



06 - 0059

Minnesota Department of Human Rights

January 17, 2006

Legislative Reference Library
Attn: Acquisitions Department
645 State Office Building
Saint Paul, MN 55155-1050

Attn: Acquisition Department

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 July 1, 2005 to December 31, 2005 are attached. Highlights of complaint activity are as follows:

- The number of new charges filed decreased 10% from the previous six-month period.
- MDHR closed 574 cases.
- On December 31 there were 2 cases in inventory older than 1 year.
- The average time from filing a charge to issuing a determination of no probable cause was 305 days; the average time from filing a charge to issuing a determination of probable cause was 306 days.
- The Department continues to expedite the review of new charges at a very high rate. 80% of dismissals were accomplished within six months of the charge-filed date.
- Due to voluntary terminations of two enforcement officers, and resultant vacancies the average caseload per enforcement officer increased from 24 to 28.
- You may notice that two lines have been removed from the Case Management Summary Report (under the heading post-determination settlement). It was determined that these lines were merely status indicators for internal use only and are not used to determine organizational performance.

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

- 174 cases pending determination were referred to ADR.
- Mediations were conducted for 23 cases, resulting in 13 resolutions.
- MDHR recovered approximately \$725,500 for charging parties.

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.

Yours truly,

Velma J. Korb
Commissioner

VJK:drmz

Attachment

AN EQUAL OPPORTUNITY EMPLOYER

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

CASE MANAGEMENT SUMMARY REPORT

Report Period: July 1, 2005—December 31, 2005

CASE ACTIVITY	July. 1, 2005— Dec. 31, 2005	Jan. 1, 2005— June 30, 2005	Change (Percent)
New Charges Filed	495 charges	549 charges	-10%
% of, above, still awaiting determination	75%	71%	+6%
Total # Cases Closed/Disposition %	574 cases	594 cases	-3%
Dismissed: Lack of Merit	36%	43%	-16%
Dismissed: other, incl. Lack of Cooperation	19%	17%	+12%
Withdrawn (<i>excludes</i> settled cases)	4%	2%	+100%
Closed after Probable Cause (PC)	3%	7%	-57%
Closed after No Probable Cause (NPC)	31%	25%	+24%
Closed after split (PC/NPC) determination	<1%	<1%	NC
Pre-determination Resolution*	3%	3%	NC
ADR-resolved (settled/withdrawn)	2%	3%	-33%
Avg. # days to issue PROBABLE CAUSE determination/Number issued	306 days/ 50 PC cases	346 days/ 20 PC cases	-12% +150%
Avg. # days to issue PC/NPC (split) determination/Number issued	367 days/ 3 PC/NPC cases	334 days/ 4 PC/NPC cases	+10% -25%
Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	305 days/ 175 NPC cases	330 days/ 129 NPC cases	-8% +36%
Avg. # days to issue dismissal	135 days	116 days	+16%
% of DWR Dismissals within 6 months	80 %	91%	-12%
Avg. # Cases per fte Enforcement Officer	28 cases	24 cases	+17%

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

INVENTORY: Cases Pending, as of:	December 31, 2005	June 30, 2005:
Cases needing <i>initial</i> determination:	518	631
<i>Probable Cause</i> cases:		
Conciliation status with Attorney General:	67	39
<i>Administrative review</i> requested by party:	7 cases pending (89 requests)	3 cases pending (87 requests)

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

Case count and percentage of inventory,

as of December 31, 2005:		June 30, 2005:	
1 – 90 days:	205 40%	1 – 90 days:	245 39%
91 – 180 days:	185 36%	91 – 180 days:	167 26%
181 – 270 days:	79 15%	181 – 270 days:	126 20%
271 – 365 days:	47 9%	271 – 365 days:	91 14%
366 or more days:	2 <1%	366 or more days:	2 <1%
Total:	518 (100%)	Total:	631 (100%)

Entire Inventory, by Case Status, as of December 31, 2005:

Pre-determination cases:

Initial Inquiry:	214
Case Screening:	81
Investigation:	173
PDS Pending:	7
Supervisor Review:	17
ADR:	26
Total:	518

Post-determination cases:

NPC appeal period:	16
Appeal/Reopen pending:	7
Attorney General's Office:	67
OAH (180-day hearing):	0
Remand Review:	2
Remand Investigation:	2
Total:	94

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

Report Period: July 1, 2005—December 31, 2005

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 174

(This is 35% of the *number* of charges filed during period.)

Sixty-eight of the cases referred to ADR were *filed* during the July 1, through December 31, 2005 report period. (This is 14% of all charges filed during the period.*)

ADR Case activity, 7/1/05—12/31/05:

Invitation *declined* by one or both parties;
case returned to Investigation Unit: 118 cases

Parties *accepted* ADR invitation:

Mediation held; resolved & closed: 13 cases (avg. of 87 days in ADR status)

Mediation held; awaiting withdrawal: 0 cases

Mediation held; no agreement: 10 cases

Mediation cancelled; no agreement: 8 cases

ADR inventory, as of 6/30/05:

Awaiting response to ADR invitation: 23 cases

Mediation being scheduled: 0 cases

Mediation session scheduled: 3 cases

Resolved/awaiting withdrawal: 0 cases

Total: 26 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.

Settlement Summary
Closure Date of July 1, 2005 to December 31, 2005

Summary by Settlement Type:

Settlement Type	Total(s) #'s	Total(s) \$'s
Back Wages/Pay	3	\$17,942.89
Combined CP/Atty Award	6	\$153,500.00
Conduct Training	6	\$0.00
CP Attorney Fees	4	\$26,160.00
CP Damages Awarded	12	\$213,940.00
Implement Policy Change	5	\$0.00
Other Monetary	3	\$13,872.00
Rehire	1	\$20,800.00
Send Letter or Other Pos Ref	2	\$0.00
Terms Confidential	9	\$203,500.00
Unspecified Lump Sum	2	\$75,832.00
Total	53	\$725,546.89

Summary by Closure Type:

Closure Type	Total(s) #'s	Total(s) \$'s
ADR	9	\$203,500.00
Conciliation Settlements	31	\$348,900.00
Predetermination Settlements	1	\$11,109.39
Two Party Settlement	12	\$162,037.50
Withdrawal - Satisfactorily Adjusted		
Total	53	\$725,546.89

Total number of cases with settlements: 35