

By-Laws

of the

Erie County Human Relations Commission

and

Advisory Board

Revised as of 2/21/23-Resolution 13 of 2023

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BY-LAWS  
OF  
ERIE COUNTY HUMAN RELATIONS COMMISSION

Article I

Purpose

To the end of reducing or eliminating unlawful discrimination in Erie County, the Erie County Human Relations Commission (ECHRC) shall consist of two volunteer bodies; a Commission and an Advisory Board. It shall have a Director and staff.

The ECHRC, through its staff shall receive, investigate and finally determine the merits of complaints alleging unlawful discriminatory practices based on an individual's protected class. The Enforcement Commission shall determine the merits of discrimination claims and seek to correct or remedy violation through conciliation and/or consent orders.

The eleven member non-voting Advisory Board shall perform as the research, education and public relations duties under the direction of the ECHRC Director, ECHRC Advisory Board Chair.

Article II

Membership

Section 1. Appointment of Members:

The membership of the Erie County Human Relations Commission and its Advisory Board shall conform to Erie County Ordinance Number 97, 2016, as Amended by Ordinance 45, 2018 and Ordinance 105, 2018. Members shall be appointed for terms of four years and they may be reappointed. Their term anniversary shall be according to their appointing County Council district, City Council person, or County Executive. Appointments shall be in accordance with the prescribed procedures of the County Council, City Council or County Executive.

Section 2. Compensation:

The members of the Human Relations Enforcement Commission and Advisory Board shall serve without compensation in that they serve as volunteers.

Section 3. Vacancies:

The seat of an Enforcement Commissioner or Advisory Board member may be deemed “vacant” by the respective body after three absences from regular meetings, without good cause, within a year. The Enforcement Commission or Advisory Board Chairperson shall notify the appointing City or County Councilperson or County Executive of such vacancy and may recommend a replacement. Appointees shall be residents of Erie County and reflect the diversity of our community.

An appointment to fill a casual vacancy shall be only for the unexpired term of the vacating member, and such vacancy shall be filled in the same manner as the original appointment.

Article III

Meetings and Operations

Section 1. Fiscal Year:

The Erie County Human Relations Commission shall have as its fiscal year the fiscal year adopted by the County of Erie.

Section 2. Open Meetings:

All meetings of the Erie County Human Relations Commission and the Board of Advisors will be held in accordance with the Pennsylvania Sunshine Act.

Section 3. Regular Meetings:

Regular meetings of the Erie County Human Relations Enforcement Commission (ECHRC) shall be held in accordance with a schedule determined by the majority of Enforcement Commissioners. However, regular meetings shall be held at least ten (10) times a calendar year or as organizational needs require.

The regular meetings of the ECHRC Advisory Board shall be held in accordance with a schedule determined by the chairperson of the Advisory Board with consent of a majority of the Board. However, regular meetings shall be held at least six (6) times a calendar year or as organizational needs require.

#### Section 4. Special Meetings:

Special meetings of the Enforcement Commission or the Advisory Board may be called at any time by the respective Chairperson or a majority of the members of the respective Commission or Board. Such meetings shall be called by written notification of the Chairperson or by a majority of the members of the respective Commission or Board, setting forth the date, time and objectives of such proposed meeting. Written notice of the time, place, and purpose of such meetings shall be mailed, or communicated at least seven (7) days prior to the date fixed for holding of special meetings to each member entitled to vote. The purpose of the special meeting shall be limited in nature and as such, Enforcement the Commission's authority is limited to the carrying out of the objective stated in the notification prescribed by this section. Any such action taken by the Commission Enforcement Commission and Advisory Board beyond the scope of the objectives stated for the special meetings are beyond the legal power or authority of the body.

#### Section 5. Quorum:

Any five (5) of the nine (9) Enforcement Commissioners and any six (6) of the eleven (11) Advisors shall constitute a quorum. If there are vacancies, then quorum shall be one more than half of the duly seated members of the Commission or Advisory Board. Neither the Enforcement Commission nor the Advisory Board shall take official action or conduct any official business at any meeting unless a quorum is present, except that any unofficial action taken by the Enforcement Commission and Board of Advisors may subsequently be ratified by the unanimous vote of its respective members. The members shall be deemed as present at such meeting if a telephone or similar communications device by means of which all persons participating in the meeting can hear each other at the same time is used. The act of a majority of the members present and voting at a meeting at which a quorum is present shall be the act of the Board.

After a quorum has been established at a meeting of the Commission or Advisory Board, the subsequent withdrawal of Commissioners or Advisors from the meeting so as to reduce the number of members present to fewer than the number required for a quorum shall not affect the validity of any action taken by the Commission or Board at the meeting up to that point or any adjournment thereof.

A majority of the members present, whether or not a quorum exists, may adjourn any meeting of the Commission or Board to another time and place.

#### Section 6. Voting:

Each Enforcement Commission or Advisory Board member shall be entitled to one (1) vote in their respective bodies, specific to each subject properly submitted to vote, at each meeting of the members present in person. No proxy voting shall be permitted.

Section 7. Robert's Rule of Order:

Robert's Rules of Order shall govern the deliberations of both the Enforcement Commission and the Advisory Board where not otherwise governed by these bylaws.

Section 8. Conflicts of Interest:

To insure the integrity of the Enforcement Commission proceedings, Enforcement Commissioners shall announce any relationship with claimants or defendants and recuse themselves from any decision if that relationship is material and more than de minimis, or if one of the parties to the process objects.

Article IV

Election of Officers

Section 1. Elected Officers:

The officers of the Erie County Human Relations Commission, Enforcement Commissioners (ECHRC) shall be a chairperson, vice-chairperson, and secretary.

The officers of the ECHRC Advisory Board shall be a chairperson, vice-chairperson, and secretary.

Section 2. Election and Term of Officers:

At their regular December meeting, the Enforcement Commission and the Advisory Board shall elect from their own number, officers who shall serve only one term (one year) and may succeed themselves once.

A vacancy in any elective office may be filled for the balance of the term thereof by appointment of the Commission and Board Chairperson, or in the case of a vacancy in the office of the Chairperson, by election by the members of the respective bodies.

Article V

Duties of Commission Officers

Section 1. Duties of the Chairperson:

The chairperson shall preside at all meetings of the Enforcement Commission, serve as presiding officer at special meetings, serve as a link between the commissioners, Advisory Board and the Executive Director on matters of policy. The Chairperson can also serve as public spokesperson under the direction of the Executive Director.

The chairperson shall appoint a chairperson for standing, rotating or ad hoc committees, and in the absence of its Chairperson (except for the Hearing Board), shall preside over any such committees. Except as may be otherwise provided in these bylaws, the chairperson shall be a member of all committees. The chairperson shall appoint motions chairperson for each hearing board of the Commission. To insure the integrity of the Enforcement Commission proceedings, the chairperson shall inquire about any potential conflicts of interest with claimants or defendants on the part of Enforcement Commissioners before their appointment to the hearing board committee.

Section 2. Duties of the Vice Chairperson:

The vice chairperson shall assume the duties of the chairperson serve as presiding officer in the absence of the chairperson and shall act on behalf of the chairperson to carry out such duties as delegated by the Chair.

Section 3. Duties of the Secretary:

The Secretary shall be responsible for seeing that minutes are kept of each meeting, sign minutes and reports of the Commission, and in certain circumstances, sign notices of meetings, as may be prescribed by the Chairperson. In appropriate instances, he/she shall attest to official papers of the Enforcement Commission.

Section 4. Motions Chairperson:

Appointed by the Enforcement Commission chair, the motions chairperson shall be the chairperson of the three member Hearing Board of the ECHRC. As motions chair, he/she shall be responsible for the review and authorization of all motions and papers filed by or with the Hearing Committee. Enforcement Commissioners having any relationship with claimants or defendants shall recuse themselves from any decision if that relationship is material and more than de minimis, or if one of the parties to the process objects.

Section 5. Appointment and Duties of the Executive Director:

The Executive Director shall be given the authority to administer the day-to-day operations of the ECHRC in accordance with the personnel policies set forth by the County of Erie. As Executive Director, he/she shall be responsible for overall management of the ECHRC. He/she is directly responsible to the Erie County Council, reporting to the County Clerk.

The Executive Director shall be responsible for preparing and submitting appropriate budgets and fiscal reports to County Council. The Executive Director shall be responsible for managing the property of the ECHRC.

The Executive Director shall perform such other duties as may be assigned by County Council.

## Article VI

### Commission Committees

#### Section 1. Hearing Board of Commissioners:

On a rotating basis, three Human Relations Commissioners shall serve as a Hearing Board to hear any case that cannot be reconciled through a conciliatory process. The Commission chairperson shall appoint the motions chairperson who shall serve as hearing Board Chairperson. The Motions Chair shall be responsible for the review and authorization of all motions and court papers filed by the Hearing Board.

To insure the integrity of hearing board proceedings, Commissioners shall announce any relationship with claimants or defendants and recuse themselves from any hearing board if that relationship is material and more than de minimis, or if one of the parties to the process objects. Hearing Board members will remain objective and compile all evidence and testimony needed to render a decision.

Section 2. The Commission may form standing committees or other committees as deemed necessary by the Chairperson.

## Article VII

### Advisory Board

#### Section 1. Purpose:

The Board of Advisory may perform research, education, and public relations duties under the direction of the Erie County Human Relations Commission.

The Advisory Board shall have elected officers identified in Article IV, Section 1, and, subject to the interest and commitment of the Advisory Board members, shall have committees identified in Article VII, Section 3, of these by-laws.

#### Section 2. Officers:

##### A. Duties of the Chairperson

The chairperson shall preside at all meetings of the Advisory Board, serve as presiding officer at all meetings, serve as a link between the Enforcement Commissioners, the Advisory Board, and the Executive Director.

The chairperson shall appoint a chairperson for standing or ad hoc committees, and in the absence of its chairperson, shall preside over any such committees.

B. Duties of the Vice Chairperson

The vice chairperson shall assume the duties of the chairperson and serve as presiding officer in the absence of the chairperson and shall act on behalf of the chairperson to carry out such duties as delegated by the chair.

C. Duties of the Secretary

The secretary shall be responsible for seeing that minutes are kept of each meeting, sign minutes and reports, and in certain circumstances, sign notices of special meetings, as may be prescribed by the chairperson. In appropriate instance, he/she may attest to official papers of the Advisory Board.

Article VIII

Amendments

These by-laws may be altered, amended, or repealed by an affirmative vote of no less than two-thirds (2/3's) of the regular members of the Enforcement Commission with the specific concurrence of the Executive Director. The Enforcement Commission shall seek the advice of the Advisory Board at a properly called joint meeting. Notice of any such amendments to the by-laws must be mailed to the Executive Director, all members of the Enforcement Commission and Advisory Board at least twenty (20) days before the meeting at which the voting will take place.

Erie County Council must ratify amendments so adopted.