

RULES OF OPERATION & PROCEDURE

HUMAN RIGHTS COMMISSION

Traverse City, Michigan

Adopted by the Human Rights Commission on July 11, 2005

Approved by the City Commission on July 18, 2005

Amended April 4, 2011

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II. MISSION

The Traverse City Human Rights Commission strives to ensure human dignity through advocacy, education, negotiation and information ensuring understanding and respect among all.

III. DEFINITIONS

"AD HOC COMMITTEE" means a subcommittee of the Commission designated to work on a particular project or issue that will automatically dissolve once its purpose has been achieved.

"CHAIRPERSON" or "CO-CHAIRPERSONS" means the duly elected or appointed commissioner(s) designated to preside over the Traverse City Human Rights Commission.

"VICE-CHAIRPERSON" means the duly elected or appointed commissioner designated to act as chairperson in the event of the chairperson's absence or disability.

"COMMISSION" means the Traverse City Human Rights Commission.

"COMMISSIONER" means a member of the commission.

"COMPLAINT" means a formal written request to review an alleged violation of human rights.

"COMPLAINANT" means the person requesting a review of an alleged violation of human rights.

"CONCILIATE" means to bring together; win over; to soothe the anger of; make friendly; placate; to gain good will by friendly acts.

"HUMAN RIGHTS" means those basic rights to which all persons have an inalienable entitlement irrespective of religion, race, color, national origin, age, sex, height, weight, marital status, familial status, disability or sexual orientation.

"PARTY" or "PARTIES" means the claimant or the respondent or both.

"RESPONDENT" means the person or persons against whom a complaint has been filed.

"STANDING COMMITTEE" means a subcommittee of the Commission designated to work with on-going projects and annual programs on a continuous basis.

IV. ATTENDANCE

It is recognized by the Commission that only if all Commissioners are participating on a regular basis can the work of the Commission proceed in an orderly and effective fashion.

Therefore, the following attendance policy shall be in effect:

- A. Any Commissioner anticipating missing a meeting or being late shall contact the Human Rights Commission Chairperson at least 24 hours before the scheduled meeting and give their reasons for missing the meeting.
- B. In the event that a Commissioner has missed two consecutive meetings, the Chairperson shall contact that Commissioner to determine whether or not the absent Commissioner wishes to continue his or her work with the Commission.
- C. The City Commission Policy on Appointments and Committees addresses members who do not attend a minimum of 75% of scheduled meetings in any calendar year. (Attachment A)

V. COMPLAINT PROCEDURES

- A. The Commission shall design and have printed a complaint form which shall be available at the City Manager's office and at appropriate local agencies. In addition, each Commissioner shall have a supply of these forms available for use by complainants and members of the public.
- B. Procedures regarding confidentiality shall be developed by the Human Rights Commission and approved by the City Manager.
- C. A citizen alleging a possible occurrence or act of prejudice or discrimination may submit their complaint on the appropriate form to the Chairperson of the Human Rights Commission or its designee (Complaint Chair). Written complaints shall be submitted to the Human Rights Commission via the City Manager's office at 400 Boardman Avenue, Traverse City, Michigan 49684. Within 36 hours of receiving an oral or written complaint, complainants will receive acknowledgment of their complaint from the Chairperson or its designee (Complaint Chair). The City Manager's office shall also be notified of any oral complaints that go beyond an initial conversation.
- D. Third party complaints will not be considered beyond the initial contact without consent from the aggrieved party.
- E. In addition to the disclosure language contained on the complaint form, the Complaint Chair accepting a written complaint shall fully explain to the complainant the mandate, purpose and limited powers of the Human Rights Commission.
- F. When a formal complaint is received, there shall be an initial screening by the Complaint Chair to determine whether the complaint is within the jurisdictional guidelines. The Human Rights Commission may receive complaints regarding possible occurrences or act of prejudice or discrimination within Traverse City.
- G. If in the Complaint Chair's opinion the alleged complaint may be a violation of the individual's Civil Rights, the Complaint Chair will immediately refer the complainant to the Michigan Department of Civil Rights.
- H. If in the Complaint Chair's opinion the alleged complaint is not a possible violation of the Civil Rights Act, the Complaint Chair will assist the individual in identifying another agency or source to which the complaint may be more appropriately directed.
- I. The City Manager's office shall be responsible for maintaining a complete updated file of all current active and open complaints in the Human Rights office. Upon closure of any complaint, the terms and conditions of that action shall be reflected on the filed complaint form.

VI. ACKNOWLEDGEMENT OF OPEN MEETINGS ACT AND FREEDOM OF INFORMATION ACT

The Commission hereby acknowledges the existence, substance and spirit of the Open Meetings Act and Freedom of Information Act applicable to its operation. It further hereby acknowledges its commitment to protect in its operations and procedures, those basic human rights sought to be protected by the above legislation; more specifically, the Commission shall honor and comply with all provisions of the Open Meetings Act and Freedom of Information Act.

VII. HUMAN RIGHTS COMMISSION COMMUNICATIONS WITH THE CITY COMMISSION

The Secretary shall ensure that the City Commission receives a copy of all minutes of all meetings of the Human Rights Commission following the Human Rights Commission's approval of the minutes. Additionally, the Human Rights Commission shall communicate with the City Commission on whatever subjects it deems appropriate or requested, annually in January with its annual report (including goals) to the City Commission, and as either body thinks appropriate thereafter. More specifically, the Human Rights Commission shall communicate to the City Commission both the existence of a vacancy on the Human Rights Commission pursuant to the resignation and the body of any Resolution adopted by the Human Rights Commission. No communication from the Human Rights Commission to the City Commission shall be deemed official unless it is approved by the Human Rights Commission.

VIII. COMMUNICATION WITH THE MEDIA

In all matters coming before the Human Rights Commission, the Chairperson or Ad Hoc Committee Chair will be responsible for media liaison. If the Chairperson is not available to respond, the Vice-Chairperson will respond to the media inquiry. In all such responses, the spokesperson is responsible to reflect the opinion or position of the Human Rights Commission.

In making such responses, the Chairperson and/or the Vice Chairperson will maintain the highest regard for the integrity and reputation of the Commission and the dignity and personal rights of all individuals and parties involved in the complaint process. Any Commissioner who is determined to have used the Human Rights Commission for purposes of personal publicity shall be deemed to have engaged in inappropriate behavior. The Chair and the Vice-Chair shall be the only representatives to offer information and address referrals on active complaints. The purpose of this policy is to ensure that only accurate information is provided.

IX. RESOLUTIONS BY THE COMMISSION

All Commissioners are encouraged to offer resolutions dealing with human rights issues that will have a local impact. Upon passage of any such resolution by the Human Rights Commission, such resolution shall be provided to the City Commission for its information. It shall be clearly indicated on the Resolution that it reflects only the opinion of the Human Rights Commission and no other body of the City of Traverse City.

X. ORIENTATION AND DOCUMENTATION PROCEDURES

- A. Orientation. It shall be the responsibility of the Chairperson, Vice-Chairperson and staff to establish an orientation procedure for all newly appointed Human Rights Commissioners. A minimum requirement for this orientation procedure shall be a full explanation of the various operating procedures of the Commission, as well as providing each newly appointed Commissioner with a copy of the Rules of Order and the Rules of Operation and Procedure (which includes the Resolution Reestablishing the Human Rights Commission and Purchasing and Contracting Policies).

- B. Documentation. A Commissioner who has completed his or her term or terms of office will submit to the City Manager's office originals or copies of all records and papers in their possession relating to their work on the Commission.

XI. COMMITTEES

The Human Rights Commission may create or dissolve ad hoc and/or standing committees.

The purpose of the Ad Hoc committee is to work on a particular project or issue that will automatically dissolve once its purpose has been achieved.

The purpose of the Standing Committee is to work with on-going projects and annual programs on a continuous basis.

Ad Hoc and Standing committees may include volunteers from the community who are not Commission members.

Ad Hoc and Standing committee chairpersons shall make a monthly report to the full Commission on progress, if any, including whether or not the committee met during the previous month.

Both Ad Hoc and Standing Committees are subject to the Open Meetings Act.

XII. CODE OF ETHICS

An independent and fair system of resolving disputes is indispensable to justice in any civilized society. Any Human Rights Commission must have the highest standards of ethics and conduct so that the integrity of the Commission may be preserved. The standards adopted in this code are designed to uphold those high standards and should be construed to further those objectives. A Commissioner should:

- A. Be faithful to the spirit, intent and purposes of the Human Rights Commission and at all times act in furtherance of that spirit, intent and purpose;
- B. Conduct herself/himself in a manner that promotes integrity, impartiality and fairness;
- C. Diligently discharge the administration of his/her duties and responsibilities and maintain professional competence;
- D. Avoid any impropriety or even the appearance of impropriety;
- E. Avoid any conflict of interest or even the appearance of conflict of interest. A Commissioner who has a relationship with an interested party of a personal, familiar, social or business nature should fully disclose to the Commission the nature and extent of that relationship and refrain from participation in any action which involves such interested party where there is a conflict of interest or potential conflict of interest. A Commissioner may participate in an action if all interested parties are fully and completely advised of the nature and extent of the conflict of interest or potential conflict and all parties agree that participation is appropriate and the Commission gives its consent;
- F. Be patient, dignified and courteous with all persons, parties and the public in his/her capacity as a Commissioner;
- G. Accord every interested person or party a full, complete and fair right to be heard and to present to the Commission any and all relevant information or documentation that may be desired;
- H. Remain competent, neutral, unbiased, and unswayed by partisan interests, public sentiment, fear of criticism or to allow family, social, business, civic or other relationships or feelings to influence judgment or influence fair and equal treatment of all interested parties;
- I. Promote prompt and fair resolution of all matters without unnecessary delay or expense;
- J. Abstain from drawing attention to oneself or in any manner or form take action intended to personally profit or benefit from the position of Commissioner or as the results of association with the Human Rights Commission;
- K. Act in a respectful and courteous manner in all relations and dealings with fellow Commissioners.

XIII. BUDGET EXPENDITURES

Decisions concerning the expenditure of allocated funds shall be made by the Human Rights Commission consistent with these Rules and the Purchasing and Contracting Policies of the City. (Attachment B)

Attachment A

7. Attendance. Records of attendance at committee meetings shall be forwarded to the City Clerk's office by the Staff for the Committee. Absences excused by the Chair shall be noted. Attendance is one of several factors considered for additional appointments. Any appointee who does not attend a minimum of 75% of scheduled meetings in any calendar year shall be requested to meet with a committee of the City Commission to determine if extenuating circumstances exist or if the appointee should be considered for removal.

City Commission
Policy on Appointments and Committees 3-1-04

Attachment B

PURCHASING AND CONTRACTING POLICIES CITY OF TRAVERSE CITY APPLICABLE SECTIONS TAKEN IN PART FOR THE HUMAN RIGHTS COMMISSION

PURCHASING:

1. Purchasing for the City shall be handled in a manner which promotes the best interests of the City while providing a fair opportunity for businesses to participate in the purchasing process.
2. It is the policy of the City of Traverse City to purchase from responsible Traverse City vendors whenever feasible. To ensure “best price” it is encourage to get a minimum of three (3) quotes from vendors. Please check with staff to determine whether or not there may be a discounted charge for quantity purchases with certain vendors.
3. All specifications, best price comparisons, purchase orders and supporting documents are public records which shall be made available to the public upon request.
4. No employee or agent of the City of Traverse City shall make a personal purchase under a City account, nor shall they use the City’s name or his or her position to obtain special consideration in a personal purchase.
5. All expenditures (for less than \$1000) must be approved by the Human Rights Commission prior to obtaining a Local Purchase Order form.
6. All transactions shall be evidenced by completion of a Local Purchase Order form prior to purchase. Forms are available through the City Manager’s staff.
7. There shall be no reimbursements made to Human Rights Commissioners for failure to follow the purchasing policies.
8. For anticipated purchases for \$1000 or more, please confer with the Purchasing Agent for procedures to be followed.

CONTRACTING:

1. All contracts with the City of Traverse City must be authorized by the City Commission and signed by the Mayor and City Clerk.
2. Agents of the City cannot enter into any contractual agreement. If the Human Rights Commission encounters a situation or an event in which a contract is required, the HRC must seek City Commission approval.

COLLABORATIVE SERVICES:

The Human Rights Commission has been encouraged to collaborate with other area agencies (the school system, County, College, etc) to provide education programs and events for the community. The Human Rights Commission may expend budgeted money to defray the costs associated with postage and mailing of invitations to such events and travel expenses for speakers. Pre-approved expenditures to support collaborative efforts will not be made until services are rendered.

Bills are required in order to reimburse/pay for travel expenses associated with a speaker. The City cannot make donations.