

City of Albany  
Commission on Human Rights  
City Hall, Room 255M  
Albany, New York 12207

BY LAWS (DRAFT MAY 2011)

ARTICLE I NAME OF THE COMMISSION

Commission on Human Rights

ADDRESS OF THE COMMISSION

City Hall, Room 255M  
Albany, New York 12207

ARTICLE II MISSION STATEMENT

The City of Albany is a community rich in race, sex, creed, color, religion, national origin, sexual orientation, age, disability, domestic partner, gender identity, or marital status. Such diversity contributes to the social fabric of our City and should be celebrated and respected. In that regard, the Commission on Human Rights was created to foster an atmosphere of respect and celebration of our diversity. In accordance with the objectives of the Omnibus Human Rights Law, as set forth in Article III of Chapter 48 of the Code of the City of Albany, the Commission on Human Rights seeks to assure that the residents of our City are safeguarded against all forms of discrimination as defined by state and local law.

ARTICLE III PURPOSE OF THE COMMISSION

1. In accordance with Chapter 42, Part 36, Section 42-366 of the Code of the City of Albany, it shall be the duty of the Commission;
  - (a) To foster mutual respect and understanding among all persons and racial, religious and nationality groups in the community;
  - (b) To make such studies in any field of human relationship in the community as in the judgment of the Commission will aid in effectuating its general purposes;
  - (c) To inquire into incidents of tension and conflict among or between various racial, religious and nationality groups, and to take such action as may be designed to alleviate such tensions and conflict;
  - (d) To conduct and recommend such educational programs as, in the judgment of the Commission, will increase goodwill among inhabitants of the community

and open new opportunities into all phases of community life for all inhabitants;

- (e) To report complaints to the New York State Division of Human Rights alleging unlawful discriminatory practices under Article 15 of the Executive Law;
  - (f) To receive, accept and expend public grants, private gifts, donations or bequests and other payments, goods and services, for the purposes of effectuating the provisions of this part, notwithstanding any other provisions of law.
  - (g) To make recommendations as necessary and appropriate to the Mayor and the Common Council to effectuate the goals and purposes of this part.
- (h) And to take any such actions necessary and appropriate to assure that residents and visitors of the City of Albany are safeguarded against all forms of discrimination
2. The Commission, by its members or their duly authorized officers or employees, shall have the following general obligations:
- (a) To receive and resolve complaints of alleged discrimination filed in accordance with Article III of Chapter 48 (Omnibus Human Rights Law) of this Code. The Commission may seek the active assistance of the New York State Division of Human Rights in the resolution of such complaints;
  - (b) To hold conferences and other public meetings in the interest of the constructive resolution of racial, religious and nationality group tensions and the prejudice and discrimination occasioned thereby;
  - (c) To issue such publications and reports of investigations as in its judgment will tend to effectuate the purposes of this part;
  - (d) To enlist the cooperation and participation of the various racial, religious and nationality groups, community organizations, industry and labor organizations, media or mass communication, fraternal and benevolent associations and other groups in an educational campaign devoted to fostering among the diverse groups of the community mutual esteem, justice and equity and opening new opportunities into all phases of community life for all individuals; and
  - (e) To encourage and stimulate City of Albany agencies and departments to take such action as will fulfill the purposes of this part.

#### ARTICLE IV            MEMBERSHIP

1. The Commission on Human Rights shall consist of nine members, five of whom shall be appointed by the Mayor and four of whom shall be appointed by the Common Council.

2. Members of the Commission shall reside in the City of Albany and possess a reputation for fairness, integrity and responsibility and have demonstrated an active interest in public affairs and service. The Mayor and the Common Council shall reflect community diversity in their appointments, including, but not limited to, income level, race, religion, ethnicity, age, gender and sexual orientation. Officers and employees of the City of Albany shall not be eligible for appointment.
3. Members shall be appointed for three-year terms.
4. No member of the Commission shall serve for a period which exceeds two consecutive terms or six years; provided, however, that a member may be considered for reappointment to the Commission after one year of non-membership.
5. Members shall continue to serve on the Commission until their successors have been appointed.
6. Annually, from among its membership, the Commission shall elect a Chair and such other officers as determined.
7. Five members of the Commission shall constitute a quorum. Five votes shall be required for any action.
8. Any vacancy occasioned by resignation, death or removal of a member shall be filled promptly in the same manner as the predecessor to fill the unexpired term.

## ARTICLE V EXECUTIVE OFFICERS

1. The Commission shall annually elect among its members the following executive officers: a chairperson, a vice-chairperson and a secretary.
2. The Commissioner of Administrative Services, or his/her designee, will act as Executive Director to the Commission and his/her office will carry out the administrative duties for said Commission.
3. Length of Service. Each executive officer shall serve a term of one year. Executive officers can be reelected. Chairperson, Vice-Chairperson and Secretary shall be elected for a term of one year.
4. Duties of the Chair: Preside over meetings of the Commission, shall have the power to appoint all committees as approved by the Commission; Serve as Chairperson of Executive Committee; and Ex Officio of all committees.

5. Duties of the Vice-Chair: Assist Chair with the execution of Commissions objectives and act as Chair in absence of the Chair. Serve as Chair of the Annual Event Committee.
6. Duties of the Secretary: Attend, take, and forward meeting minutes to Commission staff for distribution. Notify Commission of upcoming events and assignments related to those events.
7. The Commission shall create such other Executive Officer positions as it deems necessary to effectuate the purposes of the Commission

ARTICLE VI            DUTIES OF THE EXECUTIVE DIRECTOR

1. Advise Commission as to current community concerns.
2. Screen complaints and forward to Commission based on judgment of Executive Director.
3. To make referrals to proper Agencies.
4. Compile written reports.
5. Make Commission aware of current articles and publications.
6. Arrange meetings and workshops in relation to work of Commission.
7. Prepare reports for the Mayor and the Common Council.

ARTICLE VII            COMMITTEES

1. Executive Committee  
The Executive Committee shall consist of Commission Executive Officers and the Chairs of the Standing Committees. The Executive Committee is responsible for preparing agendas for Commission meetings, preparing the work plan for the Commission, and working with the Executive Director to develop the Commission's annual budget. The Chair of the Commission serves as Chair of the Executive Committee.

2. Standing Committees  
The Commission shall appoint Standing Committees to address regular and ongoing aspects of the Commission's work. Standing Committees may be added or deleted by majority vote of the Commission at any regular or special meeting.

Standing committees shall be comprised of members of the Commission on Human Rights. Each Standing Committee shall elect its Chair and the Chair shall serve at the pleasure of the committee. The Chair of each Standing 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. The Chair of the Standing Committee may appoint non-voting participants to the Committee from the general public.

A Standing Committee may act on behalf of the Commission on a given matter providing the Commission has previously granted it the authority to act on its behalf by majority vote at a special or regular meeting of the Commission. In the event a Standing Committee is authorized to take final action on a given matter on behalf of the commission, public meetings requirements shall be observed by the Standing Committee in doing so.

Standing 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.

3. Ad Hoc Committees

Ad hoc (special purpose) committees may be created by majority vote at any regular or special meeting of the Commission. Ad hoc committees shall be formed to fulfill a specific function that can be completed in a finite period of time. Each Ad Hoc Committee shall present a final report when the function is completed and the Committee shall be considered dissolved at that point unless a majority of the Commission votes to continue its activities.

Ad Hoc Committees shall be chaired by members of the Commission. The Chair of the Commission shall appoint the Chair of each Ad Hoc Committee. The Chair of the Ad Hoc 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.

Ad Hoc Committees have only the authority deemed necessary to complete their activities unless otherwise provided by a majority vote of the Commission at a regular or special meeting.

ARTICLE VIII COMMUNICATIONS

1. Representation Before Media and Other Entities

The Commission's Executive Committee shall ensure that the views of the Commission as a whole are presented clearly and uniformly before the media and other entities. The Executive Committee shall designate a lead spokesperson to represent the Commission on Commission matters. Spokespersons shall be selected based on their experience or interest in the emerging issue. All designated spokespersons shall report back to the Executive Committee regarding their communications with the media and other entities. In addition, Committee Chairs may be designated by the Committee they represent to speak on committee work, and shall report back to their committees and to the Executive Committee regarding their communications with the media and other entities.

Service on the Commission does not prohibit members from speaking in an individual capacity or participating in government as members of the general public. In so doing, Commissioners shall clarify that they are speaking or acting in their individual capacity and not on behalf of the Commission.

2. Affiliation

The Commission may affiliate with other organizations that share similar purposes or that seek to support the efforts of the Commission. However, no other organization can represent the views of the Commission on any issue without prior authorization being granted at a regular or special meeting of the Commission.

3. Liaison

The Commission may authorize a Commissioner or staff person to act as liaison with other private or public organizations. No Commissioner shall commit the Commission to any action without first receiving authorization from the Commission at a regular or special meeting.

ARTICLE IX MEETINGS

1. The Commission shall meet no less than six times per year and shall establish a regular meeting calendar which is readily accessible to the public.
2. Meetings of the Commission shall be public and comply with provisions of the Open Meetings Law.
3. Five members of the Commission shall constitute a quorum. Five votes shall be required for any action.
4. Two thirds of the Commission must be present when voting on changes to the by-laws.
5. Special meetings may be called by the Chairperson or by any three members of the Commission.
6. The Vice-Chairperson shall act in place of the Chairperson in their absence.
7. The importance of attendance at each monthly commission meeting is critical to the mission of the HRC and to the orderly conduct of business by that Commission. Recognizing that members will occasionally have scheduling conflicts and last minute obligations that require them to be absent from a monthly meeting, members who cannot attend a monthly meeting must place a call to the Executive Director prior to 5:00 pm on the day of the meeting to be considered an excused absence. The Executive Director will keep a record of all

excused absences and report same to the Commission's recording secretary.

If a member does not notify the Executive Director prior to the scheduled meeting, their absence will be considered unexcused. Three absences by a member will be considered cause for removal of that member from the Commission. The Chairperson of the Commission, in his/her discretion, may make a formal request in writing to the Mayor or the Common Council for removal of that member.

## ARTICLE X            REPORTS

1. The Commission shall file biannual reports with the Common Council and the Mayor summarizing complaints filed in accordance with Article III of Chapter 48 of this Code and the status thereof. The Commission shall additionally file an annual report with the Common Council and the Mayor on or about January 31 summarizing its activities for the preceding year.