Minnesota Department of
HUMAN RIGHTS

August 19, 2014

Elizabeth Lincoln, Director
Minnesota Legislative Reference Library
645 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. 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 first six months (January – June) of 2014.

Summary:
MDHR continues to improve its efficiency in issuing investigation memoranda. The Department issued more than 400 investigation memoranda for the third consecutive six month reporting period. MDHR's system from intake to final resolution of a charge is now more efficient while providing better service to those who interact with the Department.

For the third consecutive reporting period, the Department closed more cases than it opened. The Department closed 458 cases during the period, closing 182 more cases than it opened and averaged closing 76 cases a month. Compare these results to the last six months of 2013, when the Department closed 76 more cases than it opened; this is an improvement of 106 cases. The Department reached 16 conciliated settlements resulting in $143,825 in damages to charging parties during the period.

As a result of its improved efficiency, MDHR has made steady progress in reducing its inventory of older cases. The Department reduced the number of cases older than one year by 40% during this period; MDHR has 85 cases over one year old. For context, two years ago (See MDHR's July 2012 Report) the Department had 228 cases over one year old in its inventory.

Case Inventory:

- 549 cases pending determination as of June 30, 2014; a decrease of 183 cases or 25% from the prior reporting period.
- MDHR closed 458 cases and filed 276 charges.
- As of June 30, 2014, the average case load per investigator was 50 cases.
- 96% of cases filed in the last six months are open; 85% of cases are less than a year old.
    - 150 cases less than 90 days old, 132 cases between 91-180 days old, 98 cases between 181-270 days old, 84 cases between 271-365 days old and 85 cases older than 365 days old.
- The Department reduced its inventory of cases over a year 40%. There were 85 cases over a year old as of June 30, 2014; there were 143 such cases as of the end of 2013.

Determinations:

- 23 cases (5.02%) were withdrawn by the charging party.
- 12.01% of determinations or closed cases resulted in a favorable outcome for the charging party. The Department closed 24 cases (5.24%) with a probable cause determination, 18 cases (3.93%) were closed before a determination was issued and in 13 cases (2.84%) the Department reached a settlement agreement.
- 82.97% of determinations resulted in a favorable outcome for the respondent. The Department closed 343 cases (74.89%) with a no probable cause determination, and 37 cases (8.08%) were dismissed by the Department.
- The average time to reach a determination of a charge was 378 days; a decrease of 9 days from the prior reporting time period.
    - Average time to reach a probable cause determination was 455 days; an increase of 3 days from the last reporting period.
    - Average time to reach a no probable cause determination was 376 days, a decrease of 61 days from the prior reporting time period.
    - Average time to dismiss a case was 325 days, an increase of 53 days from the last reporting period.

Alternative Dispute Resolution:

- The Department asked the parties if they wished to pursue mediation in 31.5% of the 276 charges filed this reporting period; the parties agreed to mediation in 20 charges or 7.25% of the charges filed.
- Currently, 49 charges are in some phase of the mediation process.
- MDHR staff scheduled 42 mediations during this reporting period. Of these, 13 cases reached settlement during the time period. The average time period for a case in mediation to reach settlement was 127 days.

Trends:

- Employment cases continue to be MDHR's largest area with 251 charges filed against employers for a total of 58.2% of all charges. Disability (29.9%) and Reprisal claims (19.3%) are the two most common employment charges. In the prior six months, 28.5% of employment cases involved claims of disability discrimination.
- The most common basis of discrimination, regardless of subject area, is disability (30%), race (24%), sex (16%), age (10%), and national origin (9%).

Sincerely,

Kevin M. Lindsey
Commissioner

Enclosure: Case Distribution Report

cc: Senator Ron Latz
Senator Warren Limmer
Representative Michael Paymar
Representative Tony Cornish
Representative John Lesch
Representative Peggy Scott
Joanna Dornfeld, Office of Governor Mark Dayton

Minnesota Department of Human Rights
Freeman Building • 625 Robert Street North • Saint Paul MN 55155
Tel: 651.539.1100 • MN Relay 711 or 1.800.627.3529 • Toll Free 1.800.657.3704 • Fax: 651.296.9042 • mn.gov/mdhr

Minnesota Department of Human Rights
BASIS - AREA - FILING
File Date Range: January 1, 2014 to June 30, 2014
Total Charges Filed for Date Range: 276

	BASIS													
AREA	Age	Color	Creed	Disability	Familial Status	Marital Status	National Origin	Public Assistance Status	Race	Religion	Sex	Sexual Orientation	TOTAL	Percentage
Business/Contract				1									1	0.2%
Education	2	1		2			1		3	1	1		11	2.6%
Employment - Employer	36	4		75		3	20	1	52	5	48	7	251	58.2%
Employment - Employment Agency										1	1		2	0.5%
Employment - Union											1	2	3	0.7%
Housing/Real Property		3	2	11	2		4		3	3	2		30	7.0%
Public Accommodations				8			3		11	1		2	25	5.8%
Public Services		1		6			1		4				12	2.8%
Reprisal (Education)		1		1					1				3	0.7%
Reprisal (Employment)	5	2		22			7		27	1	14	5	83	19.3%
Reprisal (Housing/Real Property)				5			1		1				7	1.6%
Reprisal (Public Accommodations)		1							2				3	0.7%
Percentage	10%	3%	0.46%	30%	0.46%	1%	9%	0.23%	24%	3%	16%	4%		

Note: Because 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.