



Maine Human Rights Commission

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Kit Thomson Crossman
EXECUTIVE DIRECTOR

Barbara Archer Hirsch
COMMISSION COUNSEL

COMMISSION MEETING MINUTES

June 10th, 2024 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 8:31 AM. Also present were Commissioners O'Brien, Walker, Douglas & Sanders.

AGENDA

Executive Director Thomson Crossman presented Complainant Marianne Warner's request to withdraw her complaint in E22-0220, and recommended that the Commissioners deny the request, given the significant resources already invested in the case, and keep it on the hearing agenda. Commissioner Walker moved, seconded by Commissioner O'Brien, to accept the Executive Director's recommendation. 5 in favor | 0 opposed.

Commissioner David moved, seconded by Commissioner Sanders, to adopt the Agenda 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). 5 in favor | 0 opposed.

MINUTES

Commissioner Douglas moved, seconded by Commissioner Walker, to adopt the May Commission Meeting Minutes. 5 in favor | 0 opposed

**** This vote was in error; the May 2024 minutes were not provided to the Commissioners, and will be voted on at the July meeting ****

ADMINISTRATION

Monthly reports: The Executive Director reported 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 5 reasonable-grounds cases remaining in active conciliation.
 - Commissioner Sanders moved, seconded by Commissioner Douglas, to accept the conciliation agreement in the reasonable-grounds case E22-0029, James v. Portland Air Freight, and allow the Executive Director to sign on the Commissioners' behalf. 5 in favor | 0 opposed.
- New Charges: 53 new complaints filed in May 2024.
- Administrative Dismissals: 38 administrative dismissals issued in May.
- Pre-determination settlements: 16 with benefits of \$443,986.36 to complainants in May.

New Business:

At approximately 8:45AM Commissioner David began the Morning Session Hearing Agenda.

Before cases were heard, the Executive Director requested that the Commissioners approve dismissal of ED/PA19-0345-A, ED/PA19-0375-A, H20-0263-AB, E20-0544, and H23-0373, since the conciliation agreements in those cases have been fully implemented and monitoring is complete. Commissioner Douglas moved, seconded by Commissioner O'Brien, to dismiss all five cases. 5 in favor | 0 opposed.

CASES VOTED ON IN A.M. SESSION

PA22-0223-AB *Jeffrey Cookson (Warren) v. Maine State Prison (Warren) and Heather Richardson (Warren)*. Complainant presented his position. Assistant Attorney General Jillian O'Brien presented Respondents' position. Deputy Commission Counsel Colin Hurd reviewed his report and recommendations and answered Commissioner questions. Commissioner O'Brien moved, seconded by Commissioner David, to find there are no reasonable grounds to believe that Maine State Prison or Heather Richardson discriminated against Complainant on the basis of age, no reasonable grounds to believe that Maine State Prison or Heather Richardson discriminated against Complainant 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.

E22-0139* *Alexander Halliday (Kennebunk) v. Connectivity Point Design & Installation, LLC (Auburn)*. Complainant presented his position. Attorney Brooke Haley presented Respondent's position. Deputy Commission Counselor Colin Hurd reviewed his report and recommendations and answered Commissioner questions. Commissioner David moved, seconded by Commissioner Douglas, to find there are **reasonable grounds** to believe that Connectivity Point Design & Installation, LLC discriminated against Alexander Halliday on the basis of disability and conciliation should be attempted in accordance with 5 M.R.S. § 4612(3). 5 in favor | 0 opposed.

E22-0206-AB* *Brian Goodwin (Eliot) v. Stephen Beckert (Eliot) and William Fogg Public Library (Eliot)*. Attorney Nicole Williamson presented Respondent Beckert's position. Complainant presented his position. Respondent William Fogg Public Library did not submit a statement of disagreement with the Investigator's Report and therefore did not present to the Commissioners. Investigator Alex Brindley reviewed their report and recommendations and answered Commissioner questions. Commissioner Sanders moved, seconded by Commissioner O'Brien to find there are no reasonable grounds to believe that William Fogg Public Library discriminated against Complainant on the basis of sex (hostile work environment) and no reasonable grounds to believe that William Fogg Public Library retaliated against Brian Goodwin for engaging in WPA-or MHRA-protected activity, and these claims should be dismissed in accordance with 5 M.R.S. § 4612(2).; and that there are **reasonable grounds** to believe that Stephen Beckert discriminated against Brian Goodwin by interfering with his right to employment free from discrimination on the basis of sex and conciliation of this claim should be attempted in accordance with 5 M.R.S. § 4612(3). 5 in favor | 0 opposed

E22-0220 *Marianne Warner (Hampton, NH) v. True Value Company, LLC (Chicago, IL)*. Complainant was not present. Attorney Michael Wissa was present for Respondent but did not present to the Commissioners. Deputy Commission Counselor Colin Hurd reviewed his report and recommendations and answered Commissioner questions. Commissioner O'Brien moved, seconded by Commissioner Walker, to find there are no reasonable grounds to believe that True Value Company, LLC, discriminated against Marianne Warner on the basis of age, no reasonable grounds to believe that True Value Company, LLC, discriminated against Marianne Warner on the basis of sex, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed

E22-0257 *Jordan Cutcliffe (Litchfield) v. Five County Credit Union (Bath)*. Richard Cutcliffe presented Complainant's position. Attorney Frederick Connelly presented Respondent's position. Investigator Angela Morse reviewed her report and recommendations and answered Commissioner questions. Commissioner Sanders moved, seconded by Commissioner Walker, to find there are no reasonable grounds to believe that Five County Credit Union discriminated

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

against Jordan Cutliffe on the basis of disability; and, the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 3 in favor (Walker, Douglas, and Sanders in favor) | 2 opposed (David and O'Brien opposed).

H24-0031AB *Ryan Tinsman (South Portland) v. South Portland Housing Authority (South Portland) and Leanna Bruce (South Portland)*. Ryan Tinsman presented his position. Attorney Conor Schratz presented Respondents' position. Investigator Alex Brindley reviewed their report and recommendations and answered Commissioner questions. Commissioner David moved, seconded by Commissioner Douglas, to find there are no reasonable grounds to believe that South Portland Housing Authority and/or Leanna Bruce discriminated against Ryan Tinsman on the basis of disability, no reasonable grounds to believe that South Portland Housing Authority and/or Leanna Bruce retaliated against Ryan Tinsman for engaging in MHRA-protected conduct, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed

EXECUTIVE SESSION

At approximately 12:10PM, Commissioner David moved, seconded by Commissioner Walker, 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). 5 in favor | 0 opposed.

At approximately 12:28PM, Commissioner Douglas moved, seconded by Commissioner Walker, to come out of Executive Session. 5 in favor | 0 opposed.

Commissioner Sanders moved, seconded by Commissioner Douglas, to litigate H23-0314. *Leyva v. Wallace*, and H23-0317, *Burke v. Harbor Hill Associates et al.* 5 in favor | 0 opposed.

Commissioner Douglas moved, seconded by Commissioner Sanders, not to litigate PA22-0073, *Mencke v. Cranton-Thomes Day School*. 5 in favor | 0 opposed.

At approximately 12:30PM, 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.

E/ED22-0205AB	<i>Timothy Johnson (Brewer) v. MaineGeneral Health (Augusta) v. University of Maine at Augusta (Augusta)</i>	NRG
E22-0229	<i>Bridget Gould (Rome) v. CA Dean (Greenville)</i>	NRG
PA22-0266	<i>Danielle Patrie (Buckfield) v. Dermatology Associates, LLC (Portland)</i>	NRG
E23-0193	<i>Amanda Hill (Old Town) v. Walmart (Bangor)</i>	NRG

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