

Mayor's Commission on Human Rights and Community Relations

March 27, 2019

The Mayor's Commission on Human Rights and Community Relations met in regular session March 27, 2019 in the Busch Building 2nd Floor West Conference Room. The meeting was called to order by Chair Heather Hardinger.

Present	Heather Hardinger, Chair; Carlye Wannenmacher*, Vice Chair; Pamela Hernandez, Communications Officer; Daniel Ogunyemi; Todd Thomas*, Bob Roberts and Francie Wolff *Carlye Wannenmacher arrived at approximately 5:06 p.m.; *Todd Thomas arrived at approximately 5:30 p.m.
Absent	Mike Jungers
Staff	Bob Atchley, Planning and Development; Nick Woodman, Law and Lisa Gateley, Planning and Development
Guests	Mayra Ramirez and Robert Anderson
Approval of Minutes	Bob Roberts moved to approve the minutes of the February 20, 2019 MCHRCR Meeting. Daniel Ogunyemi seconded the motion. The motion was approved by the following vote: Ayes: Pamela Hernandez, Daniel Ogunyemi, Heather Hardinger, Bob Roberts and Francie Wolff. Nays: None. Abstain: None. Absent: Carlye Wannenmacher, Todd Thomas and Mike Jungers.
Public Comments	Mayra Ramirez from Hand In Hand Multicultural Center introduced herself and provided details about services provided such as counseling, legal services for immigration as well as different workshops for adults, kids and different services.
Unfinished Business	Bylaw Review Ms. Hardinger provided copies of the Universal Declaration of Human Rights (Attachment A) as well as copies of the Sunshine Law section regarding closed meetings (Attachment B). Ms. Hernandez expressed concern with Attendance in Article V, the Investigation process in Article VII Section 1 and Article VIII Section 3 Community Events. Ms. Hardinger expressed concern that some clarification and guidance on a few items is necessary. Discussion regarding Article IV Section 1 Jurisdiction and how it is set by City Code. Ms. Hardinger expressed concern that through the investigation process the goal is to not have any enforcement authority but more to advise and provide education to the individual or parties who have been accused of discrimination. Ms. Hardinger discussed that in Section 2 of Article IV regarding research may be problem due to the MCHRCR not having a budget and this type of thing takes time and money to conduct. Discussion about other possibilities of who may be able to assist with research and collaboration with different partners. Article V Section 2 Attendance discussion about member attendance and amendments to be made to the wording. Discussion to amend the wording to state that if a member is unable to

attend a meeting they are expected to contact City staff prior to the meeting.

Article V Section 3 Compensation and Conflict of Interest discussion to revise wording to include that commissioners serve on a voluntary basis and are not compensated and remove the wording about reimbursement.

Article V Section 5 Regular Meetings discussion regarding closing meetings and the Sunshine Law. Complaints are not to be discussed in closed meeting. Mr. Woodman made suggestion to revise the complaint forms to include wording stating that the complaint forms are public documents. Ms. Hardinger suggested that the website should note that they are public documents as well. Further discussion regarding complaints and Ms. Hardinger expressed concern that she has researched several other commissions, and many do not do investigations, they make recommendations to the state commission or the EEOC and they are more of an educational role or awareness body. Ms. Hardinger expressed concern for the current complaint process and feels they may be best suited to provide education and recommendations rather than an investigative role. Mr. Thomas recommended that when a complaint call is received that a commission member speak to them first to determine if they do or do not have a case and make a recommendation for them to speak to the EEOC, HUD or the State of Missouri Commission, but if they are adamant that they file with the City then allow them to.

Article V Section 7 Public Comment discussion to set a specific amount of time for each public comment so that it is uniformly applied as well as for public testimony.

Article VI Officers discussion of removing the Secretary position and making grammatical corrections as well as removing Section 3 Vacancy.

Article VII Section 1 discussion of leaving the first paragraph, then removing the second as well as Section 2 Conducting Public Hearings.

Article VIII Section 3 Community Events discussion to amend last sentence to “Commissioners are expected to participate in community events”.

Article IX Amendments of Bylaws will need to be updated with the current date.

Ms. Hernandez will provide Mr. Woodman the draft changes and he will redline the changes and send out to the commission prior to the next meeting for review.

Complaint Review Process

Discussion of making the complaint forms available at other public locations, and the addition of wording to the website that advises complaint forms may be mailed to recipients upon request.

Review and discussion of the Guide for Complaints (Attachment C). Discussion of process and that changes need to be made to the current form or this may be a great opportunity to write a new form with a new protocol. Due to the lack of complaints that have been investigated and that the complaints are typically referred to the Missouri Commission on Human Rights or the EEOC it may be best to form a new process to redefine what the commission is doing.

Ms. Hardinger suggested they review how other communities and other commissions handle the complaint process. She expressed concern that they need to have a broader approach to inclusion and inclusion education would make sense to educate the community, employers and businesses. Discussion to reach out to other communities and review other models and discuss

further at the April meeting.

Further discussion regarding the complaint process and how there needs to be a distinct process that is understood. Discussion regarding the large difference in the fine amounts that the different entities are capable of assessing.

Mr. Thomas advised that currently one of the challenges with the Missouri Commission is that there was a law passed a few years ago that is in violation in HUD, so HUD is not teaming up with the Missouri Commission on Human Rights. If a complaint is received regarding employment it may be sent straight to the Missouri Commission on Human Rights or EEOC, but if it is a housing complaint it should be sent to HUD. Clarification that the complainant should go directly to the Missouri Commission, EEOC or HUD to stay within the amount of time allowable for the complaint process. May be best to speak with the complainant when they call in and guide them in the right direction (EEOC, Missouri Commission or HUD) and then receive a report from the Missouri Commission regarding the complaints received in the area for the year, rather than having them file with the MCHRCR and it slow the process or not be the best avenue for the complainant.

Update on the Human Rights MEI Scorecard for 2019

The information for the 2019 process was just sent out and Ms. Hernandez was able to reach them before they sent it out to make sure it is being sent to the correct contacts. The City Manager information has been updated and the MCHRCR will be able to start addressing some of the questions and work on improving the score. Ms. Hernandez is on a list for a series of conference calls to provide information on how to improve the score.

New Business

Discussion of Inclusion at MLK March and Other Public Events

Ms. Wolff requested this item be tabled to the next meeting.

There being no further business, the meeting adjourned at approximately 7:04 p.m.

Prepared by Lisa Gateley

Heather Hardinger, Chair

The minutes of the March 27, 2019 meeting of the Mayor's Commission on Human Rights and Community Relations was approved at the April 17, 2019 meeting of the Mayor's Commission on Human Rights and Community Relations.

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly,

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by

teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier

penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right to equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include the date, time, place, members present, members absent and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body.

 610.021. Closed meetings and closed records authorized when, exceptions.

Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public. As used in this subdivision, the term **"personal information"** means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and

sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines, policies and specific response plans developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to

devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

- (a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
- (b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
- (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(22) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(23) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.

(24) Records relating to foster home or kinship placements of children in foster care under section 210.498.

610.022. Closed meetings, procedure and limitation – public records presumed open unless exempt – objections to closing meetings or records, procedure.

1. Except as set forth in subsection 2 of this section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific section of this chapter shall be announced publicly at an open meeting of the governmental body and entered into the minutes.

2. A public governmental body proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of section 610.021. Such notice shall comply with the procedures set forth in section 610.020 for notice of a public meeting.

3. Any meeting or vote closed pursuant to section 610.021 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. Public governmental bodies shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote. Public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in the closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.

4. Nothing in sections 610.010 to 610.028 shall be construed as to require a public governmental body to hold a closed meeting, record or vote to discuss or act upon any matter.

5. Public records shall be presumed to be open unless otherwise exempt pursuant to the provisions of this chapter.

6. In the event any member of a public governmental body makes a motion to close a meeting, or a record, or a vote from the public and any other member believes that such motion, if passed, would cause a meeting, record or vote to be closed from the public in violation of any provision in this chapter, such latter member shall state his or her objection to the motion at or before the time the vote is taken on the motion. The public governmental body shall enter in the minutes of the public governmental body any objection made pursuant to this subsection. Any member making such an objection shall be allowed to fully participate in any meeting, record or vote that is closed from the public over the member's objection. In the event the objecting member also voted in opposition to the motion to close the meeting, record or vote at issue, the objection and vote of the member as entered in the minutes shall be an absolute defense to any claim filed against the objecting member pursuant to section 610.027.

610.023. Records of governmental bodies to be in care of custodian, duties – records may be copied but not removed, exception, procedure – denial of access, procedure.

1. Each public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records. The identity and location of a public governmental body's custodian is to be made available upon request.
2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity, whether by contract, license or otherwise, the exclusive right to access and disseminate any public record unless the granting of such right is necessary to facilitate coordination with, or uniformity among, industry regulators having similar authority.
3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If records are requested in a certain format, the public body shall provide the records in the requested format, if such format is available. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

A GUIDE FOR COMPLAINTS

The Springfield Mayor's Commission on Human Rights and Community Relation hereafter referred to MCHRCR investigates complaints of discrimination in employment, housing and public accommodations.

Employment discrimination complaints must be based on the following:

- Sex, race, ancestry, religion, color, disability, age, and national origin

Housing discrimination complaints must be based on the following:

- Sex, race, ancestry, religion, color, disability, and familial status

Public Accommodations discrimination complaints must be based on the following:

- Sex, race, ancestry, religion, color, and disability

People who believe they have experienced discrimination may file a complaint with the MCHRCR.

THE COMPLAINT PROCESS

To determine if your problem is covered by the discrimination laws enforced by the MCHRCR contact our office at 840 Boonville Avenue; Springfield, MO 65801-8368. Our phone number is 417-864-1038.

If your problem is covered by the MCHRCR, you will be scheduled for an intake interview by appointment.

According to the City Ordinance, a discrimination complaint must be filed within 60 days of the date of the alleged discriminatory incident or the last occurrence in a pattern of ongoing discriminatory practice.

The MCHRCR has no jurisdiction over the federal, state, county or city government.

If a case is accepted:

- The MCHRCR will draft or prepare the complaint from all the information which you have provided for your signature.
- You will declare under penalty of perjury that the statements in the complaint are true.
- The employer or individual you are filing a complaint against is the respondent. The person filing complaint is the complainant. The complaint is a written document that states what happened (complainant was fired, laid off, unable to rent, etc.) and why the complainant believes the action was illegal discrimination.
- A copy of the complaint is mailed to the respondent.
- It is important for you as the complainant to cooperate fully with the MCHRCR.
- Provide accurate names, addresses, telephone numbers, dates and places.
- Identify witnesses.
- Supply documents (payroll slips, rent receipts, etc.) to substantiate charges listed in the complaint.

- Keep a record of each employer contacted when seeking employment if you lost your job due to alleged discriminatory reasons. Keep a written log of the company's name, address, position, applied for, date of application and individual contacted.
- Notify the MCHRCR in writing if you decide to withdraw the complaint, change your address and/or telephone number, and cannot be reached as previously reported.
- Notify the MCHRCR if respondent takes any retaliatory action against you because you filed a complaint with the Commission, opposed a discriminatory practice under the jurisdiction of the MCHRCR or provided information.

THE INVESTIGATION

Because of the high number of complaints filed, they are handled in the sequence that complaints are filed with the MCHRCR. Your complaint may be pending investigation for several weeks. You will be notified should the Commissioner assigned to your case need additional information. Calls asking about status of the case take up the Commissioner's time and may result in further delay. If you wish to add information to the case file, submit it in writing, if possible.

Many practices are unfair but not illegal discrimination. The MCHRCR can proceed only if the evidence demonstrates that the City discrimination laws enforced by the Commission have been violated.

Once this is established by evidence, the MCHRCR Commissioners will seek a suitable remedy. If there is insufficient evidence to prove that a violation occurred or it is determined that there is no jurisdiction, the case is dismissed.

SETTLEMENT

- A case can be settled at any point after filing of the complaint. Settlement can occur in any of the following ways.
- Respondent may contact the MCHRCR with an offer which will be conveyed to the complainant.
- Respondent may approach the complainant directly to resolve the complaint. If this happens, the complainant should contact the MCHRCR.
- As a neutral party, the MCHRCR can convey to the respondent the terms the complainant is willing to accept to resolve the complaint with a no-fault settlement agreement.

REMEMBER

Since a determination on the merits of the complaint has not been made, the role of the MCHRCR Commissioners in settlement negotiations is that of a neutral party, not an advocate for either the complainant or the respondent.

Once the settlement conditions are agreed upon, they are put in writing for signature by the complainant, the respondent and the MCHRCR. After a settlement agreement is signed by all parties involved, the case is closed.