



Susquehanna Township Human Relations Commission

Regular Meeting Agenda

June 21, 2023

Pincus Room

6:30 p.m.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF MINUTES

1. Approval of the February 28, 2023 Regular Meeting Minutes

E. 2023 PRIDE FEST OF CENTRAL PENNSYLVANIA – VENDOR PARTICIPATION DISCUSSION

Narrative

The Township is again registered as a non-profit vendor for the 2023 Pride Fest of Central Pennsylvania. This year, the event will be held on Saturday, July 29th from 11:00 a.m. to 6:00 p.m. at Soldiers Grove in Harrisburg. Staff would like to coordinate volunteers and discuss any logistical matters that need to be resolved before the event. The Susquehanna Township Human Relations Commission participates in this event to provide information about its responsibilities and processes, not in an advocacy role.

F. UPDATE ON PENNSYLVANIA HUMAN RELATIONS COMMISSION REGULATORY AMENDMENT REGARDING PROTECTED CLASSES

Narrative

Provided with the agenda is a copy of the submitted and readable regulatory amendments submitted to the General Assembly earlier this year. The HRC has briefly reviewed and discussed these amendments to determine what, if any, impact the new rules would have on its scope of review of complaints. Staff will provide a report on the status of the proposed amendments at the meeting. No action is required on this item.

G. CITIZEN AND COMMISSIONER COMMENTS

H. ADJOURNMENT

NOTE: TO ACCOMMODATE ALL CITIZENS, INDIVIDUAL SPEAKERS WILL BE PERMITTED THREE MINUTES TO ADDRESS THE BOARD.

NOTE: PLEASE PLACE ALL CELL PHONES, PAGERS, AND OTHER ELECTRONIC DEVICES ON SILENT MODE.

NOTE: THE TOWNSHIP MEETINGS ARE RECORDED.

MINUTES

SUSQUEHANNA TOWNSHIP HUMAN RELATIONS COMMISSION

FEBRUARY 28, 2023

CALL TO ORDER:

Mr. Landis called the Susquehanna Township Human Relations Commission Meeting to order at 6:30 PM. This meeting was held in a dual in-person and virtual format.

ELECTION OF CHAIR, VICE CHAIR, AND SECRETARY:

Mr. Landis turned the meeting over to Manager Priibulka. Manager Priibulka asked for nominations for Human Relations Commission Chair. Ms. Putnam nominated Ray Landis for Chair. Hearing no other nominations and by unanimous vote, Mr. Landis was approved as Chair.

Manager Priibulka then turned the meeting back over to Chair Landis to resume the nominations. Chair Landis thanked the Commission for their confidence in him. He then confirmed with Manager Priibulka that there is currently a vacancy on the Commission.

Chair Landis asked for nominations for Vice Chair of the Human Relations Commission. Mr. Champagne nominated Mary Nancarrow as Vice Chair of the Human Relations Commission. Hearing no other nominations, and by unanimous vote, Ms. Nancarrow was approved as Vice Chair.

Chair Landis asked for nominations for Secretary of the Human Relations Commission. Mr. Champagne nominated Ms. Putnam as Secretary of the Human Relations Commission. Hearing no other nominations, and by unanimous vote, Ms. Putnam was approved as Secretary.

ROLL CALL:

Jeff Champagne - Present
Raymond Landis - Present
Stanley Lawson - Excused
Amy Putnam - Present
Mary Nancarrow - Present
Dr. Judith Samkoff – Excused
Daniesha Dunbar-Yancey - Present
Kristen Herman - Present

TOWNSHIP PERSONNEL:

David Priibulka, Township Manager
Kathy Fry, Executive Assistant

OTHERS IN ATTENDANCE:

Damian DeStefano, Pennsylvania Human Relations Commission – attended virtually.

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Vice Chairperson Nancarrow made a motion to approve the June 15, 2022, Human Relations Commission Meeting Minutes; seconded by Kristen Herman and then unanimously approved.

REVIEW OF COMMISSION RESPONSIBILITIES & PRESENTATION FROM PENNSYLVANIA HUMAN RELATIONS COMMISSION

Manager Pribulka reviewed the provisions of the Susquehanna Township Discrimination Ordinance with the HRC members.

He then introduced Damian DeStefano, Commission Counsel for the Pennsylvania Human Relation Commission.

Mr. DeStefano informed the HRC that the updated Pennsylvania Human Relations Act has been updated to include the ability to file claims of sexual or gender identification. It is now before the General Assembly who have asked for time to review.

The HRC and Mr. DeStefano discussed how the new regulations, if passed, would affect who would handle claims. It was also noted that complainants would need to exhaust all administrative remedies at local and/or state level prior to moving onto court.

Mr. DeStefano will be providing the HRC with a copy of the recent legislation for them to review.

Manager Pribulka noted that as the PHRC expands its jurisdiction, it will limit the local HRC. The timelines for filing locally and the cost of filing may be lower when handled locally. It was also discussed if the Township Ordinance should be updated and if this should be taken to the Board of Commissioners for discussion.

There was a general consensus from the HRC that they will again take up this discussion after the State Legislature acts.

DISCUSSION OF NEPALESE/BHUTANESE COMMUNITY ENGAGEMENT

Manager Pribulka and Chair Landis met with Tilak Niroula, Bhutan Board member and were surprised to learn of the number of Nepalese/Bhutanese people who now reside in the Township. At this meeting they explored ways to interact with this part of the community. It was noted that a request has been made for Cricket fields, as this is a prominent sport within this community. The Township is also exploring ways to bring more youth oriented activities to help prevent addiction problems and to teach English to the older generation.

It was noted that we need to be more productive in educating this part of our community with property maintenance. They also discussed ways to make them feel more comfortable and how to help them assimilate into the Township more smoothly.

2023 PRIDE FESTIVAL OF CENTRAL PA:

Manager Pribulka informed the Commission that the 2023 Pride Festival will occur on July 29, 2023, from 11 AM to 6 PM at Soldier's Grove. The Township has been approved as a vendor. After some discussion, there was a consensus that the HRC should be involved.

The March meeting was cancelled and the HRC will meet on June 21, 2023.

CITIZEN AND COMMISSIONER COMMENT:

There was no additional comment from the Commission.

ADJOURNMENT:

Secretary Putnam moved to adjourn the Human Relations Committee meeting at 8:01 P.M.; seconded by Vice Chair Nancarrow.

Respectfully Submitted,

Amy Putnam
Secretary to the Commission



PRIDE FESTIVAL OF CENTRAL PA

2023

July 29th | 1:00 AM – 6:00 PM

Soldiers Grove
400 Commonwealth Avenue
Harrisburg, PA

Join Us For Our 31th Anniversary!!

Suggested Donation \$10.00

Special Event Parking 7th Street Parking Garage: \$10

Limited ADA parking in Soldiers Grove

**Free Confidential HIV
testing sponsored by
Take Control HIV*

ANNEX A
TITLE 16. COMMUNITY AFFAIRS
PART II. GOVERNOR'S OFFICE
Subpart A. HUMAN RELATIONS COMMISSION
CHAPTER 41. PRELIMINARY PROVISIONS
Subchapter D. PROTECTED CLASSES

§ 41.201 Purpose.

This subpart ensures that all unlawful discriminatory practices proscribed by the Pennsylvania Human Relations Act and all unfair educational practices proscribed by the Pennsylvania Fair Educational Opportunities Act are interpreted and applied consistently. This subpart also ensures that all complaints filed with the Pennsylvania Human Relations Commission are investigated consistent with the rules outlined herein.

§ 41.202 Construction.

[(a)] This subpart shall be construed liberally for the accomplishment of the purposes of the Pennsylvania Human Relations Act and the Pennsylvania Fair Educational Opportunities Act.

[(b)] This subpart shall be interpreted consistently with other Federal and State laws and regulations except when to do so would result in a narrow interpretation of the Pennsylvania Human Relations Act or the Pennsylvania Fair Educational Opportunities Act.]

§ 41.203. Enforcement.

This subpart shall be subject to and enforced in accordance with the Pennsylvania Human Relations Act, the Pennsylvania Fair Educational Opportunities Act, 16 Pa. Code Chapter 42 (relating to special rules of administrative practice and procedure) and 1 Pa. Code Part II (relating to general rules of administrative practice and procedure).

§ 41.204. Definitions.

The following words and terms, when used in this subpart, have the following meanings, unless the context clearly indicates otherwise:

Affectional or sexual orientation – male, female, or nonbinary heterosexuality, homosexuality, bisexuality, or asexuality by inclination, practice, identity, or expression, having a history thereof, or being perceived, presumed, or identified by others as having such an orientation.

Asexuality – the lack of sexual attraction to others, or low or absent interest in or desire for sexual or romantic activity.

Bisexuality – affectional, emotional, or physical attraction or behavior which is directed towards persons of either gender.

Complaint – a complaint filed with the Pennsylvania Human Relations Commission pursuant to the PHRA or the PFEOA.

Complainant – any person, including the PHRC or the Attorney General, who files a complaint with the PHRC pursuant to the PHRA or the PFEOA.

Core identity – attributes that make a person unique as an individual such as fundamental beliefs and values, personal characteristics, and physical or mental attributes.

Ethnic characteristics – physical characteristics such as skin and hair color, body size, and facial features typical of persons of a particular cultural or social background; linguistic characteristics such as language or dialect; behavioral or cultural characteristics such as religion or customs; environmental characteristics such as living in the same area or region.

Gender identity or expression – having or being perceived as having a gender-related identity, appearance, expression, or behavior, which may or may not be stereotypically associated with the person's sex assigned at birth. Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is part of a person's core identity.

Heterosexuality – affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the other gender.

Homosexuality – affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the same gender.

Intersex – describes a person born with sex characteristics that are not typical for male or female bodies. Sex characteristics are physical features relating to sex, including chromosomes, genitals, hormones, and other reproductive anatomy.

Person – has the same meaning as Section 4(a) of the PHRA (43 P.S. § 954(a)).

PFEOA – the Pennsylvania Fair Educational Opportunities Act (24 P.S. §§ 5001-5010).

PHRA – the Pennsylvania Human Relations Act (43 P.S. §§ 951-963).

PHRC – the Pennsylvania Human Relations Commission.

Pregnancy – includes the use of assisted reproductive technology; the state of being in gestation; childbirth; breastfeeding; the postpartum period after childbirth; and medical conditions related to pregnancy.

Religious Beliefs – include (1) moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views and (2) the beliefs a complainant professes without regard to whether a religious group espouses such beliefs.

Respondent – the person against whom a complaint was filed with the PHRC pursuant to the PHRA or the PFEOA.

Sex assigned at birth – the assignment and classification of individuals at birth, including but not limited to male, female, or intersex.

Traits associated with race – includes, but is not limited to, hair texture and protective hairstyles, such as braids, locks, and twists.

§ 41.205. Religious creed discrimination.

- (a) The term religious creed, as used in the PHRA and the PFEOA, includes all aspects of religious observance, practice, [as well as] or belief.
- (b) **The term religious creed, as used in the PHRA and the PFEOA, includes the failure to provide a reasonable accommodation for a religious observance or practice.** [Religious beliefs include moral or ethical beliefs as to what is right and wrong which are sincerely held with the strength of traditional religious views. The fact that no group espouses such beliefs or the fact that the religious group to which the individual professes to belong may not accept such belief will not determine whether the belief is a religious belief of a complainant.]
- (c) **An employer, housing provider, public accommodation, or person covered under the PHRA may assert an undue hardship defense to the request for a reasonable accommodation.** [This section is not intended to be exhaustive. However, the term religious creed, as used in the PHRA and the PFEOA, should be interpreted consistent with this section.]
- (d) **Undue hardship may be established by showing that the requested accommodation poses more than a de minimis cost or burden on the employer, housing provider, public accommodation, or person covered under the PHRA.**

§ 41.206. Sex discrimination.

The term sex, as used in the PHRA and the PFEOA, includes:

- (a) **Pregnancy;** [The term sex, when used in connection with the unlawful discriminatory practices proscribed by the PHRA, includes, but is not limited to, the following:
- (1) Pregnancy, including medical conditions related to pregnancy.
 - (2) Childbirth, including medical conditions related to childbirth.
 - (3) Breastfeeding, including medical conditions related to breastfeeding.
 - (4) Sex assigned at birth, including, but not limited to, male, female, or intersex.
 - (5) A person's gender, including a person's gender identity or gender expression.
 - (i) Gender identity or expression means having or being perceived as having a gender-related identity, appearance, expression, or behavior, which may or may not be stereotypically associated with the person's sex assigned at birth.
 - (ii) Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is sincerely held as part of a person's core identity.
 - (6) Affectional or sexual orientation, including heterosexuality, homosexuality, bisexuality, and asexuality.
 - (i) Affectional or sexual orientation means male, female, or nonbinary heterosexuality, homosexuality, bisexuality, or asexuality by inclination, practice, identity, or expression, having a history thereof, or being perceived, presumed, or identified by others as having such an orientation.
 - (ii) Heterosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the other gender.
 - (iii) Homosexuality means affectional, emotional, or physical attraction or behavior which is primarily directed towards persons of the same gender.

- (iv) Bisexuality means affectional, emotional, or physical attraction or behavior which is directed towards persons of either gender.
 - (v) Asexuality means the lack of sexual attraction to others, or low or absent interest in or desire for sexual or romantic activity.
- (7) Differences of sex development, variations of sex characteristics, or other intersex characteristics.]
- (b) **Sex assigned at birth;** [The term sex, when used in connection with the unfair educational practices proscribed by the PFEOA, includes, but is not limited to, the following:
 - (1) Pregnancy, including medical conditions related to pregnancy.
 - (2) Childbirth, including medical conditions related to childbirth.
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- (c) **Gender, including a person's gender identity or gender expression.** [This section is not intended to be exhaustive. However, the term sex, as used in the PHRA and the PFEOA, should be interpreted consistent with this section.]
- (d) **Affectional or sexual orientation, including heterosexuality, homosexuality, bisexuality, and asexuality.**
- (e) **Differences of sex development, variations of sex characteristics, or other intersex characteristics.**

§ 41.207. Race discrimination.

The term race, as used in the PHRA and the PFEOA, includes:

- (a) **Ancestry, national origin, or ethnic characteristics;** [The term race, when used in connection with the unlawful discriminatory practices proscribed by the PHRA, includes, but is not limited to, the following:
- (1) Ancestry, national origin, or ethnic characteristics;
 - (2) Interracial marriage or association;
 - (3) Traits historically associated with race, including, but not limited to:
 - (i) Hair texture;
 - (ii) Protective hairstyles, such as braids, locks, and twists;
 - (4) Persons of Hispanic national origin or ancestry, including, but not limited to, persons of Mexican, Puerto Rican, Central or South American, or other Spanish origin or culture.

- (5) Persons of any other national origin or ancestry as specified by a complainant in a complaint.]
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