



**FLORIDA COMMISSION ON HUMAN RELATIONS  
COMMISSION MEETING  
Thursday, January 20, 2022 at 10:00 a.m.**

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Call In #: 850-270-6017; Conference ID: 447 679 538#

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**AGENDA ITEM**

- I. Call to Order, roll call, determination of a quorum
- II. Public comments related to current agenda items
- III. Consideration of meeting minutes (VOTE)
- IV. Proposed Governance Policy (VOTE)
- V. Review LBR
- VI. Reports
  - a. Chair
  - b. Executive Director
    - i. LRPP reports (% investigations completed within statutory deadline and % of Recommended Orders that agreed with related determination)
    - ii. Employment/EEOC report
    - iii. Housing/HUD report
    - iv. Legal report
    - v. Budget report
    - vi. Information Technology report
    - vii. Communications report
    - viii. Legislative report
    - ix. HR report
- VII. Adjournment

When operating under Florida's Government in the Sunshine Law, the Florida Supreme Court recognizes the importance of public participation in open meetings. The Commission provides that right of access at each public meeting and adheres to Chapter 286.011, Florida Statutes. In accordance with the Americans with Disabilities Act (ADA), and Chapter 286.26, Florida Statutes, persons in need of special accommodation to participate in the meeting (including an agenda) shall contact our office by email at [casey.snipes@fchr.myflorida.com](mailto:casey.snipes@fchr.myflorida.com) or (850) 907-6785.  
This meeting is subject to change upon the chair's request.

**Commissioners**

<b>Monica Cepero</b> <i>Fort Lauderdale</i>	<b>Libby Farmer</b> <i>Tallahassee</i>	<b>Mario Garza,</b> <i>Lakewood Ranch</i>	<b>Dawn Hanson</b> <i>Tallahassee</i>	<b>Larry Hart</b> <i>Fort Myers</i>	<b>Darrick McGhee, Chair</b> <i>Tallahassee</i>
<b>Kenyetta Mullins Moya</b> <i>Tallahassee</i>	<b>Vivian Myrtetus</b> <i>Miami</i>	<b>Pamela Payne</b> <i>Jacksonville</i>	<b>Jay Pichard</b> <i>Tallahassee</i>	<b>Angela Primiano, Vice Chair</b> <i>Hollywood</i>	



**Commission Meeting Minutes  
October 25, 2021  
In-Person Meeting**

**CALL TO ORDER**

The Chair called the meeting to order at 9:02 a.m. on October 25, 2021.

**ROLL CALL**

The following Commissioners were present:

(a quorum was established with 9 members present)

- Mario Garza, Chair
- Darrick McGhee, Vice Chair
- Monica Cepero
- Libby Farmer
- Dawn Hanson
- Larry Hart
- Kenyetta Moyé
- Jay Pichard
- Angela Primiano

**CONSIDERATION OF MINUTES**

MOTION: Made by Commissioner McGhee, to approve the July 29, 2021, Commission meeting minutes.

SECOND: Commissioner Hart

VOTE: Unanimously approved

**EXECUTIVE DIRECTOR PERFORMANCE STANDARDS**

MOTION: Made by Commissioner Pichard, to approve the draft performance evaluation for Executive Director, Cheyanne Costilla, for FY 2020-21 as written by Chair Garza.

SECOND: Commissioner Cepero

VOTE: Unanimously approved

**ELECTION OF CHAIR**

MOTION: Made by Commissioner Cepero, to nominate Commissioner McGhee as the Florida Commission on Human Relations' next Board Chair.

SECOND: Commissioner Pichard

VOTE: Unanimously approved

**ELECTION OF VICE CHAIR**

MOTION: Made by Commissioner Cepero, to nominate Commissioner Primiano as the Florida Commission on Human Relations' next Board Vice Chair.

SECOND: Commissioner Hanson

VOTE: Unanimously approved

**ADJOURN**

Chair McGhee adjourned the meeting at 11:21 a.m.

**ACTION ITEMS**

- Panel of four Commissioners (Garza, Moyé, Cepero, and Primiano) will meet to revise the current governance policy and report back to the Board at the next meeting in January 2022.
- Forward Commissioner Cepero a copy of the Commission's draft teleworking policy.



**Commission Panel Meeting Minutes**  
**January 5, 2022**  
**MS TEAMS**

**CALL TO ORDER**

Commissioner Garza, Chair of the panel, called the meeting to order at 1:04 p.m. on January 5, 2022.

**ROLL CALL**

The following Commissioners were present: Mario Garza, Kenyetta Moyé, Monica Cepero

**GOVERNANCE POLICY REVIEW**

The panel reviewed, discussed, and made tentative updates to the Governance Policy for approval by the full Board.

The meeting adjourned at 4:10 p.m.

## GOVERNANCE POLICY FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS

~~September 17, 2014~~ January 20, 2022 (~~Revised~~ Second Revision)

The Florida Commission on Human Relations (~~Commission~~) serves the general public:  
persons who live in, work in, and visit the State of Florida.

The term "Commission," as used in this policy, refers to the Commission board  
rather than the agency, the Florida Commission on Human Relations.

"Commissioner" or "Member" means a member of the Commission board.

The term "Staff," as used in this policy, refers to employees of the agency, the Florida  
Commission on Human Relations.

"Florida Commission on Human Relations" or "FCHR" refers to the agency.

Mission: To ~~Prevent prevent Unlawful-unlawful Discrimination-discrimination and~~  
~~Promote Mutual Respect~~ by ensuring all people have access to equal opportunities in  
employment, housing, and public accommodations

**Commented [CC1]:** If approved, this date would be changed to reflect the date of the vote.

**Commented [CC2]:** These definitions were added in order to try to clarify the frequent use of the terms Commission and Commissioners. In the body of the document, the initials, FCHR, were inserted where the agency is being referenced to try to create a distinction from the board.

### Article I:

#### ~~Commission~~ FCHR Governance

#### ~~Ends Policies~~ Objectives

1. The Florida Commission on Human Relations (FCHR) exists to enforce human and civil rights laws in Florida by investigating and resolving discrimination complaints in areas of employment, housing, and certain public accommodations. Such discrimination is based on national origin, color, religion, sex, pregnancy, race, age, disability, marital status, and familial status.
2. The Commission FCHR promotes fair and equitable treatment, respect, and tolerance through its outreach, educational, and training efforts and by providing information and resources to all persons in Florida.
3. The general public has the right to bring forth allegations of discrimination knowing that they will be treated with fairness, dignity, and respect.
4. Any State of Florida employee who files a complaint under the Florida Whistleblower's Act has the right not to be retaliated against.

**Article II:  
Governance  
Process**

**Policy 1: Governance Commitment**

The Commission, on behalf of the people of the State of Florida, will strive to achieve its established ~~Ends Policies~~Objectives for all eligible persons at a reasonable cost and avoid any actions and situations specifically and clearly limited by this governance document.

**Policy 2: Governance Style**

The Commission will govern lawfully with an emphasis on (a) collective outward vision-~~rather than internal preoccupation and individual agendas~~, (b) encouragement of diversity of viewpoints,

(c) strategic leadership rather than administrative detail, (d) clear distinction of ~~Commission~~ roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactive rather than reactive focus.

Accordingly,

1. ~~The Commissioners will cultivate a sense of group responsibility. The Commissioners, not Commission staff, will be responsible for excellence in governing. The Commissioners will develop and initiate governance policies for the Commission. The Commissioners will not use the expertise of individual Commissioners to substitute for the judgment of the Commission as an entire body, although t~~The expertise of individual Commissioners may be used to enhance the understanding of the Commissioners as an entire body.
2. The Commissioners' major policy focus will be on the Ends Policies Mission, Objectives, and intended long-term effects of the Commission FCHR as a whole.
3. The Commissioners will govern themselves professionally and respectfully in all matters of Commission business~~enforce upon themselves whatever discipline is needed to govern with excellence. Discipline will be applied to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuance of governance capability. Although the Commissioners can change the governance policies at any time, they will observe them while such policies are in effect.~~
4. Continual Commissioner development will include orientation of new Commissioners on the Commission's governance processes, the Florida Civil Rights Act, and other pertinent state statutes, including Florida's Sunshine laws, administrative rules, and federal law, as well as periodic discussion of process improvement.
5. The Commissioners will not allow any officer, Commissioner, or committee of the Commission to hinder or be an excuse for not fulfilling their commitments.

### Policy 3: Commissioner Job Description

Specific job outputs of the Commissioners, as informed agents of the people of the State of Florida, are those that ensure appropriate organizational performance. Accordingly, the Commissioners have the direct responsibility to ~~create~~:

1. Create a link between the people of the State of Florida and the Commission FCHR.
2. ~~Written~~Write a governance~~Governance policies~~Policy, as evidenced by this ~~governance document~~, that addresses the broadest levels of all organizational decisions and situations:
  - a. ~~Ends Policies: Organizational products, impacts, benefits, outcomes, recipients,~~

and their relative worth

- ~~b. Governance Process: Specification of how the Commissioners conceive, carry out, and monitor their tasks~~
- ~~c. Commission-Executive Director Linkage: How power is delegated and its proper use monitored; the Executive Director's role, authority and accountability~~
- ~~d. Executive Limitations: Constraints on executive authority, which establish the prudence and ethical boundaries within which all executive activity and decisions must take place~~

3. Assurance of Support successful Executive Director performance.

3.4. Participate in Commission meetings and serve on deliberation panels and committees.

#### **Policy 4: Chair's Role**

The Chair assures the integrity of the Commission's process. Accordingly,

1. The assigned result of the Chair's jobs is that the Commission behaves consistently with its own policies and those legitimately imposed upon it by the State of Florida.
  - a. Meeting discussion content will be on those issues that, according to Commission policy, clearly are under the jurisdiction and within the scope of the Commission to decide or to monitor.
  - ~~b. Information that is for neither monitoring performance nor Commission decisions will be avoided or minimized and always noted as such.~~
  - ~~c. b.~~ Deliberation will be fair, open, and thorough, but also timely, orderly, and as brief as possible to effect a thorough discussion.
2. The authority of the Chair consists in making decisions that fall within topics covered by Commission's Governance Processes and the Commission-Executive Director Linkage, with the exception of employment or termination of the Executive Director.
  - a. The Chair is empowered to chair Commission meetings with all the commonly accepted powers of that position using the most recent copy of Roberts Rules of Order.
  - b. The Chair has no authority to make decisions about policies created by the Commission within the ~~Ends Policies~~ Governance Policy and Executive Limitations. Therefore, the Chair has no individual authority to ~~supervise or~~ direct the Executive Director. However, the Chair and the Executive Director shall maintain an ongoing, productive, and effective working relationship that continually ensures that the mission, goals, and priorities of the Commission are achieved.
  - c. The Chair ~~will may~~ represent the Commission to outside parties. The Chair may delegate this ~~authority, but~~ authority but remains accountable.
3. In the event the office of the Chair becomes vacant, the Vice Chair shall temporarily assume the title of Chair and will perform all responsibilities and ~~perform all~~ duties of the



Chair until such time as an election for filling the office of Chair can be held. Such election shall be held within ninety (90) days from the date that the Chair's vacancy occurs. In the event that there is no Vice Chair serving at the time of the Chair's vacancy, any Commissioner whose

current term has been in effect for the longest period of time, and is able, shall temporarily serve as Chair until elections for filling both the office of Chair and Vice Chair can be held, as long as such elections are held within ninety (90) days from the date the Chair's vacancy occurs.

#### Policy 5: Vice Chair's Role

1. In the absence of the Chair, the Vice Chair will assume the duties of the Chair, unless delegated otherwise by the Chair.
- 1.2. If a vacancy occurs in the office of the Chair, the Vice Chair shall temporarily assume the title of Chair and perform all responsibilities and perform all duties of the Chair until such time as an election, pursuant to Article II, Policy 4 of this Governance Policy, can be held. If a vacancy occurs in the office of the Vice Chair, the Commission will select another member to fill the unexpired term of the Vice Chair.

#### Policy 6: Commissioner's Code of Conduct

The Commissioners commit itself themselves to ethical, businesslike professional, and lawful, and respectful conduct, including proper use of authority and appropriate decorum when acting as Commissioners.

1. Commissioners must have loyalty to the Commission FCHR, not conflicted by loyalties to any staff, other private and public organizations, or personal interests.
2. Commissioners must have a personal commitment to civil rights and uphold the mission of the Commission, the meaning and intent of the Florida Civil Rights Act, other pertinent state statutes, administrative rules, and federal law.
3. Commissioners will adhere strictly to the provisions of Florida's Sunshine Laws and will refrain from discussing any issue, without proper meeting notice and allowance for open discussion, upon which they may potentially have to vote.
4. Commissioners must avoid conflicts of interest with respect to their fiduciary responsibilities.
  - a. Commissioners will annually complete a State of Florida financial disclosure statement.
  - b. When the Commission is to decide upon an issue about which a Commissioner has an unavoidable conflict of interest, that Commissioner shall abstain without comment from not only voting on the issue but also from the deliberation and discussion of the issue.
  - c. Commissioners will not use their Commission position to obtain Commission FCHR employment and and/or contracts for themselves, family members, or close business associates. Should a Commissioner wish to apply for such employment or contracts, he or she must first resign his or her position as

**Commented [CC3]:** There is a legal concern with this provision that was not previously discussed with the panel Commissioners.

Commissioner.

- d. Commissioners who qualify to run for public office must resign from the Commission in accordance with Florida Statutes.

5. Commissioners shall not attempt to exercise individual authority over other Commissioners, the Executive Director, or any of the ~~Commission~~ staff unless specifically authorized by the Commission.
6. Commissioners' interaction with the public, press, or any other entities must recognize the inability of any Commissioner to speak on behalf of the Commission except to repeat explicitly stated Commission decisions and in furtherance of the FCHR's mission.
7. Commissioners will be properly prepared for deliberations and discussions at scheduled meetings.
8. Commissioners shall not plan events in the name of the Commission or use the name, logo, letterhead, tangible property, or any other item of the ~~Commission~~FCHR, unless approved by the Executive Director.
9. Commissioners shall timely review and return all paperwork related to case deliberations.

#### **Policy 7: Commission Principles**

Any committees created by the Commission will be assigned so as to reinforce the ~~Commission's~~ FCHR's Ends PoliciesMission and so as never to interfere with the Commission-Executive Director Linkage. Accordingly,

1. Committees are to help the Commission do its job; committees are not to advise, help, or instruct ~~Commission~~ staff. Committees ordinarily will assist the Commission by preparing policy alternatives and implications for Commission deliberation. In keeping with the Commission's broader focus, neither Commissioners nor Commission committees will ~~have direct dealings~~interfere with staff operations or personnel decisions.
2. Committees may not speak or act for the Commission except when formally given such authority for specific and time-limited purposes. ~~Expectations and authority will be carefully stated in order to prevent conflict with the authority delegated to the Executive Director.~~
3. ~~Commission~~ committees cannot exercise authority over staff. Because the Executive Director works for the Commission, he or she will not be required to obtain approval of a committee before undertaking any operational, administrative, or executive action.
4. Committees are to avoid over-identification with organizational parts rather than the whole. ~~Therefore, a committee that has helped the Commission create policy on some topic will not be used to monitor organizational performance on the same subject.~~

5. Committees will be used sparingly.
6. This policy applies to any group, whether or not it is termed a "committee" or whether or not it includes Commissioners, which is formed by Commission action. It does not apply to committees formed under the authority of the Executive Director.

#### **Policy 8: Cost of Governance**

Because poor governance costs more than learning to govern well, the Commission will invest in its governance capacity. Accordingly,

1. Commissioner skills, methods, and supports will be sufficient to assure governing with excellence.
  - a. Training and retraining will be used to orient new Commissioners as well as maintain and increase existing Commissioners' skills and understanding.
  - b. The Commissioners will fully support and cooperate with outside monitoring/audits.
  - c. Outreach mechanisms will be used as needed to ensure the Commissioners' ability to listen to and understand diverse viewpoints.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

#### **Policy 9: Unity of Control**

Only officially passed motions of the Commissioners are binding on the Executive Director. Accordingly,

1. Decisions, ~~or~~ instructions, ~~or requests for information~~ by individual Commissioners, officers, or committees are not binding on the Executive Director except where the Commissioners ~~have~~ has specifically authorized such action.

### **Article III: Commission-Executive Director Linkage**

#### **Policy 1: Governance Commitment**

The Executive Director is the Commission's only connection to operational achievement and conduct so that all authority and accountability of staff, as far as the Commissioners ~~are~~ is concerned, is considered the sole responsibility of the Executive Director. Accordingly,

1. The Commissioners will not give instructions directly to ~~Commission~~ staff; rather, any instructions will be directed to the Executive Director.

2. The Commissioners will not evaluate, either formally or informally, any Commission staff other than the Executive Director.

~~3. The Commissioners will deem the performance of the Executive Director as identical to the performance of the Commission. In other words, successful Commission performance, as measured by the accomplishment of the Commission's Ends Policies and avoidance of any actions and situations specifically limited by this governance document, will be viewed as successful Executive Director's performance. Accordingly, statements by the Executive Director about Commissioners' non-compliance with their own policies, particularly in the case of Commissioners' behavior that is detrimental to the working relationship between the Commissioners and the Executive Director or the Executive Director and his/her staff, will not impact the Executive Director's performance evaluation.~~

### **Policy 2: Governance Development**

The Commissioners will instruct the Executive Director, through the Executive Limitations contained in this governance document, thus allowing the Executive Director to use any reasonable interpretation of these policies to carry out his or her responsibilities. Accordingly,

1. The Commissioners will develop Executive Limitations that guide the Executive Director in managing and operating the Commission staff. These Executive Limitations will address the broadest levels of all organizational decisions and situations.
2. As long as the Executive Director uses reasonable interpretation of the Executive Limitations, the Executive Director is authorized to establish all policies and procedures, make all decisions, take all actions, establish all practices, and develop all activities necessary to successfully administer and operate the Commission FCHR. Such decisions of the Executive Director shall have full force and authority.

~~3. The Commissioners may, as they deem necessary, change the Ends Policies and Executive Limitations. As long as any particular delegation is in place, the Commissioners will respect and support the Executive Director's choices. The Commissioners will not change Executive Limitations that could inhibit the Executive Director from achieving Ends Policies and priorities set by the Commissioners.~~

### **Policy 3: Monitoring Executive Director Performance**

The Commissioners will monitor the Executive Director's performance for compliance with the Executive Limitations at any time and by any method as the Commissioners so chooses. Accordingly,

1. Monitoring performance is simply to determine the degree to which Executive Limitations are being complied with and the Ends Policies Performance.

| [Standards](#) are being met.

2. The Commission will acquire monitoring data by one or more of three methods: (a) internal reporting and data which the Executive Director discloses compliance information to the Commission, (b) external reporting compiled by an external, unbiased, and disinterested third party selected by the Commissioners to assess compliance with Commission policies, and (c) by direct Commissioner inspection in which a designated person member of the Commission assesses compliance with the appropriate policy criteria.

~~3. In each case, the standard for compliance will be a reasonable interpretation by the Executive Director of the Commission policy being monitored. The Commissioners are the final arbiter of reasonableness but will always judge using the "reasonable person" test.~~

- ~~4.3.~~ The Executive Director's performance will be documented on an annual basis pursuant to the State of Florida performance appraisal process.

#### **Article IV: Executive Limitations**

##### **Global Executive Constraint**

The Executive Director shall ~~NOT~~not cause or allow any practice, activity, decision, or organizational circumstance which is either unlawful, imprudent, or in violation of commonly accepted governmental, business, and professional ethics and practices. Furthermore, the Executive Director shall ~~NOT~~not:

1. Compromise the Commission's FCHR's public image or credibility.
2. Fail to assess and consider the capability of the Commission FCHR to produce appropriately targeted, effective, and efficient results that are aligned with the Commission's its Ends Policies Mission.

##### **Policy 1: Treatment of the General Public**

With respect to interactions with the general public, the Executive Director shall ~~NOT~~not cause or allow conditions, procedures, or decisions that are unlawful or unethical. Furthermore, the Executive Director shall ~~NOT~~not:

1. Initiate legal action for allegations of discrimination that are not covered by the Florida Civil Rights Act, and/or other pertinent state statutes, administrative rules, and federal law.



2. Use methods of collecting, reviewing, transmitting, or storing information that fail to secure information against improper use, access, damage, or loss.
3. Operate facilities without appropriate accessibility and adequate security measures in place.
4. Fail to provide the general public clear and accurate information as to what is and is not covered under the Florida Civil Rights Act, and/or other pertinent state statutes, administrative rules, and federal law.

#### **Policy 2: Treatment of Staff**

With respect to the treatment of ~~Commission~~ staff, the Executive Director shall ~~NOT~~not cause or allow conditions that are unfair, undignified, disorganized, or unclear. Furthermore, the Executive Director shall ~~NOT~~not:

1. Operate without written human resources policies and procedures that provide for effective handling of grievances and protect against wrongful conditions, such as nepotism and preferential treatment for personal reasons.
2. Discriminate or retaliate against any staff person ~~for non-disruptive expression of dissent.~~
3. ~~Fail to acquaint staff with the Executive Director's interpretation of staff responsibilities and protections under the Commission's human resource policies and procedures.~~

#### **Policy 3: Fiscal Responsibility**

With respect to the financial conditions and activities of the ~~Commission~~FCHR, the Executive Director shall ~~NOT~~not deviate from the Legislature's fiscal priorities ~~and the Commission's Ends Policies and shall NOT cause or allow the development of fiscal jeopardy of actual expenditures.~~ Furthermore, the Executive Director shall ~~NOT~~:

1. ~~Fail to include~~Include credible projection of revenues and expenses, separation of capital and operational items, and disclosure of planning assumptions.
2. Expend more only the funds ~~than have been~~ appropriated in any fiscal year.
3. ~~Fail to process~~Process and submit payroll and debts in a timely manner.
4. ~~Allow for overdue~~Ensure timely payments ~~or and in~~ accurate invoicing.
5. ~~Make a~~Seek Commission approval for a single purchase of or ~~commit~~commitment of funds greater than \$500,000 ~~without Commission approval.~~

6. ~~Make a purchase in violation of the~~Ensure adherence to Florida Statutes relating to procurement policy.
7. ~~Receive, process, or disburse funds under controls that are insufficient to meet~~Comply with the State of Florida's audit standards.

#### **Policy 4: Executive Director** **Succession**~~Continuity of Service~~

To protect the Commission from loss of the Executive Director's services, the Executive Director must have one or more managers familiar with the ~~Commission's~~FCHR's operations and the Executive Director's responsibilities, tasks, issues, and processes.

#### **Policy 5: Operational Protections**

The Executive Director shall ~~NOT~~not allow ~~Commission~~FCHR assets to be unprotected, inadequately maintained, or unnecessarily risked. Furthermore, the Executive Director shall ~~NOT~~develop and have in place a strategic information security plan and associated operational information security plan. In addition, the Executive Director will establish security policies and procedures, standards, and guidelines.

- ~~1. Fail to ensure that appropriate security measures are in place to minimize theft of Commission tangible assets.~~
- ~~2. Subject equipment to improper use or insufficient maintenance.~~
- ~~3. Unnecessarily expose the Commission or staff to claims of liability.~~
- ~~4. Fail to protect information, data, and files from loss or significant damage.~~

#### **Policy 6: Compensation and Benefits**

With respect to employment, compensation, and benefits to employees, consultants, and contract workers, the Executive Director shall ~~NOT~~not cause or jeopardize fiscal integrity. Furthermore, the Executive Director shall ~~NOT~~not:

1. Change his or her compensation and benefits.
2. Promise or imply permanent or guaranteed employment.
3. Establish compensation and benefits that deviate from state statutes, administrative rules, or ~~Commission~~FCHR compensation and benefits policies.

4. Create financial obligations over a longer term than revenues are appropriated.

### Policy 7: Support and Inform the Commissioners

The Executive Director shall ~~NOT permit~~support and inform Commissioners ~~to be uninformed or unsupported on Commission business~~. Furthermore, the Executive Director shall ~~NOT~~:

1. Submit data and information in a ~~an~~ timely, ~~un~~clear, ~~or and in~~ accurate fashion.
2. ~~Fail to inform~~Inform the Commissioners of relevant trends, anticipated adverse media coverage, threatened or pending lawsuits, and changes to established Commission policies and practices.
3. ~~Fail to advise~~Advise the Commissioners if, in the Executive Director's opinion, the Commission is not in compliance with its own policies and/or state statutes and administrative rules.
4. ~~Fail to advise~~Advise the Commissioners if, in the Executive Director's opinion, a Commissioner's behavior is detrimental to the Commission or to the working relationship between the Commissioner(s) and the Executive Director.
5. ~~Fail to provide~~Provide a mechanism for official Commission communication.
6. ~~Fail to deal with the Commissioners as a collegiate body except when (a) fulfilling individual requests for information or (b) responding to individual officers or committees duly charged to serve in such capacity by the Commissioners as a body.~~

Adopted by the Florida Commission on Human Relations on this ~~17<sup>th</sup>~~ 20<sup>th</sup> day of ~~September~~January, ~~2014~~2022, signed by the Chair, with the following Commissioners present:



~~Gilbert Singer~~Darrick McGhee, Chair

Gayle Cannon  
Derick Daniel  
Donna Elam  
Elena Flom  
Michael Keller  
Rebecca Steele

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**Florida Commission on Human Relations  
Proposed Legislative Budget Requests  
FY 2022-23**

*Fair Housing Unit – Intake*

**\$96,955.36     Regulatory Specialist III (2 FTEs) – Federal Grant Trust Fund**

The Florida Commission on Human Relations' (FCHR) Fair Housing program provides education, outreach, and investigation of complaints of discrimination for the citizens of the State of Florida pursuant to the Florida Fair Housing Act and Title VIII through a partnership with the U.S. Department of Housing and Urban Development (HUD). The FCHR covers the entire state of Florida, with a few exceptions. The protected bases covered are race, color, national origin, religion, sex, disability, and familiar status.

The FCHR receives complaints as referrals from HUD, or they may be directly filed by the aggrieved party. The FCHR has been successfully processing the inquiries/complaints HUD has referred. In fiscal year 2019-20, the FCHR averaged about 35 inquiries/complaints per month, but over the first three quarters of fiscal year 2020-21, that average has increased to about 63 inquiries/complaints per month. The FCHR has processed 87% of this workload within required metrics. Beginning April 1, 2021, HUD has determined that **all** incoming State of Florida inquiries/complaints will be referred to the FCHR, which will increase the current fiscal year average from 63 to approximately 100 inquiries/complaints each month.

To maintain the high quality and productivity of this unit, the FCHR requests 2 Regulatory Specialist III FTEs (proposed salary \$30,900.62). The Intake unit currently consists of 4 full time career service Regulatory Specialists, but this staffing level will not be sufficient to successfully process the identified workload increases.

**\$35,354.00     Reclassify Current Intake Positions – Federal Grant Trust Fund**

Over the past 2 years, the FCHR's Fair Housing Unit has experienced difficulties in both recruiting and retaining qualified staff who can handle these highly detailed and demanding positions. Turnover further impedes the stability and production of the unit. When conducting exit interviews, the FCHR has found that, oftentimes, the retention failure is a result of dissatisfaction with the salary combined with a heavy workload. Additionally, due to the complexities of processing incoming

inquires/complaints, the salaries are too low to attract highly skilled applicants needed to successfully complete the work.

The FCHR has spent a considerable amount of time in training to build up employees' knowledge skill sets, only to have staff leave for other state and federal jobs, doing the same type of work, paying significantly higher salaries with smaller workloads. Then, because of turnover, the remaining staff must take on even high workloads of their own and work overtime to meet the expected quality and timeliness requirements, which results in high overtime salary costs. Therefore, it is imperative for current staff's salaries to be increased through a reclassification, otherwise the vacancy and overtime cycle will continue, which will result in staff burnout and jeopardizes the FCHR's ability to continue successfully meeting its performance metrics.

Therefore, the FCHR requests that 2 of its existing Regulatory Specialist I positions (current base salary \$28,000.00) be reclassified to Regulatory Specialist III positions (proposed salary \$30,900.62). Then, in order to create promotional opportunities and hierarchy within the unit, the FCHR requests that the other 2 Regulatory Specialist I positions (current base salary \$28,000.00) be reclassified to Regulatory Consultant positions (proposed salary \$32,000), to serve as lead workers.

### *Fair Housing Unit – Investigations*

#### **\$119,059.40 Inspector Specialist (2 FTEs) – Federal Grant Trust Fund**

As a result of an increased number of inquiries and complaints, as detailed above, there will be an increase in the number of complaints that will ultimately require an investigation. HUD recently determined that all cases must be assigned to an investigator within 7 days of filing, rather than 30 days which had been the previous expectation, which has in turn resulted in a 50% increase in the each investigator's inventory. This does not yet include the increased workload that will result once the FCHR begins receiving **all** State of Florida inquiries/complaints.

Additionally, due to other external changes, the FCHR anticipates further increases in the number of complaints it will receive. For example, the current social climate, the end of the statewide eviction moratorium on evictions due to the COVID-19 pandemic as of March 31, 2021, which will result in more complaints as evictions occur, and the FCHR's decision to begin accepting complaints based upon sexual orientation and gender identity as sex discrimination could increase the number of complaints being filed. Furthermore, because of these issues, various individuals

and organizations across the State of Florida have requested to be educated on the FCHR Housing program. As this education is shared throughout the state, this could also potentially increase the number of complaints being filed due to the knowledge of our existence. On top of this, the FCHR wants to continue being successful in meeting its quality, quantity, and timeliness standards. HUD's federal guidelines indicate that investigators should submit 4-5 quality cases per month. With 10 investigators, this would result in a minimum of 40 cases per month or 480 cases per year, which should allow the FCHR to handle the anticipated workload. The FCHR is anticipating it will close more than 350 cases in fiscal year 2020-21, but this was achieved by spending more than \$33,000.00 in overtime expenses, which does not even take into consideration the mental and physical toll taken on staff. Note: all cases accepted by the FCHR as jurisdictional must also be investigated within 100 days.

To maintain the high quality and productivity of this unit, the FCHR requests 2 Inspector Specialist FTEs (proposed salary \$40,948.00). The Investigation unit currently consists of 8 full time career service Investigators, but this staffing level will not be sufficient to successfully process the identified workload increases.

**\$52,324.80      Reclassify Current Investigations Positions – Federal Grant Trust Fund**

As detailed above, the FCHR's Fair Housing Unit has experienced difficulties in both recruiting and retaining qualified staff who can handle these highly detailed and demanding positions. The reclassification of investigator positions will foster promotional hierarchy within the unit, eliminate the need for overtime resources, and will promote better employee retention. Therefore, the FCHR requests that 4 of its existing Investigation Specialist I positions (current base salary \$33,000.00) be reclassified to Inspector Specialist positions (proposed salary \$40,948.00). Next, the FCHR requests that its 2 Investigation Specialist II positions (current base salary \$38,000.00) be reclassified to Government Operations Consultant III positions (proposed salary \$43,507.00). Finally, the FCHR requests that the 2 Government Analyst positions (current base salary \$44,000.00) be reclassified to Senior Management Analyst II positions (proposed salary \$46,381.00), to serve as lead workers.

**\$62,344.70      Government Operations Consultant III (1 FTE) – Federal Grant Trust Fund**

The FCHR is required to attempt conciliation throughout the investigation of each housing discrimination complaint, and if a case is successfully settled, it results in a positive outcome for both parties. In order to attempt conciliation of more cases, and based upon current staffing, the FCHR requests 1 Government Operations Consultant III (Master Conciliator) to focus on this area (proposed salary

\$43,507.00). This would allow cases to be resolved quickly, instead of going through a full investigation, and ultimately reduce the number of investigations that need to be completed.

### *Office of General Counsel – Senior Attorneys*

#### **\$159,786.00 Senior Attorney (2 FTEs) – Federal Grant Trust Fund**

As indicated above, the Fair Housing Unit is asking to increase its staff to meet the demand to produce at least 480 completed investigations per year. This will require additional resources in the Office of General Counsel as well. All investigative case files must undergo legal review before they are considered by the FCHR's Executive Director. As more investigators are added to the FCHR's staff to address the increased workload, the legal staff must also be increased to keep pace with the number of completed investigations that will be coming to the Office of General Counsel for review.

To maintain the high quality and productivity of this unit, the FCHR requests 2 Senior Attorney FTEs (proposed salary \$52,000). The Office of General Counsel currently consists of 2 Staff Attorneys and 3 Senior Attorneys reviewing all cases. Senior Attorneys are expected to review at least 24 cases per month, or 288 cases per year, so this would allow the Office of General Counsel to cover the expected increase from the Fair Housing Unit while also addressing some of its other ongoing deficits. For example, the FCHR's former Chief Legal Counsel (now Executive Director) has been reviewing housing cases to assist the unit since February 2019 due to a lack of resources, which is outside that position's regular duties. Additionally, in the event the FCHR issues a cause determination in a housing case, the aggrieved party may elect to have an FCHR attorney represent him or her in civil court, which the current staff would have difficulty managing in addition to its current workload. This request for 2 additional Senior Attorneys would help the Office of General Counsel address these anticipated workload increases and current production deficits, remain timely with final orders, cover potential litigation needs, and allow the Executive Director to focus on the true duties of the position.

### *Information Technology Services – Senior-level Technician*

#### **\$84,970.00 Senior-level Technician (1 FTE) – Federal Grant Trust Fund**

Workload has increased and the technology landscape has evolved to be more technical. ITS' ability to limit the Information Technology (IT) security risk,



ensure business continuity, promote IT innovation, and efficiently deliver data to FCHR management and staff with the current resources is challenging. The technical needs of the agency have outpaced the resources available on the technical team. This request works to solve this issue with one Senior-level position to handle these responsibilities and serve the following purposes:

1. Retain the existing technical staff by having salaries comparable to the State's average IT technical salary levels;
2. Provide for a scaled growth opportunity for existing staff;
3. Add 1 Senior-level FTE to the IT staff for handling more advanced application programming, web development tasks, Cloud services, cybersecurity, and network operational tasks;
4. Implement critical IT projects;
5. Implement essential business continuity in IT projects; and
6. Serve as Tier II or III resource to ITS team.

## EXECUTIVE DIRECTOR'S REPORT

TO: Board Members, Florida Commission on Human Relations  
FROM: Cheyanne Costilla, Executive Director  
DATE: January 13, 2022  
RE: Commission Business Meeting, FY 2021-22 – January 20, 2022

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### Long-Range Program Planning (LRPP) Progress

- Refer to LRPP Compliance Data FY 2021-22 and LRPP Comparing FCHR Dispositions with DOAH Recommended Orders.
  - Across all case types (employment, housing, public accommodations, and Whistle-blower retaliation) for the fiscal year, the Commission completed **89%** of its investigations within statutorily required timelines (180 days for employment, public accommodations, and Whistle-blower retaliation cases; 100 days for housing cases). This is significantly above the 75% goal.
  - **Eighty-three percent** of Recommended Orders do not disagree with the disposition by the Commission. This above the 80% goal.

### Legal/Mediation

- Refer to Legal Report FY 2021-22 and Final Orders - 90 Day Stats FY 2021-22.
  - The Commission issued 50 final orders through the first two quarters of the year which is more than were issued during the entire fiscal year in both FY 2019-20 and FY 2020-21. In addition to reviewing numerous cases daily requiring a determination of whether an unlawful practice occurred, legal staff prepared as many as 11 cases for a single panel in November 2021. The goal of the legal unit remains to hold more deliberation panels and prepare more determinations than the norm for the remainder of the fiscal year.
  - For the second quarter, there continues to be a downward trend in the number of cases in which parties requested to participate in mediation and a related reduction in the number of mediations being conducted. However, the success rate in the mediations/conciliations conducted remained high at 61%, and the average settlement amount is \$17,853.53.
  - For the second quarter, 52% of Final Orders were issued within 90 days of the Recommended Order from DOAH. Legal staff are strategically choosing which cases to work on to progressively address the backlog of Recommended Orders (caused by the deliberation process being temporarily halted immediately following the outbreak of COVID-19) while keeping up with the new cases coming from DOAH.

### Intake and Investigations' Units

- Refer to Docketing Report, EEOC Contract Progress Report, and HUD Contract Progress Report.
  - Across all case types, the Commission docketed 67% of complaints received within 5 days.
  - The Commission's new contract with the EEOC is to complete 1000 investigations by September 30, 2022. The Commission is on pace to meet this contract amount, having completed 265 investigations this quarter.

- The EEOC expects that less than 35% of closures will be administrative closures. The Commission is significantly below this threshold at 8%.
- Due to the size of the State of Florida, the Commission is expected to complete at least 150 housing discrimination investigations by June 30, 2022, pursuant to the cooperative agreement with HUD. The Commission is on pace to meet this goal, having completed 74 investigations. Several staff members worked overtime during the second quarter, which helped make up the small deficit observed in the first quarter. Continued strides are expected in this area into the second half of the year.
- HUD expects that less than 20% of closures will be administrative closures. The Commission was well below this threshold at 10%.
- HUD expects that at least 50% of investigations will be completed within 100 days. The Commission was slightly below this standard, closing 43% of dual-filed cases within 100 days. Management has developed a plan to address this concern, assigning newer cases to some staff, who will be able to ensure timely completion, while other staff are tasked with systematically completing the aged cases.

#### Information Technology Services

- Refer to ITS Reports.
  - There were no significant outages this quarter.
  - Over the first two quarters, an average of 62% of work orders were successfully completed.

#### External and Legislative Affairs

- Refer to External and Legislative Affairs Report.
  - The Commission has not yet received the Civil Rights Hall of Fame nominees from the Governor's Office.
  - The Commission is working to establish and carry out a statement of work with HUD for \$30,000 in FHAP Partnership Funds (\$20,000 to be spent in April 2022 for fair housing month and \$10,000 to be spent in July 2022). The Commission plans to engage in a promotional fair housing video and advertisement campaign primarily on the agency's social media platforms which would focus on raising awareness of sex discrimination protections to include sexual orientation and gender identity in underserved counties within the State of Florida.
  - The Commission also just completed another very successful social media marketing outreach campaign which produced a combined platform impression total of almost 4.5 million impressions.
  - Session has begun at the Florida Legislature, and the staff are diligently monitoring all filed bills and are meeting with legislators to educate them on the mission and importance of the Commission as well as its legislative budget requests.

#### Human Resources

- Refer to HR Reports.
  - The Commission's turnover rate for the second quarter was 0.0%, which does not include involuntary separations, retirements, or relocations.
  - Management staff are working to quickly fill the remaining vacancies despite challenges in finding qualified candidates.
  - Commission staff worked 1,180.75 hours of overtime in the second quarter, which resulted in a gross cash expenditure of \$34,505.92. HUD approved the Commission's proposal to use CARES Act funds to pay for some of its overtime expenses, and the Commission's budget amendment proposal is advancing through that process. While utilizing overtime has been necessary, it is not a long-term solution. The

proposed Legislative Budget Requests would address this issue, as well as anticipated increases in workload and retention challenges. Presently, the management team is working to strengthen its onboarding training to include more hands-on, curriculum-based instruction, that will develop new hires more quickly so they can become confident and productive sooner.

## Budget

- Refer to Budget Report
- The Commission's total FY 2021-22 appropriation is \$6,108,636. As of December 31, 2021, the Commission spent \$2,820,672.58 (46%) of its total appropriation, leaving just over \$3,000,000 with half of the fiscal year remaining.
- The Commission has approximately \$63,000 in CARES Act funds remaining to be spent. In order to spend those funds, staff are working to get a budget amendment approved so that the funds can be used to fund overtime expenses.
- The Commission was previously authorized, under its cooperative agreement with HUD, to voucher for \$855,600 in case processing funds and \$134,342.01 in administrative funds. The Commission's spend plans were amended, and HUD approved of additional funding of \$88,366.39 in administrative costs funds and \$50,000 in training funds. Finally, a statement of work was developed for HUD's consideration for partnership funds totaling \$30,000 to engage in outreach in underserved areas of the state, which has been approved.
- As previously discussed, Commission staff are exploring potential cost savings that could be realized if the office space were reduced. The Commission currently rents 12,111 square feet of space in the Betty Easley Conference Center for \$208,067 per year. Executive staff have identified 4,188 square feet of space that could be relinquished without having a negative impact on the agency's operations, which would result in a rent reduction of about \$71,950. The Commission has submitted a request to DMS to obtain a quote for a small construction project that would make the reduced space more workable. Once the quote is received, it will be shared with the board.

--End--

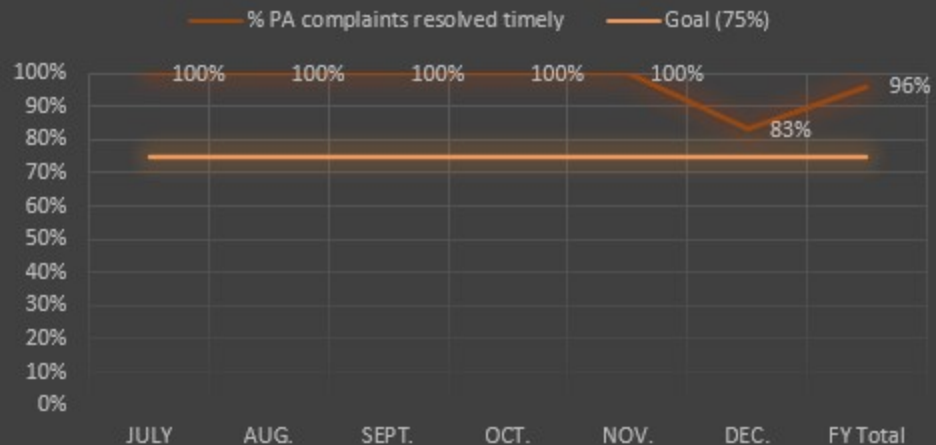
### Timely Resolution: Employment



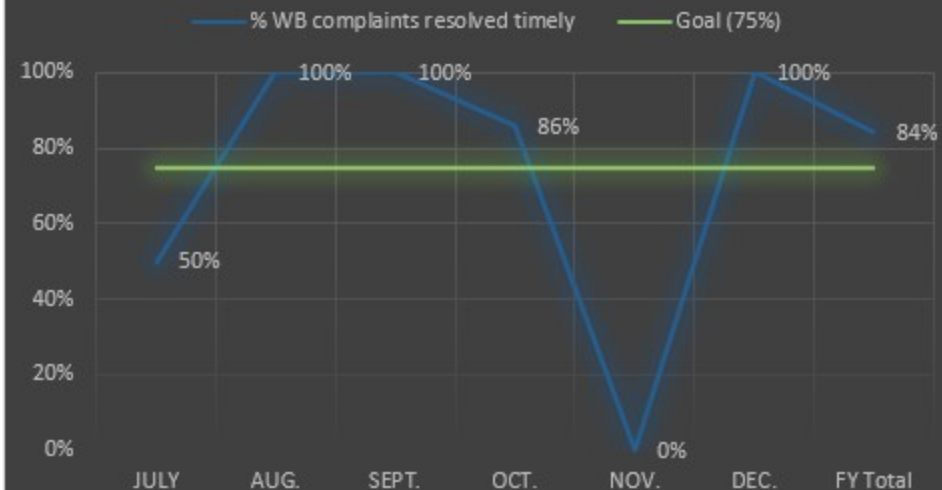
### Timely Resolution: Housing



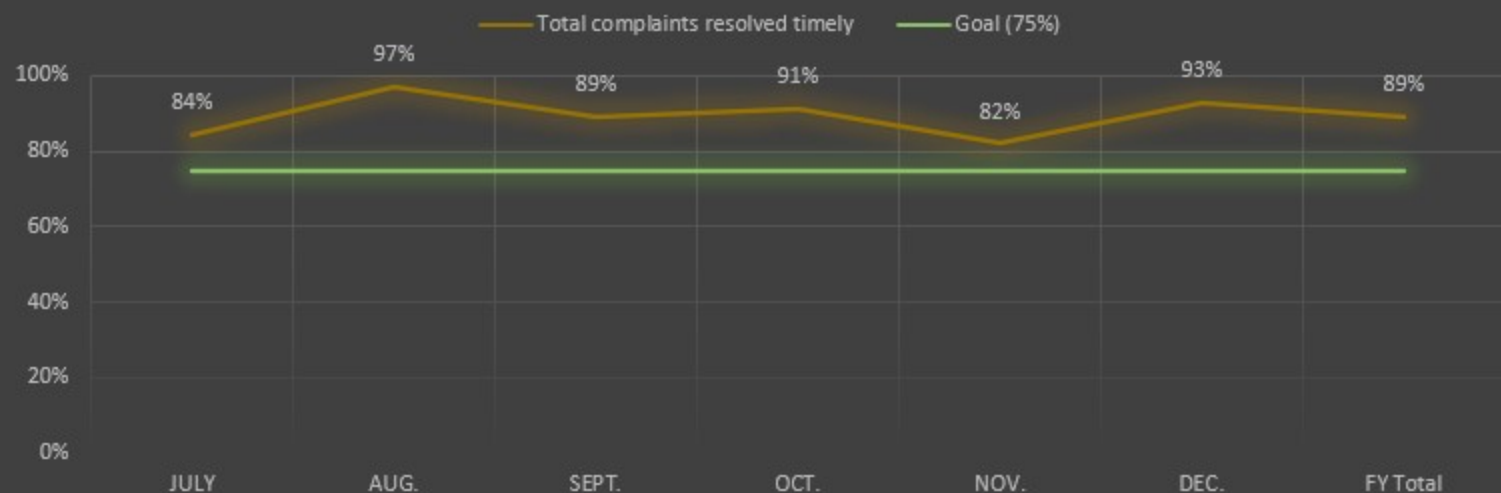
### Timely Resolution: Public Accommodations



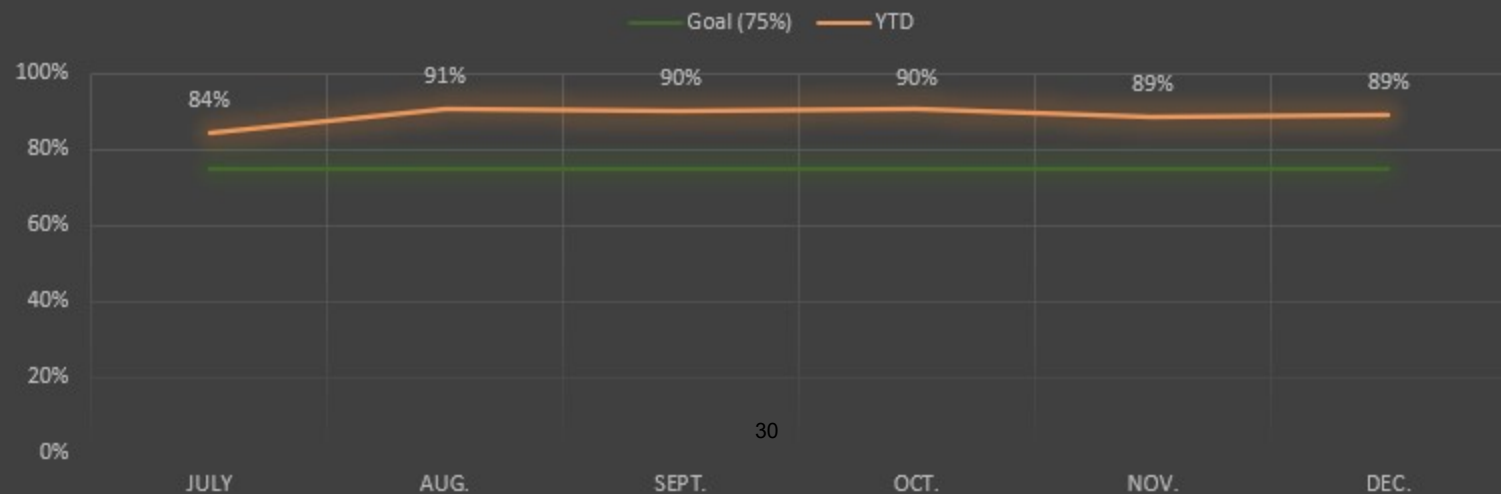
### Timely Resolution: Whistle-blower



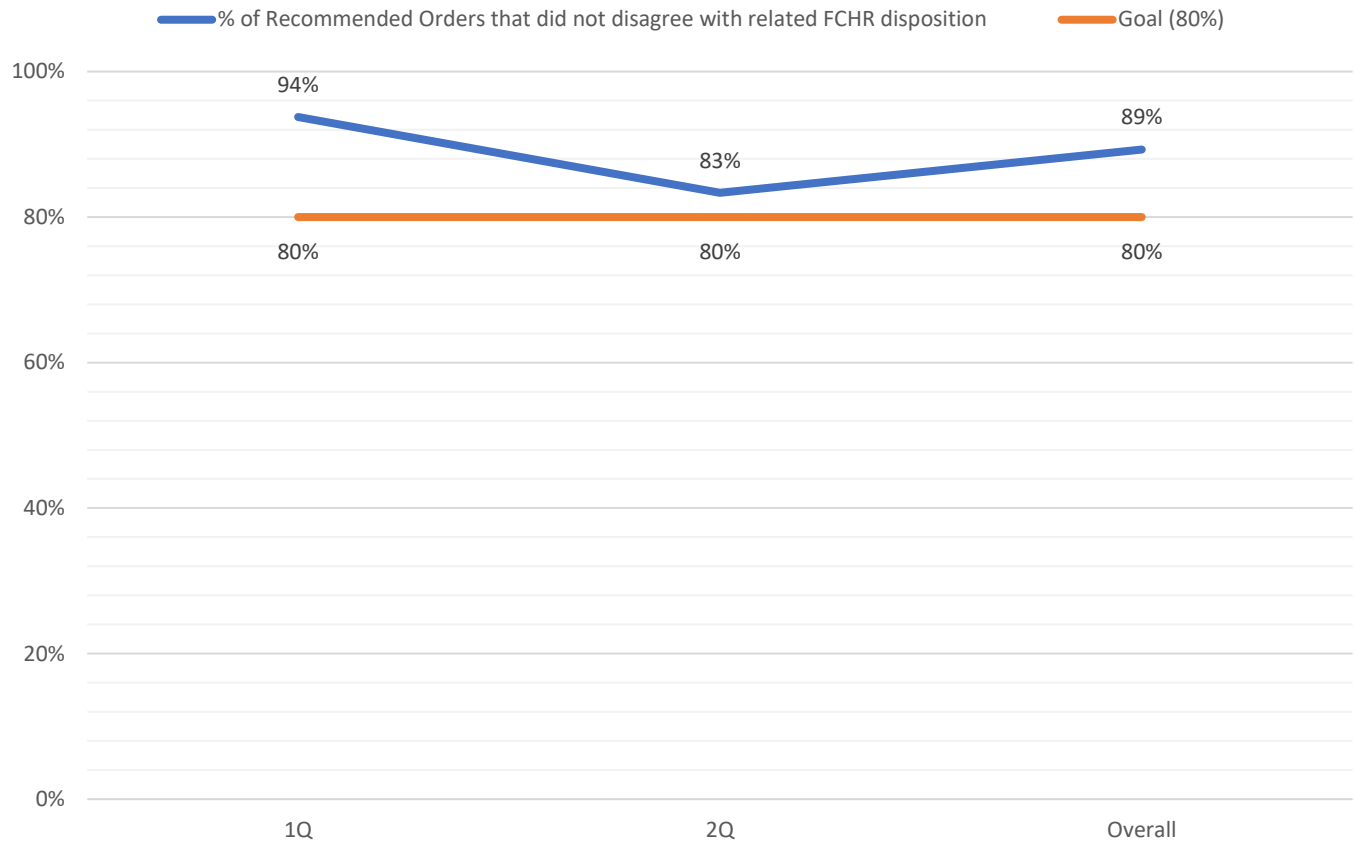
## LRPP Timely Resolution: All Case Types



## Timely Resolution: YTD All Case Types

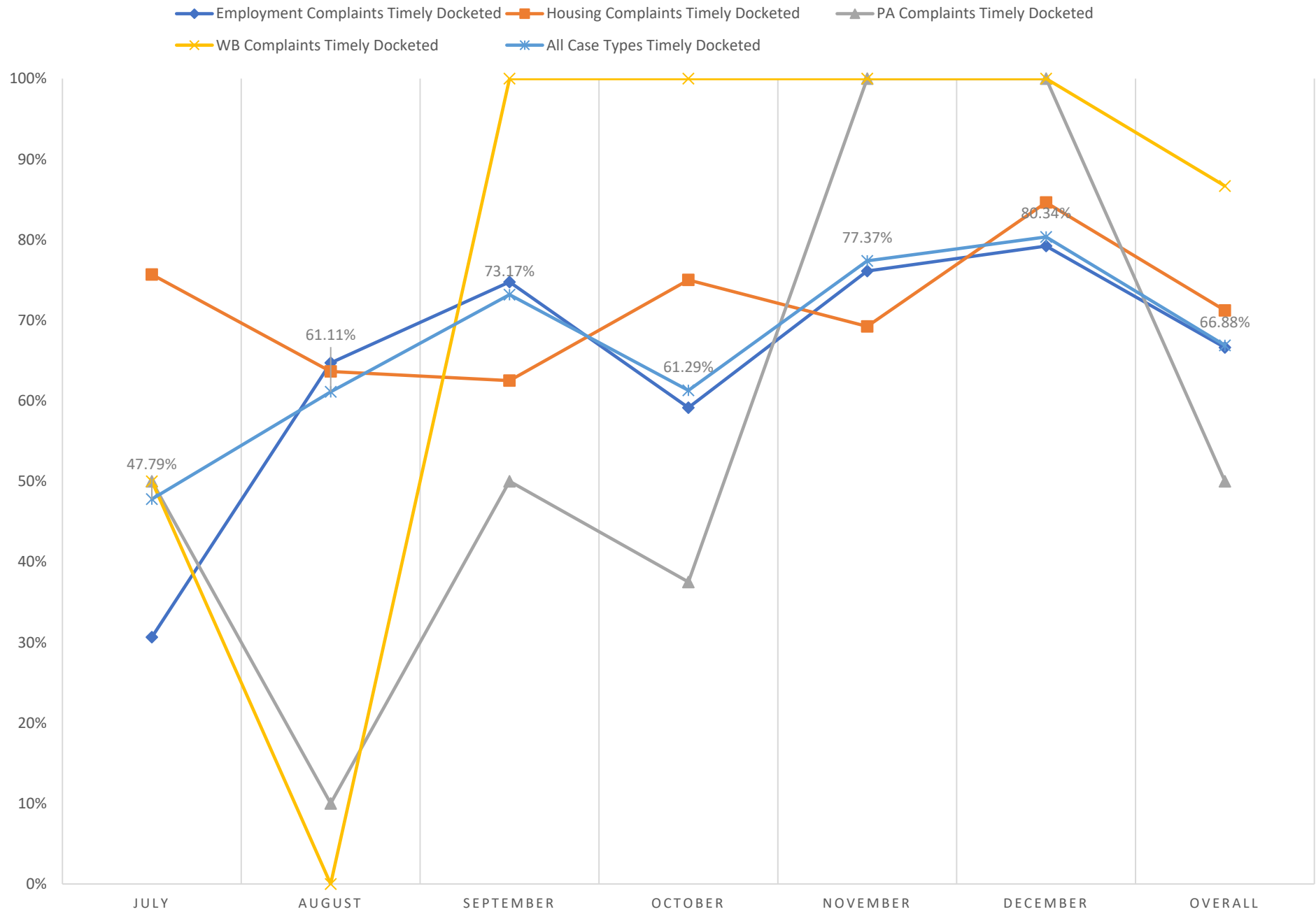


## LRPP Comparing FCHR Dispositions with DOAH Recommended Orders FY 2021 - 22



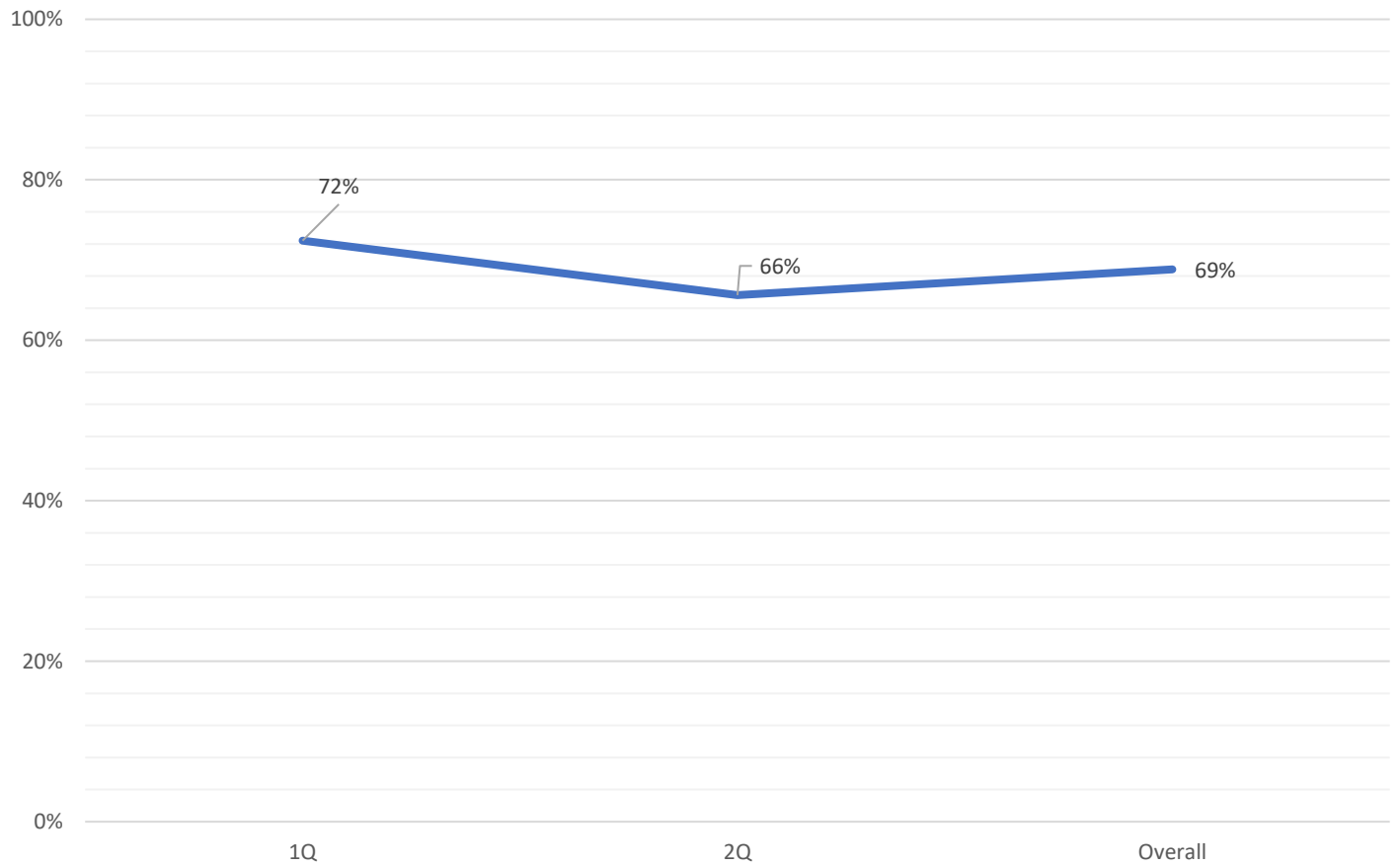
	1Q	2Q	3Q	4Q	Overall
# of Recommended Orders that did not disagree with related FCHR disposition	15	10			25
# of Recommended Orders that disagreed with related FCHR disposition	1	2			3
% of Recommended Orders that did not disagree with related FCHR disposition	94%	83%			89%
Goal (80%)	80%	80%	80%	80%	80%

# TIMELY DOCKETING (5 DAYS) FY 21-22



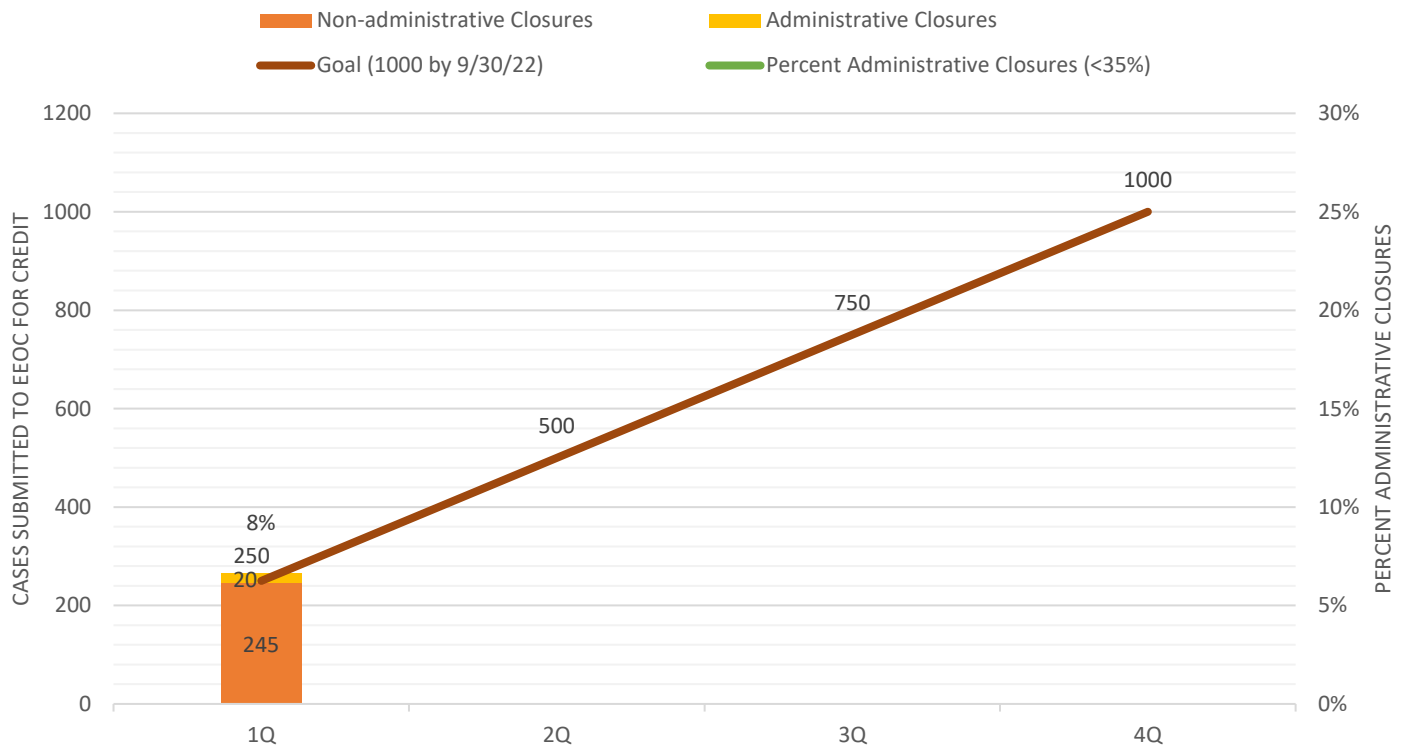


## Percent of Final Orders Issued Within 90 days FY 21-22



	1Q	2Q	3Q	4Q	Overall
<b>Final Orders issued ≤ 90 days</b>	21	21			42
<b>Final Orders issued &gt; 90 days</b>	8	11			19
<b>Percent of Final Orders issued ≤ 90 days</b>	72%	66%			69%

## EEOC CONTRACT PROGRESS FY 21-22 (Follows Federal FY October-September)

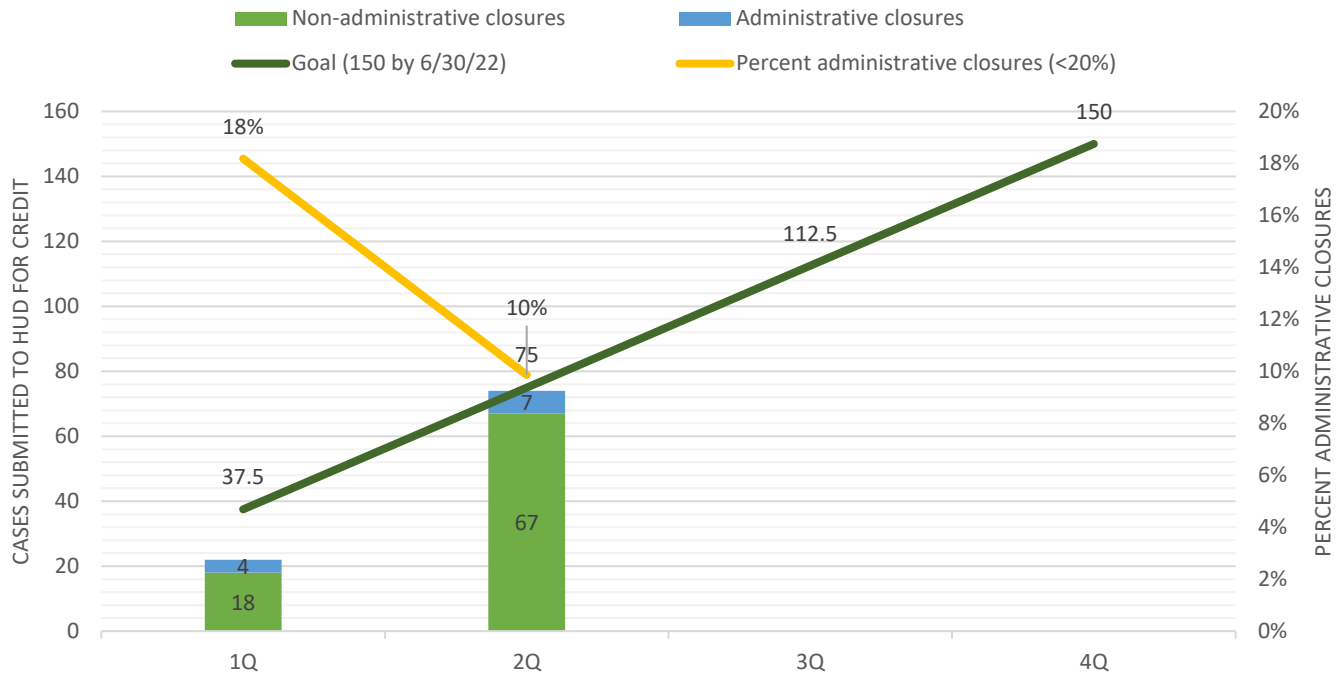


	1Q	2Q	3Q	4Q
Non-administrative Closures	245			
Administrative Closures	20			
Percent Administrative Closures (<35%)	8%			
Goal (1000 by 9/30/22)	250	500	750	1000

**Administrative Closures:** Withdrawal w/out Settlement, Unable to Locate, Failure to Cooperate, Lack of Jurisdiction, and Other.

**Non-Administrative Closures:** No Cause Determination, Successful Conciliation, Negotiated Settlement, Withdrawal w/Settlement, and Right to Sue

## HUD CONTRACT PROGRESS FY 21-22



	1Q	2Q	3Q	4Q
Non-administrative closures	18	67		
Administrative closures	4	7		
Percent administrative closures (<20%)	18%	10%		
Goal (150 by 6/30/22)	37.5	75	112.5	150

### Administrative Closures:

- Inability to locate
- Lack of jurisdiction
- Failure to cooperate
- Withdrawal without resolution
- Closed because trial commenced
- Reactivated complaints

**LEGAL REPORT FY 2021-22**

July 1, 2021 – December 31, 2021

	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22 (2Q)</b>
<b>Total Petitions for Relief Filed</b>	97	167	37
Employment/Public Accommodation	66	130	28
Housing	31	37	9
<b>Total Final Orders Issued</b>	30	38	21
Employment/Public Accommodation	27	21	19
Housing	3	17	2
<b>Mediation &amp; Conciliation Results</b>			
Cases assigned	281	235	47
Mediations/conciliations conducted	196	134	28
Number successful mediations/conciliations (% success rate)	112 (57%)	84 (63%)	17 (61%)
Total settlement amount	\$1,458,829.60	\$1,804,655.27	\$303,510.00
Average settlement amount	\$13,025	\$21,484	\$17,853.53

**Florida Commission on Human Relations  
FY 2021-22 Budget Ledger**

Category Category Title	ALLOTMENTS		TOTAL EXPENDITURES 12/31/2021	Allotment Balance	Encumbrances	Projections	BALANCE Surplus (Deficit)
	General Revenue	Federal Grants					
<b>010000</b>							
<b>Salary &amp; Benefits</b>							
General Revenue	\$3,693,422.00		\$1,436,384.94	\$2,257,037.06		\$1,788,177.01	\$468,860.05
Federal Grants Trust Fund		\$588,408.00	\$263,921.19	\$324,486.81		\$320,449.17	\$4,037.64
<b>030000</b>							
<b>OPS</b>							
General Revenue	\$62,628.00		\$24,003.97	\$38,624.03		\$38,502.58	\$121.45
Federal Grants Trust Fund		\$43,465.00	\$9,588.57	\$33,876.43		\$31,531.20	\$2,345.23
<b>040000</b>							
<b>Expense</b>							
General Revenue	\$131,248.00		\$55,708.50	\$75,539.50	\$33,230.34		\$42,309.16
Federal Grants Trust Fund		\$402,106.00	\$236,215.08	\$165,890.92	\$7,852.52		\$158,038.40
<b>060000</b>							
<b>OCO</b>							
General Revenue	\$11,736.00		\$2,949.53	\$8,786.47			\$8,786.47
Federal Grants Trust Fund		\$5,000.00	\$0.00	\$5,000.00			\$5,000.00
<b>100565</b>							
<b>Transfer to Division of Administrative Hearings*</b>							
General Revenue	\$530,129.00		\$530,129.00	\$0.00			\$0.00
<b>100777</b>							
<b>Contracted Services</b>							
General Revenue	\$53,506.00		\$7,177.09	\$46,328.91	\$10,005.15	\$20,500.00	\$15,823.76
Federal Grants Trust Fund		\$69,000.00	\$21,809.13	\$47,190.87	\$32,754.89	\$8,500.00	\$5,935.98
<b>103241</b>							
<b>Risk Mgmt Insurance*</b>							
General Revenue	\$33,185.00		\$33,185.00	\$0.00			\$0.00
Federal Grants Trust Fund		\$77,772.00	\$77,772.00	\$0.00			\$0.00
<b>105002</b>							
<b>Administrative Overhead*</b>							
Federal Grants Trust Fund		\$242,855.00	\$101,190.00	\$141,665.00			\$141,665.00
<b>105281</b>							
<b>Lease/Purchase Equipment</b>							
Federal Grants Trust Fund		\$23,753.00	\$3,576.98	\$20,176.02	\$16,295.21		\$3,880.81
<b>107040</b>							
<b>HR costs to DMS*</b>							
General Revenue	\$15,092.00		\$7,546.00	\$7,546.00			\$7,546.00
Federal Grants Trust Fund		\$8,372.00	\$4,186.00	\$4,186.00			\$4,186.00
<b>210004</b>							
<b>DMS - Data Processing Assessment**</b>							
Federal Grants Trust Fund			\$0.00	\$0.00			\$0.00
<b>210023</b>							
<b>Northwest Regional Data Center (NWRDC)***</b>							
Federal Grants Trust Fund		\$116,959.00	\$5,329.60	\$111,629.40	\$7,994.40		\$103,635.00
<b>TOTAL</b>	<b>\$4,530,946.00</b>	<b>\$1,577,690.00</b>	<b>\$2,820,672.58</b>	<b>\$3,287,963.42</b>	<b>\$108,132.51</b>	<b>\$2,207,659.96</b>	<b>\$972,170.95</b>
	<b>\$6,108,636.00</b>						

\*Funds are transferred by DMS. FCHR cannot spend.

\*\*Budget of \$50,141 was removed by Governor due to FCHR no longer utilizing IT services/space at Southwood Data Center.

\*\*\*Purchase Requisition is established and NWRDC invoices FCHR.

**PROJECTIONS:**

\$2,108,626.18 FTE Salary projections through June 30, 2022 (filled and vacant)  
 \$70,033.78 OPS Salary projections through June 30, 2022 (filled and vacant)  
 \$20,500.00 Skye PR being moved to General Revenue and will be part of the 20% HUD MOE  
 \$8,500.00 (\$20,500) Skye PR to GR; \$9,000 Remaining HUD AG cases; \$20,000 Skye Creative in April 2022  
**\$2,207,659.96 TOTAL**



# Information Technology Services

FY 2021-22

## ITS Effectiveness Measures

Month	Work Orders (WO) (Tickets) Opened	Work Orders (WO) (Tickets) Closed	% of Work Orders (Tickets) Closed	Carry-over Projects	Projects Started	Projects Completed / Cancel	% Projects Closed	Projects - Phase	Projects Not Phase	% Operational Uptime (Tier II)	Planned Outage (min)	Unplanned Outage - (Significant ) (min)	Security - Change Mgmt.	CSIRT (Event)
Value/min-->			75.00%				7%			99.74%				
7	74	63	85.1%	10	0	7	70.0%	2	1	100.00%	0	0	2	1
8	55	34	61.8%	7	1	3	37.5%	2	2	100.00%	0	0	1	0
9	55	30	54.5%	4	0	0	0.0%	2	2	99.82%	30	45	1	0
10	59	14	23.7%	4	0	1	25.0%	2	1	100.00%	0	0	0	0
11	40	26	65.0%	3	0	0	0.0%	2	1	99.89%	0	45	1	1
12	63	50	79.4%	3	1	0	0.0%	3	1	100.00%	0	0	6	1
1														
2														
3														
4														
5														
6														
*														
2021-22	346	217	61.6%	5	2	11	22.1%	2	1	99.95%	30	90	11	3
	Sum	Sum	Avg %	Avg	Sum	Sum	Avg %	Avg	Avg	Avg %	Sum	Sum	Sum	Sum

Notes:

1

Improvement on helpdesk ticket output.

## EXTERNAL AND LEGISLATIVE AFFAIRS REPORT

October – December 2021

### **COMMUNICATIONS/ OUTREACH**

#### **The Office of Communications (OC) Mission and Function**

The OC continues to serve as primary contact for journalists interested in the Florida Commission on Human Relations' activities and provides information to newspaper, magazine, broadcast, and wire service reporters on a broad range of initiatives.

#### **I. Summary of Activities**

- **OP-ED/Letters to the Editor:**
  - January – MLK
- **Website:**
  - Increased social media footprint through the FCHR Facebook page and FCHR Twitter
- **Media Requests:**
  - Responded to numerous routine media inquiries from news outlets around the state including: WFTV; South Florida Sun Sentinel; Tallahassee Democrat; et al.
- **Internal Communications:**
  - Extensive news clip service sent out to staff each day covering a variety of issues pertaining to FCHR from State, national and international media outlets; Share with Commissioners
  - Weekly Staff Newsletter
- **Training, Outreach and Educational Efforts:**
  - Internal
    - Conducted New Employee Orientation for two new employees (Employment, Housing)
    - Staff is working on a new onboarding process for new employees to provide thorough, efficient and subject specific training to better transition new staff and reduce assimilation time.
  - External
    - Conducted Fair Housing Training in December; Downing Frye Realty; Naples
- **Marketing Efforts:**
  - Fair Housing Public Relations Campaign

- Social Media Outreach (Facebook/Twitter) Completed; this campaign produced a combined platform impression total of almost 4.5 million impressions (4,438,059). This is close to the same impressions results as last year's total combined campaign that included both social media and a substantial radio ad buy. This means that the strategy and efficiency of this year's social media placement worked very well

## **II. Data Analyses/Quality Assurance, Policies, Procedures and Public Records**

- **Conduct Commission-wide Data/Report Analyses – Ensure Accuracy and Consistency in Reporting; Implement Quality Assurance Processes:**
  - Public Records/Media Requests
    - Completed records requests and/or responses are provided within timely (i.e., not case related)
  - Ad Hoc Reports to Executive/Legislative Personnel and the Public
    - Data/report analyses nearing completion and quality assurance recommendations/training/implementation ongoing
  - Provide Quantitative Focus in FCHR Public Meetings
    - Data/report analyses nearing completion and quality assurance recommendations/training/implementation ongoing
  - Long Range Program Planning (LRPP) Performance Measures
    - Data/report analyses nearing completion and quality assurance recommendations/training/implementation ongoing
  - Federal/Local/Other Partners – Synergize Best Practices/ Benchmarks; coordinate Economic Feasibility/Other Action Items
    - Use of partner data systems and leverage reporting and data quality assurance ongoing
- **Create/Update All Applicable Commission Policies**
  - Tailored for Applicability to All Commission Employees
    - Continuing to elicit feedback from Supervisors/Employees, as applicable
  - Approval of All Policies by Executive Director (ED)
    - Processing and approvals based on ED priorities – continuously creating/implementing; ongoing
- **Create/Update All Standard Operating Procedures (SOPs) for All Functional Areas**
  - Input from Key Personnel in Each Functional Area (specifically from Supervisors and front-line Employees)
    - Pending staff coordination once Commission-wide policies completed
    - Clearly Outlined and Flexible for Continuous Improvement



- Index and structure completed – Detailed SOPs once Commission-wide policies completed
- Approval of all SOPs by Executive Director
  - Detailed SOPs once Commission-wide policies completed

### **The Office of Legislative Affairs (OLA)**

The OLA continues to serve as primary contact for both the Executive and Legislative branches of the State of Florida and the Florida Commission on Human Relations

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## **Legislative Report**

### **I. 2022 Legislative Session: LEGISLATION: (*Bills of Note*)**

- **HB 0057 Racial and Sexual Discrimination (Fine); Identical SB 0242 (Gruters)**  
Prohibits state agencies, counties, municipalities, & public K-20 educational institutions from providing mandatory training for employees or students which espouses certain concepts; requires certain diversity & inclusion efforts; requires DMS, in consultation with Florida Commission on Human Relations, to review agency diversity & inclusion training; requires contracts with agency to include option to terminate if contractor provides workforce training that espouses certain concepts; requires contractor to submit certification; requires each agency to report violations; authorizes contractor's placement on discriminatory vendor list. Effective Date: July 1, 2022
- **HB 75 Limiting COVID-19 Restrictions (Sabatini)**  
Prohibits state or any political subdivision from enacting mask mandate; provides any such mandate is void; prohibits state & local governments from requiring COVID-19 vaccinations, issuing vaccine passports or other standardized documentation to third parties, or otherwise publishing or sharing COVID-19 vaccination records; prohibits businesses from requiring customers to provide documentation certifying COVID-19 vaccination or COVID-19 post-transmission recovery or discriminating against customers on basis of their COVID-19 vaccination status or COVID-19 post-transmission recovery status; declares certain actions based on vaccination status or having immunity passport are unlawful discriminatory practices. Effective Date: upon becoming a law
  - **SB 594 Discrimination on the Basis of COVID-19 Vaccination or Postinfection Recovery Status (Perry)**  
Prohibiting governmental entities from requiring proof of COVID-19 vaccination or post infection recovery status as a condition of licensure or certification in this state; prohibiting employers from requiring COVID-19 vaccination or proof of COVID-19 vaccination or post infection recovery as a condition of employment, promotion, or continued employment or from discriminating against employees on the basis of such status unless certain conditions are met; providing a right of action for aggrieved persons, etc. Effective Date: Upon becoming a law

- **HB 293 Discrimination in Labor and Employment (Thompson); Identical SB 0322 (Stewart)**  
Prohibits employer from providing less favorable employment opportunities to employees based on their sex; provides civil penalties; prohibits employer from taking employment actions against employees; prohibits employer from engaging in certain activities relating to wages & benefits; prohibits employer from requiring employees to sign certain waivers & documents; authorizes employer to confirm wage or salary history under certain conditions. Effective Date: July 1, 2022
- **HB 291 Employee Leave and Wage and Salary History (Woodson)**  
Authorizes parental leave for state employees in Career Service System who have stillborn child; prohibits public employer, employment agency, or private employer from engaging in certain activities relating to wages & salary; authorizes public employer, employment agency, or private employer to confirm prospective employee's wage or salary history under certain conditions. Effective Date: July 1, 2022
  - **SB 0376 Employment Protections (Book)**  
Authorizing parental leave for state employees in the Career Service System who have a stillborn child; prohibiting a public employer or an employment agency from engaging in certain activities relating to wages and salary; prohibiting an employer from engaging in certain activities relating to wages and salary; authorizing an employer to confirm a prospective employee's wage or salary history under certain conditions, etc. Effective Date: July 1, 2022
- **SB 550 Unlawful Employment Practices (Cruz)**  
Revising the unlawful employment practices in the Florida Civil Rights Act of 1992 to include discriminatory practices relating to military status, etc. Effective Date: July 1, 2022
  - **HB 853 Unlawful Employment Practices (Daley)**  
Unlawful Employment Practices: Revises unlawful employment practices in Florida Civil Rights Act of 1992 to include discriminatory practices relating to military status. Effective Date: July 1, 2022
- **SB 688 Employment Practices for Family and Medical Leave (Cruz); Identical HB 627 (Nixon)**  
Creating the "Florida Family and Medical Leave Act"; requiring an employer to allow certain employees to take family and medical leave to bond with a minor child upon the child's birth, adoption, or foster care placement; prohibiting an employer from taking adverse action against an employee who requests or obtains family and medical leave; requiring that family and medical leave be taken concurrently with any leave taken under federal family and medical leave law; requiring the Department of Economic Opportunity to create a model notice that specifies an employee's rights related to family and medical leave and family and medical leave insurance benefits, etc. Effective Date: July 1, 2022
- **HB 799 Sovereign Immunity (Beltran)**  
Revises statutory limits on liability for tort claims against state & its agencies & subdivisions; specifies that limitations in effect on date final judgment is entered apply to that claim; requires DFS to adjust limitations on tort liability every year after specified date. Effective Date: July 1, 2022
  - **SB 974 Sovereign Immunity (Gruters)**

Revising the statutory limits on liability for tort claims against the state and its agencies and subdivisions; revising requirements for the state or an agency or a subdivision of the state to agree to settle a claim or judgment; prohibiting an insurance policy from conditioning the payment of benefits on the enactment of a claim bill; requiring the Department of Financial Services to adjust the limitations on tort liability every year after a specified date, etc.

Effective Date: July 1, 2022

- **HB 985 Sovereign Immunity (Beltran)**  
Revises statutory limits on liability for tort claims against state & its agencies & subdivisions; revises requirements for state or agency or subdivision of state to agree to settle claim or judgment; prohibits insurance policy from conditioning payment of benefits on enactment of claim bill; specifies that limitations in effect on date final judgment is entered apply to that claim; requires DFS to adjust limitations on tort liability every year after specified date; revises exceptions relating to instituting actions on claims against state or one of its agencies & to statute of limitations for such claims. Effective Date: July 1, 2022
- **HB 829 Civil Actions for Deprivation of Rights, Privileges, or Immunities (Byrd); Identical SB 1342 (Diaz)**  
Provides cause of action for deprivation of certain rights, privileges, or immunities under State Constitution; prohibits injunctive relief; provides for damages & reasonable attorney fees & costs, including expert witness fees & contingency fees; provides interest accrues on judgement beginning on certain date; provides waiver of sovereign immunity. Effective Date: July 1, 2022
- **HB 1253 Prohibited Discrimination Based on Hairstyle (Brown); Identical SB 1608 (Bracy)**  
Prohibits discrimination based on protected hairstyle in Florida K-20 public education system. Effective Date: July 1, 2022
- **HB 9013 Florida Civil Rights Museum (Alexander)**  
Provides an appropriation for the Florida Civil Rights Museum. Effective Date: July 1, 2022

## **2022 Legislative Session Dates:**

- Important Legislative Dates
  - January 11, 2022-Regular Session convened; 12:00 noon, deadline for filing bills for introduction
  - February 26, 2022-All bills are immediately certified; Motion to reconsider made and considered the same day
  - March 1, 2022-50th day rule (Senate) - last day for regularly scheduled committee meetings
  - March 11, 2022-60th day - last day of Regular Session

## HR REPORT FY 2021-22

### Turnover Rate

October 1, 2021 – 55 FTEs employed; December 31, 2021 – 55 FTEs employed; 1 involuntary separation

Turnover rate excluding involuntary separations, retirement, and relocation = **0%**

$$\text{Annual Turnover Rate \%} = \frac{\text{Number of employees who left}}{(\text{Beginning} + \text{ending number of employees}) / 2} \times 100$$

1

### Vacancy Report

POS NUM	POSITION TITLE	CLASS CODE	SUPERVISOR	DAYS VACANT	VACANT DATE	COMMENTS
004053	REGULATORY SPECIALIST I	0440	DONATE	150	08/14/2021	Applicant selected start date 01/28
004057	INVESTIGATION SPECIALIST I	8315	OWENS	151	08/13/2021	Applicant selected start date 01/28
901340	OPS STAFF ASSISTANT		OWENS	179	07/16/2021	Applicant selected state date TBD waiting on background screening
002738	STAFF ASSISTANT	0120	DONATE	102	10/01/2021	interviews conducted work samples/reference unsatisfactory will be readvertised
003187	STAFF ASSISTANT	0120	DONATE	238	05/18/2021	position readvertised; advertisement closed 01/15
003190	REGULATORY SPECIALIST I	0440	DONATE	25	12/17/2021	Applicant selected start date 01/28
003699	ATTORNEY SUPERVISOR	7743	GORSICA	256	04/30/2021	position filled 01/07

### Overtime Report

		Sum of Cash Gross	Sum of OT Hours Worked
HUD	\$	16,807.06	555.7514909
HUD2	\$	17,698.86	625.0007004
<b>Grand Total</b>	<b>\$</b>	<b>34,505.92</b>	<b>1180.752191</b>

<sup>1</sup> Turnover report formula obtained from Department of Management Services, State Human Resource Management [Instructional Guide - Turnover Report updated 08-06-20 \(TO\).pdf \(myflorida.com\)](#).