

Minneapolis
City of Lakes

DEPARTMENT OF CIVIL RIGHTS
COMPLAINT INVESTIGATIONS DIVISION

MID-YEAR REPORT
JANUARY 1 – JUNE 30 2013

INTRODUCTION

The Minneapolis Department of Civil Rights (MDCR) is the agency charged with enforcing the City's anti-discrimination laws through the Minneapolis Civil Rights Ordinance (MCRO). The Department's mission is to enforce the MCRO and to promote understanding of civil rights among residents, businesses and government.

The Complaint Investigations Division (CID) carries out the Department's mission by neutrally enforcing the City's anti-discrimination laws and policies by investigating complaints of discrimination that have occurred within the City of Minneapolis in the following areas: aiding, abetting or facilitating discrimination, business, educational institutions, employment, employment agencies, furnishing employment information and employment advertising, labor organizations, lending, professional organizations, public accommodations, public service, real estate, and representation by real estate brokers/salespersons.

Throughout the reporting period, the Division has focused its efforts on proposed changes to the MCRO, reducing the number of cases that have recently fallen into the backlog and outreach and education in the community.

OUTREACH

The Department's community engagement philosophy is based on the principle of democratic governance; that the authority of the work we do resides ultimately in the people we endeavor to serve. Therefore, our philosophy is that we will **educate** so that the community gains the awareness of relevant issues and knowledge about the work of the Department in order to develop the ability to self-advocate; **inform** so that we are transparent in what our plans are, what our resources are, what we are doing, how well we are doing; and, **involve** the community by requesting their meaningful participation in the work we do. The primary goal and purpose of the outreach plan is to fulfill the mission of the Department and Division by:

- (1) Building the Department's credibility in the City of Minneapolis;
- (2) Educating the public on the investigation process;
- (3) Providing mentorship to law students;
- (4) Building partnerships with the community and advocacy organizations; and
- (5) Recruiting legal and human rights professionals to serve on the Commission.

The Division has engaged in extensive outreach efforts to underrepresented communities in order to educate people about their rights and the free services offered by the Department. The Department has generated awareness about its services by conducting continuing legal education courses, participating in community events, hosting community filing days and conducting presentations within the community.

On February 2, 2013, the Division hosted a Continuing Legal Education (CLE) seminar titled Civil Rights 101: Claims of Discrimination under the MCRO. The CLE was

designed for Minneapolis Civil Rights Commissioners and attorneys who practice discrimination law. On February 6, 2013, the Division held a Hybrid Mediation Training Continuing Legal Education course, which educated mediators on the Department's preferred style of mediation. It also provided the mediators with an overview of the Division's process and a review of applicable discrimination cases.

On April 10 and 11, the Department tabled a booth at the Multicultural Forum on Workplace Diversity Conference to promote workplace diversity. Furthermore, on May 18, 2013, the Department co-sponsored, Locked Up and Locked Out, an event with Take Action Minnesota and Neighborhoods Organizing for Change. The event was designed to educate and organize the Community about the job disparity gap in Minnesota between African-Americans and non-minority residents. This event allowed the Department to discuss employment discrimination law issues with the residents of North Minneapolis, educate individuals with criminal backgrounds on the complaint filing process and provide an opportunity for the residents to file a complaint with the Division or the Office of Police Conduct Review.

In May of 2013, the Minnesota Legislature voted in favor of the "Ban the Box" legislation, which limits public and private employers from inquiring into applicants criminal histories up to the interview process. As a result of the new legislation, the Department is participating in Second Chance Saturdays, which is an event that provides resources to individuals on the process of expunging their criminal history and to empower the attendees to advocate for their employment rights. The attendees have the opportunity to have a one-on-one conversation with Department staff and file a complaint at the event.

During the June 29-30 weekend the Department participated in the Twin Cities Pride Festival, which is the Department's biggest outreach event of the year. The event was even more enthusiastic this year marking the historic occasion of the legalization of gay marriage in Minnesota. Pride 2013 was a huge success, providing the Department with 1,372 survey responses; the largest number of surveys ever received through one outreach event. More than half the people surveyed felt they have been discriminated against in the City of Minneapolis. Nearly 75% of those people were unaware that the Department offers a free service to investigate claims of discrimination.

The Division will continue to fine tune its outreach efforts and attract individuals who would benefit from the Department's services in order to eliminate and prevent discrimination throughout the City of Minneapolis.

INTERNS

The MDCR internship program provides high school, undergraduate, graduate, and law school students an opportunity to gain hands-on experience in civil/human rights laws and to build a greater understanding of the complaint investigation process. For the first time, the MDCR collaborated its' summer internship program with the Urban Scholars Graduate Program. Urban Scholars is a leadership development program for college and graduate students from diverse races and ethnicities. In addition, the Urban Scholars program creates a pipeline of experienced young professionals. The

Department hired three Urban Scholars who work with each of the Division heads and a Step-Up Intern in aims to prepare them for a career with the City once they graduate.

ORDINANCE UNDER REVIEW

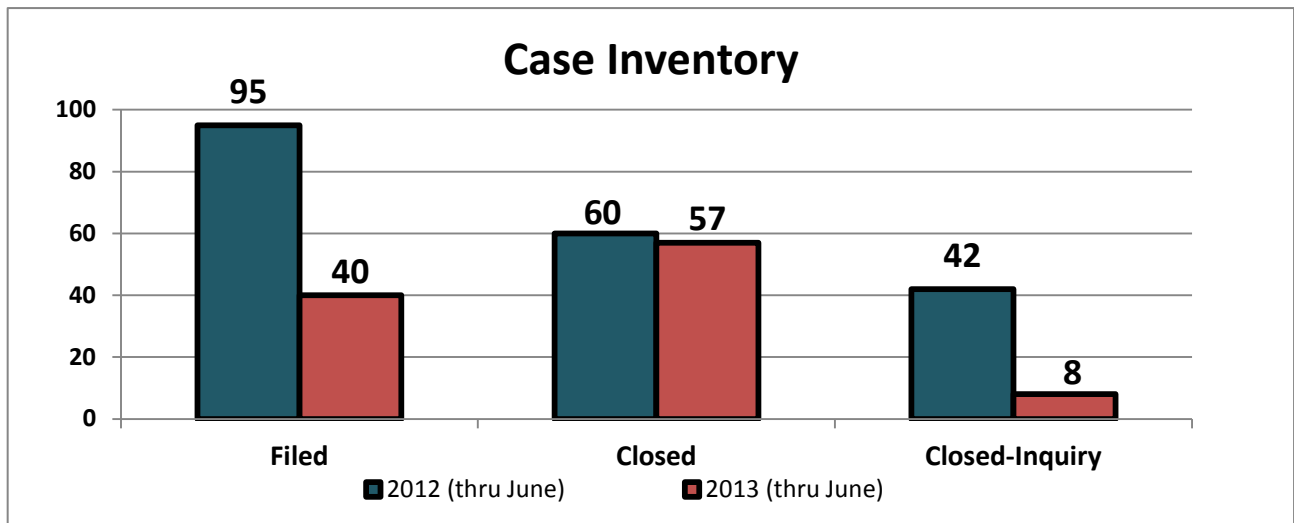
Over the last year, the Division has been diligently working on proposed ordinance changes to Title VII of the Minneapolis Civil Rights Ordinance. Members of the Commission on Civil Rights have also hosted several meetings and will provide the Division with a final proposal that will be taken into consideration and included in the proposed changes. The proposed changes will make the complex language more clear and concise and provide significant new developments that are consistent with current discrimination laws.

MEDIATION

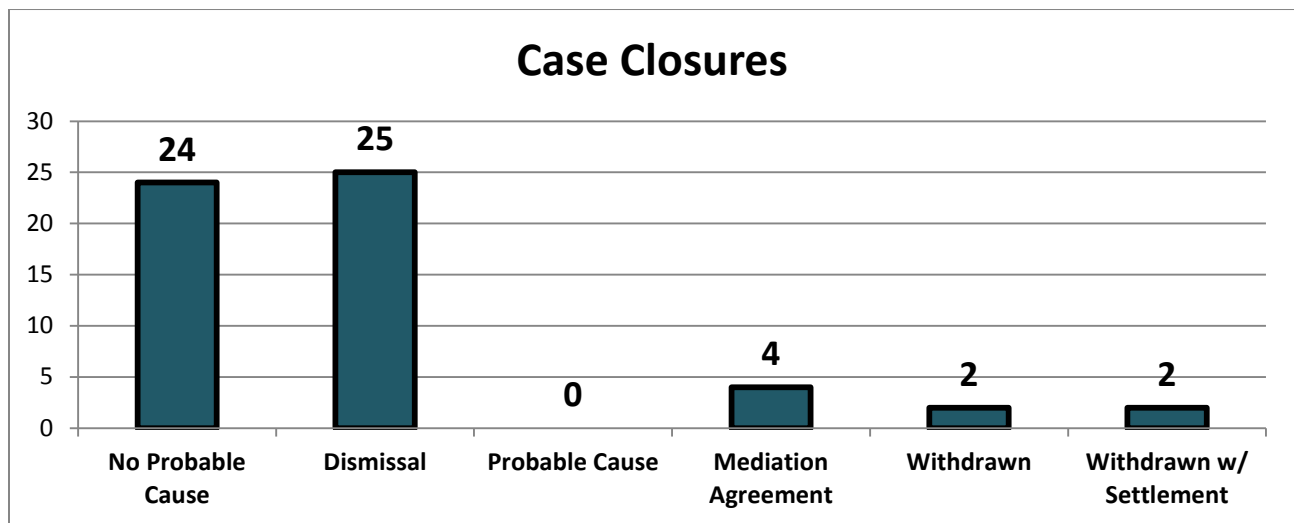
The Division expanded the use of its alternative dispute resolution by implementing an early mediation pilot program. The program was designed as a means to help parties resolve their disputes earlier in the complaint investigation process. Early mediation allows the Division to identify and resolve cases in a much shorter timeframe. However, if the mediation fails it could result in a longer time to reach a determination. The Division will continue to encourage early mediation as a means to resolve cases earlier in the process until the spring of 2013.

CONCLUSION

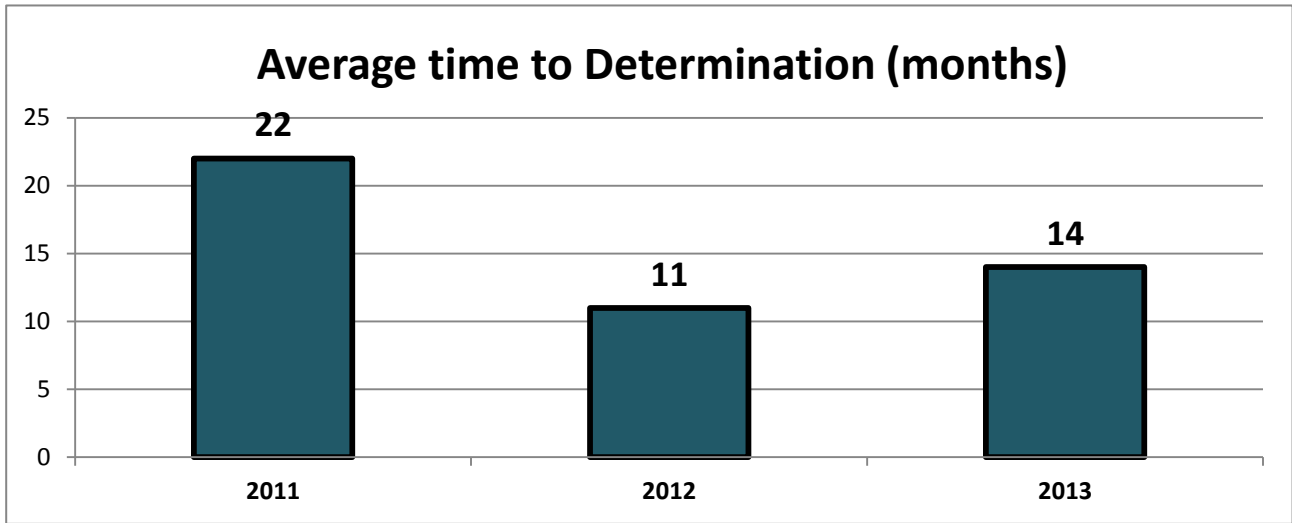
The Division receives, investigates, and mediates complaints of alleged discrimination in compliance with the enforcement authority under the MCRO. The Division has set three main priorities to streamline its works efforts for the upcoming year; which include: (1) maintain case inventory; (2) incorporate strategies in the complaint process to make it more efficient; and (3) target outreach efforts to fulfill the Division's commitment to eliminate discrimination and make ONE Minneapolis.



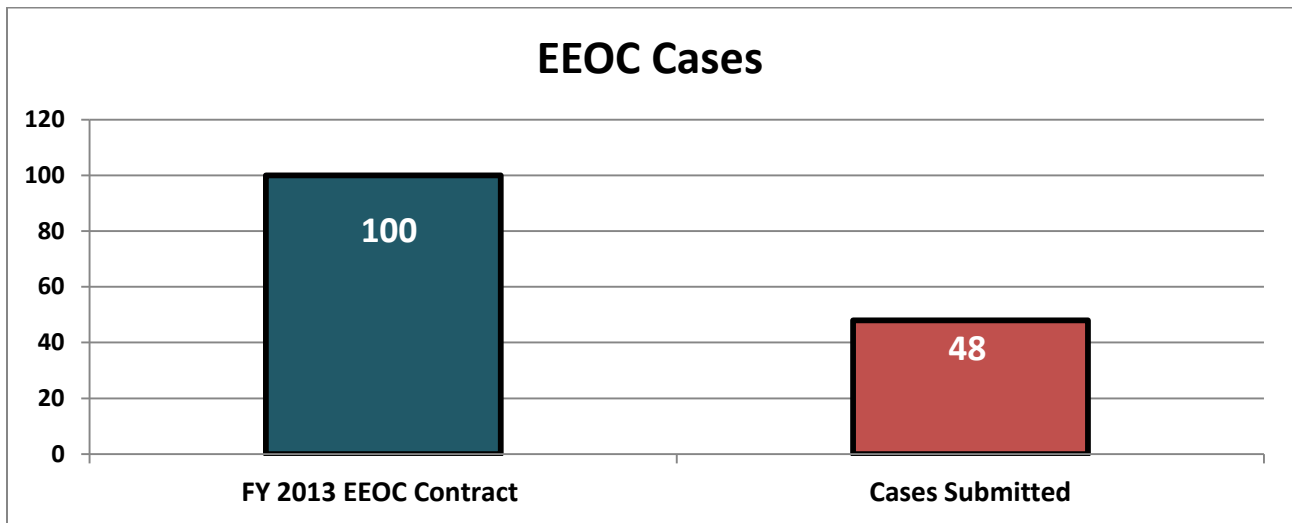
The Case Inventory figure represents the number of cases filed and docketed with the department January 1, 2013 through June 30, 2013. The reduction in the number of cases filed may be a result of the intake officer establishing jurisdiction prior to the intake interview and referring the party to the correct agency. By doing so, it saves the potential complainant time and reduces department resources. The Division's closed case count is consistent with last years reporting period. The Division is focusing its outreach efforts on advocacy organizations that can act as ambassadors to the Division by referring potential complainants to our office.



The figure above shows the breakdown of closed cases during the reporting period. 86% of the cases were issued a determination of “no probable cause” or “dismissal.” A determination of “no probable cause” means that the Investigator has not found a reason to believe that discrimination has occurred. Whereas a dismissal, is a case that has been sent to an investigator for limited investigation and has been dismissed. Two cases were withdrawn with the remaining cases reaching a settlement agreement through the Division's alternative dispute resolution process.



Over the last two years, the Division has made significant progress in reducing the timeframe to issue a determination. During the reporting period, the Division issued a determination on two of its oldest cases that were both filed in 2007. Moving forward, the Division has three cases that were filed in 2008 that the Commission has “remanded” back to the Division for further investigation. Once the determinations are issued on these cases, the average time to determination will be free of historical tendencies and reflect the actual average time to determination.



The Division serves as a Fair Employment Practice Agency (FEPA), investigating employment discrimination claims that have been dual-filed and/or transferred from the Equal Employment Opportunity Commission (EEOC). When the Division receives an allegation, that occurred in the City of Minneapolis, covered by a law enforced by the EEOC, the Division dual files the charge with the EEOC and retains the charge for processing. The Division has submitted 48 cases to the EEOC for contract credit and will continue to work towards attaining the full contract goal.

	Labor Organization	Employment	Employment Agency	Furnishing Employment Info & Employment Advertising	Real Estate	Real Estate Broker/Sales Person	Professional Organization	Lending	Public Accommodations	Public Service	Educational Institutions	Business	Aiding, Abetting, Facilitating	Reprisal	Coercion in housing
Race		20			1				2	1					
Color		1													
Creed															
Religion		3							1						
Ancestry															
National Origin		8							1	1					
Sex		9													
Sexual Orientation															
Gender Identity															
Disability		12			1				1	1					
Age		7							1						
Familial Status															
Public Assistance															
Filing a Discrimination Complaint		13													

The figure above illustrates the breakdown of the 40 civil rights cases filed from January 1, 2013 to June 30, 2013. The largest number of cases, as anticipated, is race discrimination in employment, which is followed by disability and reprisal. It is important to note that some complaints allege more than one basis covered under the MCRO; therefore, the total percentage of basis cited will be more than 100%.