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INDIANA  
CIVIL RIGHTS COMMISSION

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BEFORE THE STATE OF INDIANA  
CIVIL RIGHTS COMMISSION

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PUBLIC MEETING OF JUNE 21, 2013

**ORIGINAL**

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PROCEEDINGS

in the above-captioned matter, before the Indiana  
Civil Rights Commission, Alpha Blackburn,  
Chairperson, taken before me, Lindy L. Meyer,  
Jr., a Notary Public in and for the State of  
Indiana, County of Shelby, at the Indiana  
Government Center South, Conference Center,  
Room A, 402 West Washington Street, Indianapolis,  
Indiana, on Friday, June 21, 2013 at 11:08  
o'clock a.m.

- - -

William F. Daniels, RPR/CP CM d/b/a  
ACCURATE REPORTING OF INDIANA  
12922 Brighton Avenue  
Carmel, Indiana 46032  
(317) 848-0088

1 APPEARANCES :

2 COMMISSION MEMBERS :

3 Alpha Blackburn, Chairperson  
4 David C. Carter  
5 Barry Baynard  
6 Tehiji G. Crenshaw  
7 Charles D. Gidney

8 INDIANA CIVIL RIGHTS COMMISSION  
9 By Akia Haynes, Dep. Director  
10 Indiana Government Center North  
11 100 North Senate Avenue, Room N103  
12 Indianapolis, Indiana 46204  
13 On behalf of the Commission.

14 OTHER COMMISSION STAFF PRESENT :

15 Pamela Cook  
16 Debbie Rincones-Chavez

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1 11:08 o'clock a.m.  
2 June 21, 2013

3 CHAIRPERSON BLACKBURN: Good morning,  
4 ladies and gentlemen. The Indiana Civil Rights  
5 Commission is now in public session, and having a  
6 quorum, we will proceed with the business at  
7 hand. I would ask for approval and adoption of  
8 the meeting minutes.

9 COMM. CRENSHAW: So moved.

10 COMM. BAYNARD: Second.

11 CHAIRPERSON BLACKBURN: All in favor?

12 COMM. CARTER: Aye.

13 COMM. CRENSHAW: Aye.

14 COMM. BAYNARD: Aye.

15 CHAIRPERSON BLACKBURN: Anyone  
16 opposed?

17 (No response.)

18 CHAIRPERSON BLACKBURN: Thank you.

19 Next on the agenda is the Financial  
20 Report, and Ms. Cook has included it, but I would  
21 ask if you would walk us through it quickly, and  
22 then I'll allow for any questions from the  
23 Commissioners.

1 MS. COOK: Good morning.

2 CHAIRPERSON BLACKBURN: Good morning.

3 COMM. CRENSHAW: Good morning.

4 MS. COOK: You've had a chance to  
5 review the May Financial Report in your packets,  
6 and we're currently headed into our final week of  
7 this fiscal year, and we anticipate being right  
8 on target to meet our reversion of three percent.  
9 We are still awaiting our final disbursement of  
10 our HUD Partnership Funds that equates to  
11 \$62,500, and we've also been awarded the new EEOC  
12 cooperative agreement. This year's figure is  
13 anticipated at \$184,650.

14 For next fiscal year, fiscal year '14  
15 and '15, the legislature has reduced the Agency's  
16 appropriation by one and a half percent for the  
17 next two years, and that takes us from 1,858,886  
18 down to 1,831,820. All other commissions'  
19 appropriations were reduced by three percent for  
20 the next biennial. They are also asking us to  
21 again try and meet the reversion target of three  
22 percent yet again.

23 If you have any questions, I'd be happy to

1 answer those at this time.

2 CHAIRPERSON BLACKBURN: Are there  
3 questions?

4 COMM. BAYNARD: I have a couple of  
5 questions.

6 MS. COOK: Sure.

7 COMM. BAYNARD: On page i, which is  
8 on the first page, you have the Hispanic/Latino  
9 Affairs Commission Special Fund listed twice, and  
10 one as one cent in it, and the other one is fully  
11 loaded, with \$772. I would suppose that's  
12 just -- you're moving from one accounting  
13 destination to the next.

14 MS. COOK: Yes, it is. Those were  
15 the funds that rolled over from the agency that  
16 they were previously under, from DWD.

17 COMM. BAYNARD: I thought so.

18 MS. COOK: Yes.

19 COMM. BAYNARD: And I guess on  
20 page 1 --

21 MS. COOK: Uh-huh.

22 COMM. BAYNARD: -- under "Salaries,  
23 Appropriation Salaries" --

1 MS. COOK: Yes.

2 COMM. BAYNARD: -- you have a  
3 reversion of \$55,773. Now, is that because we  
4 are not fully employed, or is it --

5 MS. COOK: Oh, no, we are fully  
6 employed. That's the -- the 55,773, that's the  
7 three percent. That's the reversion that the  
8 legislature asked us to retain for the end of the  
9 year.

10 COMM. BAYNARD: So, did it come from  
11 salaries or --

12 MS. COOK: No, actually it comes from  
13 our operating costs.

14 COMM. BAYNARD: All right. Thank  
15 you.

16 MS. COOK: Okay.

17 CHAIRPERSON BLACKBURN: Hearing no  
18 other questions, we'll move on to Old Business,  
19 and the Report by Commissioners on the Appeals  
20 which they have reviewed.

21 Comm. Carter?

22 COMM. CARTER: Yes, Madam Chair. In  
23 the case of Deloris Atkins-Libich verses NIPSCO,

1 the Northern Indiana Public Service Company, I  
2 recommend we uphold the Deputy Director's finding  
3 of no probable cause.

4 CHAIRPERSON BLACKBURN: May I have a  
5 motion to accept that recommendation?

6 COMM. BAYNARD: So moved.

7 COMM. CRENSHAW: Second.

8 CHAIRPERSON BLACKBURN: All in favor?

9 COMM. CARTER: Aye.

10 COMM. CRENSHAW: Aye.

11 COMM. BAYNARD: Aye.

12 CHAIRPERSON BLACKBURN: Aye.

13 Anyone opposed?

14 (No response.)

15 CHAIRPERSON BLACKBURN: Thank you.

16 And did you say you have a report from  
17 Commissioner --

18 MS. RINCONES-CHAVEZ: (Shook head.)

19 CHAIRPERSON BLACKBURN: No?

20 Comm. Baynard?

21 COMM. BAYNARD: Yes, Madam Chair. In  
22 the case of Hadley Sellers versus Primex  
23 Plastics, I will recommend to the Commission that

1 we uphold the Deputy Director's finding of no  
2 probable cause.

3 CHAIRPERSON BLACKBURN: Thank you  
4 very much.

5 May I have a motion to accept that  
6 recommendation?

7 COMM. CARTER: So moved.

8 COMM. CRENSHAW: Second.

9 CHAIRPERSON BLACKBURN: And all in  
10 favor?

11 COMM. CARTER: Aye.

12 COMM. CRENSHAW: Aye.

13 COMM. BAYNARD: Aye.

14 CHAIRPERSON BLACKBURN: Aye.

15 Okay. And in the case of Kristy  
16 Zajkowski, I want to recommend that we uphold the  
17 finding of no probable cause and ask for a motion  
18 to accept.

19 COMM. CARTER: So moved.

20 COMM. CRENSHAW: Second.

21 CHAIRPERSON BLACKBURN: All in favor?

22 COMM. CARTER: Aye.

23 COMM. CRENSHAW: Aye.

1                   COMM. BAYNARD:  Aye.

2                   CHAIRPERSON BLACKBURN:  Aye.

3                   Anyone opposed?

4                                   (No response.)

5                   CHAIRPERSON BLACKBURN:  Thank you.

6                   I want to assign now the new cases on  
7 appeal.  Comm. Garcia is not here, and I want to  
8 reassign that case to Comm. Carter.

9                   COMM. CARTER:  Okay.

10                   CHAIRPERSON BLACKBURN:  And it is  
11 Louis Monteith versus American Federation of  
12 State, County and Municipal Employees;  
13 Comm. Baynard, Leticia Villanueva versus Kozul,  
14 Blago, Zora.

15                                   (Comm. Gidney arrived.)

16                   CHAIRPERSON BLACKBURN:  And Findings  
17 of Fact, I see none listed, but are they -- we  
18 have none to review?

19                   MS. RINCONES-CHAVEZ:  No.

20                   CHAIRPERSON BLACKBURN:  And consent  
21 agreement?

22                   MS. RINCONES-CHAVEZ:  No.

23                   CHAIRPERSON BLACKBURN:  None to

1 review.

2 And we will go to the Administrative  
3 Update.

4 MS. HAYNES: Good morning, everyone.

5 CHAIRPERSON BLACKBURN: Good morning.

6 COMM. BAYNARD: Good morning.

7 MS. HAYNES: So, we have a few  
8 upcoming events that are going on, and we would  
9 love for all of you guys to attend. The first  
10 will take place August 19th through the 23rd. We  
11 have managed to secure NFHTA training here. It  
12 is the National Fair Housing Training Academy,  
13 and the first week of training will actually be  
14 here in the Government Center, and the specific  
15 location is yet to be announced.

16 And as some of you may have heard, we will  
17 have a new administrative law judge, so in the  
18 event that you've been receiving complaints about  
19 a backlog or anything of that nature, you can  
20 indicate that the new individual will start on  
21 June 24th, so this coming Monday.

22 Now, next week, June 25th through the  
23 28th, we will be having the 40th Annual Indiana

1 Consortium of State and Local Human Rights  
2 Agencies, and that will be taking place at the  
3 Windham Indianapolis West, that's located near  
4 the airport. The exact location is 2544  
5 Executive Drive, ZIP 46241.

6 And that's when we will have -- all of the  
7 different commissions throughout the state will  
8 all be meeting there, and there will be dinners  
9 and lunches and things of that nature as well, so  
10 we hope to see you there. It's open invitation,  
11 of course.

12 And June 25th, which is the kickoff of the  
13 Consortium meeting, we, as well as the Indiana  
14 Minority Business Magazine, will sponsor the  
15 Baseball Up Close at Victory Field, so that  
16 should be fun, and that will be at 7:05 p.m., and  
17 if you would like to attend, you're going to need  
18 to RSVP, and you would do with Ava Taylor, and  
19 her phone number is 232-2641, or you can e-mail  
20 her at avtaylor@icrc.in.gov.

21 Any questions so far?

22 (No response.)

23 MS. HAYNES: That's primarily what is

1 going on, and again, we'd really like to see some  
2 of you guys coming to these events. I think  
3 it'll be a great opportunity for you to meet  
4 other individuals that we constantly work with.

5 Thank you.

6 CHAIRPERSON BLACKBURN: Would it --

7 MS. HAYNES: Yes.

8 CHAIRPERSON BLACKBURN: Would it be  
9 possible for you to e-mail those dates to us with  
10 an RSVP?

11 MS. HAYNES: Yes.

12 CHAIRPERSON BLACKBURN: Okay.

13 MS. HAYNES: And would you like the  
14 dates for the NFHTA training as well as the  
15 Consortium --

16 CHAIRPERSON BLACKBURN: Well --

17 MS. HAYNES: -- or all of them?

18 CHAIRPERSON BLACKBURN: -- it won't  
19 hurt, but I was thinking of the Consortium.

20 MS. HAYNES: Okay.

21 COMM. CARTER: Actually I did have a  
22 question.

23 MS. HAYNES: Yes.

1           COMM. CARTER: Is the ALJ going to be  
2 assigned to us only, or is it from a pool, the  
3 way other agencies do?

4           MS. HAYNES: Just to our agency.

5           COMM. CARTER: Okay.

6           MS. HAYNES: Any other questions?

7                   (No response.)

8           MS. HAYNES: Thank you.

9           CHAIRPERSON BLACKBURN: Okay. That's  
10 great. Thank you very much.

11                   Are there any announcements?

12                   (No response.)

13           CHAIRPERSON BLACKBURN: I would like  
14 to announce that tomorrow at the One America  
15 Building, I will be presenting my annual  
16 fundraiser for the Scholarships for Students,  
17 what's called Men of Substance and Style, and I  
18 would encourage any of you who can and who would  
19 like to attend, to let me know; okay? We'd love  
20 to see you there. It is, I think, a worthy  
21 not-for-profit endeavor.

22                   So, any other announcements?

23                   (No response.)

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CHAIRPERSON BLACKBURN: Hearing none,  
the meeting is concluded. We're adjourned.

- - -  
Thereupon, the proceedings of  
June 21, 2013 were concluded  
at 11:19 o'clock a.m.  
- - -

## 1 CERTIFICATE

2 I, Lindy L. Meyer, Jr., the undersigned  
3 Court Reporter and Notary Public residing in the  
4 City of Shelbyville, Shelby County, Indiana, do  
5 hereby certify that the foregoing is a true and  
6 correct transcript of the proceedings taken by me  
7 on Friday, June 21, 2013 in this matter and  
8 transcribed by me.

9  
10 

11 Lindy L. Meyer, Jr.,

12 Notary Public in and

13 for the State of Indiana.

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15 My Commission expires October 27, 2016.  
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<b>\$</b>	<b>7</b>	<b>August</b> [1] - 10:10	3:11, 3:15, 3:18, 4:2, 5:2,
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