



# City of Madison

## Meeting Minutes - Final

### EQUAL OPPORTUNITIES COMMISSION

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

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Thursday, April 6, 2006

4:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-120 (Madison Municipal Building)

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#### 1. CALL TO ORDER

*The meeting was called to order at 5:03 pm, Bert Zipperer presiding.*

#### 2. ROLL CALL

**Present:** Ald. Zachariah Brandon, Nia Enemuoh-Trammell, Victoria S. Selkove, Alberto D. Poliarco, Bert Zipperer, Daniel L. Ross, Carousel Andrea S. Bayrd, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe, Brian L. Solomon and Steven H. Morrison

#### 3. PUBLIC COMMENT

*The following individuals registered regarding Item 11c.*

*Delora Newton  
Greater Madison Chamber of Commerce  
615 E Washington Ave  
Madison WI 53703  
Registered in opposition, available to answer questions*

*Donna Livesey  
1043 Jenifer #4  
Madison WI 53703  
Spoke in support*

*Jim Garner  
125 Pine Ridge Dr  
Madison WI  
Spoke in opposition*

*Emma Condon  
Wisconsin National Organization for Women  
122 State St  
Madison WI  
Registered in support, available to answer questions*

*Mike S. Goodman  
540 W Olin Ave #211  
Madison WI 53715-2169  
Registered in support, available to answer questions*

#### 4. APPROVAL OF MINUTES

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

## 5. PRESIDENT'S REPORT

*Zipperer reported that he had met with Lucía Nuñez on April 5.*

*Discussion occurred at the Executive Committee meeting about forming a committee to look into check cashing policies. Nia has expressed interest in working on this issue. Any other interested Commissioners should speak to Enemuoh-Trammell.*

*A party to thank past President of the Commission Ramona Natera and Ariel Ford, former interim Director of the EOC and current Investigations Supervisor, for their work has been scheduled for May 6 at Steve Morrison's home.*

*The Executive Committee has recommended that plans for events to demonstrate our opposition to the proposed constitutional amendment on gay marriage be referred back to the Ad Hoc Committee. Staff did research and determined quite a few activities are occurring on Campus prior to the end of the semester. Staff workload is quite full at this time and more time has been requested to work on plans for an event.*

## 6. DCR DIRECTOR'S REPORT

*Lucía Nuñez reported on the status of the EEOC contract. The EOD has not yet received the 2006 contract from EEOC, but has made great strides in submitting cases for credit.*

*Assistant City Attorney Roger Allen has incorporated all the staff comments into the new Chapter 39 "lite." It should be available for Commission action next month.*

*Nuñez met with furniture representatives to discuss advantages, costs of moving old furniture or getting new furniture for the AAD and EOD offices when they move to the new space.*

*Nuñez is working on setting benchmarks for the DCR. The deadline for submission to the Mayor's office is the week after this meeting.*

*On behalf of the Mayor's office, the AAD and EOD are assisting with the planning of an accessible housing summit for the fall of this year.*

*EOD investigative staff have met with the sponsors of the sick leave ordinance and provided feedback.*

*Highlights of Nunez's schedule include organizing the Take Our Daughters and Sons to Work day complete with a Children's Common Council; met with new Commissioner Al Poliarco; made a presentation at Falk Elementary School; DCR Investigation unit meeting (EOD staff presented information on their process); DCR Outreach and Education unit meeting; Conexión Latina with Peter Muñoz; Prevailing Wage briefing with Norman Davis and Colier McNair; ground breaking ceremony at Troy Gardens; attended LaSup meeting. Next week she will attend the April 10 rally on immigration reform. David Lopez is receiving phone calls about worker protections if they attend the rally. A handout on this topic was distributed (attached to file Minutes).*

**On a motion from Morrison/Brandon, the Commission took up Item 11C out of order.**

- c. Consideration of Substitute Minimum Mandatory Sick Leave Ordinance

" of the Madison General Ordinances to require employers in the City of Madison to provide sick leave benefits to employees.

*EOC staff members Ariel Ford, Eric Kestin and David Lopez met with Ald. Austin King and others regarding the proposed sick leave ordinance. Ford and Kestin were present to share their comments on the proposed second substitute ordinance.*

*Ford distributed the most recent fiscal note (attached to file minutes). She indicated that the fiscal note refers to the added costs the City would incur if it is required to comply with the ordinance, including \$4,000 for a revision to its payroll system and added costs for sick leave benefits.*

*It does not include funds that would be needed by the EOC to educate its staff and conduct an educational campaign as was done with the minimum wage ordinance. Ford estimated that this cost would be approximately \$15,000 for production and mailing of brochures and flyers, creating and conducting training, updating the EOC's case tracking system, updating its web site and training staff.*

*It is estimated that the ordinance will impact approximately 25,000 employees. The sponsors estimated that the EOC could expect to receive 10-15 complaints each year.*

*A copy of the most current draft of the ordinance as well as staff remarks were handed out (attached to file minutes). Eric Kestin reviewed these items with the Commission. Kestin explained that the sponsors indicated general agreement with the staff and plan to work with Assistant City Attorney Roger Allen to incorporate these modifications into the proposed ordinance.*

*The Board of Estimates is scheduled to take action on this item next week. The Early Childhood Committee has submitted a report. The Joint Board of Health is on record supporting sick leave for employees, but voted against the proposed ordinance. The Economic Development Commission also voted in opposition to the proposed ordinance.*

### **3. PUBLIC COMMENT--Continued**

*Ald. Santiago Rosas appeared to speak to item 12a on the agenda (Resolution regarding immigration reform).*

*He stated that a great deal of fear is being expressed regarding the proposed bill, particularly by school aged children. He has been in communication with Centro Hispano, the Mayor's office and others regarding the proposed resolution. He hopes the Common Council will move quickly on the proposal and thanked the Commission for considering the proposal this evening.*

*Morrison asked Rosas for his position on several modifications he would like to see incorporated. Rosas stated that he had no objection to the proposed modifications.*

**On a motion made by Bayrd and seconded by Howe the Commission took Item 9 out of order. Motion passed by acclamation.**

### **9. CLOSED SESSION**

03379

A motion was made to Approve motion made by Bayrd seconded by Solomon to convene in closed session pursuant to sec. 19.85(1)(c) State Statutes to consider the appeal in Case No. 20033011, Nichols v. Buck's Madison Square Garden Tavern. The motion passed by the following vote:

**Aye:** Brandon, Enemuoh-Trammell, Selkowe, Poliarco, Zipperer, Ross, Bayrd, McDonell, Smith, Howe, Solomon and Morrison

## 10. RECONVENE IN OPEN SESSION

On a motion made by Morrison and seconded by Howe the Commission reconvened in open session. Motion passed by acclamation.

On a motion made by Morrison and seconded by Brandon the Commission referred Case 20033011, Nichols v. Buck's Madison Square Garden Tavern to the June meeting for deliberations in closed session. Motion passed by acclamation.

## 7. LIAISON REPORTS

### a. Common Council Update--Ald. Zach Brandon

**Present:** Ald. Zachariah Brandon, Nia Enemuoh-Trammell, Victoria S. Selkowe, Alberto D. Poliarco, Bert Zipperer, Daniel L. Ross, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe, Brian L. Solomon and Steven H. Morrison

**Excused:** Carousel Andrea S. Bayrd

### b. Affirmative Action Commission Update--Selkowe and Zipperer

*Selkowe and Zipperer reported that the Affirmative Action Commission will be voting on a work plan for 2006 at its next meeting. The Commission is looking at ways to obtain community feedback on the Division's programming. A subcommittee will be formed to work out details.*

### c. Commission on People with Disabilities Update--Howe

*Howe reported that 6 of the Commission's 12 members do not have current oaths of office on file. He encouraged the Commission to check on this.*

*There is currently no formal review to assure that these oaths are on record. Brandon agreed to introduce a Common Council resolution to address this and assign responsibility for monitoring filing of oaths of office.*

## 8. COMMITTEE REPORTS

### a. EOC Executive Committee

*Items addressed by the Executive Committee have been or will be discussed on this agenda. No further action is required.*

### b. EOC Employment Committee--Smith

*Smith reported that the Committee had met that day at MG&E. The Committee is looking at ways to increase its voting membership. It discussed the City residency requirement. At one time an exemption from the residency requirement was included in City ordinances for Employment Committee members who worked for businesses located within the City of Madison. Currently non-City residents may only be approved*

*by a 2/3 vote of the Common Council.*

*The Committee has invited Ald. Austin King to speak regarding the proposed sick leave ordinance at its next meeting.*

*Nuñez will also speak at a future meeting regarding the role of the EOC Employment Committee and how it relates to the mission of the Department of Civil Rights.*

*Committee Terry Glodowski has a work study student who will assist the Committee with its diversity event.*

*Presentations on job seeking skills will be made by Committee members in May at the Bready Street Program and East High School for students.*

*Educational sessions to occur at monthly meetings for Committee members are being planned.*

*Brandon stated that he would introduce an ordinance amendment to address the residency requirement for the EOC Employment Committee.*

## 11. UNFINISHED BUSINESS ITEMS

- a. Update on Plans for Town Hall Meeting on Constitutional Amendment Banning Same Sex Marriages and Civil Unions

*Staff reported at the last Executive Committee meeting on activities occurring on the UW Campus in April regarding the Constitutional Amendment banning same sex marriages. Based on this information, the Committee recommended cancelling plans for April 23 and referring action to be taken back to the Ad Hoc Committee. The Committee also has a meeting scheduled for April 18.*

- b. Ordinance Creating Chapter 39 Madison General Ordinances, the Department of Civil Rights

**02556**           SUBSTITUTE - Adopting and confirming amendments to the Madison General Ordinances as set forth in attached Exhibit X pursuant to Sec. 66.0103, Wis. Stats.

**Defer to next meeting.**

- d. Use of Russian in Legistar

**Nuñez reported that she has this item on her "to do" list. The matter was referred to the next meeting.**

## 12. NEW BUSINESS ITEMS

- a. Resolution on Immigrant Rights--Ald. Santiago Rosas requests Commission action at this meeting.

**03363**           Supporting passage of federal legislation providing for comprehensive immigration reform.

A motion was made by Morrison, seconded by Howe, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER to include a paragraph showing the relevance of immigration reform to the Madison community. In addition, the Commission supports the provisions of the bill found in paragraphs 1, 2 and 4 under the Drafter's Analysis, but recommends that the resolution speak against paragraph (3) relative to stricter border enforcement.

The motion passed by the following vote:

**Excused:** Bayrd

**Aye:** Enemuoh-Trammell, Selkowe, Poliarco, Zipperer, Ross, McDonell, Smith, Howe, Solomon and Morrison

**Abstain:** Brandon

*Those present introduced themselves to new Commissioner Alberto Poliarco.*

### 13. ADJOURNMENT

A motion was made by Howe, seconded by Ross, to Adjourn at 6:09 p.m. The motion passed by acclamation.

Minutes prepared by Cynthia L. Wick, EOC Executive Assistant