

REPORT NO: 15-54
DATE: 7/06/2015
ANALYST: Michael Hebner

CLASSIFICATION REPORT

PROPOSED TITLE: Director Complaint Investigation Civil Rights

CURRENT TITLE: Assistant Director Civil Rights (Complaint Investigation)

INCUMBENT: Vacant

REASON FOR REQUEST: Request to review an established appointed position to determine if duties and responsibilities warrant changes in classification Level

DATE QUESTIONNAIRE SUBMITTED: 7/6/2015

DATE OF PREVIOUS STUDY: 2010

DISPOSITION OF PREVIOUS STUDY: Establish a title of Assistant Director Civil Rights (Complaint Investigation), (Appointed, 483 points, grade 10)

PERSONS INTERVIEWED: Velma Korbel, Director Civil Rights

RECOMMENDATION: Establish the position as Director Complaint Investigation Civil Rights (Appointed Grade 11, 538 points)

The Director of the Civil Rights Department has requested a review of the Assistant Director Civil Rights (Complaint Investigation) position. The position provides leadership to the Complaint Investigation Division where the mission is to enforce the Minneapolis Civil Rights Ordinance (MCRO) and to promote understanding of civil rights among residents, businesses and government. The Complaint Investigations Division (Division) carries out this mission by fusing academic excellence, experience, and judgment to produce a high quality investigation into allegations of discrimination, while forming critical partnerships within the community.

The following are the proposed duties for the position:

- Provide administrative and fiscal oversight and management of personnel within the Complaint Investigation Division so that the programs and policies achieve the mission of the Minneapolis Civil Rights Department.
- Provide analysis and advice on strategies and courses of actions to meet the objectives of the Division and Department.

- Represent the Director to Department staff and to the Mayor, City Council and staff, and in communications with affected stakeholders.
- Provide community outreach and engagement opportunities by
 - Building the Complaint Investigations Division’s credibility in the City of Minneapolis.
 - Educating the public on their rights and the investigation process;
 - Building partnerships with community and advocacy organizations
 - Recruiting legal and human rights professionals to serve on the Commission.
 - Providing mentorship to interested students.
- Provide administrative staff to the Minneapolis Commission on Civil Rights (MCCR), a 21 member body comprised of Minneapolis residents.
- Assist the Director with the day-to-day management of the Civil Rights Department and may occasionally act for and exercise the powers of the Director.

POSITION ANALYSIS

PREREQUISITE KNOWLEDGE

The Director Civil Rights states that the position requires a law degree and the person hired must be admitted to the bar. Although these are very desirable qualifications, they are not absolute requirements. Rather it is important that the person hired have practical experience in administrative law, public hearings, formal investigative examinations, and informal interviews, along with relevant education in civil and human rights, and compliance. It is important that the incumbent think strategically, and consider the vision and goals of the Civil Rights Department. In this role the person hired must be cognizant of the overall strategies and goals of the Complaint Investigation Division and the Department, and be able to advise the Department Director on various and pertinent courses of action. The person hired for this job must have management skills, communication skills (written and oral). The position requires the ability to work under pressure, time management skills, ability to be flexible, leadership ability, and project management skills. The person hired will need to be innovative and creative. The person in this position must have some experience working with diverse and vulnerable communities. The person must have experience in developing community outreach and engagement strategies. The incumbent must also have the ability to train and role model the appropriate processes for case structure and subsequent MCCR proceedings.

The position requires an Advanced Degree in Public Administration, Law, or Equivalent and five years of experience in Legal, Civil, or Human Rights or a relevant Bachelor’s Degree and six or more years of experience in Legal, Civil or Human Rights.

A rating of **65 points** is appropriate and will be assigned.

DECISIONS AND ACTIONS

Managing and supervising the operations of the Complaint Investigation Division (CID) and ensuring the programs and polices achieve its mission is the major portion of the job. This entails managing the CID which impacts City- wide activity. The CID investigates all complaints

of discrimination which fall under the jurisdiction of the Minneapolis Civil Rights Ordinance (MCRO). The CID staff act as neutral investigators, gather information from all parties, and complete impartial investigations. The CID investigates discrimination claims both internal to the City as well as well external. Generally investigations result in findings of probable cause or no probable cause. The CID offers mediation to get parties to agreement prior to a finding.. Cases can resolve with the mediation process, or if not, they may be assigned for investigation. If a case receives a finding of probable cause then conciliation is attempted to get the parties to mutual agreement. The Civil Rights Department provides a conciliator to bring parties to an agreement/settlement. If the case is still unresolved it may go to the MCCR for a hearing. These public hearings follow a formal process and can result in sustaining charges of discrimination or not. There can be a variety of findings from the hearings up to and including fines imposed when a charge is sustained. Both complainants and respondents can appeal to appropriate Courts who have the power to impose their own solutions if they are not pleased with the result from the public hearing.

The person in this position will deal with legal issues, mediating or conciliating disputes amongst relevant parties, as well as staff, responding to complex issues from the Director, City Council, and other departments, and providing leadership to the MCCR. It will establish performance measures, perform goal setting and be involved in strategic planning. It has a responsibility to act as an advisor to the Department Director regarding issues coming out of the CID Division activities and related issues. The position advises on process and procedure, legal issues and issues related to enforcement of the MCRO to the City Council, Mayor, and other stakeholders for the Civil Rights Department.

A rating of **60 points** is appropriate and will be assigned. Jobs at this level supervise critical work groups, manage a specialized function or, if non-supervisory, serve in a senior advanced analytical capacity. Decisions tend to have greater impact on the organization due to greater City-wide impact, more notable budgetary impacts, or longer-term impacts. Here some of the positions are managing activity in smaller divisions.

SUPERVISORY RESPONSIBILITY

The position has supervisory responsibility over four Complaint Investigation Officers and one Administrative I and therefore a rating of **10 points** is appropriate and will be applied.

RELATIONSHIPS RESPONSIBILITY

As a supervisor of the CID the position has daily contact with staff to give direction and exchange information. The position is a member of Civil Rights Leadership Team and in this role will collaboratively develop and implement effective strategies to achieve the Civil Rights mission, vision, and values. The Leadership Team transforms the department's mission, vision and values into its daily operations. The other members of the team include the Assistant Director of Contract Compliance, Director of the Office of Police Conduct Review, and the Assistant Director of Employment Equity as well as the Director, Civil Rights.

The position will work closely with the staff/managers at Neighborhood and Community Relations Department to help guide the Division in establishing partnerships and connections with communities of color in Minneapolis.

The position will work with and provide administrative support to the MCCR. It will coordinate with City Council and Mayor's Office staff in recruiting, evaluating the qualifications of, and for nominating candidates for appointment to the MCCR.

The position will work with other similar Government agencies (U.S. Equal Employment Opportunity Commission, St. Paul Department of Human Rights, Minnesota Department of Human Rights, Department of Labor, etc.) to collaborate on joint outreach and training efforts as well as joint community events.

The position will connect with civil rights organizations and community partners to implement the Department/Division's outreach and engagement plan to the Minneapolis community at large. Examples of organizations include the National Association for the Advancement of Colored People, the Urban League, the American Civil Liberties Union, and Out-front Minnesota.

A rating of **55 points** will be assigned. Jobs at this level are supervisory over major areas of responsibility or have special communication responsibility related to the duties of the job, including high level coordination or operational analysis or specialized consultation. At this level the incumbents have to work with a wide variety of contacts, both internal and external of the system to communicate issues, and deal with problems. They must exercise discretion in release of information. They are responsible for coordination of major efforts, and are expected to enlist cooperation and collaboration from various agencies and groups. These jobs may be involved in technical issues of major importance in the areas where they are assigned and have important liaison duties with other staff, divisions, and departments

WORKING CONDITIONS

The position works in a normal office or indoor setting with little exposure to unusual conditions. The position includes use of modern computer and/or keyboarding equipment, and includes the use phones, copiers, fax machines or related equipment.

A rating of **20 points** will be assigned.

EFFORT

The job requires mental effort in thinking and reasoning abstractly, solving problems and thinking strategically. It entails analyzing written reports and evidence, comprehending rules, ordinances, procedures, and using data and information- often of an intricate nature- to make effective decisions. The position oversees the complaint filing process and the MCCR review process. As a part of the processes, there are many deadlines in place per the MCRO to handle the complaint or the appeal reviews. The decisions that this person makes have far-reaching consequences to the complainants, respondents, and the broader Minneapolis community.

A rating of **60 points** will be applied. Jobs at this level are managers over technical, analytical, and related professional activities. They are responsible for planning and organizing work functions and are under pressure to deal with problems that arise in units under them. These jobs deal with significant challenges. There are deadline pressures based on service requests, business cycles, and a need to provide attention to detail in negotiating, reviewing information, creating reports, managing risk, etc.

According to the information provided the proposed position meets the criteria for appointed positions under the Minneapolis Code of Ordinance, Section 20.1010 as follows:

- 1. The person occupying the position must report to head of the designated City Department or the Designated City Department Head's Deputy.**

The position will all report directly to the Director, Civil Rights.

- 2. The person occupying the position must be part of the designated Department Head's management team**

The position will all be part of the Civil Rights Department's Management Team.

- 3. The duties of the position must involve significant discretion and substantial involvement in the development, interpretation, or implementation of City or department policy.**

As a manager of a distinct unit within the Civil Rights Department, the position will be involved in using significant discretion in developing, interpreting, and implementing Departmental policy and strategies in the assigned business line.

- 4. The duties of the position must not primarily require technical expertise where continuity in the position would be significant.**

The position will require a level of expertise in Civil Rights Laws and Regulations, but the primary requirement is the ability to plan, organize, monitor, evaluate, and modify as required, all business and work processes and procedures, to ensure organizational success.

- 5. There is need for the person occupying the position to accountable to, loyal to, and compatible with the Mayor, City Council, and the Department Head.**

Primary accountability, loyalty, and compatibility in the position will be to The Director, Civil Rights who in turn will be accountable, loyal and compatible with the Mayor and City Council.

RECOMMENDATION:

Establish the position as Director Complaint Investigation Civil Rights (Appointed, 538 points, Grade 11)

CLASSIFICATION FACTOR WORKSHEET								
Benchmark Classifications	Factors						Total Points	Grade Level
	1	2	3	4	5	6		
Assistant City Attorney I	45	45	0	50	20	55	410	9
Coordinator Legal Processing	45	45	5	50	20	50	410	9
Assistant Director Civil Rights (Complaint Investigation)	55	55	5	55	20	55	483	10
Manager Environmental Initiatives	60	60	10	60	25	50	523	11
Manager Fire Inspection Services	60	60	15	60	30	50	530	11
Assistant City Attorney II	70	60	0	55	20	60	543	12
Director Police Conduct Review (Civil Rights)	65	60	10	60	20	60	545	12
PROPOSED CLASSIFICATION								
Director Complaint Investigation Civil Rights	65	60	10	55	20	60	538	11

1. Prerequisite Knowledge
2. Decisions and Actions
3. Supervisory Responsibility
4. Relationship Responsibility
5. Working Conditions
6. Effort

Executive Exemption

The position is compensated on a salary basis (as defined in the regulations) at a rate not less than \$455 per week/ The job's primary duty is managing the Complaint Investigation Division of the Minneapolis Civil Rights Department enterprise, a customarily recognized subdivision of the City's enterprise. The position supervises and directs the work of five other full-time employees. The position entails the authority to effectively recommend regarding hiring or firing other employees, and positions suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees will be given particular weight.

DIRECTOR COMPLAINT INVESTIGATION CIVIL RIGHTS CODE: C

SUPERVISED BY: Director Civil Rights

SUPERVISES: Compliant Investigation Officers

NATURE OF WORK:

Provide leadership to the Complaint Investigation Division where the mission is to enforce the Minneapolis Civil Rights Ordinance (MCRO) and to promote understanding of civil rights among residents, businesses, and government

TYPICAL DUTIES AND RESPONSIBILITIES:

(Including, but not limited to the following)

- Provide administrative and fiscal oversight and management of personnel within the Complaint Investigation Division so that the programs and policies achieve the mission of the Minneapolis Civil Rights Department.
- Provide analysis and advice on strategies and courses of actions to meet the objectives of the Division and Department.
- Represent the Director to Department staff and to the Mayor, City Council and staff, and in communications with affected stakeholders.
- Provide community outreach and engagement opportunities by
 - Building the Complaint Investigations Division’s credibility in the City of Minneapolis.
 - Educating the public on their rights and responsibilities, and the investigation process;
 - Building partnerships with community and advocacy organizations
 - Recruiting legal and human rights professionals to serve on the Commission on Civil Rights.
 - Providing mentorship to interested students.
- Provide administrative staff to the Commission on Civil Rights, a 21 member body comprised of Minneapolis residents.
- Assist the Director with the day-to-day management of the Civil Rights Department and may occasionally act for and exercise the powers of the Director.

MINIMUM QUALIFICATIONS: Advanced Degree in Public Administration, Law, or Equivalent or a relevant Bachelor’s Degree with additional experience

MINIMUM EXPERIENCE: Five years of experience in Legal, Civil, or Human Rights (or six or more years of experience with a Bachelor’s Degree)

LICENSES/CERTIFICATIONS: N/A

OTHER SPECIFICATIONS

- Knowledge of administrative law and public hearings processes, formal investigative examinations, and informal interviews.
- Ability to think strategically, and consider the vision and goals of the Civil Rights Department.
- Ability to advise the Department Director on various and pertinent courses of action.
- Strong management skills.
- Communication skills (written and oral).
- Ability to work under pressure, time management skills, ability to be flexible, leadership ability, and project management skills.
- Innovative and creative skills.
- Experience working with diverse and vulnerable communities.
- Experience in developing community outreach and engagement strategies.

WORKING CONDITIONS: Office Setting

SERVICE:	APPOINTED
GRADE:	11 (Exempt)
CLASSIFIED:	July 2015
SPEC UPDATED:	July 2015

CITY OF MINNEAPOLIS