work in a lucrative technology or engineering field. These families are in need of healthcare, therapists, pediatricians, and basic health information about services like flu shots and vaccines. Information is lost in translation when communicating with healthcare providers, and there is not enough information about City resources. Asian Americans are the second highest group of uninsured (healthcare) individuals in the state of Texas. There is a tremendous need for translation following the rollout of the Affordable Care Act and all of the new enrollment opportunities. Voter Registration services also need

translation services. Many of these issues can be addressed by creating a more racially diverse workforce within the City and by ensuring that those individuals are spread out across all City departments, including Health and Human Services and PARD, to achieve cultural competency. The City should also ensure equal opportunity not only in entry level positions but also to management and leadership positions. Ms. Varghese urges more diversity in City leadership.

Ramey Ko, Commissioner, President's Advisory Commission on Asian Americans and Pacific Islanders, spoke on the issues regarding the City's response when requested to provide translation in Asian languages. City departments cite lack of funding when requested to provide translation services. The City asks the community for volunteers, but the City takes credit for the services. Translations of program information in Asian languages are unappealing compared to English and even Spanish program information. Meaningful outreach is needed. The Asian American community is not receiving the same level of respect and service as the rest of the population in Austin. Mr. Ko urges a change in attitude to emphasize the way that Asian American are served as a community. Many people have tried to work with the City, but they become discouraged. Mr. Ko urges discussion to address these issues going forward.

- c. The Human Rights Commission Annual Saturday Work Session will be held on March 22<sup>nd</sup>, from 9 am to 12 pm. The Commission has requested the event to be held at the Asian American Resource Center.

## **6. STATUS OF GOALS AND OBJECTIVES**

- a. The status of the Commission's goals and objectives for 2013.
  - i. Goal #1 – Community Discussion on Racism and Discrimination.
  - ii. Goal #2 – Establish working relationships with community groups.
  - iii. Goal #3 – Improve Internal Human Rights Commission (HRC) - City of Austin Equal Employment/Fair Housing Office (EE/FHO) Processes and Procedures. Discussion on the process of mail being delivered to the Human Rights Commission Chair. Staff will come to the next meeting with more information.

## **7. STAFF BRIEFING**

- a. The EE/FHO has the following updates for the 1<sup>st</sup> Quarter:

- i. The Housing staff closed eighteen complaints. Of the 18 closures, 10 were voluntary settlements resulting in a recovery of \$6,000.
- ii. The Employment staff processed 59 intakes and had 29 resolutions. Of the 29 resolutions, 7 were voluntary settlements resulting in a recovery of approximately \$43,000.

## **8. FUTURE AGENDA ITEMS**

- a. Updates from the African American, Hispanic, and Disabled communities.
- b. Public accommodation.
- c. Title VII.
- d. Taxi services – problems with issuing special vouchers for people with disabilities.
- e. Youth Court – the caseload of the judge should reflect the community.
- f. Translation and transportation service issues in the Asian American Community.
- g. Vendor complaint forms that are received by the City are not transferred to the EE/FHO.
- h. Unregulated group homes

## **ADJOURN**

The meeting was adjourned at 8:10 pm without objection.