



# City of Madison

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

## Meeting Minutes - Approved AFFIRMATIVE ACTION COMMISSION

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Tuesday, March 10, 2009

5:00 PM

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

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### 1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 5:02 p.m., Vicky Selkove presiding.

**Present:** 8 -

Sharyl J. Kato; Theola V. Carter; Christian L. Odom; Lucia Nunez; Bert G. Zipperer; Nitza A. Pfaff; Victoria S. Selkove and Bhavani "Shree" Sridharan

**Absent:** 1 -

Augustine S. Tatus

**Excused:** 1 -

Joseph R. Clausius

Staff Present: Norman Davis, Ray Harmon, Lucía Nuñez, and Cindy Wick

### 2. APPROVAL OF MINUTES

A motion was made by Carter, seconded by Sridharan, to Approve the Minutes. The motion passed by voice vote/other.

### 3. PUBLIC COMMENT

There was no public comment.

### REPORTS

#### 4. [13063](#)

DIRECTOR'S REPORT- Presented for information only. No action required

*Lucía Nuñez, DCR Director, will report on the following:*

*-Her activities since the last meeting*

*-Staff activities since the last meeting*

*-Activities of the Equal Opportunities Commission and Commission on Persons with Disabilities since the last meeting.*

**Lucía Nuñez reported that the Common Council had approved the Affirmative Action Plan on March 3. She has had several conversations with Ald. Brenda**

Konkel about why the initiatives on race and gender and management pay were not included in the list of initiatives contained in the Affirmative Action Plan. It has been agreed that the Division will track and report back to the Common Council on top management and board, commission and committee memberships annually. This issue is high on many departmental lists as well. Christie Hill will put together updates on both reports for the next Commission meeting.

The Equal Opportunities Commission will meet on March 12. The primary issue on their agenda is a proposed change to the curfew ordinance. The EOC Executive Committee has voted to recommend that the EOC oppose the ordinance. The Community Services Commission voted to strongly oppose the ordinance amendment. The Public Safety Review Board voted to support adoption of the amendment. The Commission is also looking at the issues of genetic and gender identity, alienage and increasing protections relative to use of Social Security Numbers.

Selkove suggested looking more broadly at City hiring than just top management. Nuñez stated that this data will be part of the Affirmative Action Plan and the Commission will get a report later in the year.

The Commission on People with Disabilities had a presentation by Emergency Management on the Dane County special needs registry. This registry is to be used in case of a widespread emergency such as a power outage or ice storm. It will only be used in case of an extreme emergency.

Commissioner Tatus arrived at 5:15 p.m.

**Present:** 9 -

Sharyl J. Kato; Theola V. Carter; Christian L. Odom; Lucia Nunez; Bert G. Zipperer; Augustine S. Tatus; Nitza A. Pfaff; Victoria S. Selkove and Bhavani "Shree" Sridharan

**Excused:** 1 -

Joseph R. Clausius

5. [13871](#)

DIVISION MANAGER'S REPORT

Norman Davis, Affirmative Action Division Manager, will report on activities of the Division since the last meeting, including:

1. Requests from Contractors for Appeals
2. Department of Civil Rights Affirmative Action Division, 2008 At-A-Glance

**Attachments:** [DCR Affirmative Action Division, 2008 At-A-Glance.pdf](#)

Norman Davis reported that an appeal has been received from an SBE relative to their decertification. The Appeals Committee, consisting of Commissioners Selkove, Carter and Zipperer, are scheduled to hear the appeal on March 16. Materials for the appeal should be available Thursday. The appeal will be held in the DCR Conference Room, Room 523 City-County Building, and the meeting is open to the public. Commissioners are welcome to attend.

A second contractor is being considered for decertification. If that occurs, it is anticipated that the contractor will file an appeal

Davis was asked why appeals are being filed now when none have been filed in the past. Davis stated that the economy is a factor. Larger companies are now vying for smaller contracts.

Commissioners asked to receive copies of the materials related to the appeal.

Davis reviewed the 2008 At a Glance Report and responded to questions.

Davis was asked how many AASPIRE Interns have gone on to receive City positions. Davis stated that he did not have that data, but would try to find the information.

In looking at the report, Nuñez stated that we are doing a good job of casting the net (getting people to apply for City jobs), but falling short when it comes to hiring racial/ethnic minorities, women and people with disabilities.

Davis stated that much of the story is not here. Candidates may drop out of the process or be screened out at some point throughout the process. The Affirmative Action Division does monitor the entire process. Davis agreed to include data on candidates certified for an interview in the next report and to include comparisons from previous years.

The Division monitors the process and will intercede if there is a concern.

Davis was asked if data is available on where applicants live. Davis stated that this information is not tracked.

Carter asked for a thorough explanation of the City's hiring process. Harper Donaghue will be invited to attend a future meeting to provide this information.

Davis then provided training on conducting decertification appeals using a Power Point presentation. Copies of the presentation will be provided to Commissioners along with hypothetical examples of each kind of appeal.

The Commission suggested that its rules be amended to require that appeal materials be provided more than five days prior to the appeal date to allow adequate time for distribution and review of the materials. This will be placed on the next Commission agenda.

Commissioner Carter left at 6:15 p.m.

**Present:** 8 -

Sharyl J. Kato; Christian L. Odom; Lucia Nunez; Bert G. Zipperer; Augustine S. Tatus; Nitza A. Pfaff; Victoria S. Selkove and Bhavani "Shree" Sridharan

**Excused:** 2 -

Theola V. Carter and Joseph R. Clausius

## **UNFINISHED BUSINESS**

6. [12278](#) Appeal Role of the Affirmative Action Commission

The Commission will finalize the promulgation of rules relative to its appeal role as well as plan training for Commissioners on conducting appeals.

**Attachments:** [DRAFT 081208 AAC Appeals.doc](#)  
[011409 Rules for Appeals.pdf](#)

The Rules were approved at the previous meeting. Wick will incorporate these rules into the Commission's other rules and send them to all Commissioners.

7. [13872](#) Update on Potential for a Drivers License Recovery Program

Nuñez reported that she has been meeting internally and with other City agencies regarding the Drivers License Recovery Program. She is in conversation with Milwaukee where they have a program. That program is spearheaded by the private sector with strong legal and case management aspects. We are looking at how that can be replicated here.

She previously shared information from the Wheeler Report from Tamara Grigsby on allowing installment plans for payment of fines.

One obstacle is the Real ID Plan. However, implementation of that program has been suspended.

Nuñez is not sure what the role of the Department of Civil Rights or the Affirmative Action Commission could be. There are still a lot of unanswered questions.

Selkove asked that Nuñez include updates on this issue in her future reports. Nuñez agreed to do so.

8. [12950](#) 2009 Workplan Development

Commissioners were asked to identify topics they would like the Commission to address in the coming year. More discussion will take place next month.

Suggestions included:

How far are we from meeting goals of the Disadvantaged Business Enterprise Program? Why? What can be done to improve progress?

An overall organizational picture.

**NEW BUSINESS**

Odom and Zipperer asked that the Commission look at the Commission's ability to introduce new business to the Common Council directly (currently it is required that the Mayor or a member of the Common Council sponsor any new business). This will be placed on the April agenda.

9. [13873](#)

Types of Appeals that may be Heard by the Affirmative Action Commission and Training on Conducting Appeals--Norman Davis

A chart showing this information was distributed. It will be reviewed during the April meeting when the Commission debriefs on the appeal.

10. ADJOURNMENT

A motion was made by Kato, seconded by Sridharan, to Adjourn. The motion passed by voice vote/other. The meeting adjourned at 6:45 p.m.

Minutes prepared by Cindy Wick, DCR Executive Assistant.