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Minnesota Department of Human Rights

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mn.gov/mdhr/

AT A GLANCE

- The Minnesota Department of Human Rights (MDHR) investigates discrimination complaints; ensures equal employment opportunities and equal pay on state contracts; enforces the “Ban the Box” law for private employers; and facilitates education and dialogue on eliminating discrimination and disparate treatment throughout Minnesota.
- MDHR serves vulnerable Minnesotans who have experienced discrimination, are seeking opportunities in employment, and equal access to public services.
- In 2017, MDHR completed 529 discrimination investigations, while opening 698 new cases. These increased case filings reflect increased outreach and growing public confidence in the Department’s work. Disability discrimination is the most common charge and a growing area of MDHR’s work.
- 78% of cases were less than one year old; 155 cases were over one year at the end of 2017.
- At the end of 2017, the average time to close a case was 369 days.
- Workforce inclusion efforts have demonstrated successful outcomes, with recent high profile examples that include the Vikings Stadium Project and the Capitol Restoration Project. In 2017, the Department raised Workforce Inclusion Goals for women statewide, helping to ensure opportunities for women and people of color on state funded projects.
- The Department has taken on issues of systemic discrimination based on disability and race in school discipline practices, with the intent of having schools where all kids can learn safely.
- The Department has lead state government civic engagement efforts as part of Governor Dayton’s Diversity and Inclusion Council; executed tribal consultation agreements; participated as a member of the Interagency Council on Homelessness; and conducts education and outreach statewide in cities, including Duluth, Worthington, St. Cloud, and Albert Lea.

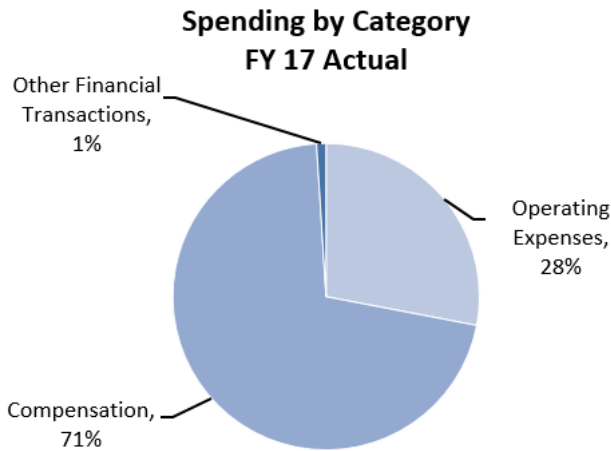
PURPOSE

The mission of the Minnesota Department of Human Rights (“MDHR” or the “Department”) is to eliminate discrimination in education, employment, housing and real property; in public accommodations; and in the delivery of public services. Discrimination threatens the rights and privileges of the citizens of the state and menaces the institutions and foundations of our democracy. The Minnesota Human Rights Act protects all Minnesotans from discrimination in employment, housing, public services, public accommodations, and education.

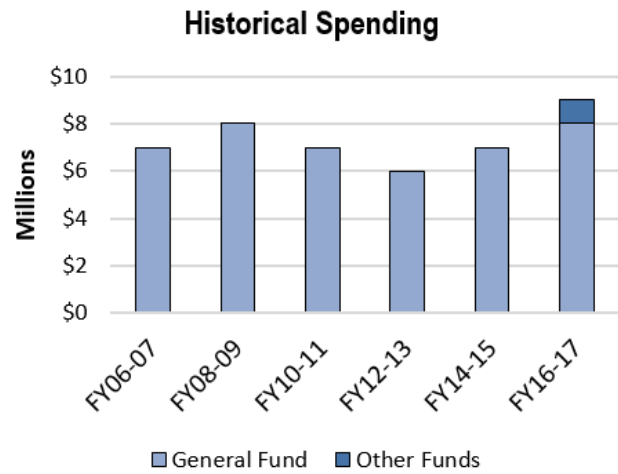
MDHR supports the following statewide outcomes:

- **Reducing race, gender, and other disparities**
- **A thriving economy that encourages business growth and employment opportunities**
- **Expand economic opportunities and eliminate disparities for Minnesotans of color**
- **Minnesotans have the education and skills needed to achieve their goals**
- **People in Minnesota are safe**

BUDGET



Source: Budget Planning & Analysis System (BPAS)



Source: Consolidated Fund Statement

The Department's budget primarily comes from the State's General Fund, with a small amount of additional revenue generated from issuing Equal Pay and Workforce certificates to state contractors and fees from educational offerings. The Department receives approximately \$300,000 annually under a workshare agreement with the Equal Employment Opportunity Commission (EEOC), as payment for investigation of employment discrimination cases. The vast majority of the Department's expenses (over 90%) are spent on payroll, rent and IT expenses.

STRATEGIES

The work of the Department falls into three broad areas:

- Investigate Claims of Discrimination and Disparate Impact:** Since its establishment in 1967, the Department has been responsible for drafting and investigating complaints, and drafting determinations as to whether probable cause exists that discrimination has occurred. When the Department finds probable cause of discrimination we attempt to conciliate a settlement between the parties that will resolve the discriminatory practices, make the charging party whole, avoid future instances of discrimination, and avoid litigation. On January 1, 2014, the Department became responsible for enforcing the Private Employer Ban the Box law. The law limits the timing of when an employer can request criminal background information from a job applicant. This ensures that individuals with criminal records who are reentering the community can compete for employment, which helps to reduce recidivism and racial disparities. The Department conducted presentations around the state and provided technical assistance to numerous employers to aid in compliance. In 2016 and 2017, the Department conducted 160 Ban the Box investigations.
- Ensure Equal Employment Opportunity with State Contractors:** The Department issues workforce certificates of compliance to large state contract vendors. This ensures that such vendors comply with federal and state equal employment opportunity laws. The Department also monitors the good faith efforts of state contract vendors with a workforce certificate to implement equal employment opportunities. On August 1, 2014, the Department became responsible for issuing equal pay certificates of compliance to large state contract vendors and for ensuring that such vendors comply with federal and state equal pay and anti-discrimination laws. This resulted in the Department issuing 481 Equal Pay Certificates to Minnesota's largest contractors in 2016 and 2017.
- Facilitate Education & Dialogue to Eliminate Discriminatory Practices & Disparate Treatment:** The Department facilitates conversations between Minnesotans to find solutions to overt and subtle discriminatory practices and systems that frustrate individuals as they seek to fully participate in our democracy. The Department has supported inter-agency work on the implementation of the state's Tribal

Consultation Policy and initiative to end homelessness. The Department has also worked with the Department of Education on school bullying issues.

MDHR emphasizes several strategies to deliver its mission and support statewide outcomes. These strategies include:

- Timely and thorough investigations of all charges of discrimination
- Investigation of “Ban the Box” law violations for private employers
- Timely responses to workforce and equal pay certificate applications
- Reviewing of contract vendor practices to ensure equal employment opportunity; equal pay compliance; and non-discriminatory wage and benefit compensation
- Facilitation of dialogue among key stakeholders to eliminate discrimination, disparate practices and disparate outcomes

RESULTS

<i>Type of Measure</i>	<i>Name of Measure</i>	<i>Previous</i>	<i>Current</i>	<i>Dates</i>
Quantity	Investigative Memorandums completed	568	529	2016 to 2017
Quality	Average Number of Days to Complete a No Probable Cause Determination	295	387	2016 to 2017
Quantity	Total Number of Charges Filed	705	698	2016 to 2017
Quantity	Number of Probable Cause Determinations that the Human Rights Act had been violated	48	50	2016 to 2017
Quality	Workforce Certificate Response Within 15 days	100%	100%	2016 to 2017
Quantity	Number of Workforce Certificates Issued	201	383	2016 to 2017
Quantity	Number of Workforce Compliance Audits	160	236	2016 to 2017
Quantity	Number of Equal Pay Certificates Issued	214	267	2016 to 2017
Quantity	Number of Equal Pay Compliance Audits	12	72	2016 to 2017
Quantity	“Ban the Box” Violation letters sent	96	64	2016 to 2017
Quantity	“Ban the Box” Fines Issued	0	0	2016 to 2017

The Minnesota Department of Human Rights is authorized under Minnesota Statutes, Chapter 363A
<https://www.revisor.mn.gov/statutes/?id=363A>.

Ban the Box for Private Employers and MDHR’s jurisdiction is authorized under Minnesota Statutes, Chapter 364
<https://www.revisor.mn.gov/statutes/cite/364>

Human Rights

Agency Expenditure Overview

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
<u>Expenditures by Fund</u>						
1000 - General	3,300	4,252	4,085	4,861	4,578	4,578
2000 - Restrict Misc Special Revenue	472	139	433	459	303	178
2001 - Other Misc Special Revenue			10			
2403 - Gift	26	0	2	6	6	6
3000 - Federal		283	350	430	424	430
Total	3,798	4,675	4,880	5,756	5,311	5,192
Biennial Change				2,163		(133)
Biennial % Change				26		(1)

Expenditures by Program

Human Rights Enforcement	3,798	4,675	4,880	5,756	5,311	5,192
Total	3,798	4,675	4,880	5,756	5,311	5,192

Expenditures by Category

Compensation	2,901	3,293	3,762	4,169	4,169	4,047
Operating Expenses	888	1,321	1,114	1,572	1,127	1,130
Capital Outlay-Real Property		2		15	15	15
Other Financial Transaction	9	59	4			
Total	3,798	4,675	4,880	5,756	5,311	5,192

Full-Time Equivalent

	36.90	39.64	43.56	46.81	46.40	44.30
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Human Rights

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
1000 - General						
Balance Forward In		648		290		
Direct Appropriation	3,927	4,162	4,392	4,588	4,595	4,595
Transfers In		79				
Transfers Out	1	442	17	17	17	17
Cancellations		195				
Balance Forward Out	627		290			
Expenditures	3,300	4,252	4,085	4,861	4,578	4,578
Biennial Change in Expenditures				1,394		210
Biennial % Change in Expenditures				18		2
Full-Time Equivalents	33.15	35.46	37.60	40.29	40.40	40.00

2000 - Restrict Misc Special Revenue

Balance Forward In	922	562	751	576	280	150
Receipts	109	323	259	163	173	163
Transfers In			0			
Transfers Out	11	0	0			
Balance Forward Out	548	745	576	280	150	135
Expenditures	472	139	433	459	303	178
Biennial Change in Expenditures				281		(411)
Biennial % Change in Expenditures				46		(46)
Full-Time Equivalents	3.75	1.62	3.31	2.97	2.65	0.95

2001 - Other Misc Special Revenue

Receipts			10			
Expenditures			10			
Biennial Change in Expenditures				10		(10)
Biennial % Change in Expenditures						

2403 - Gift

Balance Forward In		11				
Receipts	24	(11)	2	6	6	6
Transfers In	11					
Balance Forward Out	8					

Human Rights

Agency Financing by Fund

(Dollars in Thousands)

	Actual FY16	Actual FY17	Actual FY18	Estimate FY19	Forecast Base	
					FY20	FY21
Expenditures	26	0	2	6	6	6
Biennial Change in Expenditures				(18)		4
Biennial % Change in Expenditures				(70)		50

3000 - Federal

Balance Forward In	479	777	766	617	465	319
Receipts	298	273	201	278	278	278
Balance Forward Out	777	766	617	465	319	167
Expenditures		283	350	430	424	430
Biennial Change in Expenditures				497		74
Biennial % Change in Expenditures						10
Full-Time Equivalents		2.56	2.65	3.55	3.35	3.35

Human Rights

Agency Change Summary

(Dollars in Thousands)

	FY19	FY20	FY21	Biennium 2020-21
Direct				
Fund: 1000 - General				
FY2019 Appropriations	4,588	4,588	4,588	9,176
Base Adjustments				
Pension Allocation		7	7	14
Forecast Base	4,588	4,595	4,595	9,190
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Planned Spending	459	303	178	481
Forecast Base	459	303	178	481
Fund: 2403 - Gift				
Planned Spending	6	6	6	12
Forecast Base	6	6	6	12
Fund: 3000 - Federal				
Planned Spending	430	424	430	854
Forecast Base	430	424	430	854
Revenue Change Summary				
Dedicated				
Fund: 2000 - Restrict Misc Special Revenue				
Forecast Revenues	163	173	163	336
Fund: 2403 - Gift				
Forecast Revenues	6	6	6	12
Fund: 3000 - Federal				
Forecast Revenues	278	278	278	556