



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

OFFICIAL COMMISSION MEETING

Via Zoom
March 9, 2022

ATTENDEES

Commissioners

Motoko Aizawa, Chair
Brian Griffey, Vice Chair
Karen Mulhauser, Secretary

Wynter Allen
Eleanor Collinson
Lauren Lowery
Adam E. Maier
Anika Simpson
Timothy Thomas
Teri Quinn

Office of Human Rights Staff

Hnin Khaing, Interim Director
Charles Abbott, Esquire, Attorney Advisor
Ajan Brown, Community Engagement Specialist

Commission on Human Rights Staff

Erika L. Pierson, Chief Administrative Law Judge
Brandes S.G. Ash, Administrative Law Judge

Guests

Sue Choi (OHR Intern)

MINUTES

I. CALL TO ORDER

- a. Chair Aizawa called the Commission's Official Meeting to order at 6:34 PM.

II. ROLL CALL

- a. Commissioner Mulhauser conducted the roll call.
- b. A total of 10 commissioners appeared. There was a quorum.

III. ADOPTION OF THE AGENDA

- a. The 03/09/2022 agenda was adopted with one modification—invited speaker, Christy Repp, Executive Director, Pathways to Housing DC / 2021 OHR/ Commission on Human Rights Cornelius R. “Neil” Alexander Humanitarian Award recipient, was unable to attend.

IV. ADOPTION OF THE MINUTES

- a. The 01/12/2022 meeting minutes were adopted.

V. REPORT OF THE INTERIM DIRECTOR

Interim Director Khaing provided the following updates to the Commission:

- a. OHR issued revised Enforcement Guidance No. 22-01: the New COVID-19 Leave Under the DCFMLA
 - i. Under this Guidance, any employee who, for at least 30 days, has worked for an employer with **20 or more employees in the District of Columbia, is eligible for New COVID-19 leave.**
 - ii. Specifically, an employee may use up to 16 weeks of New COVID-19 Leave if:
 - a) the employee **tests positive** for COVID-19;
 - b) **the employee is caring for** a family member or individual with whom the employee shares a household who has tested positive for COVID-19 and must quarantine pursuant to Department of Health guidelines;
 - c) **the employee has a recommendation from** a health care provider or a directive from an employer that the employee isolate or quarantine due to COVID-19, including because the employee or an

individual with whom the employee shares a household is at high risk for serious illness from COVID-19;

d) **the employee must care for** a family member or an individual with whom the employee shares a household, who is isolating or quarantining pursuant to Department of Health guidance, the recommendation of a health care provider, or the order or policy of the family member's or individual's school or childcare provider;

e) **the employee must care for** a child whose school or place of care is closed or whose childcare provider is unavailable to the employee due to COVID-19.

b. Interim Director Khaing thanked Chair Aizawa for her support and preparation for the Performance Oversight Hearing last month.

c. OHR is preparing for the Budget oversight hearing on March 31, 2022.

d. Upcoming OHR Outreach and Events (March, April 2022):

i. March 2022

a) MOLA presents: "Breaking the Silence, Latinx Women's Contributions to DC"

1. Tuesday, March 8 from 6:00 – 7:00 PM
2. Location: El Tamarindo Restaurant
3. Purpose: An event to celebrate Latinx women including a discussion panel with Latina leaders in the District.

b) Resilience and Women's Public Safety: A Dialogue One Year after the Atlanta Shootings

1. Wednesday, March 16 at 6:00 PM
2. Location: Chinatown Community Church
3. Purpose: a discussion regarding AAPI hate crimes, resources and best practices to keep our community safe.

c) Listening Lab ("Protection Against Discrimination Act in the District")

1. Thursday, March 24 from 6:00 – 7:30 PM
2. Location: Watha T. Daniel / Shaw Neighborhood Library
3. Purpose: OHR Overview and Discrimination Protections in the District

4. Chair Aizawa and Interim Director Khaing will be speakers
5. Registration at <https://www.eventbrite.com/e/290810641457>

d) Presentation for the Capital Pride Alliance Board

1. Wednesday, March 26 from 7:00 – 8:30 PM
2. Location: Zoom
3. Purpose / Topic: Knowing Your Rights: The 21 Protected Traits in Washington, DC

e) Stand Up Against Street Harassment Training

1. Tuesday, March 29 starting at 6:00 PM
2. Location: Virtual (in collaboration with MOWPI and MOLGBTQA)

f) Human Rights Liaison (HRL) Training

1. Thursday, March 31 from 10:00 AM – 2:00 PM
2. Location: Zoom

g) Department of Aging and Community Living/LGBTQ Committee Meeting

1. Thursday March 31st from 4:30pm to 6:00 PM
2. Location: Online
3. Purpose: Meeting to exchange information, resources and develop strategies and activities benefiting DC's LGBTQ senior residents.

ii) April 2022

a) Presentation and Panel

1. Either Wednesday, April 6 or Thursday, April 7 (time TBD)
2. Location: TBD
3. Topic: General Fair Housing Presentation and Panel

b) Listening Lab

1. Either Wednesday, April 13 or Thursday, April 14 from 6:00 – 7:00 PM
2. Location: TBD (in person)
3. Topic: Fair Housing

c) Listening Lab

1. Wednesday, April 27 from 6:00 – 7:00 PM
 2. Location: Zoom
 3. Topic: Social Media and Digital Accessibility for Renting and Tenants
- d) Department of Aging and Community Living/LGBTQ Committee Meeting
1. Thursday April 28th from 4:30pm to 6:00 PM
 2. Location: Virtual
 3. Purpose/Topic: Meeting to exchange information, resources and develop strategies and activities benefiting DC's LGBTQ senior residents.

***April 2022 is both Language Access Month and Fair Housing Month. Events are still being planned/ updated.**

- e. Interim Director Khaing and Ajan Brown have been working together with **SMYAL** (Supporting and Mentoring Youth Advocates and Leaders), a program that, among other things, provides transitional housing for trans youth in the District.
1. Specifically, OHR has an agreement with HUD to partner with SMYAL to provide training for transitional housing programs. Trainings will focus on fair housing but will also address other protected rights.
 2. Four or five training sessions are expected to launch in April 2022.
 3. There will also be a Listening Lab in collaboration with SMYAL in June 2022.
- f. Industry Standard Study
1. Currently, an Industry Standard Study is being conducted by a vendor to provide insight on complaints and the tribunal process.
 2. If any Commissioners want to assist/ help out, they should share their thoughts with Chair Aizawa within the next 2 weeks.

VI. REPORT OF CHIEF ADMINISTRATIVE LAW JUDGE

Chief Judge Erika L. Pierson provided a report for the Commission on Human Rights (Commission), highlighting the following:

a. STAFFING UPDATE

- i. We completed interviews for the COHR Fellowship and will be making an offer to a candidate to begin after the July 2022 bar exam.

- ii. We planned to recruit a summer intern at the Washington Bar Association Career Fair, but it was cancelled.

- 1. OHR has referred some intern applicants to us to consider.

- iii. Judge Ash will be going on maternity leave March 24th or sooner and will return in August.

b. OPERATIONAL UPDATES

- i. There are four (4) persons identified by MOTA as new Commissioners that are currently going through the vetting process, with the goal to have them before Council by April 2022:
- ii. Commissioner Collinson's reappointment will be heard at the same time as the new Commissioners.

VII. REPORT OF THE CHAIR OF THE COMMISSION / NEW BUSINESS

- a. Chair Aizawa began her report by acknowledging and thanking Interim Director Khaing and Chief Judge Pierson for their participation at the Performance Oversight Hearing ("Hearing") held last month, February 24, 2022. She also noted the contributions of the Executive Committee members:

- i. At the Hearing:

- 1. OHR was paired with the Office of Risk Management (ORM).
 - 2. Several witnesses gave testimonies related to delays in the case intake process, as well as solutions for efficiency.
 - 3. There were questions about Commissioners' attendance at bi-monthly public meetings.
 - 4. Chair Aizawa shared that there is a new rotation schedule in place for Commission Tribunals.
 - 5. The following priorities of the Commission were shared at the Hearing:

- a. Working through case backlog;

- b. Commission ALJs will make it easier for *pro se* (unrepresented by counsel) litigants to litigate their cases (e.g. using *pro se* pre-fillable forms, etc.);
- c. Collaboration with OHR regarding the revision of Commission rules, namely D.C. Municipal Regulations Chapter 4;
- d. Review Commission cases to determine trends, as a parallel study to the OHR Industry Standard Study (see Industry Standard Study reference above);
- e. Outreach by the Outreach Committee and the Commission as a whole.

VIII. OLD BUSINESS

- a. Chief Judge Pierson shared that there are currently 15 cases pending before the Commission.
 - i. Five cases have been closed since the start of FY22.
 - ii. Two tribunals will be held soon, so two more cases will be closed.
- b. Judge Ash thanked Chair Aizawa, Commissioner Quinn and Commissioner Lowery for serving on a recent tribunal to dismiss a case. Chair Aizawa recognized Judge Ash's dedication to the case throughout its long history.

IX. NEW BUSINESS

- a. **May 11, 2022 Bi-Monthly Public Meeting**
 - i. The May 2022 meeting will be a hybrid meeting (in-person but offering a virtual participation option).
- b. Commissioner Maier expressed support for OHR Newsletters, particularly recent publications focusing on women's protection and equal rights.

X. COMMITTEE REPORTS

- a. The Executive Committee has now been formed, consisting of Chair Aizawa, Commissioner Mulhauser and Commissioner Griffey.
- b. **Outreach Committee (Commissioner Mulhauser, Chair)**

- i. Would like to convene a committee meeting soon, with Ajan's calendar /schedule in mind.

c. Awards Committee

- i. Chair Aizawa shared that the Committee is still dormant and is likely to remain so until May 2022.

d. Rules Committee

- i. Chief Judge Pierson provided an update on Commission Rule 408.

- 1. The Rule was published last Friday in the Register. (There will be time to make amendments.)

- a. Rule 408 clarifies OHR's role in cases.

- b. The Rule is effective as current law but remains amendable.

- 2. Interim Director Khaing thanked Chief Judge Pierson for her leadership and Commissioner Simpson for her work.

XI. ADJOURNMENT OF MEETING

- a. Chair Aizawa adjourned the meeting at 7:38 PM.
- b. The Commission held an executive session following the Commission meeting.