Minnesota Department of
HUMAN RIGHTS

January 29, 2016

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 summarizing investigation results and the resolution of complaints filed with the Department for the last six months (July-December) of 2015.

Summary:

MDHR continues to see gains in its multi-year effort to improve its investigation process effectiveness and in reducing average investigation time. In the past 6 months we have seen an increase in the number of charges filed with the Department, from 284 in the first half of 2015 to 336 in the latter half of the year covered by this report. We believe this is reflective of a growing confidence in the Department's timeliness and effectiveness in resolving cases.

The Department's average time to reach a determination during this period was 254 days. This is a decrease of 73 days from the end of 2014. This is part of a steady downward trend over the past 3 years. MDHR now only has 18 cases older than one year, after beginning the calendar year with 31 cases older than one year. The Department is making steady progress in this area, at the end of June 2012 there were 228 cases over one year old.

Since the last report, the Department's inventory of cases has risen modestly to 472 cases from 390 cases at the end of June 2015, reflecting primarily an increase in the number of charges filed over the past 6 months. At the end of December 2012, the Department had 842 cases in its inventory in comparison to the 472 cases in the inventory at the end of December 2015, a 44% reduction in 3 years.

During the reporting period, the Department settled 45 cases for a total of $303,870 in damages. This brings the yearly total for all of 2015 to 120 cases settled for a total of $615,493 in damages.

Case Inventory:

- 472 cases were pending determination as of December 31, 2015. As of December 31, 2015, MDHR had closed 272 cases and filed new 336 charges. The average caseload for an investigator is 39 cases.
- 93% of cases filed in the last six months are open; 96% of cases are less than a year old.

- 155 cases less than 90 days old
- 160 cases between 91-180 days old
- 103 cases between 181-270 days old
- 36 cases between 271-365 days old
- 18 cases over 365 days old

Closures & Determinations:

- 25.74% of closed cases resulted in a favorable outcome or were withdrawn by the charging party: 18 cases resulted in a probable cause determination (6.62%), 15 cases were resolved prior to a formal determination (5.51%), 31 cases were withdrawn by the charging party (11.40%), and in 6 cases the Department reached settlement prior to investigation (2.21%).
- 74.26% of determinations resulted in a favorable outcome for the respondent. The Department closed 191 cases (70.22%) with a no probable cause determination and 11 cases (4.04%) were dismissed by the Department.
- The average time to reach a determination decreased 12 days from the prior reporting period to 254 days.
    - Average time to dismiss a case was 201 days, a decrease of 27 days from the last reporting period.
    - Average time to reach a no probable cause determination was 246 days, a decrease of 11 days from the last reporting period.
    - Average time to reach a probably cause or split determination was 465 days, an increase of 75 days from the last reporting period.

Alternative Dispute Resolution:

- The Department pursued mediation in 71 total cases, of these 48 (14.29%) were from the 336 charges filed this reporting period. MDHR successfully scheduled 17 mediations in which 6 cases reached settlement. The average time for a mediation to reach settlement was 94 days. 10 charges are currently in some phase of the mediation process. During this period 71 cases were returned from ADR for investigation.

Trends:

- Employment charges continue to constitute the largest number of charges filed with the Department. 305 employments related charges were filed during the reporting period, which constitutes 59.7% of all charges filed. Disability (30%), race (20%), age (16%) and sex (16%) are the most common types of employment charges.
- The most common bases of discrimination, without regard to subject area, are disability (35%), race (22%), sex (15%), age (12%) and national origin (5%).

The work of MDHR's staff over the last several years has resulted in the Department reducing its case inventory by 44% from December 2012 to December 2015, reducing its inventory of cases older than one-year to 18 from over 228 (June 2012), and significantly reducing the average length of time to reach a determination. In just the last year, the average time to reach a determination has dropped 73 days to

an average of 254 days. Process improvements have translated into faster determinations and better service being provided to the Minnesotans who interact with the Department.

Sincerely,

Kevin M. Lindsey
Commissioner

Enclosure: Case Distribution Report

cc: Senator Ron Latz
Senator Warren Limmer
Representative Sarah Anderson
Representative Sheldon Johnson
Joane McAfee, Office of Governor Mark Dayton

Minnesota Department of Human Rights
BASIS - AREA - FILING
File Date Range: July 1, 2015 to December 31, 2015
Total Charges Filed During Date Range: 336

	BASIS												
AREA	Age	Color	Disability	Familial Status	Marital Status	National Origin	Public Assistance Status	Race	Religion	Sex	Sexual Orientation	TOTAL	Percentage
Aiding, Abetting, or Obstructing (Education)			2									2	0.4%
Business/Contract			2					3				5	1.0%
Education			5					1	1	3		10	2.0%
Employment - Employer	50	1	93	4	12	19	3	62	8	48	5	305	59.7%
Employment - Employment Agency			2					2				4	0.8%
Housing/Real Property			15	3		1	3	3	1	1	2	29	5.7%
Public Accommodations			15			1		9	1	1	1	28	5.5%
Public Services			12					8	1	5		26	5.1%
Reprisal (Business/Contract)			2					1				3	0.6%
Reprisal (Education)			2							2		4	0.8%
Reprisal (Employment)	9		26		2	6		21	2	17	6	89	17.4%
Reprisal (Employment - Agency)								1				1	0.2%
Reprisal (Housing/Real Property)			4									4	0.8%
Reprisal (Public Services)			1									1	0.2%
Percentage	12%	0%	35%	1%	3%	5%	1%	22%	3%	15%	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.