



Minnesota Department of
HUMAN RIGHTS

January 16, 2008

08 - 0085

Senator Mee Moua
Minnesota State Senate
120 State Capitol Building
75 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Representative Joe Mullery
MN House of Representatives
367 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Dear Senator Moua and Representative Mullery:

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, 2007 to December 31, 2007 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 411 cases.
- The average time from filing a charge to issuing a determination of no probable cause was 449 days. The average time from filing a charge to issuing a determination of probable cause was 429 days.

On December 31 there were 27 cases in inventory older than 1 year. This overage was due to lost production hours for employee separations, leaves of absences and cross-training hours.¹

- 29% of dismissals were accomplished within six months of the charge-filed date.
- The average caseload per enforcement officer during this report period decreased from 32 to 28.
- In total, MDHR recovered approximately \$235,000 for charging parties.

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

- 162 cases pending determination were referred to ADR.
- 94% of all cases designated for investigation this report period were first referred to ADR.
- Mediations were conducted for 37 cases, resulting in 17 resolutions during this report period.
- MDHR recovered approximately \$222,050 for charging parties via its ADR program.

In addition to MDHR's excellent level of performance, during this reporting period the Department developed workforce planning strategies to take into consideration the potential of 25% eligible staff retirements by 2011 and implemented a Department-wide cross-training program.

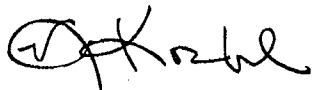
¹ Minnesota Department of Human Rights is anticipating losing approximately 10% of its workforce to retirements within the next two years. The staff will be replaced, however great deal on institutional knowledge will be lost. During the most recent reporting period the department implemented a department wide cross training program as one of its workforce planning strategies.

AN EQUAL OPPORTUNITY EMPLOYER

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If you have any questions or concerns, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "V. Korbel". The signature is written in a cursive style with a large initial "V" and "K".

Velma J. Korbel
Commissioner

VK/dmrz

Enclosure

C: Beth Kadoun, Senior Policy Advisor
Legislative Reference Library

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

CASE MANAGEMENT SUMMARY REPORT

Report Period: July 1, 2007—December 31, 2007

CASE ACTIVITY	July 1, 2007— December 31, 2007	January 1, 2007— June 30, 2007	Change (Percent)
New Charges Filed	384 charges	427 charges	-10%
% of, above, still awaiting determination	74%	76%	-3%
Total # Cases Closed/Disposition %	411 cases	476 cases	-14%
Dismissed: Lack of Merit	47%	41%	+15%
Dismissed: other, incl. Lack of Cooperation	15%	23%	-35%
Withdrawn (<i>excludes</i> settled cases)	5%	4%	+25%
Closed after Probable Cause (PC)	4%	6%	-33%
Closed after No Probable Cause (NPC)	21%	22%	-5%
Closed after split (PC/NPC) determination	1%	1%	0%
Pre-determination Resolution*	2%	2%	0%
ADR-resolved (settled/withdrawn)	5%	1%	+400%
Avg. # days to issue PROBABLE CAUSE determination/Number issued	429 days/ 31 PC cases	325 days/ 30 PC cases	+32% +3%
Avg. # days to issue PC/NPC (split) determination/Number issued	478 days/ 4 PC/NPC cases	344 days/ 9 PC/NPC cases	+39% -56%
Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	449 days/ 91 NPC cases	352 days/ 105 NPC cases	+28% -13%
Avg. # days to issue dismissal	249 days	143 days	+74%
% of DWR Dismissals within 6 months	29%	77%	-62%
Avg. # Cases per fte Enforcement Officer	28 cases	32 cases	-13%

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

INVENTORY: Cases Pending, as of: December 31, 2007

June 30, 2007

Cases needing *initial* determination: 476

534

Probable Cause cases:

Conciliation status with Attorney General: 90

75

Administrative review requested by party: 14 cases pending (65 requests) 2 cases pending (53 requests)

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

Case count and percentage of inventory, as of

December 31, 2007:

1 – 90 days: 188 39.5%
 91 – 180 days: 112 23.5%
 181 – 270 days: 74 15.6%
 271 – 365 days: 75 15.8%
 366 or more days: 27 5.7%

Total: 476 100%

June 30, 2007:

1 – 90 days: 199 37.3%
 91 – 180 days: 135 25.3%
 181 – 270 days: 124 23.2%
 271 – 365 days: 76 14.2%
 366 or more days: 0 0.0%

Total: 534 100%

***Entire* Inventory, by Case Status, as of December 31, 2007:**

***Pre* -determination cases:**

Initial Inquiry: 178
 Case Screening: 62
 Investigation: 192
 PDS Pending: 5
 Determination Review: 19
 ADR: 16
 Withdrawal Pending: 4
Total: 476

***Post*-determination cases:**

Remand Inv./Negotiations: 1
 NPC/Split Appeal Period: 21
 Attorney General's Office: 90
 OAH (180-day hearing): 0
 Remand Review: 0
 Appeal/Reopen Pending: 14
Total: 126

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

Report Period: July 1, 2007—December 31, 2007

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 162
(This is 42% of the *number* of charges filed during period.)

53 of the cases referred to ADR were *filed* during the July 1, through December 31, 2007, report period. (This is 13 % of all charges filed during the period.*)

94% of all cases designated for investigation this report period were first referred to ADR.

ADR Case activity, 7/1/07—12/31/07:

Invitation *declined* by one or both parties;
case returned to Investigation Unit: 87 cases

Both parties *accepted* ADR invitation: 28 cases

Mediation held; resolved & closed: 19 cases (avg. of 65 days in ADR status)

Mediation held; awaiting withdrawal: 0 case

Mediation/s held; no agreement: 20 cases

Mediation cancelled; no agreement: 3 cases

ADR inventory, as of 12/31/07:

Awaiting response to ADR invitation: 4 cases

Mediation being scheduled: 2 cases

Mediation session scheduled: 10 cases

Resolved/awaiting withdrawal: 0 case

Total: 16 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 three and six months from the filing date; however, if the parties are interested, cases under investigation also may be referred to mediation.

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Settlement Summary		
Closure Date of July 1, 2007, to December 31, 2007		
Summary by Settlement Type:		
Settlement Term	Total(s) #'s	Total(s) \$'s
Back Wages/Pay	1	\$34,178.00
Combined CP/Attorney Award	1	\$8,000.00
Conduct Training	7	\$0.00
CP Attorney Fees	2	\$15,209.18
CP Damages Awarded	5	\$99,112.82
AG's Legal Fees/Court Costs	2	\$2,000
Implement Policy Change	7	\$0.00
Other, Monetary	2	\$65,000.00
Civil Penalties	1	\$10,000.00
Send Letter or Other Positive Reference	3	\$0.00
Terms Confidential	16	\$222,050.00
Unspecified Lump Sum	1	\$1,500.00
Other, Non-monetary	2	\$0.00
Total	50	\$457,050.00
Summary by Closure Type:		
Closure Type		
ADR	13	\$222,050.00
Conciliation Settlements	20	\$151,500.00
Withdrawal - Satisfactorily Adjusted	2	\$1,500.00
Litigation	15	\$82,000.00
Total		\$457,050.00
Total number of cases with reported settlements:		50