



**GOVERNANCE POLICY
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS
[ALL-IN-ONE DOCUMENT]**

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TABLE OF CONTENTS | ARTICLE I: FCHR OBJECTIVES

#	Section	Title	Page
1	I-0	FCHR Objectives	7

TABLE OF CONTENTS | ARTICLE II: GOVERNANCE PROCESS

#	Section	Title	Page
2	II-1	Governance Commitment	9
3	II-2	Governance Style	10
4	II-3	Commissioner Job Description	11
5	II-4	Chair's Role	12
6	II-5	Vice Chair's Role	14
7	II-6	Commissioner's Code of Conduct	15
8	II-7	Commission Principles	17
9	II-8	Cost of Governance	18
10	II-9	Unity of Control	19

TABLE OF CONTENTS | ARTICLE III: COMMISSION-EXECUTIVE DIRECTOR LINKAGE

#	Section	Title	Page
11	III-1	Governance Commitment	21
12	III-2	Governance Development	22
13	III-3	Monitoring Executive Director Performance	23



TABLE OF CONTENTS | ARTICLE IV: EXECUTIVE LIMITATIONS

#	Section	Title	Page
14	IV-0	Global Executive Constraint	25
15	IV-1	Treatment of the General Public	26
16	IV-2	Treatment of Staff	27
17	IV-3	Fiscal Responsibility	28
18	IV-4	Executive Director Succession	29
19	IV-5	Operational Protections	30
20	IV-6	Compensation and Benefits	31
21	IV-7	Support and Inform the Commissioners	32
-	n/a	Appendix	33



GOVERNANCE POLICY | FCHR

ARTICLE: -- PREAMBLE

POLICIES: --



PREAMBLE

The Florida Commission on Human Relations (Commission) serves the general public: persons who live in, work in, and visit the State of Florida.

The term "Commission", as used in this policy, refers to the Commission board rather than the agency, the Florida Commission on Human Relations.

"Commissioner" or "Member" means a member of the Commission board.

The term "Staff", as used in this policy, refers to employees of the agency, the Florida Commission on Human Relations.

"Florida Commission on Human Relations" or "FCHR" refers to the agency.

Mission

To prevent unlawful discrimination by ensuring all people have access to equal opportunities in employment, housing, and public accommodations

History. – (New 11/06. Revised 9/14. Updated 1/22)



GOVERNANCE POLICY | FCHR

ARTICLE: I FCHR Objectives

POLICIES: --



ARTICLE I | FCHR OBJECTIVES

1. The Commission exists to enforce human and civil rights laws in Florida by investigating and resolving discrimination complaints in areas of employment, housing, and certain public accommodations. Such discrimination is based on national origin, color, religion, sex, pregnancy, race, age, disability, marital status, and familial status.
2. The FCHR promotes fair and equitable treatment, respect, and tolerance through its outreach, educational, and training efforts and by providing information and resources to all persons in Florida.
3. The general public has the right to bring forth allegations of discrimination knowing that they will be treated with fairness, dignity, and respect.
4. Any State of Florida employee who files a complaint under the Florida Whistleblower's Act has the right not to be retaliated against.

History. – (New 11/06. Revised 9/14. Updated 1/22)



GOVERNANCE POLICY | FCHR

ARTICLE: II GOVERNANCE PROCESS

POLICIES: 1 through 9



ARTICLE II POLICY 1 | GOVERNANCE COMMITMENT

The Commission, on behalf of the people of the State of Florida, will strive to achieve its established Objectives for all eligible persons at a reasonable cost and avoid any actions and situations specifically and clearly limited by this governance document.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 2 | GOVERNANCE STYLE

The Commission will govern lawfully with an emphasis on (a) outward vision rather, (b) encouragement of diversity of viewpoints, (c) strategic leadership rather than administrative detail, (d) clear distinction of roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactive rather than reactive focus.

Accordingly,

1. The Commissioners will develop and initiate governance policies for the Commission. The expertise of individual Commissioners may be used to enhance the understanding of the Commissioners as an entire body.
2. The Commissioners' major policy focus will be on the Mission, Objectives, and intended long-term effects of the FCHR as a whole.
3. The Commissioners will govern themselves professionally and respectfully in all matters of Commission business.
4. Continual Commissioner development will include orientation of new Commissioners on the Commission's governance processes, the Florida Civil Rights Act, and other pertinent state statutes, including Florida's Sunshine laws, administrative rules, and federal law, as well as periodic discussion of process improvement.
5. The Commissioners will not allow any officer, Commissioner, or committee of the Commission to hinder or be an excuse for not fulfilling their commitments.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 3 | COMMISSIONER JOB DESCRIPTION

Specific job outputs of the Commissioners, as informed agents of the people of the State of Florida, are those that ensure appropriate organizational performance. Accordingly, the Commissioners have the direct responsibility to:

1. Create a link between the people of the State of Florida and the FCHR.
2. Write a Governance Policy that addresses the broadest levels of all organizational decisions and situations.
3. Support successful Executive Director performance.
4. Participate in Commission meetings and serve on deliberations panels and committees.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 4 | CHAIR'S ROLE

The Chair assures the integrity of the Commission's process.

Accordingly,

1. The assigned result of the Chair's jobs is that the Commission behaves consistently with its own policies and those legitimately imposed upon it by the State of Florida.

a. Meeting discussion content will be on those issues that, according to Commission policy, clearly are under the jurisdiction and within the scope of the Commission to decide or to monitor.

b. Deliberation will be fair, open, and thorough, but also timely, orderly, and as brief as possible to effect a thorough discussion.

2. The authority of the Chair consists in making decisions that fall within topics covered by Commission's Governance Processes and the Commission-Executive Director Linkage, with the exception of employment or termination of the Executive Director.

a. The Chair is empowered to chair Commission meetings with all the commonly accepted powers of that position using the most recent copy of Roberts Rules of Order.

b. The Chair has no authority to make decisions about policies created by the Commission within the Governance Policy and Executive Limitations. Therefore, the Chair has no individual authority to supervise or direct the Executive Director. However, the Chair and the Executive Director shall maintain an ongoing, productive, and effective working relationship that continually ensures that the mission, goals, and priorities of the Commission are achieved.

c. The Chair may represent the Commission to outside parties. The Chair may delegate this authority, but remains accountable.



3. In the event the office of the Chair becomes vacant, the Vice Chair shall temporarily assume all responsibilities and perform all duties of the Chair and will perform all responsibilities and duties of the Chair until such time as an election for filling the office of Chair can be held. Such election shall be held within ninety (90) days from the date that the Chair's vacancy occurs. In the event that there is no Vice Chair serving at the time of the Chair's vacancy, any Commissioner whose current term has been in effect for the longest period of time shall temporarily serve as Chair until elections for filling both the office of Chair and Vice Chair can be held, as long as such elections are held within ninety (90) days from the date the Chair's vacancy occurs.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 5 | VICE CHAIR'S ROLE

1. In the absence of the Chair, the Vice Chair will assume the duties of the Chair, unless delegated otherwise by the Chair.

2. If a vacancy occurs in the office of the Chair, the Vice Chair shall temporarily assume the title of Chair and perform all responsibilities and duties of the Chair until such time as an election, pursuant to Article II, Policy 4 of this Governance Policy, can be held. If a vacancy occurs in the office of the Vice Chair, the Commission will select another member to fill the unexpired term of the Vice Chair.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 6 | COMMISSIONER'S CODE OF CONDUCT

The Commissioners commit themselves to ethical, professional, lawful, and respectful conduct, including proper use of authority and appropriate decorum when acting as Commissioners.

1. Commissioners must not be conflicted by loyalties to any staff, other private and public organizations, or personal interests.
2. Commissioners must have a personal commitment to civil rights and uphold the mission of the Commission, the meaning and intent of the Florida Civil Rights Act, other pertinent state statutes, administrative rules, and federal law.
3. Commissioners will adhere strictly to the provisions of Florida's Sunshine Laws and will refrain from discussing any issue, without proper meeting notice and allowance for open discussion, upon which they may potentially have to vote.
4. Commissioners must avoid conflict of interest with respect to their fiduciary responsibilities.
 - a. Commissioners will annually complete a State of Florida financial disclosure statement.
 - b. When the Commission is to decide upon an issue about which a Commissioner has an unavoidable conflict of interest, that Commissioner, if in attendance, must vote. If the Commissioner has a conflict of interest, the conflict must be disclosed on the record and the Commissioner must then vote. Paperwork may need to be completed at the direction of the Chief Legal Counsel.
 - c. Commissioners will not use their Commission position to obtain FCHR employment and/or contracts for themselves, family members, or close business associates. Should a Commissioner wish to apply for such employment or contracts, he or she must first resign his or her position as Commissioner.
5. Commissioners who qualify to run for public office must resign from the Commission in accordance with Florida Statutes. Commissioners shall not attempt to exercise individual authority over other Commissioners, the Executive



Director, or any of the Commission staff unless specifically authorized by the Commission.

6. Commissioners' interaction with the public, press, or any other entities must recognize the inability of any Commissioner to speak on behalf of the Commission except to repeat explicitly stated Commission decisions and in furtherance of the FCHR's mission.

7. Commissioners will be properly prepared for deliberations and discussions at scheduled meetings.

8. Commissioners shall not plan events in the name of the Commission or use the name, logo, letterhead, tangible property, or any other item of the FCHR, unless approved by the Executive Director.

9. Commissioners shall timely review and return all paperwork related to case deliberations.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 7 | COMMISSION PRINCIPLES

Any committees created by the Commission will be assigned so as to reinforce the FCHR's Mission and so as never to interfere with the Commission-Executive Director Linkage.

Accordingly,

1. Committees are to help the Commission do its job; committees are not to advise, help, or instruct Commission staff. Committees ordinarily will assist the Commission by preparing policy alternatives and implications for Commission deliberation. In keeping with the Commission's broader focus, neither Commissioners nor Commission committees will have direct dealings with staff operations.
2. Committees may not speak or act for the Commission except when formally given such authority for specific and time-limited purposes.
3. Committees cannot exercise authority over staff. Because the Executive Director works for the Commission, he or she will not be required to obtain approval of a committee before undertaking any operational, administrative, or executive action.
4. Committees are to avoid over-identification with organizational parts rather than the whole.
5. Committees will be used sparingly.
6. This policy applies to any group, whether or not it is termed a "committee" or whether or not it includes Commissioners, which is formed by Commission action. It does not apply to committees formed under the authority of the Executive Director.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 8 | COST OF GOVERNANCE

Because poor governance costs more than learning to govern well, the Commission will invest in its governance capacity.

Accordingly,

1. Commissioner skills, methods, and supports will be sufficient to assure governing with excellence.
 - a. Training and retraining will be used to orient new Commissioners as well as maintain and increase existing Commissioners' skills and understanding.
 - b. The Commissioners will fully support and cooperate with outside monitoring/audits.
 - c. Outreach mechanisms will be used as needed to ensure the Commissioners' ability to listen to and understand diverse viewpoints.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE II POLICY 9 | UNITY OF CONTROL

Only officially passed motions of the Commissioners are binding on the Executive Director. Accordingly, decisions or instructions by individual Commissioners, officers, or committees are not binding on the Executive Director except where the Commissioners have specifically authorized such action.

History. – (New 11/06. Revised 9/14. Updated 1/22)



GOVERNANCE POLICY | FCHR

ARTICLE: III COMMISSION-EXECUTIVE DIRECTOR LINKAGE

POLICIES: 1 through 3



ARTICLE III POLICY 1 | GOVERNANCE COMMITMENT

The Executive Director is the Commission's only connection to operational achievement and conduct so that all authority and accountability of staff, as far as the Commissioners are concerned, is considered the sole responsibility of the Executive Director.

Accordingly,

1. The Commissioners will not give instructions directly to Commission staff; rather, any instructions will be directed to the Executive Director.
2. The Commissioners will not evaluate, either formally or informally, any staff other than the Executive Director.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE III POLICY 2 | GOVERNANCE DEVELOPMENT

The Commissioners will instruct the Executive Director, through the Executive Limitations contained in this governance document, thus allowing the Executive Director to use any reasonable interpretation of these polices to carry out his or her responsibilities.

Accordingly,

1. The Commissioners will develop Executive Limitations that guide the Executive Director in managing and operating the Commission. These Executive Limitations will address the broadest levels of all organizational decisions and situations.

2. As long as the Executive Director uses reasonable interpretation of the Executive Limitations, the Executive Director is authorized to establish all policies and procedures, make all decisions, take all actions, establish all practices, and develop all activities necessary to successfully administer and operate the FCHR. Such decisions of the Executive Director shall have full force and authority.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE III POLICY 3 | MONITORING EXECUTIVE DIRECTOR PERFORMANCE

The Commission will monitor the Executive Director's performance for compliance with the Executive Limitations at any time and by any method as the Commission so chooses.

Accordingly,

1. Monitoring performance is simply to determine the degree to which Executive Limitations are being complied with and the Performance Standards are being met.
2. The Commission will acquire monitoring data by one or more of three methods:
 - (a) internal reporting and data which the Executive Director discloses compliance information to the Commission,
 - (b) external reporting compiled by an external, unbiased, and disinterested third party selected by the Commissioners to assess compliance with Commission policies, and
 - (c) by direct Commissioner inspection in which a designated member of the Commission assesses compliance with the appropriate policy criteria.
3. The Executive Director's performance will be documented on an annual basis pursuant to the State of Florida performance appraisal process.

History. – (New 11/06. Revised 9/14. Updated 1/22)



GOVERNANCE POLICY | FCHR

ARTICLE: IV EXECUTIVE LIMITATIONS

POLICIES: 0 through 7



ARTICLE IV INTRO | GLOBAL EXECUTIVE CONSTRAINT

The Executive Director shall not cause or allow any practice, activity, decision, or organizational circumstance which is either unlawful, imprudent, or in violation of commonly accepted governmental, business, and professional ethics and practices. Furthermore, the Executive Director shall not:

1. Compromise the Commission's public image or credibility.
2. Fail to assess and consider the capability of the FCHR to produce appropriately targeted, effective, and efficient results that are aligned with its Mission.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 1 | TREATMENT OF THE GENERAL PUBLIC

With respect to interactions with the general public, the Executive Director shall not cause or allow conditions, procedures, or decisions that are unlawful or unethical. Furthermore, the Executive Director shall not:

1. Initiate legal action for allegations of discrimination that are not covered by the Florida Civil Rights Act, and/or other pertinent state statutes, administrative rules, and federal law. Use methods of collecting, reviewing, transmitting, or storing information that fail to secure information against improper use, access, damage, or loss.
2. Operate facilities without appropriate accessibility and adequate security measures in place.
3. Fail to provide the general public clear and accurate information as to what is and is not covered under the Florida Civil Rights Act, and/or other pertinent state statutes, administrative rules, and federal law.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 2 | TREATMENT OF STAFF

With respect to the treatment of staff, the Executive Director shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear. Furthermore, the Executive Director shall not:

1. Operate without written human resources policies and procedures that provide for effective handling of grievances and protect against wrongful conditions, such as nepotism and preferential treatment for personal reasons.
2. Discriminate or retaliate against any staff person.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 3 | FISCAL RESPONSIBILITY

With respect to the financial conditions and activities of the FCHR, the Executive Director shall not deviate from the Legislature's fiscal priorities. Furthermore, the Executive Director shall:

1. Include credible projection of revenues and expenses, separation of capital and operational items, and disclosure of planning assumptions.
2. Expend only the funds appropriated in any fiscal year.
3. Process and submit payroll and debts in a timely manner.
4. Ensure timely payments and accurate invoicing.
5. Seek Commission approval for single purchase of or commitment of funds greater than \$500,000.
6. Ensure adherence to Florida Statutes relating to procurement policy.
7. Comply with the State of Florida's audit standards.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 4 | EXECUTIVE DIRECTOR SUCCESSION

To protect the Commission from loss of the Executive Director's services, the Executive Director must have one or more managers familiar with the FCHR's operations and the Executive Director's responsibilities, tasks, issues, and processes.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 5 | OPERATIONAL PROTECTIONS

The Executive Director shall not allow FCHR assets to be unprotected, inadequately maintained, or unnecessarily risked. Furthermore, the Executive Director shall develop and have in place a strategic information security plan and associated operational information security plan. In addition, the Executive Director will establish security policies and procedures, standards, and guidelines.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 6 | COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, and contract workers, the Executive Director shall not cause or jeopardize fiscal integrity. Furthermore, the Executive Director shall not:

1. Change his or her compensation and benefits.
2. Promise or imply permanent or guaranteed employment.
3. Establish compensation and benefits that deviate from state statutes, administrative rules, or Commission compensation and benefits policies.
4. Create financial obligations over a longer term than revenues are appropriated.

History. – (New 11/06. Revised 9/14. Updated 1/22)



ARTICLE IV POLICY 7 | SUPPORT AND INFORM THE COMMISSIONERS

The Executive Director shall support and inform Commissioners on Commission business. Furthermore, the Executive Director shall:

1. Submit data and information in a timely, clear, and accurate fashion.
2. Inform the Commissioners of relevant trends, anticipated adverse media coverage, threatened or pending lawsuits, and changes to established Commission policies.
3. Advise the Commissioners if, in the Executive Director's opinion, the Commission is not in compliance with its own policies and/or state statutes and administrative rules.
4. Advise the Commissioners if, in the Executive Director's opinion, a Commissioner's behavior is detrimental to the Commission or to the working relationship between the Commissioner(s) and the Executive Director.
5. Provide a mechanism for official Commission communication.

Adopted by the Florida Commission on Human Relations on this 20th day of January, 2022, signed by the Chair, with the following Commissioners present:



Darrick McGhee, Chair

Libby Farmer

Dawn Hanson

Larry Hart

Kenyetta Mullins Moye

Vivian Myrtetus

Pamela Payne

Jay Pichard

Angela Primiano, Vice Chair

History. – (New 11/06. Revised 9/14. Updated 1/22)



APPENDIX



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