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Minnesota Department of Human Rights

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AT A GLANCE

- The Minnesota Department of Human Rights (MDHR) investigates discrimination complaints; ensures equal employment opportunities and equal pay on state contracts; enforces the “Ban the Box” law for private employers; and facilitates education and dialogue on eliminating discrimination and disparate treatment throughout Minnesota.
- MDHR serves vulnerable Minnesotans who have experienced discrimination, are seeking opportunities in employment, and equal access to public services.
- In 2017, MDHR completed 529 discrimination investigations, while opening 698 new cases. These increased case filings reflect increased outreach and growing public confidence in the Department’s work. Disability discrimination is the most common charge and a growing area of MDHR’s work.
- 78% of cases were less than one year old; 155 cases were over one year at the end of 2017.
- At the end of 2017, the average time to close a case was 369 days.
- Workforce inclusion efforts have demonstrated successful outcomes, with recent high profile examples that include the Vikings Stadium Project and the Capitol Restoration Project. In 2017, the Department raised Workforce Inclusion Goals for women statewide, helping to ensure opportunities for women and people of color on state funded projects.
- The Department has taken on issues of systemic discrimination based on disability and race in school discipline practices, with the intent of having schools where all kids can learn safely.
- The Department has lead state government civic engagement efforts as part of Governor Dayton’s Diversity and Inclusion Council; executed tribal consultation agreements; participated as a member of the Interagency Council on Homelessness; and conducts education and outreach statewide in cities, including Duluth, Worthington, St. Cloud, and Albert Lea.

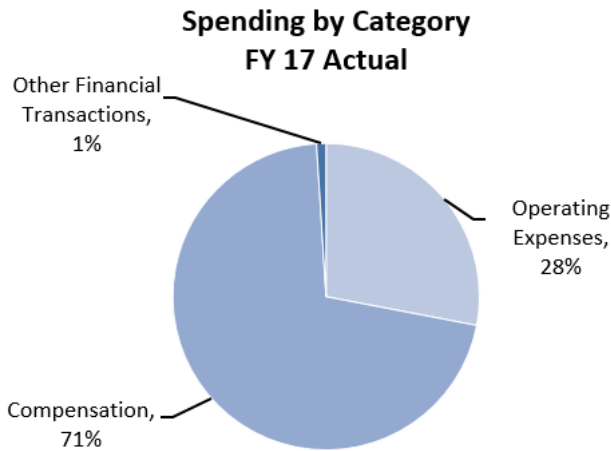
PURPOSE

The mission of the Minnesota Department of Human Rights (“MDHR” or the “Department”) is to eliminate discrimination in education, employment, housing and real property; in public accommodations; and in the delivery of public services. Discrimination threatens the rights and privileges of the citizens of the state and menaces the institutions and foundations of our democracy. The Minnesota Human Rights Act protects all Minnesotans from discrimination in employment, housing, public services, public accommodations, and education.

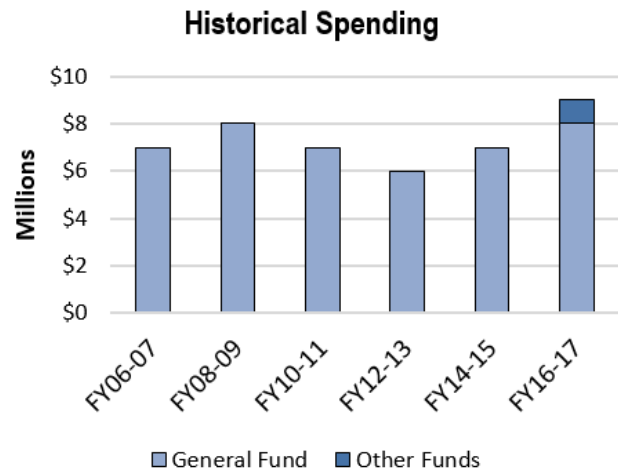
MDHR supports the following statewide outcomes:

- **Reducing race, gender, and other disparities**
- **A thriving economy that encourages business growth and employment opportunities**
- **Expand economic opportunities and eliminate disparities for Minnesotans of color**
- **Minnesotans have the education and skills needed to achieve their goals**
- **People in Minnesota are safe**

BUDGET



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

The Department's budget primarily comes from the State's General Fund, with a small amount of additional revenue generated from issuing Equal Pay and Workforce certificates to state contractors and fees from educational offerings. The Department receives approximately \$300,000 annually under a workshare agreement with the Equal Employment Opportunity Commission (EEOC), as payment for investigation of employment discrimination cases. The vast majority of the Department's expenses (over 90%) are spent on payroll, rent and IT expenses.

STRATEGIES

The work of the Department falls into three broad areas:

- Investigate Claims of Discrimination and Disparate Impact:** Since its establishment in 1967, the Department has been responsible for drafting and investigating complaints, and drafting determinations as to whether probable cause exists that discrimination has occurred. When the Department finds probable cause of discrimination we attempt to conciliate a settlement between the parties that will resolve the discriminatory practices, make the charging party whole, avoid future instances of discrimination, and avoid litigation. On January 1, 2014, the Department became responsible for enforcing the Private Employer Ban the Box law. The law limits the timing of when an employer can request criminal background information from a job applicant. This ensures that individuals with criminal records who are reentering the community can compete for employment, which helps to reduce recidivism and racial disparities. The Department conducted presentations around the state and provided technical assistance to numerous employers to aid in compliance. In 2016 and 2017, the Department conducted 160 Ban the Box investigations.
- Ensure Equal Employment Opportunity with State Contractors:** The Department issues workforce certificates of compliance to large state contract vendors. This ensures that such vendors comply with federal and state equal employment opportunity laws. The Department also monitors the good faith efforts of state contract vendors with a workforce certificate to implement equal employment opportunities. On August 1, 2014, the Department became responsible for issuing equal pay certificates of compliance to large state contract vendors and for ensuring that such vendors comply with federal and state equal pay and anti-discrimination laws. This resulted in the Department issuing 481 Equal Pay Certificates to Minnesota's largest contractors in 2016 and 2017.
- Facilitate Education & Dialogue to Eliminate Discriminatory Practices & Disparate Treatment:** The Department facilitates conversations between Minnesotans to find solutions to overt and subtle discriminatory practices and systems that frustrate individuals as they seek to fully participate in our democracy. The Department has supported inter-agency work on the implementation of the state's Tribal

Consultation Policy and initiative to end homelessness. The Department has also worked with the Department of Education on school bullying issues.

MDHR emphasizes several strategies to deliver its mission and support statewide outcomes. These strategies include:

- Timely and thorough investigations of all charges of discrimination
- Investigation of “Ban the Box” law violations for private employers
- Timely responses to workforce and equal pay certificate applications
- Reviewing of contract vendor practices to ensure equal employment opportunity; equal pay compliance; and non-discriminatory wage and benefit compensation
- Facilitation of dialogue among key stakeholders to eliminate discrimination, disparate practices and disparate outcomes

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Investigative Memorandums completed	568	529	2016 to 2017
Quality	Average Number of Days to Complete a No Probable Cause Determination	295	387	2016 to 2017
Quantity	Total Number of Charges Filed	705	698	2016 to 2017
Quantity	Number of Probable Cause Determinations that the Human Rights Act had been violated	48	50	2016 to 2017
Quality	Workforce Certificate Response Within 15 days	100%	100%	2016 to 2017
Quantity	Number of Workforce Certificates Issued	201	383	2016 to 2017
Quantity	Number of Workforce Compliance Audits	160	236	2016 to 2017
Quantity	Number of Equal Pay Certificates Issued	214	267	2016 to 2017
Quantity	Number of Equal Pay Compliance Audits	12	72	2016 to 2017
Quantity	“Ban the Box” Violation letters sent	96	64	2016 to 2017
Quantity	“Ban the Box” Fines Issued	0	0	2016 to 2017

The Minnesota Department of Human Rights is authorized under Minnesota Statutes, Chapter 363A
<https://www.revisor.mn.gov/statutes/?id=363A>.

Ban the Box for Private Employers and MDHR’s jurisdiction is authorized under Minnesota Statutes, Chapter 364
<https://www.revisor.mn.gov/statutes/cite/364>

Human Rights

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base		Governor's Recommendation	
					FY20	FY21	FY20	FY21
<u>Expenditures by Fund</u>								
1000 - General	3,300	4,252	4,085	4,861	4,578	4,578	6,404	6,681
2000 - Restrict Misc Special Revenue	472	139	433	459	303	178	303	178
2001 - Other Misc Special Revenue			10					
2403 - Gift	26	0	2	6	6	6	6	6
3000 - Federal		283	350	430	424	430	424	430
Total	3,798	4,675	4,880	5,756	5,311	5,192	7,137	7,295
Biennial Change				2,163		(133)		3,796
Biennial % Change				26		(1)		36
Governor's Change from Base								3,929
Governor's % Change from Base								37

Expenditures by Program

Human Rights Enforcement	3,798	4,675	4,880	5,756	5,311	5,192	7,137	7,295
Total	3,798	4,675	4,880	5,756	5,311	5,192	7,137	7,295

Expenditures by Category

Compensation	2,901	3,293	3,762	4,169	4,169	4,047	5,167	5,536
Operating Expenses	888	1,321	1,114	1,572	1,127	1,130	1,880	1,704
Grants, Aids and Subsidies								10
Capital Outlay-Real Property		2		15	15	15	15	15
Other Financial Transaction	9	59	4				75	30
Total	3,798	4,675	4,880	5,756	5,311	5,192	7,137	7,295

Full-Time Equivalent

	36.90	39.64	43.56	46.81	46.40	44.30	60.40	60.30
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Human Rights

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base FY20 FY21		Governor's Recommendation FY20 FY21	
1000 - General								
Balance Forward In		648		290				
Direct Appropriation	3,927	4,162	4,392	4,588	4,595	4,595	6,421	6,698
Transfers In		79						
Transfers Out	1	442	17	17	17	17	17	17
Cancellations		195						
Balance Forward Out	627		290					
Expenditures	3,300	4,252	4,085	4,861	4,578	4,578	6,404	6,681
Biennial Change in Expenditures				1,394		210		4,139
Biennial % Change in Expenditures				18		2		46
Governor's Change from Base								3,929
Governor's % Change from Base								43
Full-Time Equivalents	33.15	35.46	37.60	40.29	40.40	40.00	54.40	56.00

2000 - Restrict Misc Special Revenue

Balance Forward In	922	562	751	576	280	150	280	150
Receipts	109	323	259	163	173	163	173	163
Transfers In			0					
Transfers Out	11	0	0					
Balance Forward Out	548	745	576	280	150	135	150	135
Expenditures	472	139	433	459	303	178	303	178
Biennial Change in Expenditures				281		(411)		(411)
Biennial % Change in Expenditures				46		(46)		(46)
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents	3.75	1.62	3.31	2.97	2.65	0.95	2.65	0.95

2001 - Other Misc Special Revenue

Receipts			10					
Expenditures			10					
Biennial Change in Expenditures				10		(10)		(10)
Biennial % Change in Expenditures								
Governor's Change from Base								0
Governor's % Change from Base								

Human Rights

Agency Financing by Fund

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Governor's Recommendation	
	FY16	FY17	FY18	FY19	FY20	FY21	FY20	FY21

2403 - Gift

Balance Forward In		11						
Receipts	24	(11)	2	6	6	6	6	6
Transfers In	11							
Balance Forward Out	8							
Expenditures	26	0	2	6	6	6	6	6
Biennial Change in Expenditures				(18)		4		4
Biennial % Change in Expenditures				(70)		50		50
Governor's Change from Base								0
Governor's % Change from Base								0

3000 - Federal

Balance Forward In	479	777	766	617	465	319	465	319
Receipts	298	273	201	278	278	278	278	278
Balance Forward Out	777	766	617	465	319	167	319	167
Expenditures		283	350	430	424	430	424	430
Biennial Change in Expenditures				497		74		74
Biennial % Change in Expenditures						10		10
Governor's Change from Base								0
Governor's % Change from Base								0
Full-Time Equivalents		2.56	2.65	3.55	3.35	3.35	3.35	3.35

Human Rights

Agency Change Summary

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1000 - General				
FY2019 Appropriations	4,588	4,588	4,588	9,176
Base Adjustments				
Pension Allocation		7	7	14
Forecast Base	4,588	4,595	4,595	9,190
Change Items				
MDHR Transformational Budget -- A Path to One Minnesota		1,569	1,649	3,218
Operating Adjustment		182	379	561
OnBase Updates		75	75	150
Total Governor's Recommendations	4,588	6,421	6,698	13,119
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	459	303	178	481
Forecast Base	459	303	178	481
Total Governor's Recommendations	459	303	178	481
Fund: 2403 - Gift				
Planned Spending	6	6	6	12
Forecast Base	6	6	6	12
Total Governor's Recommendations	6	6	6	12
Fund: 3000 - Federal				
Planned Spending	430	424	430	854
Forecast Base	430	424	430	854
Total Governor's Recommendations	430	424	430	854
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	163	173	163	336
Total Governor's Recommendations	163	173	163	336
Fund: 2403 - Gift				
Forecast Revenues	6	6	6	12
Total Governor's Recommendations	6	6	6	12

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Fund: 3000 - Federal				
Forecast Revenues	278	278	278	556
Total Governor's Recommendations	278	278	278	556

Minnesota Department of Human Rights

FY20-21 Biennial Budget Change Item

Change Item Title: MDHR Transformational Budget - A Path to One Minnesota

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	1,569	1,649	1,649	1,649
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	1,569	1,649	1,649	1,649
FTEs	12	12	12	12

Recommendation:

The Governor recommends \$1.569 million in FY2020 and \$1.649 million in FY2021 to truly transform the capacity of the Human Rights Department in its efforts to proactively face Minnesota’s challenges.

The funds will be used to dramatically increase the Department’s capacity statewide, including opening regional offices in Bemidji, Duluth, and Worthington; providing resources for civic engagement work; and increasing work to help individuals with criminal records successfully reenter the community. Minnesota is a state with strong outcomes in education, employment, and economic success in some communities, while having some of the deepest racial disparities in the nation in employment, household income, education, and criminal justice. As Minnesota becomes increasingly demographically diverse, our collective success – economically, socially, and politically – is inexorably connected to our ability to address these disparities. Geographically, Minnesota is seeing divergent outcomes across the state that need to be addressed. Communities in every corner of the state are experiencing aging populations as well as increased diversity based on race and national origin. Achieving equity is a key part of achieving collective success as One Minnesota.

Rationale/Background:

Minnesota has long been a leader in addressing discrimination in all its forms. We value equity as a core part of our society and in the operation of our government. Unfortunately, too often indigenous communities, people of color, individuals with disabilities, recent immigrants, and others have been shut out from the opportunities

Executive Order 19-01 lays out a bold vision for Minnesota with the creation of the One Minnesota Council on Diversity, Inclusion, and Equity. As the order states, “disparities in Minnesota, including those based on race, geography, and economic status, keep our entire state from reaching its full potential.” The Department of Human Rights, with its mission to eliminate discrimination, is uniquely positioned to be involved in this effort and to collaborate deeply with communities in this work. Minnesota will not continue to thrive as a state without a comprehensive approach to ensuring meaningful opportunities for all.

The Department’s current budget is insufficient to proactively address the critical issues we face. For context, the Department’s current staffing level is 15 FTEs fewer than it was in 1996, while the Department faces more complex issues in an increasingly diverse state and the Department has added duties, including enforcing Ban the Box (Minn. Stat. 364.021) and the Equal Pay Certificate of Compliance (Minn. Stat. 363A.44) program. A transformative investment in the Department is needed to allow us to make real progress in fulfilling our mission to make Minnesota discrimination free.

Proposal:

For Minnesota to effectively confront racial, gender, and other disparities, it is imperative to make a proactive effort to reduce discrimination and bias in education, employment, housing, and other areas through civic engagement, public education, and addressing specific cases of discrimination as they arise.

Proposal Area Specifics:

Civic Engagement - Maintain 1 FTE – \$134,500 in FY2020, \$156,500 in FY2021

This proposal provides ongoing funding for MDHR’s current Civic Engagement Coordinator position to continue work to reach targeted populations and geographic communities. The current Civic Engagement Coordinator position was funded in FY18-19 through one-time grant funding from the Bush Foundation. Seeing the success of MDHR’s civic engagement efforts, the Department is seeking a general fund appropriations to continue and grow this work during the FY2020-2021 biennium.

The Civic Engagement Coordinator provides support for MDHR’s civic engagement work to help ensure that Minnesotans are able to effectively and meaningfully engage with government, and that state government is meaningfully engaging with all of Minnesota’s diverse communities. MDHR is requesting dedicated staff to do sustained community engagement, implement the state’s civic engagement plan, and assist with targeted messaging to promote inclusion.

As part of our civic engagement work the Department would use \$10,000 of this funding annually beginning in FY2021 to create and administer a micro-grant program to capacity building by local units of government, human rights commissioner, and local diversity groups.

Regional Offices – 10 FTEs - \$1,313,000 in FY2020, \$1,363,000 in FY2021

The work of creating a more inclusive Minnesota can only effectively be accomplished in partnership with local communities. This proposal would open new regional offices in Bemidji, Duluth, and Worthington to build lasting relationships and serve as a base for regional outreach efforts. It would also add capacity to the Department’s existing St. Cloud office. The staff of the regional offices will work closely with our civic engagement and outreach staff in convening events and meetings.

The presence of regional offices would help people of Minnesota access the resources of the Department. For Minnesotans facing discrimination, in person interactions are often helpful to build the trusting relationships needed in order to best provide assistance. For employers, landlords, and other in the community these offices will provide education and assistance that is highly accessible.

MDHR will work with other state agencies and others in seeking to co-locate or share resources where practical. The existing St. Cloud Regional Office is located in St. Cloud City Hall, providing centralized access to government services for individuals in that community. We would look for similar opportunities in Bemidji, Duluth, and Worthington. The St. Cloud Office will serve as a model for other offices and community partnerships with those cities.

Ensuring Opportunities for Individuals with Criminal Records in Housing and Employment – 1 FTE - \$121,500 in FY2020, \$129,500 in FY2021

The proposal includes funding for a staff position to work with employers, landlords, and the community to better understand issues of criminal records, risk, and recidivism. Staff would also work with individuals with criminal records who are having difficulty securing housing to understand their legal rights and possible solutions. Staff will also investigate claims, providing warnings, and conducting enforcement actions as necessary. This proposal also includes office space and per person IT costs for these positions.

Equity and Inclusion:

This proposal would impact all Minnesotans, including people of color, individuals with disabilities, LGBTQ individuals, and all other groups protected under the Minnesota Human Rights Act. It will help to reduce disparities proactively through greatly expanded education statewide on issues of diversity and inclusion. Regional offices will ensure that the Department has statewide reach, which is particularly critical as outstate Minnesota becomes increasingly diverse. Increased investigative capacity will help to take on complex discrimination cases, reducing bias in employment, housing, education and other areas. All of these efforts will help to reduce education, economic, and other social disparities for people of color, women, and other groups. Combating overt and systemic discrimination must be a part of a larger strategy to reduce these troubling disparities.

IT Related Proposals:

This is not an IT related proposal.

Results:

This proposal is for a significant enhancement of efforts in multiple areas of the Department's existing duties under the Minnesota Human Rights Act. Currently, the Department of Human Rights is not funded at even the minimum level needed to meet its primary duties under the Minnesota Human Rights Act, in particular in the area of education and outreach. This proposal will provide the resources for significant increases in the Department's proactive work in investigations, contract compliance, and education and outreach, the three primary duties under the Minnesota Human Rights Act.

This proposal will provide the Department with the capacity to improve measures of quantity, quality, and results. For example, the Department will have more regional offices, going from one to five, capacity to issue more case determinations, and conduct more audits of state contractors. The Department will put on more education and outreach events, issue more technical assistance pieces, and coordinate with an increased number of community partners.

The civic engagement and education positions in this proposal will create the capacity for ongoing external communications about all of these outcomes. Regional offices will create a forum to better and more consistently communicate and educate about the Department's work and equity issues, including outcomes, outside of the Twin Cities.

This proposal, in conjunction with other efforts, will also help to impact statewide results metrics like household income in communities of color. These are not listed as specific results here because of their systemic nature, but this proposal will contribute to those changes in conjunction with other public policy efforts.

Statutory Change(s):

None

Minnesota Department of Human Rights

FY 2020-21 Biennial Budget Change Item

Change Item Title: Operating Adjustment

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	182	379	379	379
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	182	379	379	379
Maintain FTEs	2	4	4	4

Recommendation:

The Governor recommends additional funding of \$561,000 in the FY 2020-2021 biennium to maintain the current level of service delivery at the Minnesota Department of Human Rights

Rationale/Background:

Each year, the cost of doing business rises—employer-paid health care contributions, FICA and Medicare, along with other salary and compensation-related costs increase. Other operating costs, like rent and lease, fuel and utilities, and IT and legal services also grow. This cost growth puts pressure on agency operating budgets that remain flat from year to year.

For the FY 2020-2021 biennium, the Minnesota Department of Human Right’s portion of MNIT administrative overhead expenses is projected to increase. MNIT overhead expenses include HR, finance, procurement, enterprise project management, and security activities. These expenses are allocated to agencies based on their total IT spend and total # of dedicated MNIT staff as of fiscal year 2017.

Proposal:

The Governor recommends increasing agency operating budgets to maintain the delivery of current services. For the Minnesota Department of Human Rights this funding will cover known employee compensation growth, as well as increasing rent and IT costs.

Results:

This proposal is intended to allow agencies to continue to provide current levels of service and information to the public.

Minnesota Department of Human Rights

FY 2020-21 Biennial Budget Change Item

Change Item Title: OnBase Updates

Fiscal Impact (\$000s)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund				
Expenditures	75	75	75	75
Revenues	0	0	0	0
Other Funds				
Expenditures	0	0	0	0
Revenues	0	0	0	0
Net Fiscal Impact = (Expenditures – Revenues)	75	75	75	75
FTEs	0	0	0	0

Recommendation:

The Governor recommends \$75,000 in FY2020 and \$75,000 in FY2021 to maintain the Department’s primary workflow and document management software, OnBase. This level of funding is needed to keep this software up to date, helping ensure productivity with this key technological tool, while maintaining security. Without this funding the Department would not be able to keep this system up to date.

Rationale/Background:

OnBase is the Department of Human Rights primary software system; providing electronic workflows, case management, and document storage for the work our contract compliance and enforcement units do to serve Minnesotans and the State’s business partners. This system is a critical part of the agencies’ productivity tools and keeping it up to date is critical for system security and stability.

Currently, the Department does not have a dedicated appropriation to fund ongoing maintenance needs for this system. This proposal would address that issue.

Proposal:

The proposal provides annual funding of \$75,000 for ongoing maintenance and routine upgrades to MDHR’s case management system, OnBase. This ongoing expense has not been included in MDHR’s appropriation in the past and has been funded through salary savings at the end of a biennium through Odyssey Fund agreements. This is not a sustainable source of funding for this critical need. OnBase is used by the Department’s enforcement and contract compliance units to manage workflows and as a database. It is a critical productivity tool, providing ongoing systems maintenance is necessary to keep it functioning and secure.

This proposal requires no additional FTEs.

Equity and Inclusion:

This proposal would support the basic IT infrastructure that is required for the MDHR’s work which impacts all Minnesotans, including individuals with disabilities, people of color, refugees, immigrants, LGBTQ individuals, and all other groups protected under the Minnesota Human Rights Act. The MDHR’s work helps to reduce disparities proactively through greatly expanded education statewide on issues of diversity and inclusion.

IT Related Proposals:

This proposal is an IT related proposal, the addendum is included with this proposal.

<i>Category</i>	<i>FY 2020</i>	<i>FY 2021</i>	<i>FY 2022</i>	<i>FY 2023</i>	<i>FY 2024</i>	<i>FY 2025</i>
Payroll						
Professional/Technical Contracts						
Infrastructure						
Hardware						
Software	75,000	75,000	75,000	75,000	75,000	75,000
Training						
Enterprise Services						
Staff costs (MNIT or agency)						
Total						
MNIT FTEs	0	0	0	0	0	0
Agency FTEs	0	0	0	0	0	0

Results:

This proposal will allow the Department to maintain a critical workflow and data management software system

Statutory Change(s):

None.

(Dollars in Thousands)

Federal Agency and CFDA #	Federal Award Name and Brief Purpose	New Grant	FY2018 Actuals	FY2019 Budget	FY2020 Base	FY2021 Base	Required State Match or MOE?	FTEs
Equal Employment Opportunity Commission	Reimbursement from EEOC for investigation of dual jurisdiction cases.	No	350	430	424	430	No match; MOE provision in agreement	3.55
	Budget Activity Total		350	430	424	430		3.55
	Program Total		350	430	424	430		3.55
	Federal Fund – Agency Total		350	430	424	430		3.55

Narrative

The Department of Human Rights has a workshare agreement (contract) with the Equal Employment Opportunity Commission (EEOC) to investigate claims of discrimination that could have been filed with the EEOC. The EEOC reimburses the Department for this work based on the number of cases investigated. The Department has had a workshare agreement with the EEOC for over 30 years.

Maintenance of Effort Contract Provision:

The contractual language of the workshare agreement with the EEOC requires this money be used by the Department to fund its work and not be offset in other appropriations. The contract states, "The Contractor shall... Commit itself to maintenance of effort. Should the Contractor or the governmental body that provides its funds: a) reduce the contractor's resources in anticipation of or as a result of the EEOC contract funds, b) place restrictions on the use of its funds or c) revise the Contractor's operating procedures or regulations that impact on its ability to perform under its contract, the EEOC may consider it to be a material breach of this contract and, may among other things, reduce its funding of this contract or require the return of all or a portion of the funds provided by the EEOC under this contract."

Changing funding levels or trends that may impact future awards:

We do not anticipate major changes in the funding levels under this contract. The Department has had a workshare agreement since at least the early 1980's with the EEOC. This long-term, stable relationship for a specific service being provided by the Department to the EEOC makes it likely that this federal funding will remain at a similar level, barring major federal policy changes.

Major state funding related to federal awards:

The Maintenance of Effort contract provision is required as part of the contract, but there is no specific match amount dictated.

Basis for Estimates

Estimates are based on the projected number of dual jurisdiction cases investigated by the Department and the contractually established reimbursement rate of approximately \$700 per case. The Department and the EEOC agree on an estimated number of cases on a yearly basis. Past numbers guide these future estimates.