Human Rights Commission
Meeting Minutes
Special Meeting: Case 2025-2 Public Administrative Appeal Hearing
Thursday, August 27, 2026
City Space, 100 5th Street NE, Charlottesville, VA 22902
6:00 pm

1. **WELCOME**
    a. CALL TO ORDER
        i. Presiding member, Vice Chair, Elizabeth Stark, called the meeting to order at 6:03 pm.
    b. ROLL CALL
        i. Present
            1. Elizabeth Stark, Vice Chair, presiding member
            2. Callum McCain von Schill
            3. Dawn Lawson
        ii. Absent
            1. The above commissioners comprised the entirety of the hearing panel, as appointed by the full Commission during a public regular meeting on February 19, 2026.
2. **HEARING PANEL DISCUSSION**
    a. Procedural Review and Scope of Hearing
        i. The presiding member reviewed the hearing procedures for the public administrative appeal in Case 2025-2, including that the complainant requested Commission review of the Director's finding of no reasonable cause.
        ii. Staff clarified that the case was filed under the version of the Human Rights Ordinance in effect before the August 3, 2026, amendments.
        iii. Staff explained that the hearing panel could uphold the Director's finding, overturn the finding, or identify additional information needed before a final determination.
        iv. Staff described possible next steps if the finding were overturned, including recommending that the parties revisit alternative dispute resolution through mediation, recommending further action by the City Attorney and City Council where authorized, or making recommendations to the respondent.
        v. Staff noted that mediation would remain voluntary for both parties and that the Commission does not have authority to award damages, issue injunctive orders, or compel a respondent to provide a remedy.
    b. Review of Case Record and Investigation
        i. The hearing panel acknowledged the detail, professionalism, and thoroughness of the investigative record and staff work.
        ii. The panel used the investigative report and determination as the framework for discussion, focusing primarily on the two issues and elements identified in the case record.
        iii. The panel discussed that the absence of corroborating evidence created evidentiary limits, but that the record also raised questions about whether additional information could clarify the workplace context and the respondent's handling of the complainant's concerns.
    c. Issue One: Alleged Race-Based Hostile Work Environment
        i. The panel discussed the allegation that the complainant was subjected to a hostile work environment based on race, including alleged intentional mispronunciation of the complainant's name, comments about racial background

or family, culturally or racially insensitive remarks, differential treatment, and ostracism.

ii. Discussion included the medication-cart shift-change incident, internal workplace conflict reports, the role of witnesses, and the extent to which the record did or did not corroborate specific alleged race-based comments.

iii. Panel members discussed concerns that workplace conflicts may have gone undocumented or unresolved and that the complainant may not have felt safe reporting all concerns through ordinary workplace channels.

iv. The panel discussed whether the record suggested broader workplace culture concerns, clique dynamics, colorism or multiracial identity concerns, and whether those dynamics could have affected how the complainant experienced the workplace.

v. The panel also discussed workload, patient-safety concerns, medication administration, charting, patient care duties, breaks, and whether the complainant's reports about other employees' conduct or work performance were investigated or addressed by the respondent.

vi. Panel members discussed whether the complainant was labeled as someone who "runs to HR" and whether management or HR took steps to prevent that label from contributing to isolation or retaliation.

d. Issue Two: Termination, Discipline, and Possible Retaliation or Pretext

i. The panel discussed whether the respondent had nondiscriminatory reasons for termination, including medication administration and documentation concerns, controlled-substance record issues, attendance or call-out issues, and other workplace conduct.

ii. Discussion included whether progressive discipline, performance improvement plans, rebuttal opportunities, call-out policies, medication-error policies, and similar workplace rules were applied consistently to the complainant and to similarly situated employees.

iii. The panel discussed evidence concerning text messages to a coworker's spouse and other interpersonal conduct, noting that some conduct raised legitimate workplace concerns while also considering the broader workplace context in which it occurred.

iv. The panel discussed whether the complainant may have engaged in conduct that gave the respondent legitimate concerns, while still leaving unanswered questions about differential treatment, possible retaliation, or whether the respondent applied its policies consistently.

e. Additional Questions Identified for Follow-Up

i. The panel identified several areas where additional information could assist the hearing panel before a final determination is made.

1. What action, if any, HR or management took in response to the complainant's reports about other employees' work performance, patient safety, medication handling, wound care, and staff conduct.
2. Whether those concerns were verified, resolved, or continued after they were reported.
3. Whether HR or management knew that the complainant was being characterized as someone who "runs to HR," and how that issue was addressed.
4. The timing of alleged race-based comments, harassment, or workplace isolation relative to the complainant's reports to HR or management.
5. Whether call-out, progressive-discipline, performance-improvement-plan, medication-error, and rebuttal policies were applied consistently across similarly situated employees.
6. Whether additional employees named or referenced in the record should be interviewed to determine what they observed or knew.

7. Whether the respondent had received prior complaints of race-based harassment, discrimination, or similar workplace concerns, and how any such complaints were handled.
8. Whether the complainant had supervisory, lead-worker, or shift-lead authority over other staff and how that affected expectations, responsibilities, or discipline.
9. Whether additional context regarding the complainant's communications with a coworker's spouse would clarify the record.

f. Panel Deliberation
   i. The panel discussed whether to render a final determination during the hearing or seek additional information first.
   ii. One panel member stated an inclination to uphold the Director's determination based on the existing record, while the majority expressed that the unanswered questions should be pursued before a final determination is made.
   iii. The majority concluded that additional investigation and a follow-up hearing were appropriate before the panel decides whether to uphold or overturn the Director's finding.

3. HEARING PANEL DECISION

a. Motion: Callum McCain von Schill moved to reopen the investigation into Case 2025-2 and hold a follow-up public hearing after the questions raised in the discussion are answered.
   i. Second: Dawn Lawson seconded the motion.
   ii. Vote:
      1. In favor: 2
      2. Opposed: 1
      3. Abstained: 0
   iii. Motion passed.

b. Key Decision
   i. The hearing panel voted to reopen the investigation into Case 2025-2 and hold a follow-up public hearing after additional questions are answered.

4. NEXT STEPS

a. Key Decisions
   i. The hearing panel did not render a final determination on the Director's finding of no reasonable cause during this hearing.
   ii. The investigation will be reopened for follow-up on the questions identified by the hearing panel.
   iii. A follow-up public hearing will be held after the additional information is available for review.

b. Action items
   i. Office of Human Rights staff
      1. Reopen the investigation and coordinate follow-up on the questions identified during the hearing panel discussion.
         a. Deadline/timing: After the hearing and before the follow-up public hearing.
      2. Determine whether additional witnesses named or referenced in the record should be interviewed.
         a. Deadline/timing: During the reopened investigation.
      3. Seek additional information regarding HR or management responses to the complainant's workplace concerns, policy application, prior complaints, and other questions identified by the hearing panel.
         a. Deadline/timing: During the reopened investigation.
      4. Coordinate scheduling, notice, and materials for a follow-up public hearing after additional information is gathered.
         a. Deadline/timing: After additional information is available.
   ii. Hearing panel members

1. Review additional information provided after the investigation is reopened.
    a. Deadline/timing: Before the follow-up public hearing.
2. Participate in the follow-up public hearing and make a final determination based on the record and additional information received.
    a. Deadline/timing: At the follow-up public hearing.

5. ADJOURN

a. Meeting adjourned at 8:11 pm.