



Civil Rights Department

Civil Rights Council

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
www.calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

Attachment A

CIVIL RIGHTS COUNCIL

Minutes from Council Meeting on March 21, 2024, 10:00 a.m.

Civil Rights Department – Oakland Office
555 12th Street, Suite 2050
Oakland, California
20th Floor Lake Merritt Conference Room

Members of the public joined remotely using the following information:

<https://us02web.zoom.us/j/86149958875>

and/or

1-669-900-6833 and Webinar ID: 861 499 58875

Councilmembers Present

David Garcia, Chairperson
Denny Chan, Councilmember
Jonathan Glater, Councilmember
Hellen Hong, Councilmember
Adetunji Olude, Councilmember
Julie Wilensky, Councilmember
Kevin Kish, Ex Officio Councilmember and CRD Director

Civil Rights Department Staff Present

Adam Romero, Deputy Director of Executive Programs
Lily Harvey, Assistant Deputy Director of Outreach and Education
Rachael Langston, Assistant Chief Counsel, Legislative & Regulatory Unit
Mariel Block, Senior Counsel, Legislative & Regulatory Unit
Alexandria Sadler, Senior Counsel, Legislative & Regulatory Unit

Others Present

An estimated 25 members of the public participated virtually.

I. Call to Order and Roll Call

Chair David Garcia

Chair Garcia called the meeting to order. CRD Senior Counsel Mariel Block conducted roll call.

II. **Welcome; Recognition of Outgoing Council Chair Gabriel Sandoval; and Introduction of New Councilmembers Denny Chan and David Garcia**

Chair David Garcia and Director Kevin Kish

Director Kish announced David Garcia as the newly appointed Chair of the Council and Denny Chan as a new councilmember. Director Kish recognized outgoing Chair Gabriel Sandoval.

Chair Garcia welcomed members of the public and informed members of the public how to submit public comment.

III. **Review of the Agenda**

Chair David Garcia

Chair Garcia reviewed the agenda for the meeting.

IV. **Approval of Minutes**

Chair David Garcia

Chair Garcia reviewed the minutes from the November 13, 2023, meeting and asked for edits, amendments and public comments on the minutes and received none. The Council unanimously voted to approve the minutes.

V. **Councilmembers' Reports**

Director Kevin Kish and Councilmembers

Director Kish announced that the Office of Administrative Law approved the Council's regulations on Government Code 11135, which will go into effect July 1, 2024.

Councilmember Wilensky thanked CRD staff, stakeholders, and members of the public for their contributions.

VI. **Civil Rights Department Report**

Director Kevin Kish

Lily Harvey, Assistant Deputy Director of Outreach and Education

Director Kish announced that the new findings from the department's pay data collection are available to view on the CRD website and that the deadline for pay data collection submissions is on May 8, 2024.

Director Kish gave CRD case updates:

- Settled age discrimination case against San Diego Natural Gas Supply Company
- Filed a Fair Chance Act lawsuit against a grocery store chain in Southern California

Deputy Director Harvey gave an update on the activities of the Outreach and Education team:

- Launched standing monthly webinar series on Housing and Employment 101 topics
- Added a new “Resources for Immigrants” page on the CRD website
- Released new human trafficking FAQ, cannabis FAQ, and reproductive loss leave fact sheet
- Updated source of income fact sheet
- Expanding discriminatory notice work and fair housing testing program
- Launching statewide business recognition pilot program through AB 2448, the “Welcome In Program”

Councilmember Discussion

Councilmember Hong asked for information regarding registering for the monthly webinar series and for information on the Welcome In Program.

Councilmember Chan asked for information regarding the monthly webinar series and asked in which languages the immigrants’ resources are available in. He also asked about efforts to obtain additional pay data information.

VII. Updates and Revisions to Council Handbook

Director Kevin Kish, Civil Rights Department Executives, and Councilmembers

A. Discussion by the Council

Deputy Director Romero presented the proposed updates to the Civil Rights Council handbook, which included further information on the orientation process for new councilmembers as well as guidelines for councilmember communications with the public (including inquiries related to other functions of the department, general matters, and discriminatory or threatening communications).

Chairperson Olude thanked those involved with the creation of the handbook and noted that she found it helpful.

Chair Garcia proposed a change in the wording of the following sentence in the third paragraph of page 3: “If any communication to a Councilmember is discriminatory, threatening, or violent, Councilmembers should immediately notify CRD staff for handling.” Chair Garcia proposed to change “is discriminatory” to “appears to be discriminatory.”

B. Public Comment

No public comment.

C. Action by Council

Councilmember Hong moved to approve the revision to the Civil Rights Council handbook. Councilmember Chan seconded. The Council unanimously approved the motion.

VIII. **Subcommittee Updates and Discussion of Additional Subcommittee Assignments**

Director Kevin Kish, Civil Rights Department Executives, and Councilmembers

a. Discussion by the Council

Assistant Chief Counsel Langston gave a brief presentation on the status of the subcommittees.

Councilmember Hong provided context for the subcommittees and emphasized Councilmember and CRD staff bandwidth.

Councilmember Olude expressed interest in restarting the Associational Disability Subcommittee and combining it with employment leave regulations.

Councilmember Glater shared ideas for the Community Outreach and Education subcommittee regarding potential meeting locations and staff assistance.

Director Kish provided perspective on subcommittees and subcommittee assignments, including suggesting that each member serve on no more than two subcommittees, one regulatory and one non-regulatory. Director Kish also offered recommendations regarding creating, maintaining, changing, and/or disbanding particular subcommittees. The Council was in agreement with these suggestions, as set forth below (see “New Subcommittee Assignments”).

Councilmember Hong agreed with Director Kish’s perspective on the subcommittees.

Councilmember Olude agreed that the Council should publicize what they have done with the Government Code section 11135 regulations and help circulate the information by changing the current subcommittee to one that is focused on outreach and education.

Councilmember Chan expressed interest in joining the Subcommittee on Reasonable Accommodations for Associational Disabilities and expressed interest in working on something regarding intersectional discrimination for older Californians in the future.

Councilmembers and Director Kish further discussed the statuses of subcommittees and subcommittee assignments.

New Subcommittee Assignments:

- 1) Government Code section 11135: Councilmembers Glater and Wilensky

- The original Government Code section 11135 subcommittee is being disbanded (original members of this subcommittee were Councilmembers Wilensky and Olude).
 - This is a new, follow-up subcommittee formed to primarily focus on creating plain language technical assistance regarding the regulations that will become effective on July 1, 2024. The subcommittee may also address potential additions or clarifications to the original Government Code section 11135 regulations.
- 2) Reasonable Accommodations for Associational Disabilities and Employment Leaves: Councilmembers Olude and Chan
 - The existing subcommittee on Reasonable Accommodations for Associational Disabilities is being combined with new regulatory work on other protected employment leaves, including reproductive loss leave, CFRA, and bereavement leave.
 - This is a new, combined subcommittee focusing on regulations for both reasonable accommodations for associational disabilities and the above-mentioned employment leaves.
 - 3) Algorithms and Bias Subcommittee: Councilmembers Hong and Glater
 - This subcommittee remains active.
 - 4) Unruh Act: Chair Garcia
 - This subcommittee has not been disbanded, but it is remaining inactive.
 - 5) Joint Public Hearing with Commission on the State of Hate: Councilmembers Hong and Chan.
 - This is a new subcommittee formed to work on a joint public forum with the California Commission on the State of Hate, to be held later in the year.
 - 6) Religious Creed Discrimination and Accommodations Subcommittee: N/A
 - This subcommittee was disbanded.
 - 7) Community Education and Outreach Subcommittee: N/A
 - This subcommittee was disbanded.
 - New subcommittees surrounding task-specific outreach and education activities may be formed in the future.

b. Public Comment

No public comment.

c. Action by Council

Councilmember Wilensky moved to approve the new subcommittee assignments. Councilmember Glater seconded. The Council unanimously approved the motion.

IX. Further Public Comment

No further public comment.

X. **Adjournment**

Chair Garcia adjourned the meeting at approximately 11:37 am.

DATE: 6/5/2024

DAVID GARCIA
Chair

TAYLOR WHITNEY
CRD Outreach and Education Office Technician