



# Maine Human Rights Commission

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EXECUTIVE DIRECTOR

**Barbara Archer Hirsch**  
COMMISSION COUNSEL

## COMMISSION MEETING MINUTES JULY 18, 2022 MEETING

*\*via ZOOM\**

Commissioner Jeff Ashby chaired the meeting and called it to order at 8:30 AM. Also present were Commissioners Edward David and Julie O'Brien.

Executive Director Amy Sneirson presented and recommended that Commissioners grant a withdrawal request by the Complainant in a case on the day's Hearing Agenda (*Rasche v Queen City Inn et al*, H22-0068A/B). Commissioner David moved, seconded by Commissioner Ashby, to allow the Complainant to withdraw their complaint in H22-0068AB. 3 in favor | 0 opposed.

### AGENDA

Commissioner David moved, seconded by Commissioner Ashby, to adopt the Agenda as amended and Consent Agenda to accept the Investigator's recommended decision in each of the cases listed on the Consent Agenda (see listing on page 3). 2 in favor | 0 opposed | 1 abstained (O'Brien abstained).

### MINUTES

Commissioner David moved, seconded by Commissioner O'Brien, to adopt the June 13, 2022 Commission Meeting Minutes. 3 in favor | 0 opposed.

### ADMINISTRATION

ED Sneirson reported on the following Commission activities:

#### Monthly reports:

- Personnel: A monthly memorandum was on file.
- Compliance: Since the last meeting, there was one unsuccessful conciliation and one successful conciliation; two reasonable-grounds cases remain in active conciliation.
  - Commissioner O'Brien moved, seconded by Commissioner Ashby, to approve a Conciliation Agreement in the reasonable-grounds case *Jones v. Coretelligent* (E20-0130). 3 in favor | 0 opposed.
- New Charges: 43 new complaints filed in June 2022.
- Administrative Dismissals: 6 administrative dismissals in June 2022.
- Pre-determination resolutions/settlements 2022: 4 with benefits to complainants of \$197,000.

#### Quarterly reports

- Training and Education: Commission staff attended/presented at 19 training or educational sessions
- Pending Inventory: 697 cases (the reporting functions of EEOC's new database remain works in progress).
- Finance: Presented/placed on file.

### NEW BUSINESS:

After confirming that there were no Commissioner objections to the proposed 2023 meeting schedule, Commissioner David moved, seconded by Commissioner Ashby, to approve a 2023 meeting schedule with meetings on 1/9, 2/13, 3/20, 4/24, 5/22, 6/26, 7/31, 9/18, 10/23, and 11/20). 3 in favor | 0 opposed.  
The Commission completed the business portion of the agenda at 8:42 AM.

**At 8:45 AM Commissioner Ashby began the case hearing agenda.**

E20-0230: *Susan Rodrigue (Waterville) v. Town of Benton (Benton)*. Susan Rodrigue restated her position as the Complainant. Attorney Frederick Costlow restated Respondent's position. Investigator Courtney Burne reviewed her report and recommendations. Commissioner David moved, seconded by Commissioner O'Brien, to find that there are no reasonable grounds to believe that Respondent Town of Benton discriminated against Susan Rodrigue on the basis of age or retaliated against Susan Rodrigue for engaging in WPA- and/or MHRA-protected activity, and to dismiss the complaint. 3 in favor | 0 opposed.

E20-0312: *Blane Fenderson (Jefferson) v. Bath Iron Works (Bath)*. Attorney Ryan Schmitz restated Complainant's position. Attorney Steven Silver restated Respondent's position. Investigator Alex Brindley reviewed their report and recommendations. Commissioner Ashby moved, seconded by Commissioner O'Brien, to find that there are no reasonable grounds to believe that Bath Iron Works discriminated against Blane Fenderson on the basis of age or retaliated against him for engaging in MHRA- and/or WPA-protected activity, and to dismiss the complaint. 3 in favor | 0 opposed.

E20-0360: *Susan Keene (Eliot) v. Key Ford of York (York)*. Neither party, or a representative of either, was present. Investigator Robert Beauchesne reviewed his report and recommendations. Commissioner David moved, seconded by Commissioner O'Brien, to find that there are no reasonable grounds to believe that Key Ford of York discriminated against Susan Keene based on age, and to dismiss the complaint. 3 in favor | 0 opposed.

H22-0057: *Thomas Leick (Orono) v. Hubbard Farms Condominium Association (Orono)*. Alfred Leick, Complainant's father, restated Complainant's position. Kim Bock, Respondent's Treasurer, restated Respondent's position. Investigator Jane O'Reilly reviewed her report and recommendation. Commissioner David moved, seconded by Commissioner O'Brien, to find that there are no reasonable grounds to believe that Hubbard Farms Condominium Association discriminated against Thomas Leick on the basis of disability, and to dismiss the complaint. 3 in favor | 0 opposed.

**EXECUTIVE SESSION**

At 10:42 AM, Commissioner David moved, seconded by Commissioner Ashby, to go into executive session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant 1 M.R.S. §405(6)(E). 3 in favor | 0 opposed.

At approximately 11:02 AM, Commissioner O'Brien moved, seconded by Commissioner David, to come out of Executive Session. 3 in favor | 0 opposed.

**LITIGATION**

With regard to reasonable-grounds cases that did not resolve via conciliation, Commissioner David moved, seconded Commissioner Ashby, to not litigate *Thomson Crossman v Airbnb & Malay* (PA19-0487AB) or *Edwards v Stephen Hilton d/b/a West End Laundromat/Camp LLC* ( E20-0465AB). 3 in favor | 0 opposed.

At 11:16 AM, the meeting adjourned.

*Consent Agenda next page*

## CONSENT AGENDA

The consent agenda is a listing of cases scheduled on the Commission's meeting agenda in which there was no written disagreement to the Investigator's recommendation. Commissioners considered these cases without oral argument by the parties.

E20-0229:	Karen Rancourt-Thomas (Waterville) v. Town of Benton (Benton)	NRG
E20-0264A-D	eKatrina Jaynes (Hallowell) v. Graham Behavioral Services, Inc. (Augusta), Billie Jo Cookson (Augusta), Sabrina Gagnon (Augusta), and Aaron Fortin, LCSW (Augusta)	NRG
E20-0271A-B	Kristine Adams (Lewiston) v. Lincare (Clearwater, FL) and Laura Stevens (Falmouth)	NRG
E20-0295*	Sarah Alley (Orono) v. C&G Partnership, LLC (Wilmington,NC)	<b>RG</b>
PA20-0297A-C	Roger Mackbach (Augusta) v. Kim Silsby (Augusta), Superintendent's Office (Augusta), Augusta School Board (Augusta)	NRG
PA20-0354A-B	Krista Archer (Kennebunk) v. Doreen Metcalf (Saco) and Mary Jane Grant (Kennebunkport)	NRG
PA20-0365*	Amelia Grant (Portland) v. Brown Bag Meeting Sahara Club (Portland)	<b>RG</b>
E20-0382-A-D	Julie Burns (Windham) v. John Key (Portland), Mandy Levine (Portland), Elizabeth Morgan (Portland), and City of Portland (Portland)	NRG
ED/PA20-0446	Carolyn Devine (Westbrook) v. University of New England (Portland)	NRG
H22-0043A-C	Suzanne Demeule (Auburn) v. C & C Realty (Augusta), Gregory Jackson (Auburn), and 77 Minot LP (Portland)	NRG

## TABLED

PA21-0236*	Bertier Ouellette (Waterville) v. Trinity Evangelical Free Church & Homeless Shelter (Skowhegan)
E20-0525*	Shannon Mason-Gaworski (Lisbon Falls) v Food City (Lisbon Falls)

*\*Indicates a case in which a "reasonable grounds" finding is or was recommended.*