

MEMORANDUM

April 7, 2003

**TO: Council Member Natalie Johnson-Lee, Chairperson
Health & Human Services Committee**

**FROM: Vanne Owens Hayes, Director
Minneapolis Department of Civil Rights**

RE: Layoff Strategies for 2003 Budget

2003/2004 Civil Rights at the Crossroads

Although we are able to arrive at the targeted reduction for 2003 without laying off any personnel, Civil Rights is at the crossroad. In 2004 MDCR will be a substantially different department. Our targeted reduction for 2004, estimated at \$477,000, will require us to eliminate positions and reduce our budget by the equivalent of approximately 7 to 8 persons. Based on previous discussion with the Mayor and some City Council Members it has become clear that there is a desire for Civil Rights to move in a new direction and transfer our enforcement of M.C.O.Chapter 139.40 to the State of Minnesota Human Rights Department. That would be a policy directive for you to make hopefully after public hearing.

- We will discuss transferring SUBP to either CPED or Purchasing. You may recall that the McKinsey Report included SUBP as part of CPED. The SUBP sunsets in June of 2004.
- We will explore increasing the revenue from service agreements with MCDA, MPHA, Library, and Park Board to cover the cost of Contract Compliance Officers.
- We will discuss with the Police Chief, City Coordinator, and Mayor additional financial support for CRA from the Police Department budget.
- We will reduce the number of managers based on whether or not Complaint Investigations is transferred to the State from 6 to 4.
- We learned today that one of our employees will accept the retirement incentive and is schedule to depart in May.

The targeted reduction of \$477,000 would be achieved by reducing personnel costs by \$430,000 and non-personnel costs by \$47,000.

For 2003 we need to implement our proposed layoff strategy, presented to and approved by Ways & Means Committee on March 27, 2003, in order to make an organized and smooth transition to 2004. Management needs your support in this critical juncture to continue providing quality service in a timely and effective manner. Our core business [enforcement] need to be maintained while we complete the 2004 design for streamlined services. **For example, the proposed elimination of the Complaint Investigations Unit in 2004 could have the possible following outcomes:**

- **Reducing the position of Manager in Complaint Investigations to Coordinator of Community Outreach, Education and Advocacy..**

- **Elimination of the 2 Complaint Investigator positions and the transfer of 2 investigators to CRA. With the elimination of Complaint Investigations Unit we would no longer need a fire wall between CRA and Civil Rights once the existing caseload of Complaint Investigations has been processed to final resolution.**
- **Loss of our contract with EEOC [that covers employment, ADA, and Title VII] for decreased revenue of \$62,000, the equivalent of 1FTE. The current EEOC contract is through September 30, 2003.**
- **Reduction of the number of Civil Rights Commissioners as a 21-member board would be necessary if there is no adjudicative role for the Commission.**
- **Modification or elimination of Chapter 139.40 and other provisions related to the enforcement of the Civil Rights Ordinance regarding intake, investigation, mediation, appeal, and final resolution of complaints.**
- **Transition period for receiving and processing complaints by Civil Rights to the State Department of Human Rights, estimated to be from 6 months to 1 year.**
- **Enforcement of gay rights under the Minneapolis Civil Rights Ordinance is broader in application than the State law.**
- **Constituents would lose the opportunity to have the civil remedy of damages in cases where probable cause is sustained because the City would no longer provide this service/protection. Constituent expectations would need to be addressed and managed [e.g. complainant, upon being informed that their complaint needs to be filed with the State may opt to proceed to the office of a City Council Member.]**

Organizational Structure

In the attached organizational chart you will see that the Department has a professional workforce of 24.5 FTEs and management composed of the Director, Deputy Director, Complaint Investigations Manager, Contract Compliance Manager, Civilian Review Authority Manager, and Small and Underutilized Business Program [SUBP] Manager. M.C.O. Chapter 172.170 authorizes the position of Manager of Civilian Review Authority. Similarly M.C.O. Chapter 423.60 establishes the position of Manager of the SUBP.

In our on-going Workforce Development Plan, developed with the assistance of Human Resources, the Civil Rights Department meets the best practices 'span of control' management parameters.

- **The Director has four persons reporting to her [Deputy Director, Manager of Civilian Review Authority, Liaison to the Minneapolis Commission on Civil Rights, and a Program Assistant] In addition, the Director has responsibility for the following volunteer boards: Minneapolis Commission on Civil Rights [21 members]; the Latino Advisory Council to the Mayor [11members]; and the Board of the Civilian Review Authority.**
- **The Deputy Director has four persons reporting to her [Complaint Investigations Manager, Contract Compliance Manager, SUBP Manager, and the Administrative Assistant/Communications Coordinator.] She also works**

closely with the Latino Advisory Council to the Mayor and the Community Summits.

- The Complaint Investigations Manager and her staff of 4 Complaint Investigators are not only responsible for enforcement of M.C.O. 139.40 but also are actively involved in the Department community outreach initiatives which are unfunded.
- The Contract Compliance Manager and his staff of 6 Contract Compliance Officers plus 2 supplemental professional service contractors is responsible for enforcement of M.C.O. Chapter 139.50.
- The Civilian Review Authority Manager has a staff of 3 [2 Case Investigators, 1 Program Assistant] and is in the process of implementing the CRA Redesign as approved by the City Council.
- The SUBP Manager has a staff of 1 [Program Technician] in accordance with the M.C.O. Chapter 423 and is responsible for the administration, enforcement, and evaluation of the SUBP.

2003 Proposed Layoffs

We do not have any immediate layoffs of staff proposed to meet the 2003 targeted budget reduction to MDCR. We have, similar to other City departments, been able to meet the targeted reduction without layoffs because we were cautious in filling existing vacancies. We believe this strategy is in line with City Council intent, to make layoff decisions quickly, enabling the City to avoid deeper cuts due to delay in decision making and to maintain workforce diversity.

We have 3 FTEs that will not be filled or replaced.

- 1 complaint investigator resigned effective March 21, 2003. [The resignation enabled us to avoid laying off any personnel for 2003.]
- 1 community relation's coordinator position, left vacant since October of 2002, will not be filled.
- 1 contract compliance position will not be filled.

In addition, we are able to take advantage of salary slippage that when combined with the positions above total \$234,000. We will need to reduce non-personnel expense by \$143,000.

Impact 2003

1. Workforce

Our Department has had the most diverse workforce in the City. The impact of the budget reduction on that diversity results in 66% women and 57% minorities. In 2002 we had 66% minorities.

- Complaint Investigations workforce will be reduced from 5 to 4 FTEs.
- Professional service contracts to WBEs, MBEs, and SBEs have been reduced.
- We have applied for a waiver to hire the second investigator in CRA.

- **Contract Compliance workforce will be reduced from 7 to 6 FTE's.**

2. Services

Our core service is enforcement of Chapters 139, 141, 423 and most recently 172 of the Minneapolis Code of Ordinances. We provide administrative support to the Minneapolis Commission on Civil Rights, the Latino Advisory Committee to the Mayor, and later this year the Board of the Civilian Police Review Authority.

Our community outreach programs include the Community Summits [targeted to communities of color], participation in cultural events in the metropolitan area e.g. Juneteenth, Gay Pride, Cinco de Mayo, Somali Independence, etc., seminars, forums, presentations, and meetings on how citizens can access our department and other services of the city.

- **During 2003 we will continue our enforcement role, anticipating that there will be some delay in the investigation and resolution of civil rights complaints due to the reduction of staff in Complaint Investigations from 5 to 4 FTEs.**
- **We will do two Community Summits [one targeted at Asian/Pacific Islanders and one targeted at American Indians] because we have private funding to support these two events.**
- **We will reduce the number of community events that we participate in as a cost reduction measure.**
- **We have reduced our non-personnel expenses e.g. advertising, equipment, printing etc.**
- **We will need to cut back on Affirmative Action reviews, onsite, and technical assistance that we provide.**
- **We will continue to pay MCCR Commissioners meeting per diems, as required by ordinance, but we may not be able to provide additional support for training and development.**