



# THRC NEWS

A newsletter of the Tennessee Human Rights Commission  
Issue I, Spring 2011



Beverly L. Watts  
Executive Director

Welcome to the inaugural edition of our newsletter! We are proud of the work being done by our commissioners and staff to further the mission of the Tennessee Human Rights Commission.

Weather and the economy have challenged us this past year, but we continue to work to safeguard individuals from discrimination through enforcement and education. Please enjoy this issue which includes information about mediation, education and outreach events and our recognition of Women's History Month. Throughout the year, we will highlight our work as we enforce the Tennessee Human Rights Act which prohibits discrimination in housing, employment, and public accommodations. Please feel free to contact us at 1-800-251-3589 or visit our website for more details - [www.tn.gov/humanrights](http://www.tn.gov/humanrights).

## THRC Community Listening Session Tour

In the open-space environs of Stax Learning Academy in Memphis, a cross-section of folks came together for a Roundtable Discussion featuring staff members and two commissioners from West Tennessee, Jocelyn Dan Wurzburg and David Cocke. Representatives from about 30 different community resource organizations across the city attended this session to learn about the Commission and to shed light on discrimination issues in the Memphis community.

The Roundtable preceded the public Listening Session held inside Stax Museum in the theater. Issues heard at the Listening Session included

housing discrimination based on race, racial steering and misuse of federal funds for housing programs, workplace harassment, and refusal for a

The idea for the public listening sessions emerged from a planning session with the THRC board of 15 commissioners in 2009. They decided that the commission would take a more proactive role in its outreach to the communities of Tennessee by venturing into cities and neighborhoods to hear first-hand about problems with discrimination experienced by citizens. The commission had its first Listening Session tour in 2010 visiting Clarksville, Memphis, and Clinton Tennessee.

Two more public listening sessions are scheduled this spring: April 19 in Johnson City at Carver Recreational Center, 322 N. Wautauga Ave., followed by another in Nashville on April 28 with a location to be announced.—

—The pictures seen here were taken at the events held in Memphis in February 2011.



reasonable accommodation for disability at a public facility. Many thanks go to the staff at Stax for their courtesy and diligence in making our event successful.

**Did you know?** April is National Fair Housing Month! This year's theme is "**Live Free - Without Housing Discrimination**". We will be conducting educational events throughout the state during this month, teaching citizens & housing providers about their rights and responsibilities under the law. Look for us in Chattanooga, Nashville, Memphis, Cleveland, Knoxville, & Murfreesboro. For details visit our website, [www.tn.gov/humanrights](http://www.tn.gov/humanrights).

# THRC IN THE COMMUNITY



**Human Rights Day  
December 2010**— Pictured  
L to R— Bobby Bostick;  
2010 Pioneer Awardee  
Commissioner Jocelyn  
Wurzburg; Commissioner  
A.J. Starling; Executive  
Director Beverly Watts; &  
Commissioner Edwin  
Osborne



**Celebration of  
Cultures 2010**—  
Regional  
Coordinator  
Matthew Stephenson  
interacting with  
festival participants.



**January 2011**— THRC  
Deputy Director Tiffany  
Baker-Cox giving a  
mediation presentation to  
law students at Vanderbilt  
University.



**TSU Women of  
Legend & Merit  
Awards March  
2011**—Pictured L to  
R- THRC Chair  
Patricia Pierce;  
Awardee Inez  
Crutchfield; & THRC  
Executive Director  
Beverly Watts

## Mediation Option Gaining Popularity

By Tiffany Baker-Cox— THRC Deputy Director  
& Board Member of Tennessee Association  
of Professional Mediators

When an employment complaint is filed with the Tennessee Human Rights Commission, an investigation begins. The good news is that this process does not have to lead to litigation.

At the very beginning of the process, the parties involved are told they can pursue an easier, faster approach through mediation. Mediation is an alternative method of resolving a complaint that does not involve a full investigation or litigation. These services are offered at no charge to all parties involved. The decision to mediate is voluntary and must be agreed upon by both parties.

West Tennessee Commissioner Jocelyn Wurzburg, who wrote the legislation in the 1970s that led to the creation of the Commission, also pioneered mediation in the 1980s. Her motto was, "Mediate, Don't Litigate." She saw how destructive litigation could be and she pursued mediation

as the most effective way to resolve disputes. She had to convince judges and lawyers of the value of mediation. Today, it's a widely accepted practice and we are proud of the results at the Commission.

Besides no cost and quicker resolution of a complaint, there are many other positive benefits to using this method. Mediation gives employers and employees an opportunity to learn from each other by discussing their perspectives on the issues that affect the workplace. This is done in a secure and controlled environment that allows for issues to be addressed that can lead to a more productive working relationship.

Complainants and respondents agree to attempt mediation with the understanding that the service is voluntary and, if settled, the details of the settlement are kept fully confidential. Agreeing to mediate does not imply that the option for full investigation is no longer available. If an agreement is not reached, the case is then reentered into the investigative process. However, if the mediation brings about acceptable terms for all parties and there is a

settlement, then the case is dismissed.

The Commission's mediation services have shown immense growth from the time the program was re-established in mid-fiscal year 2009. Currently the Commission has 11 staff persons trained as mediators. Parties in all cases are given the opportunity to mediate.

In August of 2009 and 2010, the Commission held Mediation Month. The purpose was to encourage parties who had not previously had an opportunity to explore mediation as a possible way to resolve their employment discrimination case as well as to educate the public on the benefits of mediation. In fiscal year 2010, we mediated a total of 74 cases; 46 of which were successfully settled giving us a 62% success rate. Also in that time frame, there was over \$200,000 in monetary benefits awarded to complainants as well as other benefits such as policy changes, training, and apologies.—

## THRC Employment Law Seminar

On June 23, 2011, we will host our annual Employment Law Seminar at the One Century Place Conference Center in Nashville. This year's seminar will cover a variety of topics including: social networking in the workplace; GINA; ADAAA; updates from the Equal Employment Opportunity Commission; and cultural related complaints in the workplace. Featured speakers will include General Counsel of the EEOC David Lopez (Invited).



Both CLE and HR Recertification approval is pending.

**Registration begins April 14, 2011.**

## March is Women's History Month



*Patricia Pierce*  
*Chair Tennessee Human Rights*  
*Board of Commissioners*

Women of every race, class, and ethnic background have made historic contributions to the growth and strength of their community and our country in many ways, both recorded and unrecorded. The accomplishments of women were virtually unknown in the 1970's history books and the K-12 school curriculum.

The role women played in American history has consistently been

overlooked and devalued, but stories of women's achievements are integral to the fabric of our history. In 1981, Congress passed a resolution to celebrate Women's History Week in March. In 1987, after a petition by the National Women's History Project, Congress expanded Women's History to the month of March. In 2001, Senator Orrin Hatch (R-Utah) and Representative Barbara Mikulski (D-Maryland) co-sponsored the first Joint Congressional Resolution proclaiming March as Women's History Month. The purpose of celebrating women's history month is to ensure that the history of American women will be recognized and celebrated in the schools, workplaces, and communities throughout the United States.

It is important that girls and women are encouraged to know their past and the work that women have contributed in shaping our country, and it is equally important that boys and men gain a fuller understanding of the complete history of our country.

As we study our past, it is equally important to focus on current issues and challenges of the future. The Chinese Proverb, "women hold up half the world," rings true for women who are working or looking for work in the U.S. According to the Bureau of Labor Statistics, in 2009, 72 million women or 59.2% of all women in the U.S. over the age of 16 were in the workforce or were looking for work. Even though women make up more than half the US workforce, the reality is that there is still a fair amount of inequity in terms of promotions, salary, and benefits. Women are not fairly represented in our political arena, in top level management positions, or on corporate boards. It is time to change our future!

More role models and mentors, both men and women, are needed to meet the changes and challenges of the 21<sup>st</sup> Century. It is my hope that our future generation of women can realize their full potential and dreams and that the barriers, prejudice, and discrimination will be part of our past history.—

**Tennessee Human Rights Commission**

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**[www.tn.gov/humanrights](http://www.tn.gov/humanrights)**

