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# Minnesota Department of Human Rights

January 17, 2007

Legislative Reference Library  
Attn: Acquisitions Department  
645 State Office Building  
Saint Paul, MN 55155-1050

Attn: Acquisition Department

The Minnesota Department of Human Rights (MDHR) submits its semi-annual report to the Legislature summarizing the results of its investigation and resolution of human rights complaints. Documents detailing the Department's activities during the period of July 1, 2006 to December 31, 2006 are attached. Highlights of complaint activity are as follows:

- The number of new charges filed increased 42% from the previous six-month period.
- MDHR closed 347 cases.
- The average time from filing a charge to issuing a determination of no probable cause was 335 days. The average time from filing a charge to issuing a determination of probable cause was 371 days.
- On December 31 there were 15 cases in inventory older than 1 year. However, as of January 17 only 2 of these 15 cases still need determination.
- 78% of dismissals were accomplished within six months of the charge-filed date.
- The average caseload per enforcement officer during this report period increased from 28 to 31.

Highlights of alternative dispute resolution (ADR) are as follows:

- 118 cases pending determination were referred to ADR.
- 94% of all cases designated for investigation this report period were first referred to ADR.
- Mediations were conducted for 18 cases, resulting in 11 resolutions during this report period.
- MDHR recovered approximately \$866,186 for charging parties.

In summary, MDHR has continued its high level of performance during the period covered by this report.

If you have any questions or concerns, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Velma J. Korbel".

Velma J. Korbel  
Commissioner

VJK/dmrz

Attachment

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**MINNESOTA DEPARTMENT OF HUMAN RIGHTS**

**CASE MANAGEMENT SUMMARY REPORT**

Report Period: July 1, 2006—December 31, 2006

<b>CASE ACTIVITY</b>	<b>July 1 2006— December 31, 2006</b>	<b>January 1 2006— June 30, 2006</b>	<b>Change (Percent)</b>
<b>New Charges Filed</b>	507 charges	356 charges	+42%
% of, above, still awaiting determination	86%	74%	+16%
<b>Total # Cases Closed/Disposition %</b>	347 cases	431 cases	-19%
Dismissed: Lack of Merit	28%	36%	-22%
Dismissed: other, incl. Lack of Cooperation	15%	14%	+7%
Withdrawn ( <i>excludes</i> settled cases)	4%	6%	-33%
<b>Closed after Probable Cause (PC)</b>	9%	8%	+13%
<b>Closed after No Probable Cause (NPC)</b>	31%	26%	+19%
<b>Closed after split (PC/NPC) determination</b>	2%	<1%	+100%
Pre-determination Resolution*	5%	3%	+67%
ADR-resolved (settled/withdrawn)	5%	3%	+67%
<b>Avg. # days to issue PROBABLE CAUSE determination/Number issued</b>	371 days/ 38 PC cases	282 days/ 30 PC cases	+32% +27%
<b>Avg. # days to issue PC/NPC (split) determination/Number issued</b>	231 days/ 2 PC/NPC cases	308 days/ 6 PC/NPC cases	-25% -67%
<b>Avg. # days to issue NO PROBABLE CAUSE determination/Number issued</b>	335 days/ 103 NPC cases	321 days/ 113 NPC cases	+4% -9%
<b>Avg. # days to issue dismissal</b>	136 days	115 days	+18%
% of DWR Dismissals within 6 months	78%	88%	-11%
<b>Avg. # Cases per fte Enforcement Officer</b>	31 cases	28 cases	+11%

\* Includes predetermination settlements and non-ADR withdrawals due to satisfactory resolution.

**INVENTORY: Cases Pending, as of: December 31, 2006**

**June 30, 2006**

Cases needing *initial* determination: 594

437

*Probable Cause* cases:

Conciliation status with Attorney General: 73

67

*Administrative review* requested by party: 9 cases pending (57 requests)

9 cases pending (68 requests)

***Pre-determination* Inventory, by Case Age (# days from filing, less tolling):**

Case count and percentage of inventory, as of

**December 31, 2006:**

1 – 90 days: 281 47%  
 91 – 180 days: 165 28%  
 181 – 270 days: 73 12%  
 271 – 365 days: 60 10%  
 366 or more days: 15 3%\*  
**Total: 594 100%**

**June 30, 2006:**

1 – 90 days: 160 37%  
 91 – 180 days: 122 28%  
 181 – 270 days: 77 18%  
 271 – 365 days: 76 17%  
 366 or more days: 2 <1%  
**Total: 437 100%**

***Entire* Inventory, by Case Status, as of December 31, 2006:**

*Pre-determination* cases:

Initial Inquiry: 276  
 Case Screening: 116  
 Investigation: 159  
 PDS Pending: 2  
 Determination Review: 33  
 ADR: 5  
Withdrawal Pending 3  
**Total: 594**

*Post-determination* cases:

NPC Appeal Period: 13  
 Appeal/Reopen Pending: 9  
 Attorney General's Office: 73  
 OAH (180-day hearing): 0  
 Remand Review: 0  
 Remand Investigation: 0  
 Policy Director Review: 0  
Referred to EEOC: 0  
**Total: 95**

\*As of 1/17/07, only 2 of these 15 cases need determination.

**MINNESOTA DEPARTMENT OF HUMAN RIGHTS  
ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAM**

**Report Period: July 1, 2006—December 31, 2006**

**ADR Program activity:**

**Number of cases referred to ADR from Enforcement Inventory: 118**  
(This is 23% of the *number* of charges filed during period.)

Forty-five of the cases referred to ADR were *filed* during the July 1, through December 31, 2006, report period. (This is 9% of all charges filed during the period.\*)

Ninety-four percent of all cases designated for investigation this report period were first referred to ADR.

**ADR Case activity, 7/1/06—12/31/06:**

Invitation <i>declined</i> by one or both parties; case returned to Investigation Unit:	100 cases
Parties <i>accepted</i> ADR invitation:	18 cases
Mediation held; resolved & closed:	17 cases** (avg. of 73 days in ADR status)
Mediation held; awaiting withdrawal:	0 cases
Mediation held; no agreement:	6 cases
Mediation cancelled; no agreement:	1 cases

**ADR inventory, as of 12/31/06:**

Awaiting response to ADR invitation:	0 cases
Mediation being scheduled:	2 cases
Mediation session scheduled:	3 cases
<u>Resolved/awaiting withdrawal:</u>	<u>0 cases</u>
Total:	5 cases

\* Cases are typically sent directly to ADR after the answer and rebuttal are received and the case has been screened for merit, which generally occurs between three and six months from the filing date; however, if the parties are interested, cases under investigation also may be referred to mediation.

\*\* Mediation sessions in six of these cases were held in preceding report period, but the cases closed during this report period.

**Settlement Summary**  
**Closure Date of July 1, 2006 to December 31, 2006**

**Summary by Settlement Type:**

Settlement Term	Total(s) #'s	Total(s) \$'s
Combined CP/Attorney Award	12	\$226,500.00
Conduct Training	6	NA
CP Attorney Fees	8	\$51,645.00
CP Damages Awarded	21	\$261,841.00
Implement Policy Change	9	NA
Other, Monetary	3	\$35,000.00
Expunge Personnel File	1	NA
Send Letter or Other Positive Reference	2	NA
Terms Confidential	17	\$283,350.00
Unspecified Lump Sum	2	\$7,850.00
Letter of Apology	1	NA
Other, Non-monetary	3	NA
<b>Total</b>	<b>85</b>	<b>\$866,186.00</b>

**Summary by Closure Type:**

Closure Type	Total(s) #'s	Total(s) \$'s
ADR	17	\$283,350.00
Conciliation Settlements	30	\$498,600.00
Predetermination Settlements	6	\$30,850.00
Withdrawal - Satisfactorily Adjusted	9	\$12,500.00
Two-party Settlements	2	\$40,886.00
<b>Total</b>	<b>64</b>	<b>\$866,186.00</b>

Total number of cases with settlements: 64