



Maine Human Rights Commission

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Kit Thomson Crossman
EXECUTIVE DIRECTOR

Barbara Archer Hirsch
COMMISSION COUNSEL

COMMISSION MEETING MINUTES

May 6, 2024, MEETING

In person (19 Union Street, Augusta, ME) and via ZOOM

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

Executive Director Thomson Crossman presented Robert Davis's request to withdraw case number E22-0310, *Davis v. FedEx*, and recommended that the Commissioners allow the withdrawal. Commissioner David moved, seconded by Commissioner Walker, to allow the withdrawal and remove the case from the hearing agenda. 5 in favor | 0 opposed.

AGENDA

Commissioner David moved, seconded by Commissioner Douglas, 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 O'Brien moved, seconded by Commissioner Douglas, to adopt the March 2024 Commission Meeting Minutes. 4 in favor | 0 opposed | 1 recused (Walker recused).

Commissioner Douglas moved, seconded by Commissioner Sanders, to adopt the April 2024 Commission Meeting Minutes. 4 in favor | 0 opposed | 1 recused (O'Brien recused).

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 were 0 successful conciliations and 0 unsuccessful conciliations. 7 reasonable-grounds cases remain in active conciliation.
The Commissioners approved a settlement agreement in H23-0335-ABC, *Willette v. Turner Square Apartments et al*, and authorized the Executive Director to sign on their behalf.
- New Charges: 53 new complaints filed in April 2024.
- Administrative Dismissals: 15 administrative dismissals issued in April 2024.
- Pre-determination settlements: 12 pre-determination cases settled or reported settlement terms with benefits of \$693,000 to complainants in April 2024.

Quarterly reports :

- Training & Education: Commission staff attended/participated in 16 training or education sessions in the 3rd quarter of the fiscal year.
- Financial Reports: Presented and placed on file.
- Pending Inventory: 725 cases pending at the end of April 2024.

New Business:

At 8:55 AM Commissioner David began the case hearing agenda.

HEARING AGENDA (MORNING SESSION)

E22-0104, *Molly Hoisser (Saint Paul, MN) v. Idexx Laboratories, Inc. (Westbrook, ME)*. Complainant did not appear. Attorney Aimee Parsons was present for Respondent. Commissioner David moved, seconded by Commissioner Walker, to find that there are no reasonable grounds to believe that Idexx Laboratories, Inc. discriminated against Molly Hoisser on the basis of sex, age, and/or disability and no reasonable grounds to believe that Idexx Laboratories, Inc., retaliated against Molly Hoisser for engaging in MHRA- and/or WPA-protected activity, and the complaint should be dismissed in keeping with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed.

E22-0122 *Scott Nelson (Old Town) v. C&L Aerospace Holdings, Inc. (Bangor)*. Attorney Erik Black presented Complainant's position. Attorney Brett Singer presented Respondent's position. Investigator Nupur Leva reviewed her report and recommendations and answered Commissioner questions. Commissioner David moved, seconded by Commissioner O'Brien, to find that there are no reasonable grounds to believe that C&L Aerospace Holdings, Inc., retaliated against Scott Nelson for engaging in WPA- and/or MHRA-protected activity and the complaint should be dismissed in keeping with 5 M.R.S. § 4612(2). 4 in favor | 0 opposed | 1 recused (Sanders recused).

E22-0125* *Billie Sue Ham (Shapleigh) v. Pratt & Whitney (North Berwick)*. Billie Sue Ham presented her position. Attorney Nicole Chomiak presented Respondent's position. Deputy Commission Counsel Colin Hurd reviewed his report and recommendations and answered Commissioner questions. Commissioner O'Brien moved, seconded by Commissioner Douglas, to find that there are no reasonable grounds to believe that Pratt & Whitney discriminated against Complainant on the basis of sex and no reasonable grounds to believe that Pratt & Whitney retaliated against Complainant for engaging in MHRA- or WPA-protected activity, and those claims should be dismissed in keeping with 5 M.R.S. § 4612(2); and that there are **reasonable grounds** to believe that Pratt & Whitney discriminated against Complainant on the basis of disability, and conciliation of this claim should be attempted in accordance with 5 M.R.S. § 4612(3). 5 in favor | 0 opposed.

PA23-0038 *Robin Walton (Woonsocket, RI) v. Wicked Good Vintage Racing (Warren)*. Robin Walton presented his position. Attorney Patrick Mellor presented Respondent's position. Investigator Carrie McCarter reviewed their report and recommendations and answered Commissioner questions. Commissioner David moved, seconded by Commissioner Sanders, to find that there are no reasonable grounds to believe that Wicked Good Vintage Racing discriminated against Robin Walton 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.

E23-0096 *Sulemana Samare (Lisbon Falls) v. United Ground Express (Portland)*. Sulemana Samare presented his position. Attorney Bill Whalen presented Respondent's position. Investigator Angela Morse reviewed her report and recommendations and answered Commissioner questions. Commissioner Sanders moved, seconded by Commissioner David, to find that there are no reasonable grounds to believe that United Ground Express

discriminated against Sulemana Samare on the basis of race, national origin, and religion, and the complaint should be dismissed in accordance with 5 M.R.S. § 4612(2). 5 in favor | 0 opposed.

EXECUTIVE SESSION

At approximately 11:08 AM, 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 1 M.R.S. §405(6)(E). 5 in favor | 0 opposed.

At approximately 11:30 AM, the Commissioners voted to come out of Executive Session. 5 in favor | 0 opposed.

Commissioner David moved, seconded by Commissioner Sanders to settle PA17-0424-AB, *Sarchi v. Uber et al*, and related litigation, and to allow Commission Counsel to sign on the Commission's behalf. 5 in favor | 0 opposed.

At approximately 11:32 AM the meeting was adjourned.

CONSENT AGENDA

E22-0177-AB *Thomas Gridley (Cape Elizabeth) v. Image First (King of Prussia, PA) v. Gene West (Parkland, FL)* NRG

H/PA24-0040 *Narayana Johnson (Bangor) v. Bangor Area Homeless Shelter (Bangor)* NRG

TABLED

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