



# Maine Human Rights Commission

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**Kit Thomson Crossman**  
EXECUTIVE DIRECTOR

**Barbara Archer Hirsch**  
COMMISSION COUNSEL

## COMMISSION MEETING MINUTES

May 19th, 2025, MEETING

*Held in Hybrid Format - In Person (19 Union Street, Augusta, Maine) and via ZOOM*

Commissioner David chaired the meeting and called it to order at 8:30 AM. Also present were Commissioners David, O'Brien, Walker, Douglas, and Sanders (Douglas and Sanders by Zoom).

### AGENDA

Commissioner O'Brien moved, seconded by Commissioner Walker, to adopt the Agenda and Consent Agenda to accept the Investigators' recommended decisions in each of the cases listed on the Consent Agenda (see listing on Page 4).

5 in favor | 0 opposed.

### MINUTES

Commissioner Walker moved, seconded by Commissioner David, to adopt the April Commission Meeting Minutes.

5 in favor | 0 opposed.

### ADMINISTRATION

Monthly reports: Executive Director Thomson Crossman discussed reporting on the following Commission activities:

- Personnel: A report was placed on file.
- Compliance: Since the last meeting, there have been 2 unsuccessful conciliations and 1 successful conciliation, with 4 reasonable grounds cases remaining in active conciliations.
  - Commissioner O'Brien moved, seconded by Commissioner Walker, to approve the agreement in PA23-0240, *Heffernan v. Sabattus Disc Golf*, and to allow the Executive Director to sign on the Commissioners' behalf.

5 in favor | 0 opposed

- New Charges: 43 new complaints were filed in April, with a total of 57 new Respondents.
- Withdrawals and dismissals: 50 issued in April, including 28 administrative dismissals, 11 right-to-sue letters, 2 withdrawals with no benefits, and 9 settlements (3 private settlements and 6 settlements through the MHRC's mediation program) with a total of \$264,000 to Complainants.

Quarterly reports:

- Pending Inventory: 749 cases with an average case age (days since filing) of 299 days.
- Training & Education: Commission staff attended or presented at 13 events in the third quarter of FY25.
- Financial Reports: a financial report was placed on file.

New Business: The legislature is wrapping up; the Commission is still waiting for the Appropriations Committee to vote on our budget.

At approximately 8:47 A.M. Commissioner David began the Hearing Agenda.

### **CASES VOTED ON IN A.M. SESSION**

*E23-0126, Lynne Schmidt (Norway) v. St. Mary's Community Clinical Services (Lewiston).* Lynne Schmidt presented their position. Attorney Timothy Powell presented the Respondent's position. Investigator Robert Beauchesne reviewed his report and recommendations and answered the Commissioners' questions. Commissioner David moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that St. Mary's Community Clinical Services discriminated against Lynne Schmidt on the basis of sexual orientation or gender identity and/or disability, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed

*E23-0127\*, Terance Christopherson (Monmouth) v. Wayfair LLC (Boston, MA).* Attorney Susan Tvrdy presented the Respondent's position. Attorney Martin Tartre presented the Complainant's position. Investigator Robert Beauchesne reviewed his report and recommendations and answered the Commissioners' questions.

Commissioner Douglas moved, seconded by Commissioner O'Brien, to find there are **Reasonable Grounds** to believe that Wayfair LLC unlawfully discriminated against Terance Christopherson on the basis of disability and unlawfully retaliated against Terance Christopherson for engaging in WPA- and/or MHRA-protected conduct, and conciliation of these claims should be attempted in accordance with 5 M.R.S. § 4612(3); and No Reasonable Grounds to believe that Wayfair LLC discriminated against Terance Christopherson on the basis of age, and this claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed

*PA23-0152\*, Patricia Hall (Bath) v. Hometown Health - Newport (Newport).* Attorney Matthew Wahrer presented the Respondent's position. Patricia Hall presented her position. Investigator Robert Beauchesne reviewed his report and recommendations and answered the Commissioners' questions. Commissioner David moved, seconded by Commissioner O'Brien, to find there are **Reasonable Grounds** to believe that Respondent Hometown Health Center discriminated against Patricia Hall on the basis of her disability (use of service animal), and conciliation of this claim should be attempted in accordance with 5 M.R.S. § 4612(3).

5 in favor | 0 opposed

*E23-0154-AB, Gary Upham (Thomaston) v. Regional School District 40 (Union)/Regional School Unit 13 (Rockland).* Gary Upham did not appear. Attorney Tom Trenholm was present for both Respondents. Commissioner David moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that Regional School Unit 40 discriminated against Gary Upham based on age, and the claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed

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

*E23-0157, Crystal Thomes (Hallowell) v. SOM Baxter State Park Authority (Millinocket).* Attorney Kristin Aiello presented the Complainant's position. Attorney Jeremy Carter presented the Respondent's position. Investigator Alex Brindley reviewed their report and recommendations and answered the Commissioners' questions.

Commissioner Walker moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that State of Maine, Baxter State Park Authority discriminated against Crystal Thomes on the basis of disability (denial of reasonable accommodation and discharge), and the claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

3 in favor | 2 opposed (David and Douglas opposed)

Commissioner Walker moved, seconded by Commissioner David, to find there are No Reasonable Grounds to believe that State of Maine, Baxter State Park Authority retaliated against Crystal Thomes for engaging in MHRA-protected activity, and the claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed

*E23-0159AB, June Levesque (Presque Isle) v. Dr. Lori Brown (Caribou) & Aroostook Animal Hospital (Caribou).* June Levesque did not appear. Attorney William Wahrer was present for the Respondents. Commissioner David moved, seconded by Commissioner Walker, to find there are No Reasonable Grounds to believe that Dr. Lori Brown or Aroostook Animal Hospital discriminated against June Levesque on the basis of disability, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed.

*E23-0202, Richard Greene (Mechanic Falls) v. Lee Auto Mall Auburn (Auburn).* Attorney Sally Morris represented the Complainant's position. Attorney Brooke Haley presented the Respondent's position. Investigator Alex Brindley reviewed their report and recommendations and answered the Commissioners' questions. Commissioner David moved, seconded by Commissioner O'Brien, to find there are No Reasonable Grounds to believe that Lee Auto Mall Auburn retaliated against Richard Greene for engaging in WPA-protected activity, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2).

4 in favor | 0 opposed | 1 recused (Sanders recused).

*E23-0205, Lorin Harper (Dayton) v. Gateway Community Services (Portland).* Lorin Harper presented her position. Attorney William Wahrer presented the Respondent's position. Investigator Alex Brindley reviewed their report and recommendations and answered the Commissioners' questions.

Commissioner Walker moved, seconded by Commissioner David, to find there are No Reasonable Grounds to believe that Gateway Community Services LLC discriminated against Lorin Harper on the basis of disability or retaliated against Lorin Harper for engaging in MHRA-protected activity, and the claim should be dismissed in accordance with 5 M.R.S. § 4612(2).

5 in favor | 0 opposed.

*E23-0218 Donna Greiser (Covington, VA) v. Town of Machias (Machias).* Donnan Greiser presented her position. Attorney Frederick Costlow presented the Respondent's position. Investigator Angela Morse reviewed her report and recommendations and answered the Commissioners' questions. Commissioner David moved, seconded by Commissioner Walker, to find there are **Reasonable Grounds** to believe that the Town of Machias discriminated against Donna Greiser on the basis of sex, and conciliation of this claim should be attempted in accordance with 5 M.R.S. § 4612(3).

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

3 in favor | 2 opposed (Douglas and Sanders opposed).

### **EXECUTIVE SESSION**

At approximately 1:04 P.M., Commissioner David moved, seconded by Commissioner O'Brien, to go into executive session to discuss pending or contemplated litigation and the Commission's legal rights and duties with Commission Counsel pursuant to 1 M.R.S. §405(6)(E).

5 in favor | 0 opposed.

Commissioner Douglas left the meeting before executive session began.

At approximately 1:17 P.M., Commissioner Walker moved, seconded by Commissioner David, to come out of Executive Session.

4 in favor | 0 opposed.

Commissioner David moved, seconded by Commissioner Walker, *not* to litigate ED23-0151, *Verrill v. St. George MSU* or E23-0254, *Scott v. Albertsons*.

4 in favor | 0 opposed.

At approximately 1:04 P.M. the meeting was adjourned.

### **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.

E23-0199	Sarah Newcomb (Westbrook) v. Finance Authority of Maine (Augusta)	NRG
H24-0486	Rachel Hancock (Skowhegan) v. C&C Realty (Augusta)	NRG

### **TABLED**

No cases were tabled during this Commission meeting.

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