

**BYLAWS
OF THE
MARTINSVILLE
HUMAN RIGHTS and RELATIONS COMMISSION**

**ARTICLE I
CREATION**

- Section 1.1 The Human Rights Commission was created by action of City Council pursuant to powers granted in Chapter 2, Section 5 of the Code of the City of Martinsville, Virginia and Section 15.2-965 and Chapter 39 of Title 2.2 of the Code of Virginia, 1950, as amended. The Commission was created with the vision that "Martinsville will advocate for a culture of public decision-making and problem-solving that is accountable and inclusive" and to advise the City Administration and City Council in matters that will fulfill the mission "To ensure equity and opportunities for all citizens."

**ARTICLE II
MEMBERSHIP**

- Section 2.1 The Commission shall consist of up to eleven regular members, two of which shall be representatives from the student body of Martinsville High School. All members shall be appointed by the City Council.
- Section 2.2 One member shall be appointed from each voting precinct in the City. The City Council shall make every effort to ensure that its appointments to the Commission result in a diversity of membership reflecting race, gender, economic class and cultural background. City Council shall also seek to appoint at least one member with experience in the respective fields of education, health care, and human resources or employment. The City Attorney shall be an *ex-officio*, nonvoting member.
- Section 2.3 The Commission shall receive staff support from the City Administration, by a person(s) to be designated by the City Manager. This support shall include furnishing information that may be of assistance to the Commission in carrying out its mission.
- Section 2.4 Each member shall, prior to being vested with voting privileges, complete an appropriate training course in human rights and relations, as determined by the Chairman and the City's designated person. Initial appointees to the Commission, may however, vote upon election of

officers and organization of the Commission prior to such training. No member who has a personal interest in any matter before the Commission shall participate in discussion or voting upon that matter. "Personal interest" shall be defined as a relationship to or knowledge of the matter such that an impartial evaluation of the matter is not possible. In the event that a personal interest is suggested to exist in any member, such member may, if the member affirms it to be true under oath, execute a disclosure acknowledging the interest but affirming the member's impartiality. Such disclosure shall permit that member to participate in discussion of the matter but not to vote upon it.

ARTICLE III **TERMS OF MEMBERS AND VACANCIES**

- Section 3.1 Terms of the nine regular members shall be four years, but initial appointment shall be staggered whereby five members shall be appointed for an initial term of four years, and four members shall be appointed for a term of three years. Representatives from the student body of Martinsville High School shall be appointed annually and serve on the Commission during the school year.
- Section 3.2 All regular members shall be eligible to serve two successive terms provided they continue to satisfy the basic and respective criteria upon which they were originally appointed. They will be ineligible for reappointment to an additional term for a period of one year, unless there are an insufficient number of qualified applicants to fill all vacancies.
- Section 3.3 Should mid-term vacancies occur among regular member positions, or when terms expire as provided herein, the Commission as a whole and/or as individuals shall be entitled to submit nominations for City Council's consideration in appointing replacements.

ARTICLE IV **OFFICERS**

- Section 4.1 The officers shall be the Chairperson, the Vice Chairperson and the Recording Secretary. The officers shall be elected for a two-year period. The Chairperson shall serve not more than two consecutive terms. In the event of a vacancy in either office, an election to fill the vacancy shall be held at the next meeting of the Commission or as soon thereafter as practicable.
- Section 4.2 The Chairperson shall cause an agenda to be prepared for each meeting and shall preside thereat. The Chairperson shall sign correspondence, reports and recommendations on the part of the Commission and shall

otherwise represent the Commission in its proper relationships with the City Council, the City Administrators, State and Federal agencies, and the public.

Section 4.3 The Vice Chairperson shall serve in the absence of the Chairperson.

Section 4.4 A Recording Secretary shall be elected by the Commission membership to assist the Chairperson in development and dissemination of the agenda and in recording accurate minutes of all meetings. Minutes of each meeting shall be forwarded to Commission members with the next regularly scheduled Commission meeting agenda and to members of City Council with the next regularly scheduled Council agenda following the monthly meeting of the Commission. With the exception of records pertaining to investigation or conciliation of allegations of discrimination, all records of the Commission shall be subject to the Virginia Freedom of Information Act; the Recording Secretary shall be the records custodian.

ARTICLE V MEETINGS

Section 5.1 The Commission shall meet once each month, except December, at a time and day agreed on in advance by the Commission, or at the call of the Chairperson. The Chairperson may cancel any monthly meeting when it is deemed appropriate.

Section 5.2 Meetings shall convene at an appointed time, except when members are specifically notified otherwise.

ARTICLE VI QUORUM AND ATTENDANCE

Section 6.1 No business of the Commission can be conducted at any meeting thereof without the presence of a quorum, consisting of at least four regular members.

Section 6.2 Members are expected to attend all regularly scheduled meetings. Any member having missed five regularly scheduled meetings in a calendar year shall be so notified in writing by the Chairperson. In the event the Officers have not deemed such absences to be excused, such member shall be presumed to have resigned from the Commission and City Council shall appoint a replacement.

ARTICLE VII
GOALS, FUNCTIONS AND COMMITTEES

Section 7.1 The goals of the Commission shall be as follows:

- a) Develop community capacity to address challenges and opportunities, identified by the Commission, in the areas of race, class, government accountability and responsiveness, and conflicts arising from cultural differences.
- b) Ensure open and accountable government that hears and values all voices.
- c) Bridge the fault line of race and class that inhibit progress and erode community health.

Section 7.2 The Committee shall have three standing action subcommittees.

The Chairperson shall appoint members to each action subcommittee from the membership of the Commission. The Chairperson shall also appoint such *ad hoc* committees as deemed necessary. The Chairperson shall require approval by a quorum of the Commission to establish the duration of an *ad hoc* committee and the individual members appointed to the *ad hoc* committee.

A. Equity Committee

Goal: Develop community capacity to address challenges and opportunities, identified by the Commission, in the areas of race, class, government accountability and responsiveness, and conflicts arising from cultural differences.

1. Offering education and training and/or community discussion and/or speaker series on topics pertaining to equity, inclusiveness, racial reconciliation, poverty reduction.
2. Improving relations and fostering dialogue among various sections of the City.
3. Identifying and dispelling misconceptions and falsehoods among communities within the City.

B. Inclusion Committee

Goal: Ensure open and accountable government that hears and values all voices.

1. Offering and supporting activities that build inclusiveness.
2. Advocating for community strategies geared to poverty reduction (reducing barriers toward prosperity).
3. Educating both government employees and citizens on laws and policies fostering greater transparency in government.

C. Resolution Committee

Goal: Bridge the fault line of race and class that inhibit progress and erode community health.

1. Advocate a "zero tolerance" policy against discrimination, with the ultimate goal of eradicating discrimination within the City of Martinsville.
2. Providing oversight for mediating claims of discrimination in the City.

This Committee shall respond to charges of discrimination levied against entities within the City. The Committee shall adopt such procedures and forms as is deemed necessary for the processing of charges, subject to the requirements of the Virginia Administrative Process Act, Code of Virginia Section 2.2-4000 *et seq.*, and the guidance of the policies and procedures of the Equal Employment Opportunity Commission, the Virginia Human Rights Council, or other appropriate agencies. The Committee may inquire into any charge of discrimination brought before it, may investigate the facts underlying such charges, and take into consideration the cooperation of the parties involved. If the charges are deemed to have merit, the Committee may recommend mediation services, conducted by an impartial third party. Such mediation services shall be voluntary and confidential. The Committee may also recommend to the Commission that unresolved charges, deemed to have merit, be referred to the Equal Employment Opportunity Commission, to the Virginia Human Rights Council, or to other appropriate agencies, and upon the vote of a majority the Commission, such a referral may be made.

In accordance with then Code of Virginia, neither this Committee nor the Commission shall have the power of subpoena or to compel testimony. This process shall not be available to employees of the City of Martinsville who have pursued grievances under the City Employee Grievance Process or who are within the prescribed time limitations for initiating such a grievance.

ARTICLE VIII **AMENDMENTS**

Section 8.1 These Bylaws shall become effective when ratified by City Council, and may be amended by a two-thirds vote of the Commission in attendance, provided that a quorum is present and further provided that written notice of proposed amendments are first given to each member not less than ten days prior to the regular or called meeting at which such amendments are to be considered.

Section 8.2 Amendments so adopted shall not become effective until duly ratified by City Council.