

City Council – Action Request Form

Date: March 16, 2021

To: Mayor, Mayor Pro Tempore, and Members of the City Council

From: Angela I. Carmon, City Attorney
Meridith J. Martin, Strategic Initiatives Administrator

Council Action Requested:
Consideration of Items Relating to Nondiscrimination Initiatives

Strategic Focus Area: Livable Neighborhoods
Strategic Objective: Support Inclusion of Community Populations
Strategic Plan Action Item: No
Key Work Item: No



Summary of Information:

The City of Winston-Salem has had nondiscrimination strategies in place for City employment, City-issued grants, and City-issued contract procedures. One of the first steps taken by the City occurred in 1975 with the establishment of the Human Relations Commission (HRC). HRC’s original focus included studying race relations and forms of discrimination. The Commission’s work led to the creation of the Human Relations Department, which now provides various nondiscrimination initiatives including Fair and Affordable Housing Summits, fair housing reporting, building integrated communities, tenant/landlord mediation, investigations of incidents related to discrimination, and leading the African American Heritage Initiative.

While current endeavors demonstrate the City’s efforts to prohibit discrimination, City Council members have asked staff to continue expanding nondiscrimination efforts to broaden the classes of people protected.

First, the City proposes an amendment to Article 1 Section 1 of the personnel resolution related to Equal Employment Opportunity. The amendment adds color, religion, gender identity or expression, protected hairstyles, veteran status and familial status as specifically named classes to the list, which previously included race, creed, sex, sexual orientation, pregnancy, handicap, age, political affiliation, or national origin.

This item also proposes an ordinance amendment to include a nondiscrimination policy. The policy opposes discrimination based on the classes previously mentioned. City administration, committees, commissions, and boards are to prohibit any discrimination. The City Manager and City Attorney will include nondiscrimination provisions within the terms of all contracts and grants. The City Manager will establish policies to ensure there is no discrimination in City government. The City will recognize the benefits of an equitable, diverse, and inclusive community and support efforts to free our community from discrimination. The ordinance will also include direction for the City Manager and City Attorney to investigate the City’s authority

Committee Action:

Committee	<u>CDHGG 3/16/2021</u>	Action	<u>Approval</u>
For	<u>Unanimous</u>	Against	<u></u>
Remarks:			

to adopt and implement procedures for enforcement of nondiscrimination ordinances upon third parties.

Other North Carolina cities that have passed nondiscrimination ordinances include Durham, Greensboro, Hillsborough, and Carrboro. Raleigh elected to follow a more measured approach in light of issues regarding authority and threatened lawsuits. Raleigh updated its nondiscrimination policy ordinance, which encourages community leaders to oppose discrimination in all forms.

Also attached is a resolution proposing the establishment of an ad-hoc citizen nondiscrimination study subcommittee of the Human Relations Commission that will focus on Lesbian, Gay, Bisexual, Transgender, Queer, and/or Questioning, Intersex, and Asexual and/or Ally (LGBTQIA+) matters within Winston-Salem. The subcommittee will advise the HRC and City Council on critical issues and opportunities facing the LGBTQIA+ community.

Further research and reporting will be completed by staff in the following areas:

- Investigate procedures for enforcement of nondiscrimination ordinances upon third parties by seeking guidance from the North Carolina Attorney General's Office and the School of Government at UNC-Chapel Hill
- Evaluate City employee health benefit coverage opportunities