

Agency Purpose

The mission of the Department of Human Rights is to *stop illegal discrimination and further equal opportunity for all people in Minnesota*. The department pursues this mission through a coordinated program of law enforcement, prevention education, and community-based conflict resolution.

There are six major objectives that drive all department activities:

- ◆ develop and oversee statewide human rights policies and programs;
- ◆ *receive, investigate, and make determinations on charges alleging unfair discriminatory practices;*
- ◆ monitor state contractor compliance with applicable affirmative action provisions;
- ◆ *educate to eliminate unfair discriminatory practices;*
- ◆ develop and disseminate technical assistance to persons subject to the provisions of the Human Rights Act; and
- ◆ assess human rights compliance.

Core Functions

The Department of Human Rights resolves unlawful discrimination through enforcement of the *Human Rights Act*. Core functions support both the resolution of discrimination complaints, and the promotion of increased fair employment opportunities statewide.

These core functions are:

- ◆ investigating and resolving discrimination complaints in *education, housing, jobs, and services;*
- ◆ reviewing and certifying state contractor compliance with equal employment opportunity regulations; and
- ◆ providing education and technical assistance.

These functions are supported by these guiding principles:

- ◆ Service - enthusiastically performing duties for the people of the state;
- ◆ Quality - delivering results that are distinguished by superior attention to detail and unrivaled execution;
- ◆ Efficiency - productivity without waste or unnecessary expense or effort;
- ◆ Timeliness - responding to requests and scheduled work at a pace – and at intervals – that is peerless;
- ◆ Neutrality - articulating a position and by presenting information based on fact and sound judgment; and
- ◆ Respect - exhibiting behavior that exemplifies consideration and appreciation of all who are touched by the work of the department.

General

The department serves a varied customer base. People alleging discrimination, those accused of discrimination, the legal community, and state vendors are the primary customers of the department’s business processes. This customer base includes: individuals, school districts, businesses, attorneys, local governments, state agencies, local human rights commissions, landlords, and local and federal human rights enforcement agencies.

The Contract Compliance Unit reviews affirmative action plans of businesses and issues Certificates of Compliance to eligible businesses. It also provides consulting services to 2,600 businesses annually and conducts 50 compliance audits per year.

At A Glance

2004 and 2005 State Budget

\$6.846 million General Fund
 \$118,000 Certificate of Compliance Fees

Revenue Generated for General Fund
 (Federal FY 2003 and 2004)

\$765,000 Federal Equal Employment
 Opportunity Commission Funds

Annual Business Process (FY 2004)

14,400	inquires/referrals
5,994	jurisdictional complaints evaluated
1,366	formal charges filed and resolved
\$1.4 million	recovered aggrieved parties
1,477	state contractors
1,763	business equal employment opportunity action plans reviewed
2,600	technical assistance with businesses
50	compliance audits conducted

The Enforcement Unit handles 14,400 inquiries annually and provides referral, charge drafting, investigation, and resolution of 1,366 charges in FY 2004.

Management Services and Administration provides policy leadership, manages external communications and publications, operates accounting, purchasing, and payroll services, administrative support, record retention, organizational performance measurement and manages departmental databases, web page facilities, and disaster recovery issues.

Education and Outreach **provides constituents educational opportunities to eliminate illegal discrimination.**

Budget

The agency's FY 2004-05 budget totals \$6.96 million. Department staff includes approximately 44 full-time equivalent employees.

Of the total budget for the biennium, over \$6.8 million comes from the General Fund. An additional \$118,000 (est.) of dedicated revenue is generated from Certificate of Compliance fees. All certificate of compliance dedicated revenue is used to fund the cost of issuing certificates and investigating grievances.

Note: The agency will generate \$405,000 for the federal FY 2004 through a contract with the Federal Equal Employment Opportunity Commission. All receipts are transferred to the General Fund.

Contact

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For information on how this agency measures whether it is meeting its statewide goals, please refer to www.departmentresults.state.mn.us.

Dollars in Thousands

	Current		Forecast Base		Biennium 2006-07
	FY2004	FY2005	FY2006	FY2007	
<u>Direct Appropriations by Fund</u>					
General					
Current Appropriation	3,520	3,490	3,490	3,490	6,980
Forecast Base	3,520	3,490	3,490	3,490	6,980
Change		0	0	0	0
% Biennial Change from 2004-05					-0.4%
 <u>Expenditures by Fund</u>					
Direct Appropriations					
General	3,464	3,407	3,490	3,490	6,980
Statutory Appropriations					
Special Revenue	59	238	139	165	304
Total	3,523	3,645	3,629	3,655	7,284
 <u>Expenditures by Category</u>					
Total Compensation	2,950	2,915	3,012	3,060	6,072
Other Operating Expenses	573	730	617	595	1,212
Total	3,523	3,645	3,629	3,655	7,284
 <u>Expenditures by Program</u>					
Contract Compliance	309	339	347	363	710
Complaint Processing	2,413	2,196	2,207	2,271	4,478
Management Services And Admin	762	920	984	970	1,954
Education To Eliminate & Outreach	39	190	91	51	142
Total	3,523	3,645	3,629	3,655	7,284
 Full-Time Equivalent (FTE)	 44.8	 44.8	 44.0	 42.0	

Program Description

The Contact Compliance activity enforces M.S. 363A.36, which requires that state government agencies do business only with affirmative action/equal opportunity employers. This activity encourages equal employment opportunity (EEO) for qualified minorities and women.

Program at a Glance

- ◆ 1,763 EEO action plans reviewed
- ◆ 2,600 consultations with Minnesota businesses in FY 2004
- ◆ 50 compliance audits in FY 2004

Population Served

This activity provides service to over 2,600 Minnesota businesses annually that want to do business with the state. Indirectly, the activity serves potential employees of these firms by promoting equal access to employment opportunities.

Services Provided

The Contract Compliance activity provides enforcement and direct technical services to businesses throughout the state. Audits conducted during the current biennium reveal that small businesses lack resources to implement successful EEO programs. Program evaluation shows that compliance audits have been extremely effective in enhancing business EEO programs; audit recipients outperformed their peers in EEO policy development and in recruiting and maintaining qualified women and minorities in their workforce.

This activity provides the following services:

- ◆ reviewing and assisting businesses in developing EEO action plans;
- ◆ issuing certificates of compliance in a timely manner;
- ◆ conducting compliance audits to provide technical assistance and insure compliance with EEO goals and policies; and
- ◆ evaluating compliance audit data and developing training tools and programs for Minnesota employers.

Historical Perspective

The Contract Compliance activity historically has focused its efforts on conducting “desk audits” of business affirmative action plans, and providing telephone assistance to businesses in developing and implementing plans that work. During FY 2004 an emphasis was placed on pre-employment medical enquires. One hundred percent of the illegal medical enquires were corrected to meet M.S. 363A.

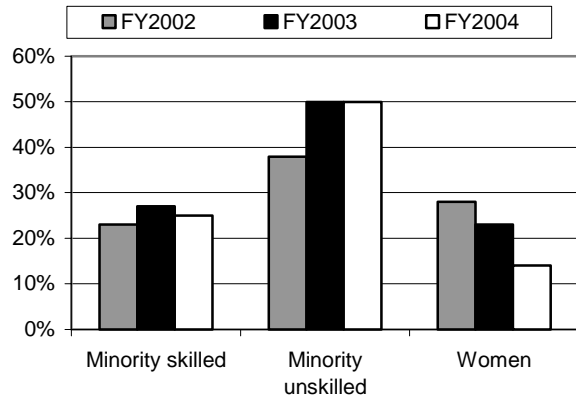
In FY 2004 the department began collecting a \$75.00 fee for the issuance of a Certificate of Compliance. Total funds collected for FY 2004 was \$58,203.

Budget reductions caused a decrease in FY 2004 compliance audits to 50. Individualized assistance to businesses developing plans will continue to be a priority prevention service. A “how to” manual has been updated and promoted to assist contractors in developing and implementing their plans.

Key Measures

One of the primary indicators for this activity is the percentage of companies meeting or substantially meeting their EEO goals. Progress toward achieving goals is measured by determining the percentage of minority (or female) participation hours in construction businesses at a given point in time. Minnesota Department of Human Rights (MDHR) receives monthly utilization reports from contractors, and evaluates them to determine whether progress is being made toward goal attainment. Unfortunately no construction contractors have been able to meet their female hiring goals of 9.5%, however, the chart displays the percentage of companies that achieved at least a 4% goal. Inability to conduct on-site audits and monitoring are factors in the decreasing percentages. The following is information provided by construction contractors for 6-30-04:

Metro Construction Contractors Meeting EEO Goals



Greater Minnesota Contractors Meeting EEO Goals



FY – Calendar Year

Program Funding

This activity is 100% funded by state General Funds in FY 2004, however, in FY 2005 20% of this activity will be funded by revenue generated from certificate of complaints receipts.

Contact

Additional information on this program can be obtained under “information for businesses” on our web site at www.humanrights.state.mn.us

HUMAN RIGHTS DEPARTMENT
 Program: CONTRACT COMPLIANCE

Program Summary

Dollars in Thousands

	Current		Forecast Base		Biennium
	FY2004	FY2005	FY2006	FY2007	2006-07
<u>Expenditures by Fund</u>					
Direct Appropriations					
General	289	291	299	249	548
Statutory Appropriations					
Special Revenue	20	48	48	114	162
Total	309	339	347	363	710
<u>Expenditures by Category</u>					
Total Compensation	255	261	274	289	563
Other Operating Expenses	54	78	73	74	147
Total	309	339	347	363	710
<u>Expenditures by Activity</u>					
Contract Compliance	309	339	347	363	710
Total	309	339	347	363	710
Full-Time Equivalent (FTE)	4.0	4.0	4.0	4.0	

Program Description

M.S. Chapter 363A requires that the agency investigate complaints of unlawful discrimination. While the majority of cases involve claims of discrimination in employment, the agency also has jurisdiction over allegations of discrimination in housing, education, public accommodations, public services, credit, and business contracts.

Population Served

The agency's services are provided to charging parties, respondents to discrimination charges, attorneys, employers, landlords, business owners, and the general public.

Services Provided

This activity achieves results through a coordinated program of law enforcement and prevention education. In enforcing the Human Rights Act (HRA), the agency makes every effort to resolve human rights complaints at the earliest possible stage in the process. As a result, a wide range of services is provided to agency clients:

- ◆ preliminary inquiries into initial allegations;
- ◆ post-charge screening to efficiently allocate resources;
- ◆ investigation of allegations;
- ◆ mediation services for parties involved in the discrimination complaint process;
- ◆ pre-determination settlements (before a final determination is made);
- ◆ administrative appeals for parties who challenge the agency's determination;
- ◆ conciliation services to resolve meritorious cases prior to litigation; and
- ◆ litigation of selected cases not resolved through the discrimination charge processing.

Historical Perspective (External)

Externally, the agency notes the following trends and issues emerging in the human rights arena.

- ⇒ Race/color/national origin is the most common basis for complaints and is likely to increase as new immigrants become familiar with our social system and overcome fear/distrust of government.
- ⇒ We expect more cases in which complainants and/or witnesses do not speak English.
- ⇒ Disability cases are increasing and will continue to do so as the population ages.
- ⇒ Government will be challenged to accomplish legitimate law enforcement objectives without unduly compromising civil rights through overly broad "profiling."

Historical Perspective (Internal)

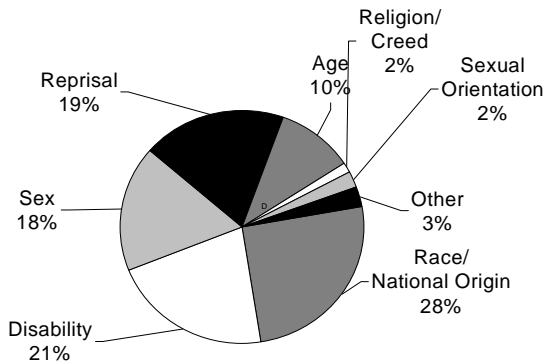
The number of discrimination charges filed with the agency decreased 24% from FY 2003 to FY 2004. The reduction was observed during the first half of the fiscal year. The second half of the fiscal year resulted in a 11% increase towards the levels witnessed in FY 2003. The change was most observed in employment. The economic decline is a probable cause. We have noted an increase in the number of discrimination charges filed by charging parties of Middle Eastern descent as well as increased numbers of allegations related to adverse employment actions. For FY 2005, we project more than 1,400 charges will be filed with the agency.

Budget cuts in FY 2003 and FY 2004 have resulted in the loss of eight investigator positions and all outreach travel funds in this activity. Minnesota Department of Human Rights (MDHR) has reengineered its process to provide less detailed information in its no probable cause memorandums to speed complaint processing and has aggressively pursued early case settlements in an attempt to reduce the number of investigations required. Funding also has been eliminated for providing office hours in 17 greater Minnesota communities. We continue to examine our processes for other reengineering opportunities.

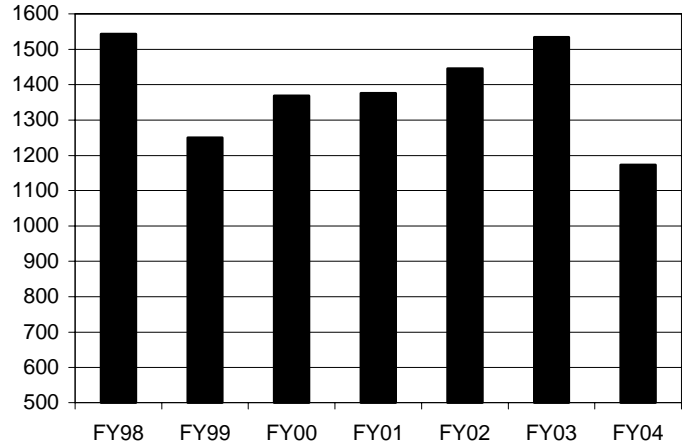
Program at a Glance

- ◆ 14,400 inquiries/referrals annually
- ◆ 1,400 charges filed annually
- ◆ 82 mediations conducted FY 2004
- ◆ 1,366 cases determined in FY 2004
- ◆ 219 case appeals processed during FY 2004
- ◆ \$1.8 million recovered for aggrieved parties in FY 2004
- ◆ \$405,000 will be generated during the federal FY 2004 for the state General Fund

FY'04 Discrimination Charges Filed (Basis)



Discrimination Charges Filed by Fiscal Year



Key Measures

MDHR measures program effectiveness by what is important to our clients; ease of access to the human rights complaint process; timely investigation and determination of disputes; and satisfaction with settlements arising from the process. Performance indicators were measured on 6-30-04.

	<u>2002</u>	<u>2003</u>	<u>2004</u>
Percent of clients who follow through after learning we have jurisdiction over their complaints	34.7%	39.4%	40.4%
Average Case Resolution Time	220 days	200 days	202 days

Program Funding

This activity is funded 100% by the state General Fund. This activity also generates General Fund revenue based on a performance contract with the Equal Employment Opportunity Commission (EEOC). Joint jurisdictional charges filed with the department are cross-filed with the EEOC. Completed cases must meet timeliness standards. As a result of budget reductions, the agency anticipates that for every position eliminated, the General Fund could lose approximately \$20,000 in federal reimbursements. If contract performance is reduced too far, the contract (\$405,000 for the federal FY 2004) could be cancelled in its entirety.

Contact

For more information about this program, visit the agency's web site at www.humanrights.state.mn.us.

HUMAN RIGHTS DEPARTMENT
 Program: COMPLAINT PROCESSING

Program Summary

Dollars in Thousands

	Current		Forecast Base		Biennium
	FY2004	FY2005	FY2006	FY2007	2006-07
<u>Expenditures by Fund</u>					
Direct Appropriations					
General	2,413	2,196	2,207	2,271	4,478
Total	2,413	2,196	2,207	2,271	4,478
<u>Expenditures by Category</u>					
Total Compensation	2,099	2,017	2,067	2,126	4,193
Other Operating Expenses	314	179	140	145	285
Total	2,413	2,196	2,207	2,271	4,478
<u>Expenditures by Activity</u>					
Complaint Processing	2,413	2,196	2,207	2,271	4,478
Total	2,413	2,196	2,207	2,271	4,478
Full-Time Equivalents (FTE)	33.0	33.0	32.2	31.0	

Program Description

Management Services and Administration exists to support the business units of the department and to provide legal, policy, financial, management information systems (MIS), database management, data practices, and administrative support for the department's mission.

Program at a Glance

- ◆ 99% reliability in Information Technology (IT) computer systems
- ◆ processing 100% of all payables within 30 days

Population Served

This activity serves policy decision-makers, the legislature, the media, the legal community, department staff, state, and the general public.

Services Provided

This activity provides internal business support services, policy leadership, and administrative support programs. These services include the following:

- ◆ policy research and development, legislative initiatives coordination, and internal legal consulting and training;
- ◆ data practices enforcement;
- ◆ accounting, purchasing, and contract management;
- ◆ human resources and payroll; and
- ◆ management information systems and database management.

Historical Perspective

During FY 2003 and FY 2004 one management position, one IT position, one supervisor position, and 4.5 administrative support positions were eliminated.

The department was successful renegotiating its lease which freed up funds to update its obsolete software, some of which had not been upgraded since 1994 and was well past its support life-cycle. The department was successful negotiating with other state departments for computer equipment that was superior to its obsolete equipment.

The department in coordination with the Department of Administration Management Analysis Division conducted an analysis of its enforcement processes, resulting in the successful reengineering of those processes.

Key Measures

- ⇒ Processing 100% of all payables within 30 days.
- ⇒ Maintaining computer system reliability and availability at 99% during working hours.

Program Funding

This activity is 100% funded by the General Fund.

Contact

Additional information on this activity can be obtained at www.humanrights.state.mn.us

HUMAN RIGHTS DEPARTMENT

Program: MANAGEMENT SERVICES AND ADMIN

Program Summary

<i>Dollars in Thousands</i>					
	Current		Forecast Base		Biennium
	FY2004	FY2005	FY2006	FY2007	2006-07
<u>Expenditures by Fund</u>					
Direct Appropriations					
General	762	920	984	970	1,954
Total	762	920	984	970	1,954
<u>Expenditures by Category</u>					
Total Compensation	596	637	671	645	1,316
Other Operating Expenses	166	283	313	325	638
Total	762	920	984	970	1,954
<u>Expenditures by Activity</u>					
Management Services And Admin	762	920	984	970	1,954
Total	762	920	984	970	1,954
Full-Time Equivalent (FTE)	7.8	7.8	7.8	7.0	

Program Description

Education in support of the department's mission as found in M.S. 363A.06(10).

Population Served

This activity serves parties involved in discrimination cases, policy decision-makers, the media, the legal community, department staff, state and federal agencies, school districts, and the general public.

Services Provided

This activity provides external information/education programs. These services include the following:

- ◆ statewide quarterly community forums designed to educate the public about their rights and obligations under the Minnesota Human Rights Act (MHRA);
- ◆ statewide bi-annual employer training showcases to avail employers of existing training and trainers;
- ◆ development and distribution of a statewide K-12 Human Rights curriculum in partnership with the University of Minnesota Human Rights Resource Center;
- ◆ annual Human Rights Day Conference hosted by the department; and
- ◆ public service announcements with a human rights message for television and video streaming via the Internet.

Program at a Glance

- ◆ Annual Human Rights Day Conference (400+ attendees)
- ◆ Quarterly Community Forums (400+ attendees)
- ◆ Bi-annual Employer Showcases (20 attendees)
- ◆ Development and distribution of a K-12 Human Rights Curriculum
- ◆ Public Service Announcements
- ◆ Electronic Quarterly newsletter (3,600 subscribers)
- ◆ 234,000 web site hits per year

Historical Perspective

During FY 2004 the department was successful in acquiring a grant from the Otto Bremer Foundation to fund an initiative called "Educate to Eliminate" discrimination. This initiative will allow the department to hold quarterly community forums throughout the state, bi-annual employer training showcases to educate employers, business owners and landlords, fund a public service announcement initiative, and to develop a K-12 Human Rights curriculum. The grant funding will not exist beyond FY 2006.

Key Measures

- ⇒ One community forum per quarter.
- ⇒ Two employer showcases per year.
- ⇒ One Human Rights Day Conference per year.
- ⇒ Development, marketing, and distribution of K-12 Human Rights curriculum.
- ⇒ Public service announcements produced and broadcasted.

Program Funding

This activity is 100% funded by the grant or dedicated funding.

Contact

Additional information on this activity can be obtained at www.humanrights.state.mn.us

HUMAN RIGHTS DEPARTMENT

Program: EDUCATION TO ELIMIN & OUTREACH

Program Summary

Dollars in Thousands

	Current		Forecast Base		Biennium 2006-07
	FY2004	FY2005	FY2006	FY2007	
<u>Expenditures by Fund</u>					
Statutory Appropriations					
Special Revenue	39	190	91	51	142
Total	39	190	91	51	142
<u>Expenditures by Category</u>					
Other Operating Expenses	39	190	91	51	142
Total	39	190	91	51	142
<u>Expenditures by Activity</u>					
Education To Eliminate & Outreach	39	190	91	51	142
Total	39	190	91	51	142