



APPROVED

First Reading: 10/09/2024
Passed 9-0: 10/23/2024

**COUNTY OF LEHIGH, PENNSYLVANIA
COMMISSIONERS BILL 2024 - 36
SPONSORED BY COMMISSIONER COLE-BORGHI
REQUESTED DATE: OCTOBER 1, 2024
ORDINANCE NO. 2024 – 138**

**AMENDING THE LEHIGH COUNTY HUMAN RELATIONS ORDINANCE AND THE
LEHIGH COUNTY ADMINISTRATIVE CODE TO SUBSTITUTE THE DEPARTMENT
OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE LEHIGH COUNTY
OFFICE OF HUMAN RESOURCES AS THE LOCATION FOR FILING
COMPLAINTS OF DISCRIMINATION**

WHEREAS, by Ordinance No. 2024 - 106 the Board of Commissioners adopted the Lehigh County Human Relations Ordinance which prohibits certain forms of discrimination in Lehigh County and provides a remedy should individuals experience such discrimination; and

WHEREAS, the Human Relations Ordinance provides that complaints of discrimination may be filed either in person at the Lehigh County Human Resources Office or on-line; and

WHEREAS, the County Administration and the Lehigh County Human Relations Commission have determined that the more appropriate location for filing a complaint would be the County's Department of Community and Economic Development; and

WHEREAS, amendments to both the Human Relations Ordinance and the Lehigh County Administrative Code are required to change the filing location; and

WHEREAS, such amendments must be accomplished by Ordinance.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED BY THE
BOARD OF COMMISSIONERS OF THE COUNTY OF LEHIGH, PENNSYLVANIA,**

THAT:

1. The foregoing Whereas clauses are incorporated herein as if set forth in their entirety.

2. Sections 402 and 404 of the Human Relations Ordinance, Ordinance No. 2024 - 106, are hereby amended as indicated, additions underlined and bolded and deletions struck through and bracketed:

SECTION 402 - Filing a complaint

402.1 Any person(s) claiming to be aggrieved by an unlawful practice within the scope of this Ordinance may make, sign, and file a complaint, verified in accordance with PA Rule of Civil Procedure 1024, alleging violations of this Ordinance. The Commission, upon its own initiative, may in like manner sign, verify and file a complaint. The complaint shall include the following information:

- A. The name and address of the aggrieved person(s) (Complainant(s));
- B. The name and address of the person(s) alleged to have committed the prohibited practice (Respondent(s));
- C. A concise statement of the facts, including pertinent dates, constituting the alleged discriminatory practice;
- D. If applicable, the address and a description of the place of employment, or dwelling unit, or public accommodation which is involved; and
- E. Such other information as may be required by the Commission.

The Commission or the Complainant shall have the power reasonably and fairly to amend any complaint, or withdraw it, and the Respondent shall have like power to amend their answer.

402.2 Complaints may be filed in person at the Lehigh County **Department of Community and Economic Development** [~~Office of Human Resources~~] or on-line at the Commission's website. Complaints shall be marked with the date and time received.

402.3 All complaints must be received by the Lehigh County **Department of Community and Economic Development** [~~Office of Human Resources~~] or by the Human Relations Commission website within one hundred eighty (180) days of the most recent alleged act(s) of discrimination.

402.4 The Lehigh County **Department of Community and Economic Development** [~~Office of Human Resources~~] shall convey all original complaints it receives to the Human Relations Complaint Investigator and the Chairperson of the Commission within ten (10) days of the Office's receipt of such complaints.

SECTION 404 - Response to the Complaint

404.1 The Respondent(s) shall file a written, signed and verified answer to the complaint within sixty (60) days of the mailing date of the complaint. The answer to a complaint shall be filed in the same manner as an original complaint, in-person or on-line.

404.2 The Lehigh County **Department of Community and Economic Development** [~~Office of Human Resources~~] shall convey Respondent's answer to the Human Relations Commission within ten (10) days of the Lehigh County **Department of Community and Economic Development's** [~~Human Resources Office's~~] receipt thereof. The Commission shall send a copy of the answer to the Complainant within ten (10) business days.

3. Section 703.2(s) of the Administrative Code is hereby amended as follows, deletions struck through and bracketed:

s. The Lehigh County Human Relations Commission shall work in coordination with [~~the Office of Human Resources,~~] the Department of Community and Economic Development and the Department of Law.

4. Section 704, subsection D and subsection I, of the Administrative Code are hereby amended as follows, additions bolded and underlined, deletions struck through and bracketed:

Section 704 – HUMAN RELATIONS COMMISSION

...

D. The Commission is hereby vested with the authority to administer and enforce the Lehigh County Human Relations Ordinance and shall be given sufficient administrative and legal support from the Lehigh County **Department of Community and Economic Development** [~~Office of Human Resources~~], the Lehigh County Clerk of Judicial Records' Office, and the Lehigh County Department of Law to carry out its powers and duties, including assistance with intake of complaints and investigation of filed complaints of discrimination.

...

I. The Chair of the Human Relations Commission will be responsible for setting Commission meetings, coordinating with the **Department of Community and Economic Development** [~~Office of Human Resources~~] regarding received complaints and answers, and generally ensuring that the duties of the Commission are fulfilled. The Chair may delegate responsibility for Commission duties to specific Commissioners or to paid staff. The Vice Chair will serve as Chair when the Chair is otherwise unavailable in emergency situations. The Commission Secretary shall coordinate minute-taking at meetings which may be done by paid

staff or a Commissioner. Meetings may be recorded to assist with the preparation of the minutes.

5. The proper officers and other personnel of Lehigh County are hereby authorized and empowered to take all such further action, including any necessary transfers of funds, and execute additional documents as they may deem appropriate to carry out the purposes of this Ordinance.

6. The County Executive shall distribute copies of this Ordinance to the proper officers and other personnel of Lehigh County whose further action is required to achieve the purpose of this Ordinance.

7. Any Ordinance or part of any Ordinance conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

8. This Ordinance shall become effective in ten (10) days after enactment.

ADOPTED this 23rd day of October, 2024, by the following vote:

<u>Commissioners</u>	<u>AYE</u>	<u>NAY</u>
Sheila Alvarado	X	
Ron W. Beitler	X	
Geoff Brace	X	
Zach Cole-Borghini	X	
Jeffrey Dutt	X	
Dan Hartzell	X	
Jon Irons	X	
Antonio Pineda	X	
April Riddick	X	

ATTEST: *Diana Schae*
Deputy Clerk to the Board of Commissioners

APPROVED this 24th day of October, 2024.

Edward D. Hoza, Jr.
Phillips M. Armstrong
Lehigh County Executive

ENACTED this 24th day of October, 2024. County Executive by designee
Edward D. Hoza, Jr.
Director of Administration

COUNTY OF LEHIGH ORDINANCE **2024-NO. 138**

CERTIFICATION

I, DIANA SCHOLL, Deputy Clerk to the Board of Commissioners of Lehigh County, do hereby certify that the attached is a true and correct copy of the ordinance adopted at a regular meeting of the Commissioners of Lehigh County held on the **23rd** day of **October**, **2024**, was approved by the County Executive by designee on the **24th** day of **October**, **2024** and becomes effective on the **3rd** day of **November**, **2024**.



DIANA SCHOLL, Deputy Clerk
Board of Commissioners