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DEPARTMENT OF HUMAN RIGHTS

STATUS REPORT

MARCH 1, 1984

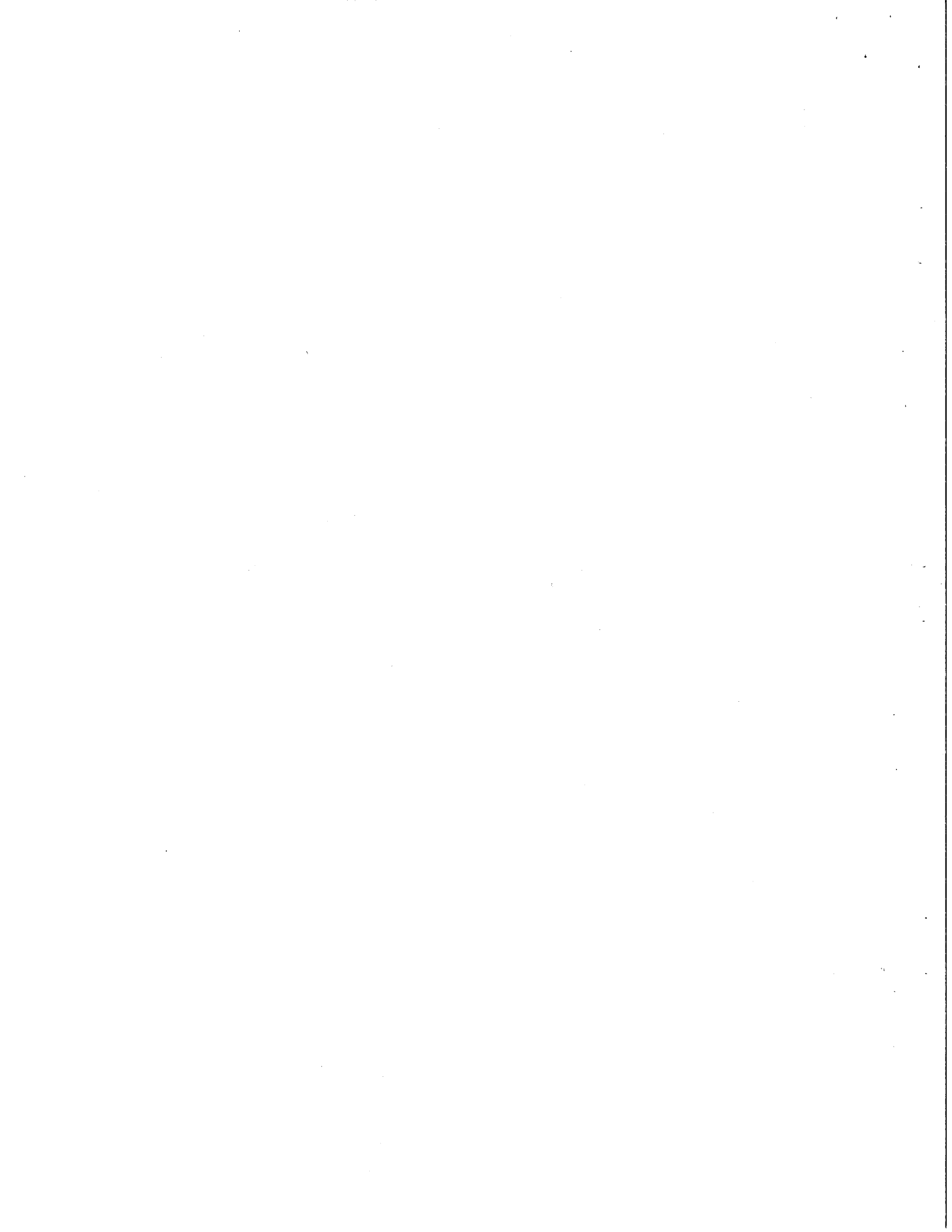
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DEPARTMENT OF HUMAN RIGHTS

STATUS REPORT

March 1, 1984





STATE OF MINNESOTA  
DEPARTMENT OF HUMAN RIGHTS

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7TH PLACE AND MINNESOTA STREET • SAINT PAUL, MINNESOTA 55101  
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March 7, 1984

The Honorable Rudy Perpich  
Governor  
130 State Capitol Building

Mr. Patrick E. Flahaven  
Secretary of the Senate  
231 State Capitol Building

Mr. Edward A. Burdick  
Chief Clerk  
House of Representatives  
211 State Capitol Building

Gentlemen:

The enclosed report, "Department of Human Rights Status Report", was completed pursuant to 1983 Laws of Minnesota, Chapter 301, Section 42.

The report presents progress made against the strategies recommended for the Department of Human Rights by the Department of Administration in their 1984 report "An Operational Analysis of the Department of Human Rights". Those strategies were:

- Strategy A - Backlog Reduction Project
- Strategy B - Restructuring of the Agency
- Strategy C - Improving Procedures

The Backlog Reduction Project and Restructuring the Agency have been completed. Strategy C is underway and is on schedule. Specific accomplishments are presented in the body of the report.

Continuing on the path set forth by the Department of Administration's report will result in an agency which will be current with its workload in less than two years and which will be operating efficiently and effectively.

Respectfully submitted,

  
Kathryn R. Roberts  
Acting Commissioner

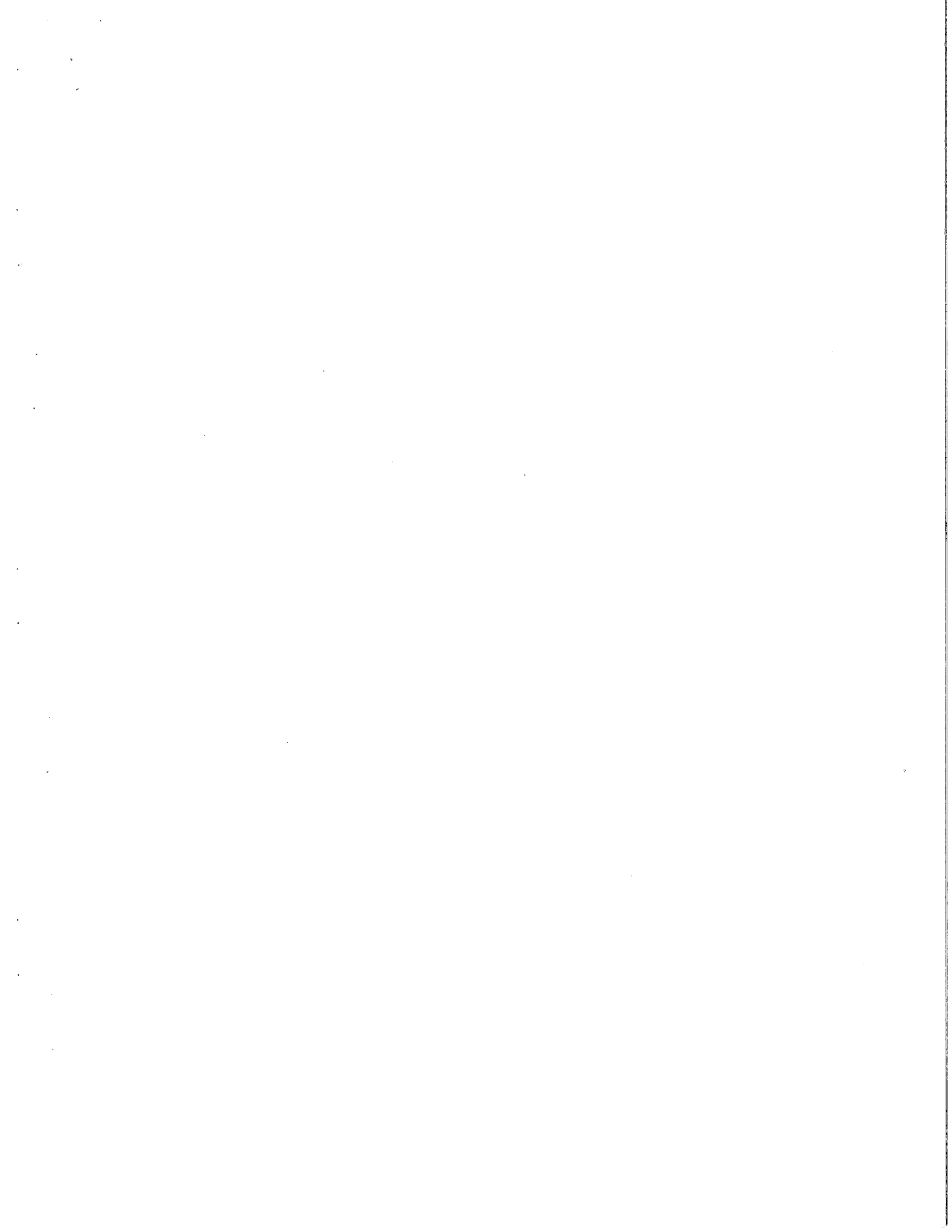
cc: Mr. Gerald L. Willet  
Chairman, Senate Finance Committee  
121 State Capitol Building

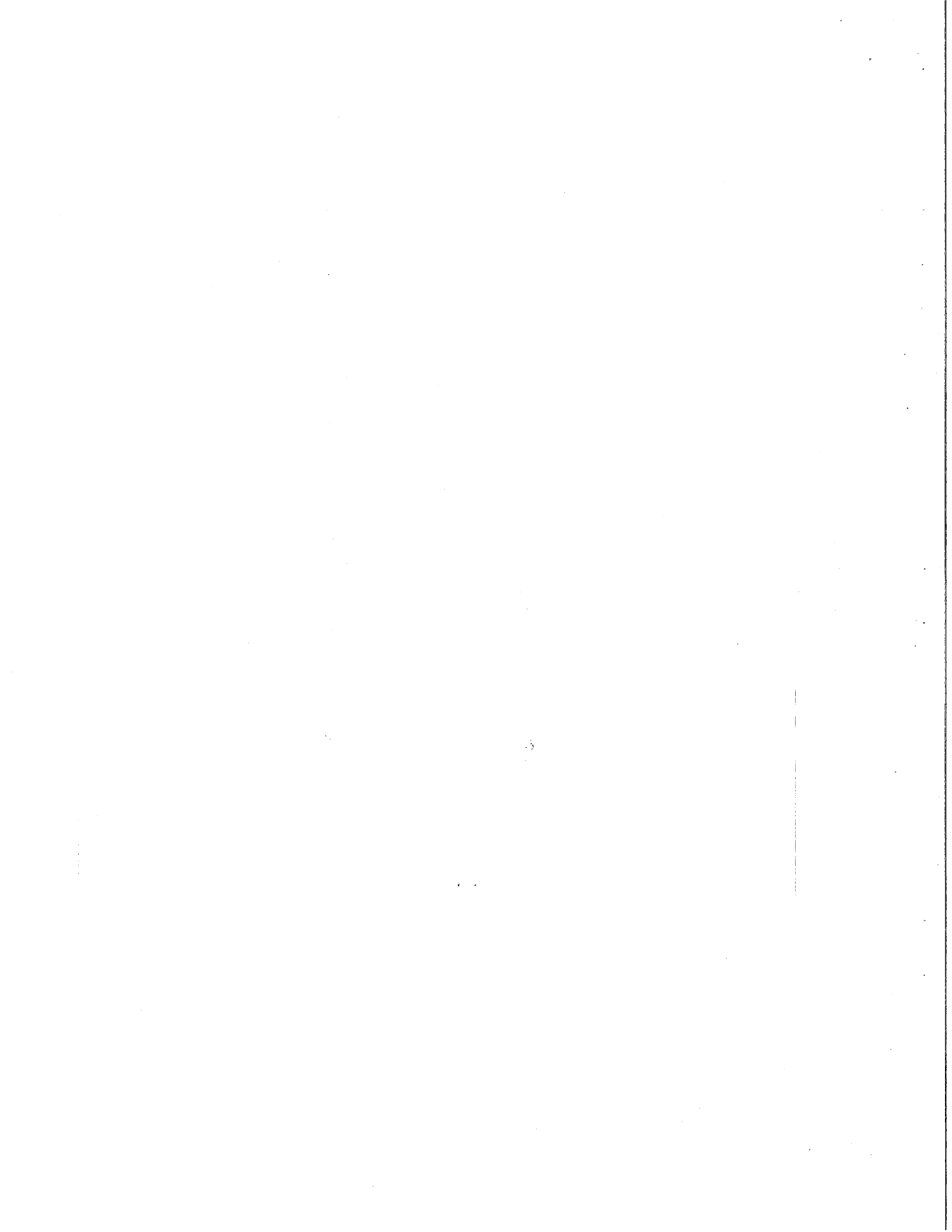
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cc: Mr. Carl W. Kroening  
Chairman, State Departments' Subcommittee  
of Finance  
G-24 State Capitol Building

Mr. James I. Rice  
Chairman, House Appropriations Committee  
245 State Office Building

Ms. Phyllis Kahn  
Chair, State Departments Division  
House Appropriations Committee  
235 State Office Building







## I. INTRODUCTION

This report responds to 1983 Laws of Minnesota, Chapter 301, Section 42 which states:

"The agency shall report to the Senate and House of Representatives Appropriations Committee by March 1, 1983 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium."

The work program, including the goals, objectives, timelines, and structure presented in the report are based on the recommendations made by the Department of Administration in their 1984 report "An Operational Analysis of the Department of Human Rights." Accomplishments are presented against that plan.

This report is divided into four sections:

Section I	INTRODUCTION
Section II	RECOMMENDED PLAN
Section III	ACCOMPLISHMENTS
Section IV	LONG-RANGE PLANS

## II. RECOMMENDED PLAN

The Department of Administration recommended that the Department of Human Rights implement three strategies to address the seven issue areas identified through its study. The three strategies were:

- Strategy A - BACKLOG REDUCTION PROJECT
- Strategy B - RESTRUCTURING THE AGENCY
- Strategy C - IMPROVING PROCEDURES

The objective of Strategy A, Backlog Reduction Project, was to "assess the status of cases in the open caseload and close those cases nearest completion." The strategy had three steps. In step one, all charging parties with open cases older than eighteen months would be contacted. If the charging parties could be reached they would be asked whether or not they wanted to pursue their case. If they did not, the case would be closed. If the charging party could not be located after repeated attempts, the case would be closed using standard procedures. In Step two, the same process would be followed for charging parties with cases that had been open between six and eighteen months. In Step Three, all cases with only a few steps left in the investigative process would be completed.

The objectives of Strategy B, Restructuring the Agency, were to:

- o increase the number of staff processing cases from 14 (30%) to 26 (44%)
- o provide an organizational structure which would help provide equal attention to dual jurisdiction (contract) and single jurisdiction (state only) cases

- o combine intake and case processing functions to increase the effectiveness and efficiency of the investigative process.

Strategy C, Improving Procedures, had two phases, short-term changes (those which could be implemented concurrent with the reorganization) and long-term changes.

The action steps and proposed completion dates as recommended by the Department of Administration for all three strategies are presented in Figure 1.

### III. ACCOMPLISHMENTS

Prior to February 6:

- a) Step 1 of the Backlog Reduction Project had been completed
- b) The reorganization was on hold
- c) The effort to intensively examine all enforcement procedures in the agency had not been started

Since the Acting Commissioner assumed her duties on February 6:

- o Steps 2 and 3 of the Backlog Reduction Project have been completed
- o The restructuring of the agency has been completed
- o Short-term procedural changes have been made and the task force to look at long range changes has been activated.

Specific accomplishments related to each strategy are:

#### STRATEGY A - BACKLOG REDUCTION PROJECT

- o Initiated contact with 293 charging parties through Step 2 of the Backlog Reduction Project. 11 charging parties chose to withdraw, 115 charging parties want to proceed, letters have been sent to 167 charging parties in an attempt to locate them.

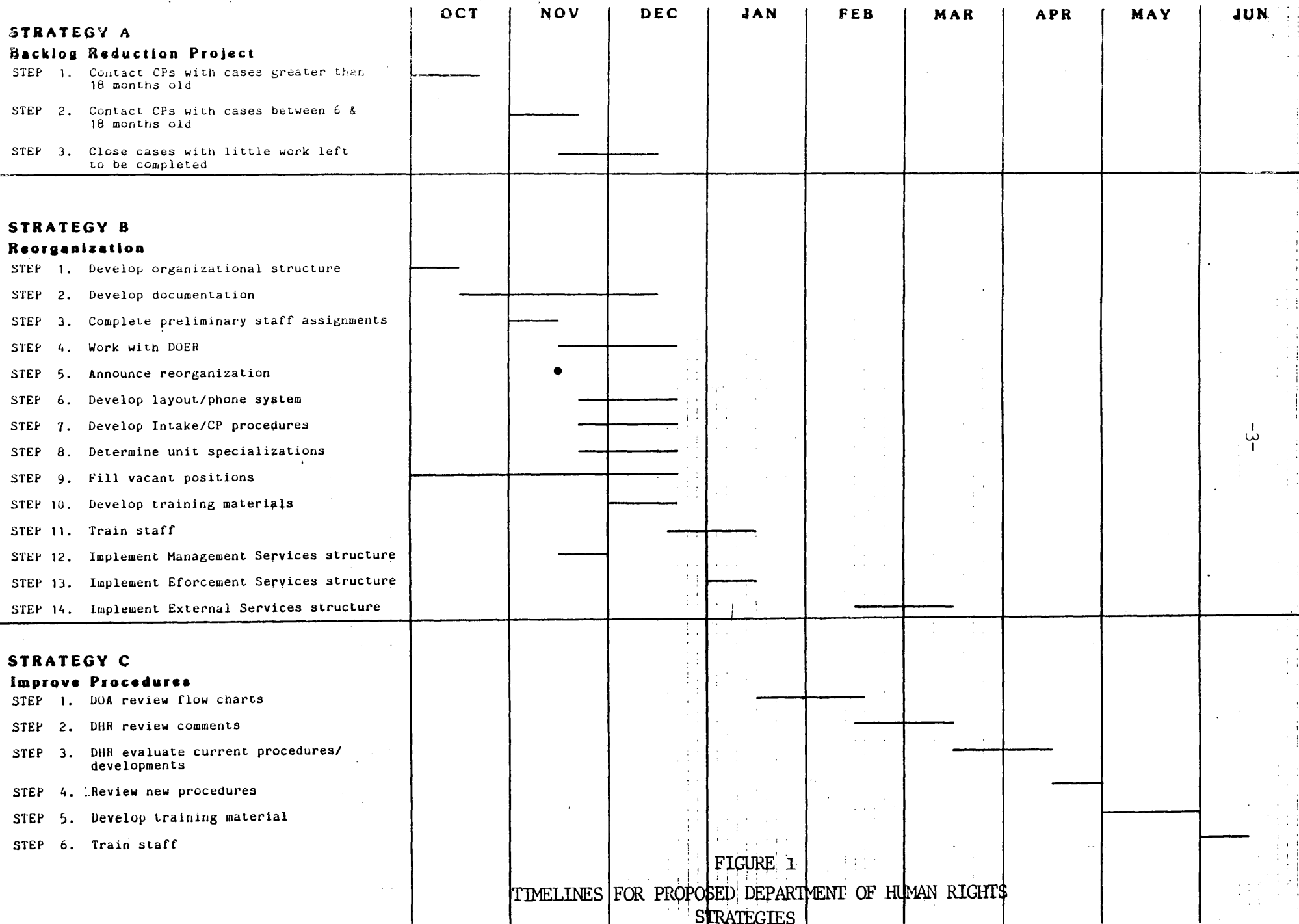


FIGURE 1  
TIMELINES FOR PROPOSED DEPARTMENT OF HUMAN RIGHTS STRATEGIES

### **STRATEGY B - RESTRUCTURING THE AGENCY**

- o The agency was reorganized effective 27 February, 1984 with two modifications to the Department of Administration plan:
  - 1) the agency was divided into two rather than three divisions. The divisions are Enforcement and Management Services.
  - 2) the number of positions assigned to case investigation was increased. Three positions were identified which could be added to the enforcement staff, increasing the number of people investigating cases to 29 or 49% of the agency's complement.

The organization chart for the structure which was implemented is included as Figure 2.

- o Five staff were internally promoted
- o Five staff in addition to those who started on February 6 have been hired.

### **STRATEGY C - IMPROVING PROCEDURES**

- o Short term procedural changes, which were necessary for the reorganization, were implemented. A description of those procedures is contained in the Department of Human Rights Report entitled "Department of Human Rights Charge Processing Policy."
- o The committee which is charged with evaluating all enforcement procedures and making recommendations to the commissioner on ways to make the procedures more efficient and effective has been activated and will report to the commissioner by June 30, 1984.

### **ADDITIONAL ACCOMPLISHMENTS**

- o The No Fault Grievance Process has been reactivated. All staff are being trained in the procedures necessary to refer potential charging parties to local commissions. Local commissions are reviewing necessary refresher training
- o The Mediation Project is being expanded. All cases will be recommended for mediation, if, both the charging party and the respondent agree.
- o The law intern program is being revitalized. Every case processing unit will have one law intern who will assist the enforcement officers.

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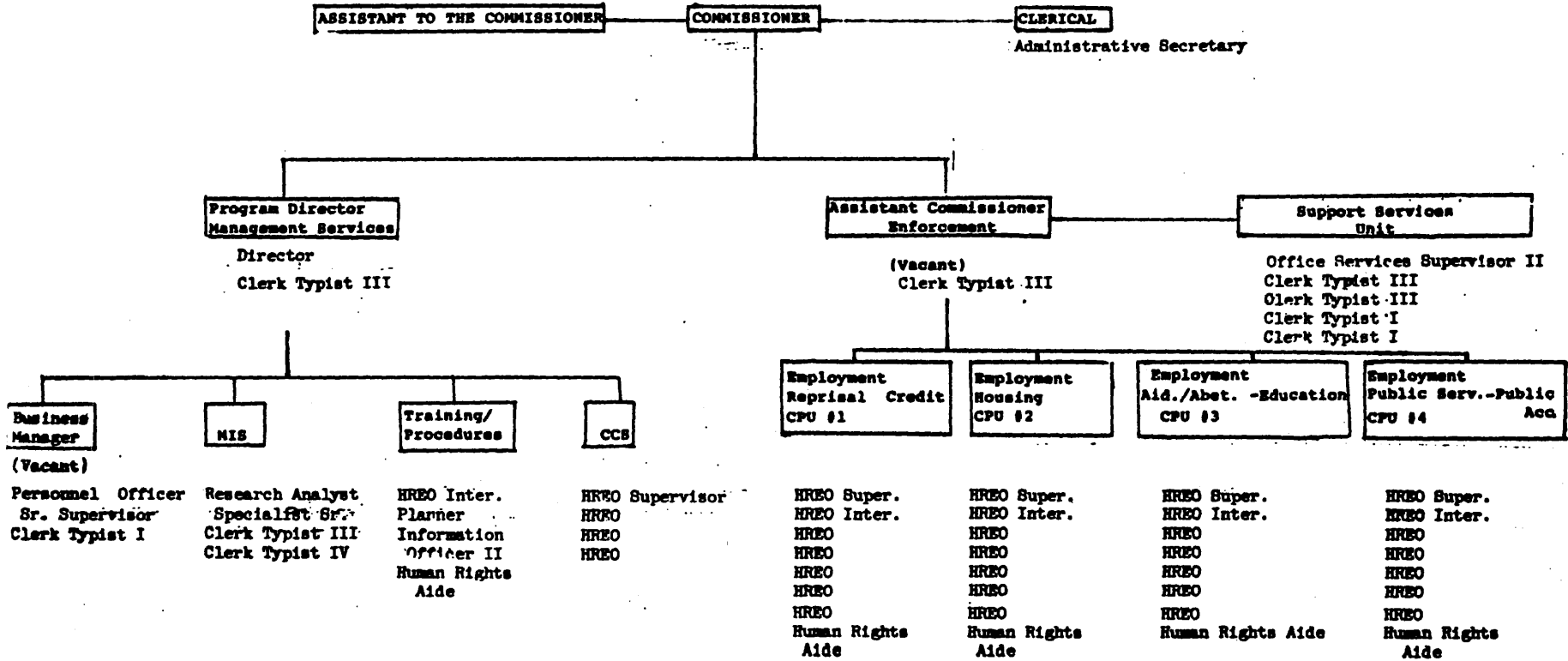


FIGURE 2

- o An internal auditor has reviewed and is correcting the department's budget and accounting documents and procedures
- o Personnel records have been reviewed and are being corrected or updated, as necessary
- o Position descriptions are being developed or revised for all staff
- o All enforcement staff will be consistently trained in investigative techniques by the end of March, 1984
- o All probable cause determinations will have attempts at conciliation before being sent to SAAG
- o 430 cases closed (see Tables 2 and 3)

#### IV. LONG-RANGE PLANS

It is the goal of this agency to be current with its caseload by August of 1986. This will be thirty months from the date of this report. As the organization becomes more healthy, the new commissioner should consider expanding external training and outreach activities. Until that time, all resources should be concentrated on the internal operations of the department. It is our expectation that each enforcement officer should be able to reach determination on 9 cases per month and that cases should be resolved, on the average, within 90 days of the date on which they were filed. We are confident that if the agency continues on the plan that was set forth by the Department of Administration and improves its case processing procedures, the agency will have no trouble becoming and staying current with its caseload.

TABLE 2

DISPOSITION OF CASES (FEBRUARY 6 - MARCH 6, 1984)

OPEN INVENTORY - FEBRUARY 6, 1984	3,172
Cases Docketed (2/6 - 3/6/84)	87
Cases Closed (2/6 - 3/6/84)	<u>(430)</u>
OPEN INVENTORY - MARCH 6, 1984	2,829

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TABLE 3

OPEN INVENTORY NEEDING INVESTIGATION

TOTAL INVENTORY	2,829
EEOC Deferrals	(340)
SAAG	(149)
Conciliation	(60)
Mediation Project	<u>(41)</u>
OPEN INVENTORY NEEDING INVESTIGATION	2,239