



Minnesota Department of Human Rights
540 Fairview Ave N, Suite 201
St. Paul, MN 55104

January 31, 2020

Elizabeth Lincoln, Director
Minnesota Legislative Reference Library
645 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155-1050

Dear Director Lincoln:

The Minnesota Department of Human Rights (MDHR) submits its semi-annual report to the legislature (pursuant to 1997 Minnesota Session Law, Chapter 239, Article 1, Section 15), which summarizes investigation results and the resolution of complaints that were filed with the department from July 1st, 2019 to December, 31st 2019.

Introduction:

MDHR is the state’s civil rights enforcement agency charged with neutrally investigating acts of discrimination in the areas of employment, housing, education, public accommodations, and public services. The department’s mission is to make Minnesota discrimination free, so that all its residents can lead lives full of dignity and joy. The work of the department is essential in protecting the civil rights of all Minnesotans, particularly as the state’s communities grow older and the population becomes more racially diverse.

In this reporting period, MDHR’s inventory of discrimination cases is 797 total cases. Throughout this reporting period, 230 new cases were filed, which is a decrease from the prior six months.

Alternative Dispute Resolution:

Alternative Dispute Resolution – or mediation – is a developing tool for MDHR to help Minnesotans resolve issues of possible discrimination. The department brought on a full-time mediation director at the beginning of 2019 to help develop the program, with a future goal of being able to prioritize mediations as a tool resolve disputes. This investment will help to resolve more cases before a full investigation, helping parties move forward in a positive and more timely way. During this reporting period:

- 126 total cases (54.7% of total cases) were referred to mediation.
- Of the 126 referrals, 27 cases were scheduled for mediation.¹
- Of the 27 scheduled mediations, 4 cases were resolved where both parties reached an agreement.
- 47 is the average number of days a case was in the mediation process.²
- 81 cases returned from mediation for department investigation.

Case Inventory:

797 cases were pending determination as of December 31, 2019. The department currently has 13 investigators, each with an average caseload of 61 cases.

- 67% of cases are less than a year old.
 - 109 cases are less than 90 days old
 - 125 cases are between 91-180 days old
 - 141 cases are between 181-270 days old
 - 164 cases are between 271-365 days old
 - 258 cases are over 365 days old

Case Closures:

The department closed 232 cases during this reporting period:

- 26.72% of closed cases resulted in a favorable outcome for the charging party:
 - 17 were probable cause determinations (7.33%)
 - 45 were resolved prior to full investigation and formal determination (19.39%)
- 61.64% of determinations resulted in a favorable outcome for the respondent:
 - 117 were closed with no probable cause determination (50.43%)
 - 26 were dismissed by the department due to lack of merit (11.21%)
- 9.91% of cases (23 total) were withdrawn by the charging party before a determination was reached.
- 1.72% of cases (4 total) were settled through mediation.

Determinations:

The average time for a case to reach a determination was 474 days.

- The average time to dismiss a case was 358 days (26 cases); a decrease of 30 days from the last reporting period.
- The average time to reach a probable cause or split determination was 462 days (5 cases); a decrease of 54 days from the last reporting period.
- The average time to reach a no probable cause determination was 500 days (124 cases).

¹ Successfully scheduled mediations are when both parties agree to participate in the mediation process.

² Covers from the day a case was referred to mediation up to when a mediation decision was finalized. This includes both when a mediation case was settled and when a case was not settled.

New Cases³:

There were 230 cases filed by Minnesotans during this reporting period, of which 93% are still open and pending determination.

- Charging parties continue to experience the most cases of discrimination within the area of employment. During the reporting period, 224 employment related charges were filed, which constitutes 53% of all charges filed. The most common types of employment related charges were:
 - Disability (25%)
 - Race (21%)
 - Sex (19%)
 - Age (15%)
- The leading areas of charges filed other than employment were:
 - Public accommodations (7.6%)
 - Housing/real property (4.5%)
- The most common basis of discrimination, without regard to the subject area were:
 - Disability (28%)
 - Race (24%)
 - Sex (17%)
 - Age (10%)
 - National origin (8%)

Conclusion:

The Department of Human Rights ensures that the civil rights of Minnesotans are protected, as mandated by law. In addition to its own efforts, the department has strong partnerships with other state agencies and the Attorney General in order to advance our legal mandate. Combined, these efforts work towards creating a Minnesota where all its residents can lead lives free from discrimination.

Please note that although the investigative work of the department is critical to achieving its mission, it is also just one of its many responsibilities. MDHR works to successfully pair its investigative duties, with its equity and inclusion enforcement monitoring, and external relations education, outreach, and policy work to help ensure that all Minnesotans have opportunities to live their lives with opportunities for joy and dignity.

Sincerely,



Rebecca Lucero
Commissioner

³ Percentages may add up to more than 100%, because some charging parties allege more than one charge of discrimination in a case.

cc:

Senator Warren Limmer

Senator Ron Latz

Representative John Lesch

Representative Peggy Scott

Emily Lefholz, Office of Governor Tim Walz & Lt Governor Flanagan

Insert Area/Basis Chart

Minnesota Department of Human Rights
BASIS - AREA - FILING
File Date Range: July 1, 2019 to December 31, 2019
Total Charges Filed During Date Range: 230

AREA	BASIS											
	Age	Color	Disability	Familial Status	Local Commission Membership	Marital Status	National Origin	Race	Religion	Sex	Sexual Orientation	Percentage
Aiding, Abetting, or Obstructing (Business/Contract)											1	0.2%
Aiding, Abetting, or Obstructing (Employment)	1											0.2%
Aiding, Abetting, or Obstructing (Employment-Union)								1				0.2%
Business/Contract			4					3		1	1	2.1%
Education			2					6	1	2	1	2.8%
Employment - Employer	34	7	56	3	1	7	18	47	5	43	3	53.0%
Employment - Union		1	1					1		1		0.9%
Housing/Real Property			9	1			3	6				4.5%
Public Accommodations			9				5	10	4	1	3	7.6%
Public Services			6				1	4	1			2.8%
Reprisal (Business/Contract)			2									0.5%
Reprisal (Employment)	9	4	27				5	22	2	26	2	22.9%
Reprisal (Housing/Real Property)			3					1				0.9%
Reprisal (Public Accommodations)								1			1	0.5%
Reprisal (Employment - Union)		1	1					1				0.7%
Percentage	10%	3%	28%	1%	0%	2%	8%	24%	3%	17%	3%	

Note: There can be more than one Area and/or Basis per charge filed, counts of Area and Basis combinations will not reconcile with number of charges filed.