



GOVERNMENT OF THE DISTRICT OF COLUMBIA
COMMISSION ON HUMAN RIGHTS
BI-MONTHLY PUBLIC MEETING

DRAFT Minutes
January 10, 2024, at
6:30pm via Zoom

Link to Recording (password: r3i*A^wV): https://dc.gov.zoom.us/rec/share/SSYKj_OyP6yFU3XtXzxoE23iwQl2onGSgO3G9uzMcPhCsdpAnHDFGgGIJH96Pwzo.qirYo3Nr2WfUJw-6

ATTENDEES

Commissioners Present:

Motoko Aizawa, Chairperson
Maria Burnett
Henry Floyd Jr.
Teri Janine Quinn

Robert Baldwin III
Charlotte Clymer
Adam Maier
Toni Wiley

Commissioners Absent:

Stuart Anderson
Colin Rettammel

Office of Human Rights Staff:

Hnin Khaing, Director
Andrea Goplerud, General Counsel
Kenneth Saunders

Commission on Human Rights Staff:

Brades Ash, Administrative Law Judge
Erika Pierson, Chief Administrative Law Judge
Matthew Wiedmayer, Law Clerk

Final Minutes will be posted after they are approved at the meeting on March 13, 2024

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MEETING

- I. CALL TO ORDER – Commissioner Aizawa, Chair
 - a. Chairperson Aizawa called the Commission to order at 6:33 PM
- II. ROLL CALL – Commissioner Charlotte Clymer
 - a. A total of 8 Commissioners appeared at the meeting. All were present via Zoom. A quorum was present.
- III. ADOPTION OF THE AGENDA
 - a. The agenda was adopted.
- IV. ADOPTION OF THE MINUTES: November 8, 2023, Meeting
 - a. The November 8 meeting minutes were adopted by acclamation.
- V. REPORT OF THE OFFICE OF HUMAN RIGHTS: Director Hnin Khaing
 - a. Introductions of new OHR employees (Mr. Saunders and two others not present).
 - b. Operation updates: Case Management System is being updated; OHR in the procurement stage of the process. IT specialist has been hired.
 - c. Starting in March 2024, DC Government is transitioning to working in the office four days a week, with one day of telework, opposed to two telework days. There is also an option for a compressed work week of 4 days, 10 hours each.
 - d. Performance Oversight for both the Office and the Commission is scheduled for February 21, 2024. Responses due to the Performance Oversight questions January 24.
 - e. Upcoming Events –
 - This Friday, January 12, 2024, DC engages in the wreath laying ceremony at the Martin Luther King Jr., memorial at noon. Please contact Brittany if you are interested in attending (Brittany.Kent1@dc.gov).
 - February 23, 2024 is the next public 23 protected traits training.
 - The language access training will be happening towards the end of February. It is the 20th anniversary of the Language Access Act, there will be a celebration event in April.
- VI. REPORT OF THE CHAIR OF THE COMMISSION: Motoko Aizawa
 - a. Chairperson Aizawa presented her updates during the New Business period of the meeting.
- VII. LEGISLATIVE UPDATE: Andrea Goplerud, General Counsel
 - a. December 6, 2023, OHR gave testimony on the Fairness in Human Rights Administration Act, which we are calling the “contested cases” bill. That bill would make changes to

damages and to the right to remove one's case to court.

- Damages: In the proposed bill, for claims against government, reasonable attorneys' fees and reasonable compensatory damages would be available – it is currently not available. For private sector cases, punitive damages would be added as an available remedy. Punitive damages are currently available for court-filed complaints, but not Commission-filed complaints. Right to go to court: they could go to court right away under DCHRA, unlike EEOC. At any point during the investigation, they can go to court. Removing to court is not available once the LOD has been issued. In the new act, they can remove to court in two circumstances: (1) after the Letter of Determination is issued, (2) after a full evidentiary hearing and decision by the Commission. The court's review would be de novo. This would mean contested cases would no longer exist (because the definition of a contested case is a case that you could *not* remove for de novo review by a court).

VIII. NEW BUSINESS

a. **Tribunal Agreement** – Commissioner Aizawa

- The primary role of Commissioners is to serve on Tribunals. The Tribunal Agreement documents the Commissioners' responsibilities in serving on Tribunals. All Commissioners will be asked to sign this agreement going forward. Commissioners present had no objections. Chief Judge Pierson will circulate a DocuSign link to sign the Tribunal Agreement.

b. Gala Recap – Commissioner Aizawa

- The event was a success. We had over 100 attendees, and many from all over the District participated.

c. Resignation of Commissioner Karen Mulhauser -Commissioner Aizawa. The second longest serving Commissioner, after 13 years, has resigned from the Commission and was awarded a Commissioner Emeritus award at the gala. Commissioner Mulhauser will be greatly missed and we thank her for her 13 years of service.

d. **Elections: Annual elections were held pursuant to D.C. Code § 1404.04, annual elections were held:**

- Vice-Chair
 - Nominations included: Henry Floyd, Jr.
 - Without any other nomination and without any objection, Commissioner Henry Floyd, Jr. is elected Vice-Chair.
- Secretary
 - Nominations included: Charlotte Clymer
 - Without any other nomination and without any objection, Commissioner Charlotte Clymer is elected Secretary.

e. Committee Memberships – Join/Resign

- Chief Judge Pierson provided a list of Commissioners, organized by committee.

- Chair of the outreach committee was elected: Charlotte Clymer.

IX. OLD BUSINESS

- a. **Commissioner Terms Expired 12/31/23 and seeking reappointment:** Maria Burnett. Adam Maier, Motoko Aizawa (as Chair) – Erika Pierson
- Mayor’s Office is still in the process of approving the reappointment of Commissioners Burnett and Maier and Commissioner Aizawa’s designation as Chair.
- b. Rescheduling 23 Protected Traits Training:
- April 17, 2024 at 6:00pm was the selected date of the 23 Protected traits training for Commissioners. Training will be held virtually.

X. NO COMMITTEE REPORTS THIS MONTH

XI. ANNOUNCEMENTS

- a. No announcements were made.

XII. ADJOURNMENT OF MEEETING

- a. The meeting was adjourned at approximately 7:30 P.M.

NEXT MEETING: March 13, 2024 at 6:30PM

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.



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COMMISSION ON HUMAN RIGHTS
BI-MONTHLY PUBLIC MEETING

A * G * E * N * D * A
January 10, 2024, at 6:30pm
Zoom

Join Zoom Meeting

<https://dc-gov.zoom.us/j/81213715763?pwd=WkVwcUxiMHgxc3dpU3F0T09SN1E2dz09>

Meeting ID: 812 1371 5763

Passcode: 697050

Dial In: 301-715-8592

- I. CALL TO ORDER – Commissioner Aizawa, Chair
- II. ROLL CALL – Commissioner Charlotte Clymer
- III. ADOPTION OF THE AGENDA
- IV. ADOPTION OF THE MINUTES: November 8, 2023, Meeting
- V. REPORT OF THE OFFICE OF HUMAN RIGHTS: Director Hnin Khaing
- VI. REPORT OF THE CHAIR OF THE COMMISSION: Motoko Aizawa
- VII. LEGISLATIVE UPDATE: Andrea Goplerud, General Counsel
- VIII. NEW BUSINESS
 1. **Tribunal Agreement** – Commissioner Aizawa
 2. Gala Recap – Commissioner Aizawa
 3. Resignation of Commissioner Karen Mulhauser -Commissioner Aizawa
 4. **Elections:**
 - Vice-Chair
 - Secretary
 5. Committee Memberships – Join/Resign

IX. OLD BUSINESS

6. **Commissioner Terms Expired 12/31/23 and seeking reappointment:** Maria Burnett. Adam Maier, Motoko Aizawa (as Chair) – Erika Pierson
7. Rescheduling 23 Protected Traits Training: April 10, 17, 24 at 6pm.

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