

City of Madison
Meeting Minutes - Final
EQUAL OPPORTUNITIES
COMMISSION

City of Madison
Madison, WI 53703
www.cityofmadison.com

Thursday, February 10, 2005

5:00 PM

Room LL-120, Madison Municipal Building

1. Call to Order

The meeting was called to order at 5:05 p.m., Ramona Natera presiding.

Present: Ald. Gregory Markle, Ramona L. Natera, Teresa Tellez-Giron, Bert Zipperer, Carousel Andrea S. Bayrd, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe and Steven H. Morrison

Absent: Nia Enemuoh-Trammell, Henry C. Boyd III, Daniel L. Ross and Kabzuag K. Vaj

2. Convene in Executive Session

A motion was made by Morrison to Convene into Closed Session. The motion passed by the following vote:

Absent: Enemuoh-Trammell, Boyd III, Ross and Vaj

Aye: Markle, Natera, Tellez-Giron, Zipperer, Bayrd, McDonell, Smith, Howe and Morrison

Present: Ald. Gregory Markle, Nia Enemuoh-Trammell, Henry C. Boyd III, Ramona L. Natera, Teresa Tellez-Giron, Bert Zipperer, Carousel Andrea S. Bayrd, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe, Kabzuag K. Vaj and Steven H. Morrison

Absent: Daniel L. Ross

3. Reconvene in Open Session

A motion was made by Morrison, seconded by Howe, to Reconvene. The motion passed by acclamation.

00722

Case No. 20031120, Peckham v. YWCA, Appeal of of Examiner's Finding of No Probable Cause.

A motion was made by Bayrd, seconded by Zipperer, to Accept the findings of the Hearing Examiner. The motion passed by the following vote:

Absent: Ross

Aye: Markle, Enemuoh-Trammell, Boyd III, Natera, Zipperer, Bayrd, McDonell, Smith, Vaj and Morrison

Non Voting: Tellez-Giron and Howe

00723 Case No. 20022063, Cronk v. Reynolds Transfer & Storage, Appeal of Merits Decision

A motion was made by Zipperer, seconded by Howe, to Accept the findings of the Hearing Examiner. The motion passed by the following vote:

Absent: Ross

Aye: Markle, Enemuoh-Trammell, Boyd III, Natera, Tellez-Giron, Zipperer, Bayrd, McDonell, Smith, Howe, Vaj and Morrison

00724 Remanding the award of back pay to the Hearing Examiner for reconsideration of the complainant's part-time employment.

A motion was made by Morrison, seconded by Bayrd, to Accept. The motion passed by the following vote:

Absent: Ross

Aye: Markle, Enemuoh-Trammell, Boyd III, Natera, Tellez-Giron, Bayrd, McDonell, Smith, Howe, Vaj and Morrison

No: Zipperer

00726 The award for the addition of interest on the back pay to the Hearing Examiner, based on case precedent.

A motion was made by Morrison to Approve. The motion passed by the following vote:

Absent: Ross

Aye: Markle, Enemuoh-Trammell, Boyd III, Natera, Tellez-Giron, Zipperer, Bayrd, McDonell, Smith, Howe and Morrison

Abstain: Vaj

00725 Consideration of increasing the compensatory damages for emotional distress, because the Commission believes the amount may be too low.

A motion was made, seconded by Howe, to Accept to remand the case to the Hearing Examiner. The parties shall be afforded an opportunity to be heard in this process. The motion passed by the following vote:

Absent: Ross

Aye: Boyd III, Natera, Tellez-Giron, Zipperer, McDonell, Smith, Howe, Vaj and Morrison

No: Markle and Bayrd

Abstain: Enemuoh-Trammell

4. Approval of January 13 Minutes

Corrected to indicate that Vaj was present.

A motion was made by Morrison, seconded by McDonell, to Approve the Minutes . The motion passed by acclamation.

5. Statements from the Public

No statements were received.

6.

00364

Accepting the Vision Document for the Allied Community as presented by the Mayor.

A motion was made by McDonell, seconded by Bayrd, to Refer to the EOC Executive Committee. The motion passed by acclamation.

7. President's Report

Natera reported that she continues to represent the EOC on the ad hoc committee studying the consolidation of the Affirmative Action and EOC departments.

She appeared on a WORT radio program and received a call asking for programs for teens in the Allied Drive area, HIV and domestic abuse violations.

She also asked Annette Miller about a statement that David Hart made on a Madison City Channel saying that the Affirmative Action Commission and Equal Opportunities Commission would be combined into one large body under the Mayor's consolidation plan. Miller stated this was incorrect. Natera asked if the Mayor has issued a statement repudiating this remark. Morrison emphasized that based on the fact that this is the City's own station it is even more important that the Mayor correct the misinformation.

8. Interim Director's Report

Ford reported that the staff is performing its duties and working hard.

9. Announcements of Upcoming Community Events

Bayrd reported that applications are being accepted for the Madison Area Technical Association Board of Directors. Contact Bayrd if more information is needed.

10. Committee Reports

a. EOC Executive Committee

Hicks reported that the Committee reviewed the proposed minimum wage ordinance amendment, reviewed the list of cases pending appeal and set the agenda for the Commission meeting. Commissioners are reminded to alert Wick well in advance if they will need to recuse themselves on a case.

b. EOC Employment Committee

00721 Membership of Linda Taplin Statz as a voting member of the EOC Employment Committee subject to Common Council confirmation.

A motion was made by Morrison, seconded by Howe, to Approve. The motion passed by acclamation.

The Commission is seeking a replacement for Carousel Bayrd on the Committee. Commissioner Enemuoh-Trammell agreed to consider membership on the Committee.

11. Unfinished Business

a. Election of Officers

00727 Proposed slate of officers.

A motion was made by Zipperer, seconded by Morrison, to Approve. The motion passed by acclamation.

b. Update on Proposed Reorganization Study of Affirmative Action Department and EOC

It was reported that the last forum on the reorganization would be held at the Northside Learning Center next week. Two meetings of the ad hoc committee are presently scheduled for February 17 and 23.

c. Input to Mayor on Qualifications and Duties of EOC Executive Director

Referred to next meeting.

d. Minimum Wage Update

Assistant City Attorney Roger Allen provided an update on the status of the pending litigation.

e. Madison Metro Services Between East and South Madison

Referred to next meeting.

12. New Business

a. Minimum Wage amendments

00080 Amending Sections 3.45(5)(b) and (22), creating new Section 3.45(23) and renumbering current Sections 3.45(23) and (24) to (24) and (25), respectively through (16) of the Madison General Ordinances to modify portions of the minimum wage ordinance and to establish remedies for violations of the ordinance.

A motion was made by McDonell, seconded by Aid. Markle, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

Absent: Ross

Aye: Markle, Enemuoh-Trammell, Boyd III, Natera, Tellez-Giron, Zipperer, Bayrd, McDonell, Howe, Vaj and Morrison

Abstain: Smith

b. Language Assistance Plan Issues

A memo from Enis Ragland, Director of the Affirmative Action Department, was distributed (attached to file minutes).

The matter was referred to the EOC Executive Committee for further discussion.

c. Voter Registration Proposal

Referred to next meeting.

d. Minority Representation at MATC

Referred to next meeting.

12. Adjourn

A motion was made to Adjourn at 7:13 p.m. The motion passed by acclamation.

Minutes prepared by
Cindy Wick
EOC Executive Assistant