HUMAN RIGHTS COMMISSION
BY-LAWS

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Authored by the Human Rights Commission Bylaws Committee

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ARTICLE I -- IDENTIFICATION AND PURPOSE

Section 1. Name

The name of this commission shall be the “Human Rights Commission” of the City of Detroit, referred to as the "Commission."

Section 2. Office

The principal office for the transaction of the activities of the Commission shall be fixed and located at the Coleman A. Young Municipal Center, 2 Woodward Ave., Suite # 1240, Detroit, MI, 48826. The Commission Secretary shall note any change of location of the principal office.

Section 3. Purpose and Duties

The purpose of the Commission is to establish and approve the policies and rules of the Human Rights Department; approved appointment or removal of the Director and Deputy Director of the Human Rights Department; to give effect to the rights of every inhabitant of the City of Detroit to equal economic, political, and educational opportunity, to equal accommodations in all business establishments in the City, and to equal service and protection by public agencies; to eliminate prejudice and discrimination because of any protected classifications under federal, state, and City law, including race, color, creed, religion, national origin, ancestry, place of birth, age, sex, sexual orientation, gender identity, gender expression, domestic partner status, marital status, disability, weight, height, or association with members of such classes; to inform the inhabitants of the City of developments in Human Rights; to provide expert advice and assistance to the officers, agencies, boards, departments, and employees of the City in undertaking ameliorative practices to keep peace and good order; and to officially encourage private persons and groups to promote and provide equal opportunity and goodwill towards all people.

The Commission shall:

1. Establish and advocate for policies, practices, and positions that are inclusive;
2. Initiate and facilitate discussions between individuals or groups to lessen tensions and improve understanding, and to promote and provide equal opportunity and goodwill towards all people;
3. Advise and consult with the Civil Rights, Inclusion & Opportunity Department (CRIO) on all matters involving human rights, including religious or ethnic discrimination, and devise practices to promote equal opportunity;
4. Conduct public hearings and report the complaints, facts, findings, and recommendations in writing;
5. Aid in formulating local neighborhood community groups for specific programs;
6. Promote education and awareness of the rights and policies of the community;
7. Appoint subcommittees for specific human rights issues;
8. Approve the mayoral appointment or removal of the Human Rights Director;
9. Duly note when one or more minority views are expressed regarding a decision; and
10. Record and publicly post all Commission proceedings.

Section 4. Authority

The Commission shall exercise its authority, functions, powers, and duties in accordance with the 2012 Detroit City Charter ("Charter"), the 2019 Detroit City Code (“City Code”), and in accordance with these Commission Bylaws.

ARTICLE II – MEMBERS OF THE Commission

Section 1. Membership

The Commission shall have eleven members appointed by the Mayor, with the approval of the City Council. Members must be residents of the City of Detroit. The Commission shall be representative of the total community. Seven members shall be appointed from the non-at-large districts.

Section 2. Term of Appointment

Except as otherwise provided by law, the term of membership on the Commission is three years. No more than four members' terms may expire each year. Each term begins on the fifteenth (15th) day of February and ends on the final February fourteenth (14th) of the term.

Section 3. Attendance

Attendance Generally - Each commissioner is required to attend every regularly scheduled meeting of the full commission, each special meeting, and each regularly scheduled committee meeting that the commissioner is a member of. Failure to attend a required meeting shall constitute either an excused or unexcused absence. The Commission Chair or their designee shall record all absences.

Excused Absences - A Commissioner's absence shall constitute an "excused absence" where the Commissioner, in advance of 24 hours of the scheduled meeting, informs the Chair that the Commissioner will be absent. An absence due to unforeseen circumstances such as illness or emergency shall also qualify as a notified absence where the Commissioner reports such absence to the Chair as soon as reasonably possible.

Unexcused Absences - The Commission Chair or their designee shall record all absences involving neither advance notice nor unforeseen circumstances as unexcused.

Habitual Non-Attendance - A commissioner qualifies for habitual non-attendance under the following conditions:

1. Three consecutive unexcused absences;
2. Four total unexcused absences; or
3. Six total absences in a calendar year, whether or not excused.

Section 4. Commissioner's Code of Ethics

Commissioners agree to maintain the highest standards of professional and personal conduct and shall adhere to Charter provisions 2-106.1 et seq., which governs ethical conduct. Commissioners further commit to upholding the highest standards of professional and personal conduct. They shall adhere to ethical standards, support the Commission's mission, goals, and objectives, and inspire public confidence in the Commission's operations.

The Commission's standard of conduct includes, but is not limited to:

1. Being accountable for its rules of procedures and decisions and promoting accountability among all Commission and Commission staff members.
2. Treating all Commission staff, members of the public, and colleagues with courtesy, respect, objectivity, and fairness.
3. Conducting all Commission business promptly and in public meetings, fully disclosing policies and procedures. Engaging in the decision-making process, except for matters authorized under the Michigan Open Meetings Act (OMA) 267 of 1976, to be considered in closed session.
4. Periodically review its actions, recommendations, and procedures to ensure adherence to the Code of Ethics and the Commission's mission in all respects.
5. Adhering to the Standards of Ethical Conduct in the Detroit City Code.

6. Notifying the Chair of a Commissioner's inability to attend a meeting as soon as possible, but no later than 24 hours before the meeting.

Section 5. Conflicts of Interest

A Commission member who has reason to believe that they have a conflict between personal interest and the public interest as defined by Michigan law, the 2012 Detroit City Charter, or the 2019 Detroit City Code shall seek advice from the Law Department. The commissioner shall notify the Commission, and shall refrain from voting, influencing, or deliberating on the matter as necessary, based on the advice of the Law Department. The Law Department shall advise the Commissioner on matters of conflict within a reasonable time from the receipt of the Commissioner's request for advice.

Section 6. Removal

The Mayor may remove members of the Commission for cause.

Section 7. Vacancies

The Mayor shall appoint, and the Council shall confirm members to fill the balance of unexpired terms. Vacancies that result from expired terms shall be filled in the same manner as interim vacancies.

Section 8. Oath of Public Office

Swearing to the Oath of Public Office constitutes a commissioner's sworn responsibility to the public trust.

ARTICLE III – OFFICERS

Section 1. Officers

The Officers of the Commission shall be a Chairperson of the Commission ("Chair"), a Vice Chairperson ("Vice-Chair"), a Secretary, and any such other officers with such titles and duties as shall be stated in these bylaws or determined by the Commission in accordance with applicable law.

Section 2. Election of officers

Each calendar year, at the first regular meeting of the Commission held after the 15th of February, a chairperson, vice-chairperson, and secretary shall be elected for one year, and a secretary from the Human Rights Department may be designated as recording secretary.

If the Election does not occur at the required meeting, the Chair shall take all necessary steps to ensure that an Election is held at the next regularly scheduled meeting.

Section 3. Term of Office

The term of each office for each officer is until the next annual election. The elections of the Chair and Vice-Chair, and any other officer, shall occur in accordance with Section 2 of this Article, or Section 4 of this Article, in the event of the officer's resignation or the expiration of the officer's mayoral appointment.

Section 4. Officer Vacancies

Procedure for vacancies:

1. If the chair vacates, the vice chair shall occupy the chair's position until the next election, or a special election occurs at the next earliest opportunity.
2. Should the vice chair fill the chair position pursuant to Subsection 1, the vice chair's position will remain open until the next election, or a special election occurs at the next earliest opportunity.
3. If the vice chair vacates, the Chair shall identify a sitting commissioner to fill the position until the next election, or a special election occurs at the next earliest opportunity.

4. If the secretary vacates, the Chair shall identify a sitting commissioner to fill the position monthly until the next election, or a special election occurs at the next earliest opportunity.

Section 5. General Duties and Responsibilities of the Chair

The Chair shall preside over all meetings of the Commission. The Chair shall perform all duties incident to the office of the Chair and other duties as may be prescribed elsewhere in the Commission Bylaws or as may be assigned by the Commission or which are otherwise necessary or incidental to the office.

The Chair of the Commission or their designee shall be elected by majority vote of the Commission and shall:

1. Set dates and times for regular and special meetings of the Commission.
2. Prepare items for meetings of the Commission and ensure meetings are noticed according to law and Article IV.
3. Preside over meetings of the Commission and adhere to the rules and Robert's Rules of Order.
4. Sign routine Commission correspondence or delegate staff to sign correspondence on behalf of the Chair.
5. Represent the Commission to private and public organizations, including the City Council.
6. Appoint a Commission member to represent the Commission if the Chair and Vice Chair are unavailable.
7. Appoint committee chairs to represent the commission. Coordinate subcommittees or working groups, organizing workshops or public hearings, and fostering stakeholder communication;
8. Liaise with the outside departments and communications;
9. Ensure that relevant information is provided to the commission; and
10. Report all absences of a member and record in the minutes.

Section 6. General Duties and Responsibilities of the Vice-Chair

In the absence of the Chair, the Vice-Chair shall perform temporarily all duties of the Chair and, when so acting, shall have all the powers of, and be subject to all four restrictions upon, the Chair.

Section 7. General Duties and Responsibilities of the Commission Secretary

The Commission Secretary shall perform the following duties:

1. Draft and distribute official letters, reports, resolutions and other correspondence as the chair directs;
2. Work closely with the chair and other commission members to facilitate collaboration, coordination, and information sharing;
3. Ensure all meetings are scheduled, minutes are recorded, and meetings and documents are posted in accordance with the Commission Bylaws and OMA;
4. Ensure Commissioners are informed in a timely fashion of relevant information and activities, including outside normal business hours as necessary and in emergencies;
5. Coordinate work with other internal and external offices, programs, or sections to ensure that Commission meeting documents are accurate and presented to meet the Commission’s expectations;

6. Read, write, and edit documents clearly, concisely, and effectively using accurate grammar, punctuation, and vocabulary;

7. Promptly notify Commissioners of all correspondences;

8. At the end of each calendar year, the Commission Secretary shall submit a written report to the appointing authorities of the Commission's membership detailing each Commissioner's attendance at all meetings of the Commission for that calendar year;

9. Provide and maintain records (both written and recorded) of all commission meetings;

10. Ensures public access to Commission meetings, arranging disability accommodations, translation, and interpretation services as required; and

11. Record all required meetings.

The Commission Secretary may delegate to the CRIO secretary[1] the following duties:

1. Ensure all meetings are scheduled and meetings and documents are posted in accordance with the Commission Bylaws and OMA;

2. Ensure public access to Commission Meetings, arrange disability accommodations; translation, and interpretation services as required;

3. Record all required meetings;

4. Provide any equipment needed for HRC public meetings; and

5. Any other duties approved by the Human Rights Department Director.

Section 8. Removal of Officers

The Chair, Vice-Chair, or Secretary may be removed from their positions by a majority vote of the Commission, in accordance with Article IV, *Meetings*, Section 7, *Voting and Abstention*, of the Bylaws.

ARTICLE IV – MEETINGS

Section 1. Meetings, Generally

Except as otherwise provided by law, all Commission Meetings, including regular meetings, committee meetings and special meetings, shall be properly noticed, open to the public, and otherwise conducted in accordance with the OMA.

All standing meetings, including regular and committee meetings, shall be posted within 10 days after the first meeting of the public body in each calendar year. Such postings shall include the dates, times, and places of each regular meeting for the year.

Section 2. Regular Meetings

The Commission shall hold its regular meetings at the Coleman A. Young Municipal Center, 2 Woodward Ave., Detroit, MI, 48826, at 5:00 p.m. every third Thursday of each month. Additional meetings, if any, shall be noticed as special meetings. The Commission shall annually designate a meeting to plan its goals and objectives and review its performance from the prior year. All Commission and Committee meetings shall be open and public and allow public commentary. The Commission may meet in closed session at

[1] An employee designated by CRIO to take on one or more of the Commission Secretary Duties, as available and as within the occupational scope of the employee.

regular or special meetings as law permits. All meetings shall comply with all applicable laws, including, but not limited to, Section MCL 15.261, *et Seq.* of the Michigan Open Meetings Act (OMA) 267 of 1976.

Section 3. Special Meetings/Sessions

A special meeting may be scheduled to address a specific topic by a majority vote of commissioners or in accordance with the Commission Bylaws. If it is necessary to call a special meeting before a vote can take place at the next regular meeting of the commission, the Chairperson or their designee may draft a resolution calling a special meeting in accordance with this section. The special meeting resolution shall be distributed to each commissioner for signature, one at a time. Provided that the chairperson or their designee obtains sufficient signatures to constitute a quorum, the special meeting will be noticed and held in accordance with this Section. The Chair shall read the resolution into the record at the special meeting. In the event of an emergency which does not allow the time to gather consensus for the Commissioners, the Chair may call a special session. Agendas of special meetings must be posted publicly, open to the public and conducted in accordance with the OMA special session requirements and with the Notice of Meetings Section requirements of the Commission Bylaws, and made available to Commissioners in a manner that provides at least seventy-two (72) hours of advanced notice. Special meeting agendas shall specify the date, time, location, and business to be transacted, and all notice requirements in accordance with the OMA. The matters addressed at a special meeting shall be limited to the publicly posted topic of the special meeting.

Section 4. Notice of Meetings

A meeting of the Commission shall not be held unless adequate public notice is provided as follows:

1. Contains public body's name, phone number, and address;
2. Posted at its principal office and Commission webpage homepage or City dedicated notice webpage; and
3. Timely:
    a. For standing meetings, including regular meetings committees: within 10 days after the first meeting of the year, at which dates, times, etc. are set.
    b. For permanent change in schedule of regular meetings: within 3 days after the meeting at which the change is made.
    c. For rescheduled regular meetings and special meetings/sessions: at least 18 hours before the meeting.
    d. Meetings recessed more than 36 hours: at least 18 hours before the reconvened meeting.

The City of Detroit's Human Rights webpage will house the meeting site, and the Commission Office shall post the agenda for all meeting in accordance with this section. Each Commissioner and any person who files a written request for notice shall receive agendas and notices.

Section 5. Cancellation of Meetings

The Chair or the Vice Chair in the Chair's absence, may cancel a regular or special meeting if they have received notifications of absences, in accordance with these Bylaws, such that a quorum of the body will not be present, provided that the Chair reads into the record at the next meeting any known excused or unexcused absences for the canceled meetings. The Chair may cancel a meeting if, after roll call, a quorum fails to meet requisite attendance numbers, or the Commission loses a quorum during a scheduled meeting. All meeting notices, including the cancellation and rescheduling of meetings, shall be provided in accordance with the Commission Bylaws, Notice of Meetings section, and the OMA. This section shall also apply to Committee Chairs and the Committees they oversee. The Chair or their designee shall take all reasonable steps to notify the public of the cancellation.

Section 6. Quorum and Action

A quorum shall consist of a simple majority of the currently appointed membership. A commissioner who is not physically present is not counted toward the quorum.

Section 7. Voting and Abstention

The vote of the majority of members present at a meeting at which a quorum is present constitutes the action of the Commission or of the committee, unless the vote of a larger number is required by law.

The Commission shall act on agenda items through a roll call vote, voice vote, or a show of hands. Each Commissioner present at a Commission meeting shall cast a "yes" or "no" vote on each question unless a conflict of interest legally prohibits participation in the discussion and vote. Abstentions which are not permitted by law are counted as “no” votes. Commissioners shall determine their conflicts of interest in consultation with the City's Law Department and in accordance with these Bylaws. Before calling the roll, Commissioners may explain their vote verbally during the discussion period or in writing after the roll call has been announced and recorded. The minutes shall reflect how each Commissioner voted on each item.

Section 8. Participation by Telecommunication

Meetings subject to the Open Meetings Act must be attended in person by Commissioners. A commissioner who attends a meeting by way of telecommunication is not counted towards a quorum and may not vote or deliberate on any matters during that meeting.

Section 9. Conferences and Trainings

A quorum of the Commission may accept an invitation to address a civic organization, listen to the concerns of a neighborhood organization, or observe demonstrations, provided that the Commission does not deliberate toward, or make, a decision.

A quorum of the Commission may also meet for a workshop, seminar, informational gathering, or professional conference designed to convey, to the participants, information about areas of professional interest common to all conference participants. These kinds of meetings are designed primarily to provide one-way communication, training or background information, and involve a relatively broad focus upon issues of general concern, rather than a more limited focus on matters or issues of particular interest to a single public body.

However, when gatherings are designed to receive input from officers or employees of the public body, the OMA requires that the gathering be held at a public meeting. Absolutely no deliberations or decisions concerning public policy can be made by the Commission without adhering to the OMA. When in doubt, the Chair shall consult with the Law Department before scheduling any such events for a quorum of Commissioners.

Section 10. Public Comment

Public members have the right to comment on any matter in accordance with the Open Meetings Act. The agenda shall provide an opportunity for members of the public to address the Commission. Members of the Public shall have 2 minutes for public comment, provided that the Chair may further limit the time for each speaker based on factors including but not limited to the complexity of the agenda item and the anticipated number of speakers. Every member of the public shall be given an equal amount of time to speak. Individual Commissioners and Commission staff should refrain from engaging in debates or discussions with speakers during public comment.

The Chair may request speakers who wish to address the Commission to submit a speaker card before or during the corresponding agenda item. Speaker cards should be used for meeting management purposes only. The public has the right to address the Commission anonymously.

If a speaker with limited English proficiency requires translation to comment or testify, the time used for repeating comments or testimony in English shall not count against the allotted time limit for public comment.

Section 11. Minutes

1. The Chair or their designee shall keep and maintain the minutes of each meeting, including regular meetings, special sessions, committee meetings, and closed sessions.
2. Minutes Contents: The minutes shall include at a minimum: date, time, place, members present, members absent, any decisions made (including all roll call votes taken), and the purpose of any closed sessions.
3. Public availability of minutes: Proposed minutes must be made available for public inspection within 8 days after the applicable meeting. Approved minutes must be made available within 5 days of approval.
4. Approval of minutes: Minutes must be approved at the next meeting. Corrected minutes must show both the original and the correction.
5. Closed session minutes: Minutes of closed sessions must be approved in an open meeting. Contents are confidential. May be destroyed 1 year and 1 day after approval.

Section 12. Agenda Preparation; Keeping and Maintenance of Records

The Chair shall prepare the agenda, which may consist of items requested by the Chair, the Director, or Commissioners. The Commission Secretary shall maintain an e-mail list of community members and organizations that request electronic copies of the Commission agenda.

The Chairperson shall prepare an agenda for each meeting utilizing the following template:

I. Call to Order and Roll Call

II. Adoption of Agenda

III. Approval of Minutes

IV. Public Comment

V. Reports

VI. Presentations, Hearings, and Discussions

VII. Unfinished Business

VIII. New Business

IX. Adjournment

Section 13. Parliamentary Procedure

Unless provided otherwise, all meetings shall be conducted in accordance with the most recent edition of Roberts Rules of Order (Revised).

ARTICLE V - COMMITTEES

Section 1. Executive Committee

Human Rights Commissioners may elect an Executive Committee consisting of Commission Officers and the Chairs of the Ongoing Committees. The Executive Committee is responsible for preparing agendas

for Commission meetings, preparing the work plan for the Commission, and working with the Director of the Civil Rights Inclusion & Opportunity (CRIO)[2] to develop the Commission's annual budget. The Executive Committee is also responsible for ensuring clear and uniform communications with the media. The Chair of the Commission serves as Chair of the Executive Committee. This Committee is subject to all committee rules in the Bylaws and the rules governed by the OMA.

Section 2.Committees

The Human Rights Commission may create committees to address regular and ongoing aspects of the Commission's work. Committees may be added or deleted by a majority vote of the Commission at any regular or special meeting. Committees shall be comprised of members of the Human Rights Commission.

The Chair of each committee is responsible for setting the date, time, and place for Committee meetings, preparing agendas, presiding over Committee meetings, and reporting on the progress of the Committee at regular meetings of the Commission. Sub-committees shall present a work plan to the Commission. The work plan shall contain a statement of the goals and objectives for the Committee for the next fiscal year, including a statement of proposed activities with an itemized list of needed resources.

ARTICLE VI - TASKFORCE

Section 1. Creation of Commission Task Forces

A taskforce is a special Commission Committee, which may include non-commissioners, formed expressly for studying a particular problem or issue and are advisory to the Commission. A Taskforce shall be composed of up to three Commissioners.

Section 2. Meeting Requirements

All taskforces which include more than one commissioner shall follow the general meeting and notice requirements of the Open Meetings Act, and found in Article V.

Section 3. Creation

Taskforces are created by Commission resolution. The original resolution creating the Taskforce shall include the purpose, goals, objectives, and end date of the proposed Taskforce.

Section 4. Duration

A Taskforce shall be limited to one year but may be renewed annually by resolution.

Section 5. Reporting

A Taskforce shall submit a report with its annual renewal resolution indicating how its goals and objectives have been met in the previous calendar year and any other relevant information or recommendation to the Commission and to the Office of the City Clerk. A Taskforce not renewed shall present a Final Report of its achievements to the Commission and to the Office of the City Clerk at the end of the calendar year. Any presentations from the Taskforce to members of the Commission shall be done at a Commission meeting held in accordance with the Open Meetings Act, and found in Article V.

ARTICLE VII - MISCELLANEOUS

Section 1. Amending Bylaws

These by-laws may be amended at any regularly scheduled meeting of the Commission, provided that (a) a majority of the duly appointed Commissioners serving at the time of the proposed amendment vote in favor of it, (b) notice of the proposed amendment, along with a copy of the amendment, is provided to each Commissioner at least 30 days before the meeting where the vote on the amendment will take place,

[2] CRIO is the same as the Human Rights Department

and (c) Notice of the proposed amendment, along with a copy of the amendment, is provided to the public along with the Open Meetings Notice required for the meeting at which the vote on the amendment will take place.

Section 2. Suspension of Bylaws

The Commission may motion to temporarily suspend any or all parts of these Bylaws, provided that such suspension is consistent with the City Code, City Charter, State Law, and Federal Law. The motion to suspend requires a second for adoption. A two-thirds vote is necessary to approve a motion to suspend.

Section 3. Governing Rules and Laws

The applicable rules and laws govern in the following order:

1. Federal Law
2. State Law
3. City Charter
4. City Code
5. Bylaws
6. Roberts Rules of Order