



Minnesota Department of Human Rights

06 - 0423

July 14, 2006

Representative Jeff Johnson
MN House of Representatives
401 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155-1298

Dear Representative Jeff Johnson:

The Minnesota Department of Human Rights (MDHR) submits its semi-annual report to the Legislature summarizing the results of its investigation and resolution of human rights complaints. Documents detailing the Department's activities during the period of January 1, 2006 to June 30, 2006 are attached.

Highlights of complaint activity are as follows:

- The number of new charges filed decreased 28% from the previous six-month period.
- MDHR closed 431 cases.
- The average time from filing a charge to issuing a determination of no probable cause was 321 days; the average time from filing a charge to issuing a determination of probable cause was 282 days.
- The Department continues to expedite the review of new charges at a very high rate. Eighty-eight (88%) of dismissals were accomplished within six months of the charge-filed date.
- The average caseload per enforcement officer remains steady at 28.
- On June 30 there were 2 cases in inventory older than 1 year.
- No cases were heard by the Office of Administrative Hearings under M.S. 363A.29, subdivision 2. Hearings 180 days after charge.

(Cont.)

AN EQUAL OPPORTUNITY EMPLOYER

Page Two
July 14, 2006

Highlights of alternative dispute resolution (ADR) are as follows:

- 204 cases pending determination were referred to ADR.
- Mediations were conducted for 33 cases, resulting in 11 resolutions finalized before July 1 and 6 resolutions pending withdrawal status.
- MDHR recovered approximately \$656,532 for charging parties during this reporting period.

ADR and conciliation settlements during this reporting period resulted in approximately \$656,000 recovered for charging parties, as well as, other non-monetary remedies to eliminate discrimination by respondents

MDHR has continued its high level of performance during the period covered by this report. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Velma J. Korbel
Commissioner

VJK:drmz

Attachment

Settlement Summary
Closure Date of January 1, 2006 to June 30, 2006

Summary by Settlement Type:

Settlement Term	Total(s) #'s	Total(s) \$'s
Back Wages/Pay	1	\$7,500.00
Combined CP/Atty Award	8	\$212,500.00
Conduct Training	13	NA
CP Attorney Fees	3	\$15,500.00
CP Damages Awarded	21	\$276,950.00
Implement Policy Change	9	NA
Other Monetary	13	\$71,882.00
Modify Job/Disability Accommodation	1	NA
Send Letter or Other Pos Ref	6	NA
Terms Confidential	9	NA
Unspecified Lump Sum	11	\$72,200.00
Other	10	NA
Post EEO Notice	5	NA
Total	110	\$656,532.00

Summary by Closure Type:

Closure Type	Total(s) #'s	Total(s) \$'s
ADR	11	\$72,200.00
Conciliation Settlements	33	\$464,450.00
Predetermination Settlements	3	\$67,500.00
Withdrawal - Satisfactorily Adjusted	11	\$52,382.00
Total	58	\$656,532.00

Total number of cases with settlements: 58

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

CASE MANAGEMENT SUMMARY REPORT

Report Period: January 1, 2006—June 30, 2006

CASE ACTIVITY	January 1 2006— June 30, 2006	July 1, 2005— Dec. 31, 2005	Change (Percent)
New Charges Filed	356 charges	495 charges	-28%
% of, above, still awaiting determination	74%	75%	-1%
Total # Cases Closed/Disposition %	431 cases	574 cases	-25%
Dismissed: Lack of Merit	36%	36%	0%
Dismissed: other, incl. Lack of Cooperation	14%	19%	-26%
Withdrawn (excludes settled cases)	6%	4%	+50%
Closed after Probable Cause (PC)	8%	3%	+167%
Closed after No Probable Cause (NPC)	26%	31%	-16%
Closed after split (PC/NPC) determination	<1%	<1%	0%
Pre-determination Resolution*	3%	3%	0%
ADR-resolved (settled/withdrawn)	3%	2%	+50%
Avg. # days to issue PROBABLE CAUSE determination/Number issued	282 days/ 30 PC cases	306 days/ 50 PC cases	-8% -40%
Avg. # days to issue PC/NPC (split) determination/Number issued	308 days/ 6 PC/NPC cases	367 days/ 3 PC/NPC cases	-16% +100%
Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	321 days/ 113 NPC cases	305 days/ 175 NPC cases	+5% -35%
Avg. # days to issue dismissal	115 days	135 days	-15%
% of DWR Dismissals within 6 months	88%	80 %	+10%
Avg. # Cases per fte Enforcement Officer	28 cases	28 cases	0%

* Includes predetermination settlements and non-ADR withdrawals due to satisfactory resolution.

INVENTORY: Cases Pending, as of:	<u>June 30, 2006</u>	<u>December 31, 2005</u>
Cases needing initial determination:	437	518
<i>Probable Cause cases:</i>		
Conciliation status with Attorney General:	67	67
Administrative review requested by party:	9 cases pending (68 requests)	7 cases pending (89 requests)

Pre-determination Inventory, by Case Age (# days from filing, less tolling):

Case count and percentage of inventory, as of

<u>June 30, 2006:</u>			<u>December 31, 2005:</u>		
1 – 90 days:	160	37%	1 – 90 days:	205	40%
91 – 180 days:	122	28%	91 – 180 days:	185	36%
181 – 270 days:	77	18%	181 – 270 days:	79	15%
271 – 365 days:	76	17%	271 – 365 days:	47	9%
366 or more days:	2	<1%	366 or more days:	2	<1%
Total:	437	100%	Total:	518	100%

Entire Inventory, by Case Status, as of June 30, 2006:

<i>Pre-determination cases:</i>		<i>Post-determination cases:</i>	
Initial Inquiry:	139	NPC appeal period:	16
Case Screening:	55	Appeal/Reopen pending:	9
Investigation:	207	Attorney General's Office:	67
PDS Pending:	7	OAH (180-day hearing):	0
Determination Review:	11	Remand Review:	0
ADR:	18	Remand Investigation:	5
Total:	437	Policy Director Review:	0
		Referred to EEOC:	0
		Total:	97

**MINNESOTA DEPARTMENT OF HUMAN RIGHTS
ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAM**

Report Period: January 1, 2006—June 30, 2006

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 204
(This is 57% of the *number* of charges filed during period.)

Seventy-nine of the cases referred to ADR were *filed* during the January 1, through June 30, 2006 report period. (This is 22% of all charges filed during the period.*)

ADR Case activity, 1/1/06—6/30/06:

Invitation *declined* by one or both parties;
case returned to Investigation Unit: **167 cases**

Parties *accepted* ADR invitation: **37 cases**

Mediation held; resolved & closed: 11 cases (avg. of 77 days in ADR status)

Mediation held; awaiting withdrawal: 6 cases

Mediation held; no agreement: 16 cases

Mediation cancelled; no agreement: 4 cases

ADR inventory, as of 6/30/06:

Awaiting response to ADR invitation: 11 cases

Mediation being scheduled: 0 cases

Mediation session scheduled: 1 cases

Resolved/awaiting withdrawal: 6 cases

Total: 18 cases

* Cases are typically sent directly to ADR after the answer and rebuttal are received and the case has been screened for merit, which generally occurs between 3 and 6 months from the filing date; however, if the parties are interested, cases under investigation also may be referred to mediation.