



Minnesota Department of
HUMAN RIGHTS

January 14, 2010

Robbie LaFleur
Legislative Reference Library
645 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155-1050

Dear Director LaFleur:

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, 2009, to December 31, 2009, are attached.

Highlights of complaint activity are as follows:

- The number of new charges filed decreased 38% from the previous six-month period.
- MDHR closed 376 cases.
- The average time from filing a charge to issuing a determination of no probable cause was 317 days. The average time from filing a charge to issuing a determination of probable cause was 317 days.
- On December 31 there was 0 cases in inventory older than 1 year.
- The average caseload per enforcement officer during this report period remained at 27 cases per Enforcement Officer.

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

- 238 cases pending determination were referred to ADR.
- Mediations were conducted for 42 cases, resulting in 22 resolutions during this report period.
- MDHR recovered \$259,529 for charging parties in total settlements.

In summary, 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,

A handwritten signature in black ink, appearing to read "Velma J. Korb".

Velma J. Korb
Commissioner

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

MINNESOTA DEPARTMENT OF HUMAN RIGHTS
CASE MANAGEMENT SUMMARY REPORT
 Report Period: July 1, 2009—December 31, 2009

CASE ACTIVITY	July 1, 2009 – December 31, 2009	January 1, 2009— June 30, 2009	Change (Percent)
New Charges Filed	325 charges	523 charges	-38%
% of, above, still awaiting determination	72%	71%	1%
Total # Cases Closed/Disposition %	376	462 cases	-19%
Dismissed: Lack of Merit	46%	34%	35%
Dismissed: other, incl. Lack of Cooperation	6%	19%	-68%
Withdrawn (<i>excludes</i> settled cases)	6%	3%	100%
Closed after Probable Cause (PC)	10%	10%	0%
Closed after No Probable Cause (NPC)	27%	22%	23%
Closed after split (PC/NPC) determination	0%	2%	-100%
Pre-determination Resolution*	0%	3%	-100%
ADR-resolved (settled/withdrawn)	5%	6%	-17%
Avg. # days to issue PROBABLE CAUSE determination/Number issued	317 days/ 23 PC cases	331 days/ 32 PC cases	-4% -28%
Avg. # days to issue PC/NPC (split) determination/Number issued	306 days/ 4 PC/NPC cases	296 days/ 8 PC/NPC cases	+3% -50%
Avg. # days to issue NO PROBABLE CAUSE determination/Number issued	317 days/ 65 NPC cases	308 days/ 122 NPC cases	+3% -47%
Avg. # days to issue dismissal	116	103 days	+10%
% of DWR Dismissals within 6 months	N/A*	95%	N/A*
Avg. # Cases per fte Enforcement Officer	27	23 cases	+17%

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

INVENTORY: Cases Pending, as of: December 31, 2009 June 30, 2009

Cases needing <i>initial</i> determination:	492	492
<i>Probable Cause</i> or <i>Split</i> cases:	36	40
Conciliation/Litigation with Attorney General:		
<i>Administrative review</i> requested by party:	55 pending (50 requests)	18 pending (73 requests)

Pre-determination Inventory, by Case Age (# days from filing, less tolling):
Case count and percentage of inventory, as of

<u>December 31, 2009:</u> #	%	<u>June 30, 2009:</u>	#	%
1 – 90 days:	N/A*	1 – 90 days:	223	45%
91 – 180 days:	N/A*	91 – 180 days:	145	29%
181 – 270 days:	N/A*	181 – 270 days:	69	14%
271 – 365 days:	N/A*	271 – 365 days:	54	11%
366 or more days:	0	366 or more days:	1	<1%
Total:	492 100%	Total:	492 100%	

Entire Inventory, by Case Status, as of December 31, 2009:

Pre-determination cases:

Initial Inquiry:	140
Case Screening:	21
Investigation:	302
PDS Pending:	2
Determination Review:	7
ADR:	16
<u>Withdrawal Pending:</u>	<u>4</u>
Total:	492

Post-determination cases:

Remand Review:	N/A*
Remand Inv./Negotiations:	N/A*
NPC/Split Appeal Period:	N/A*
Attorney General's Office:	N/A*
OAH (180-day hearing):	N/A*
Appeal/Reopen Pending:	N/A*
Legal Affairs Mgr. Review:	N/A*
<u>Withdrawal pending/post-PC:</u>	<u>N/A*</u>
Total:	48

*Note: Some data that has been available in previous reports is currently not available. It will become available when the department's new case management system is fully implemented.

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

Report Period: July 1, 2009—December 31, 2009

ADR Program activity:

Number of cases referred to ADR from Enforcement Inventory: 238
(This is 73% of the *number* of charges filed during period.)

99% of all cases designated for investigation during the period of July 1 through September 17, 2009* were first referred to ADR.

ADR Case activity, 7/1/09—12/31/09:

Invitation *declined* by one or both parties;
returned to Case Processing Unit: 123 cases

Both parties *accepted* ADR invitation: 42 cases

Mediation held; resolved & closed: 22 cases

Mediation held; awaiting withdrawal: 2 cases

Mediation/s held; no agreement: 17 cases

Mediation cancelled; no agreement: 2 cases

Total: 186 cases

ADR inventory, as of 12/31/09:

Awaiting response to ADR invitation: 1 cases

Mediation being scheduled: 11 cases

Mediation session scheduled: 2 cases

Resolved/awaiting withdrawal: 2 cases

Total: 16 cases

*Note: The remainder of this reporting period is not included. Some data that has been available in previous reports is currently not available. It will become available when the department's new case management system is fully implemented.

MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Settlement Summary		
Closure Date of July 1, 2009—December 31, 2009		
Summary by Settlement Term:	Total(s) #'s	Total(s) \$'s
AG Legal Fees/Court Costs	2	40,883.96
Combined CP/Attorney Award	3	95,138.00
Conduct Training	8	00.00
CP Attorney Fees	4	9,506.88
CP Damages Awarded	6	64,000.00
Write/Update AA/EEO Plan	1	00.00
Implement Policy Change	5	00.00
Send Letter or Other Positive Reference	2	00.00
Terms Confidential	3	00.00
Unspecified Lump Sum	2	00.00
Other	5	00.00
Other Monetary	2	50,000.00
Total	43	\$259,528.84
Summary by Closure Type:		
ADR	3	00.00
Conciliation Settlements	40	259,528.84
Total	43	\$259,528.84