

Annual Report to Minneapolis Commission on Civil Rights

Minneapolis Department of Civil Rights
Fiscal Year 2018

Overview of Report

- Department of Civil Rights
 - Overseeing City Contracts
 - Investigating Discrimination Cases
- Commission on Civil Rights
 - Advocating for People
 - Reviewing Appealed Cases
- Partnership Opportunities for 2019



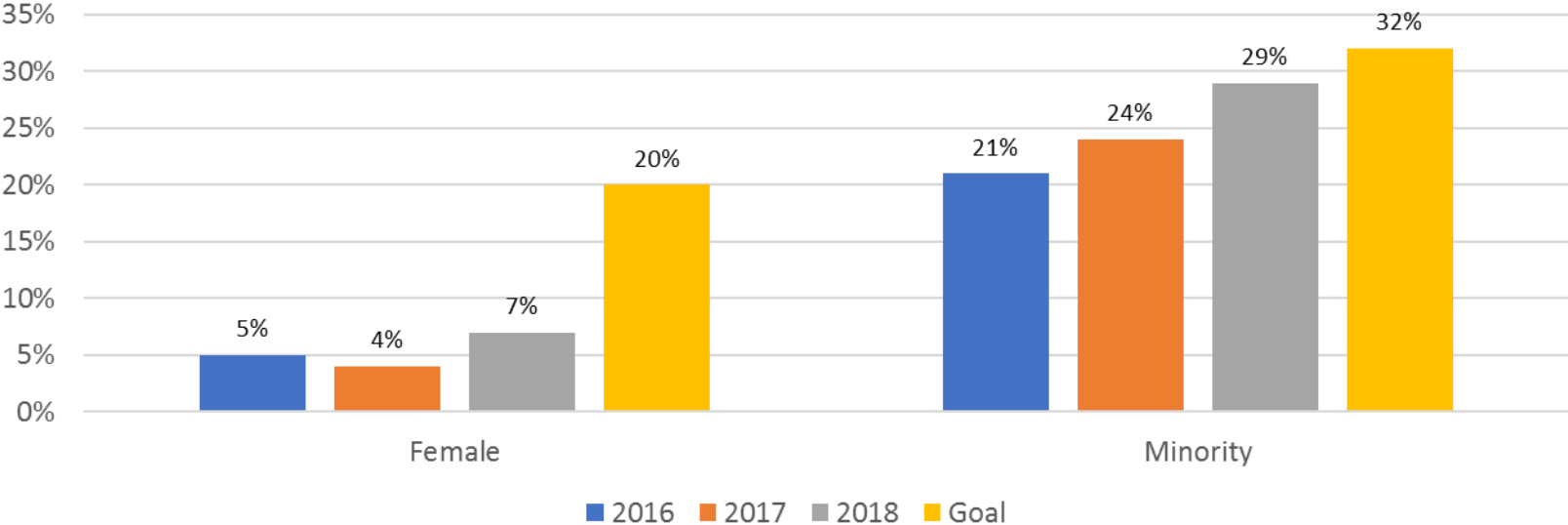


Overseeing City Contracts

Minneapolis Department of Civil Rights
FY 2018

Workforce Inclusion

Three-Year Comparison of Female and Minority Workforce Inclusion on Closed Projects

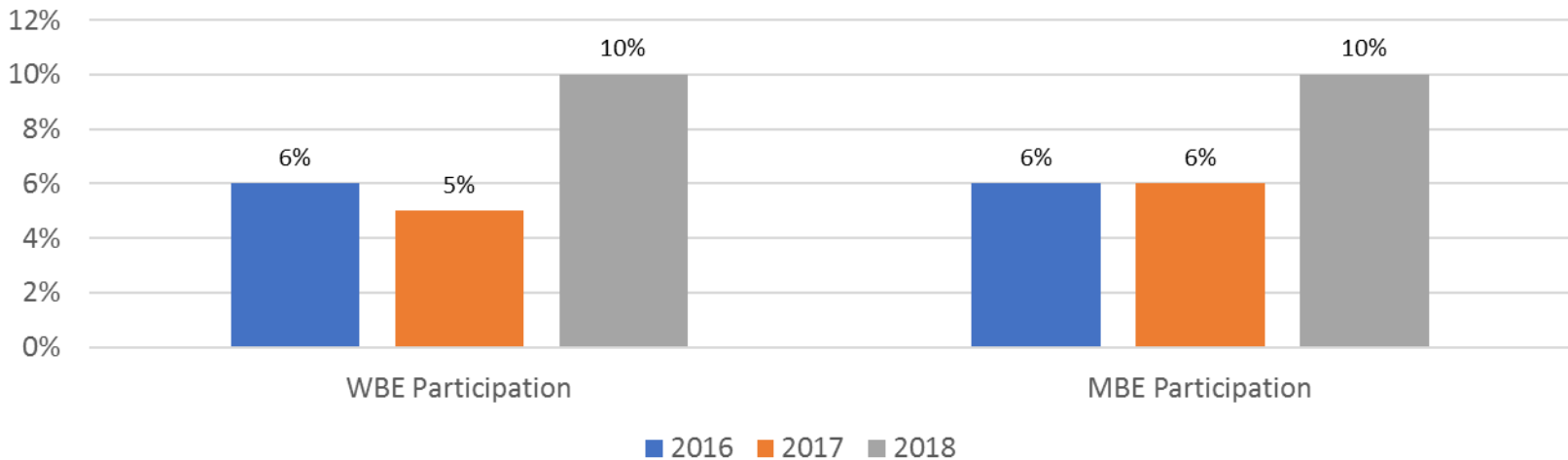


Department staff monitor construction projects to ensure contractors commit to using female and minority workers, adhere to their commitments, and make efforts to recruit, hire, and train female and minority workers.



Business Inclusion

Three-Year Comparison of MBE and WBE Business Inclusion on Closed Projects



City construction and development contracted projects over \$100,000 are monitored to ensure contractors commit to subcontract women-owned and minority-owned businesses via the Small and Underutilized Business Program (SUBP). As of 2019, monitoring will occur for contracted projects over \$175,000.





Investigating Discrimination Cases

Minneapolis Department of Civil Rights
FY 2018

Investigative Process of Discrimination Charges

Complaint Filing

- Individual files complaint
- Staff conduct intakes
- Charge of Discrimination filed with MDCR

Investigation

- Parties submit statements
- Staff investigate and research incident
- Parties attempt alternative dispute resolution (ADR)

Determination

- Director submits written determination evaluating the legal merits of the case

Appeal (Optional)

- Complainant appeals Determination
- Review panel submits written final order of case



Investigating Discrimination

Minneapolis Civil Rights Ordinance was created to protect people from discrimination.

Discrimination is a serious accusation. As such, there is a high bar for determining when discrimination has occurred.

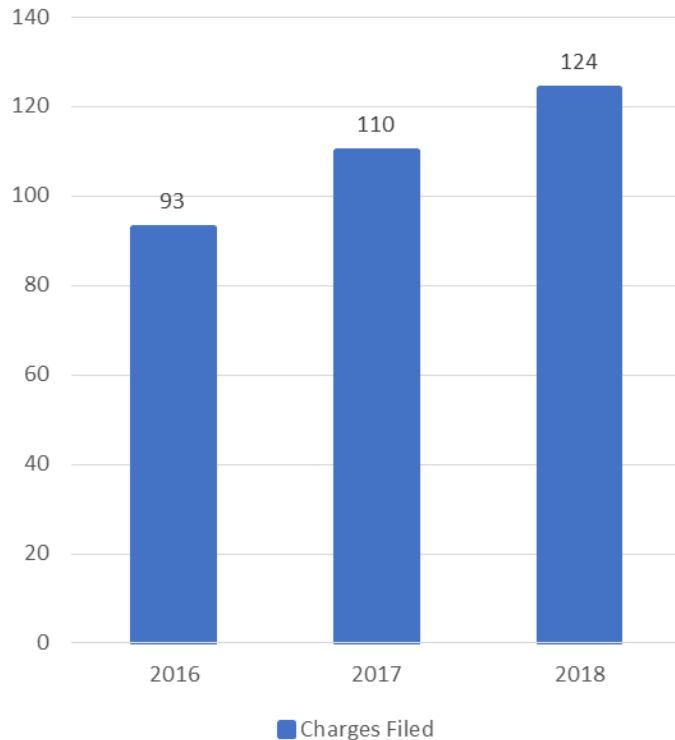
Investigators conduct a legal analysis of the case to guide the determination to ensure neutrality. The guidelines for the analysis are known as *prima facie* elements. Every protected area and protected basis have their own unique elements.

Culmination of the legal analysis is known as a Determination, which are public documents.

For specific protections, see the Civil Rights Ordinance section of MCCR Handbook (2019 Edition)



Discrimination Charges Filed



Individuals may file charges of discrimination with the Department of Civil Rights. Those charges are then investigated by the Complaint Investigations Division (CID).

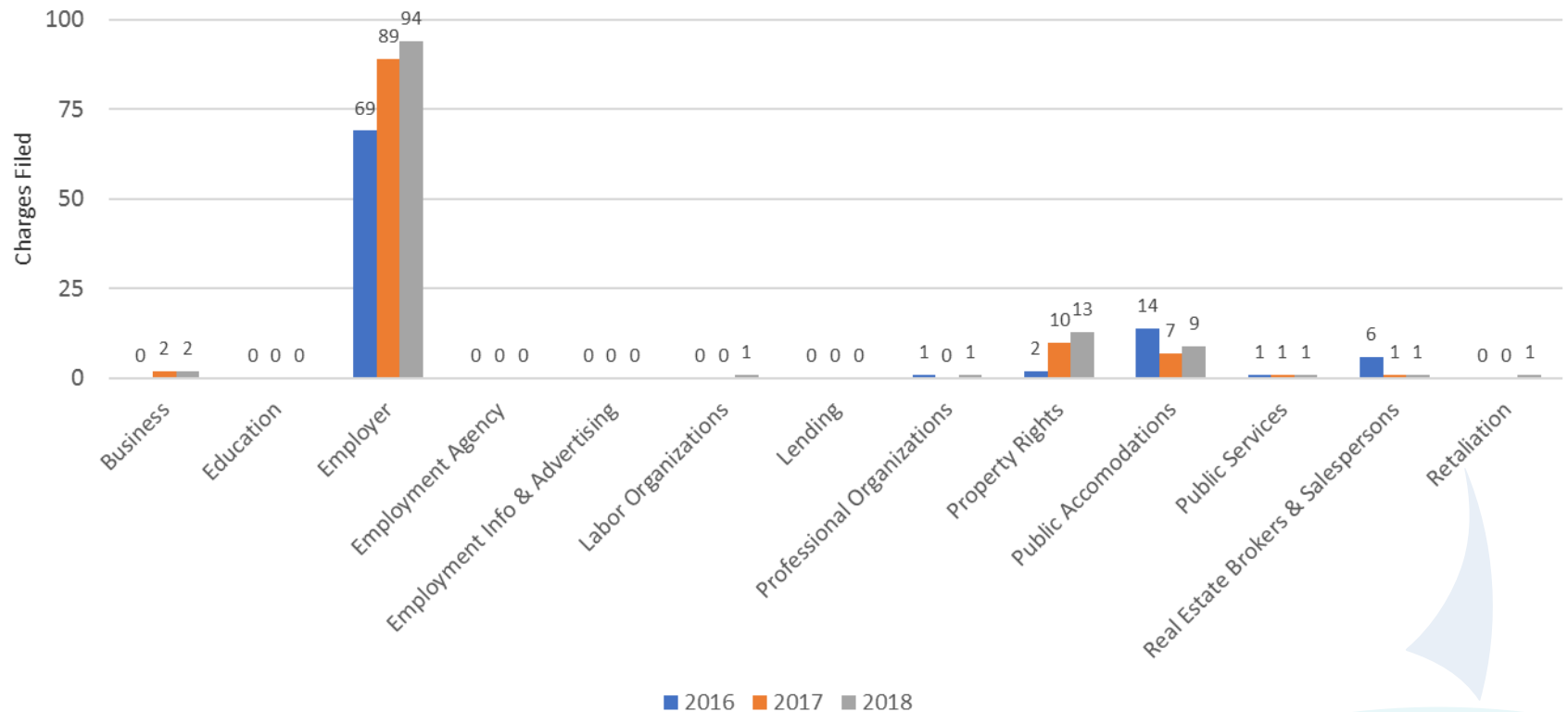
In 2018, the number of discrimination charges filed with the Department of Civil Rights increased by 12.7%.



Areas of Discrimination Alleged

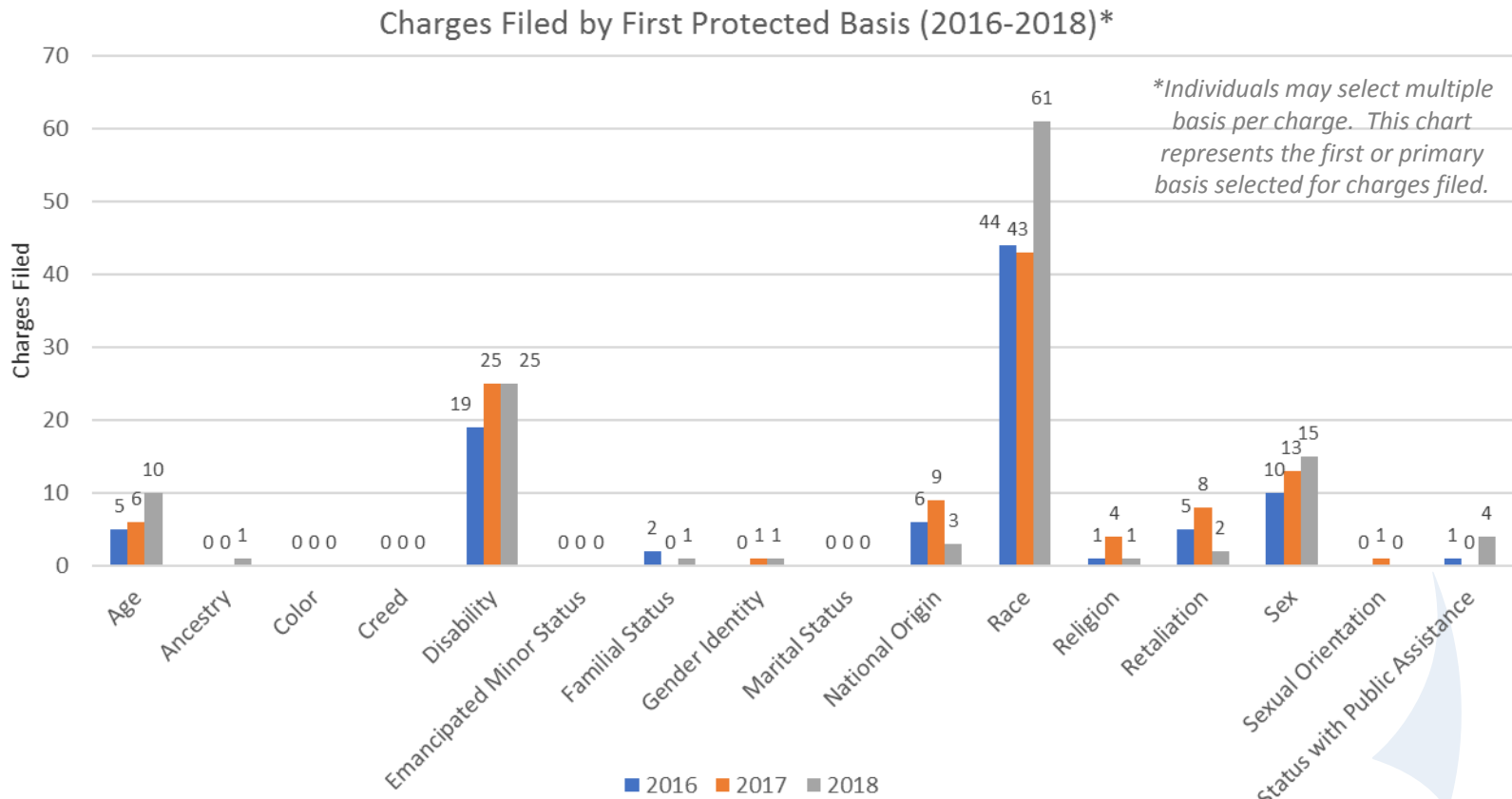
In 2018, of the 124 charges filed with the Complaint Investigations Division (CID) 75% were employment cases. These individuals alleged wrongful termination, harassment, and hostile work environments.

Charges Filed by Protected Area (2016-2018)



Basis of Discrimination Alleged

In 2018, of the 124 charges filed with the Complaint Investigations Division (CID), 49% of charges were race based claims. Of all race based claims filed, 77% identified as African American.



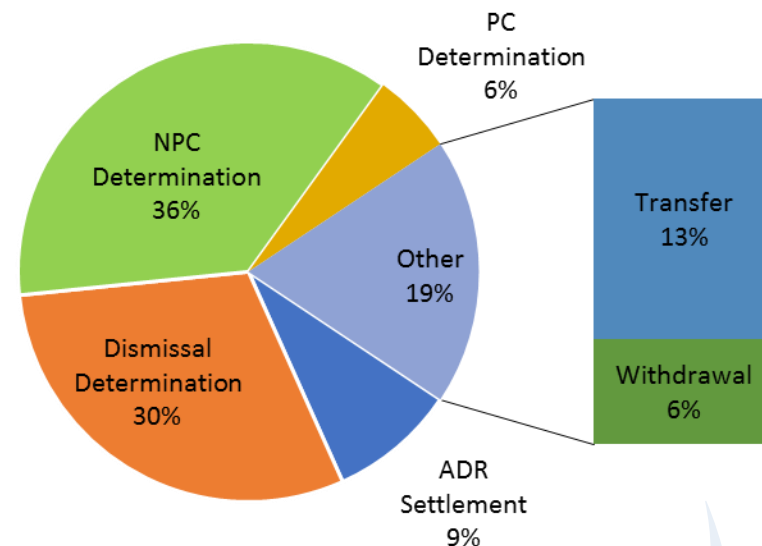
Determination Outcomes

Case may be closed through one of the following ways:

- **ADR Settlement** – case resolved during a Alternative Dispute Resolution (ADR) process (i.e. mediation)
- **Determination** – case finalized through written legal analysis on merits of case as:
 - Dismissal = lacks merit
 - No Probable Cause (NPC) = lacks merit
 - Probable Cause (PC) = merit
- **Transfer** – case sent to alternative agency for investigation (i.e. jurisdiction)
- **Withdrawal** – Complainant closed investigation

In 2018, the Complaint Investigations Division closed 126 cases. The majority of cases investigated in 2018 lacked legal merit with determinations of Dismissal or No Probable Cause.

Breakdown of Case Resolutions for 2018



ADR Resolutions

As of February 2018, all cases shall participate in an Alternative Dispute Resolution (ADR) process, unless exempted by the Director.

Types of ADR processes:

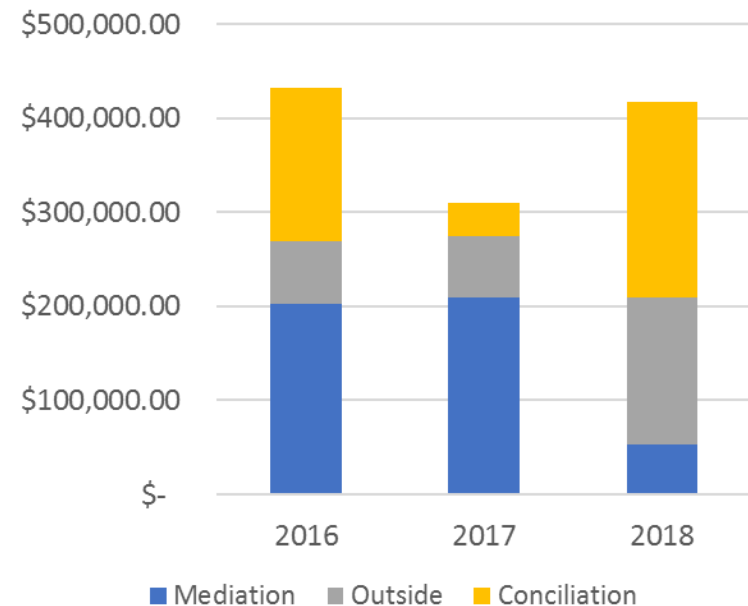
- **Mediation Settlement** – parties resolved case prior to a final determination from the Director
- **Outside Settlement** – parties resolved case through self-administered ADR process
- **Conciliation Settlement** – parties resolved case following a probable cause determination

In 2018, a total of twenty-one (21) cases closed from an ADR resolution. The sum monetary settlements increased by 35% from the previous year.

Additionally, some of the non-monetary terms for the cases closed in 2018 included:

- Letters of apology, appreciation, and recommendation from employer;
- Equal Employment Opportunity Policy amendments;
- Implicit bias and cultural diversity training for managers and supervisors.

Annual Sum Monetary Settlement Amounts





Minneapolis Commission on Civil Rights

Minneapolis Civil Rights Ordinance (MCRO) – Title VII, Ch. 141.10

Commission on civil rights established

There is hereby created a Minneapolis Commission on Civil Rights for the purpose of carrying forward the policies of the city in the field of human relations to promote civil rights and to enforce the provisions of this title.

(Ord. of 12-30-75, § 7)



Minneapolis Civil Rights Ordinance (MCRO) – Title VII, Ch. 141.40

Substantive and procedural powers and duties of commission (paraphrased)

1. Seek to prevent and eliminate bias and discrimination in Minneapolis
2. Conduct a program of research and study, publish results
3. Advise the mayor, city council and city departments
4. Cooperate with persons or groups interested in the objectives of this title
5. Receive appeals, conduct hearings and reviews, and adjudicate such appeals
6. Conduct public meetings and forums, gather and disseminate info to government agencies and to the public
7. Utilize the records and services of governmental department and agencies for preliminary inquiry, conciliation, hearings and findings
8. Furnish to any agency a transcript of the proceedings and findings of contested case hearings
9. Adopt suitable rules and regulations for effectuating the purposes of this title





Advocating for People

Minneapolis Commission on Civil Rights

Outreach & Engagement

- Social media
 - 636 followers on Facebook
 - Affordable Housing ruling fining landlords for discrimination (2300 views)
 - Anniversary of four girls who died from a church bombing in Alabama (939 views)
 - Wave Project featuring Commissioners on sexual harassment (2000 views)
- Radio: 3 shows completed through June 2018
- 20 events attended





Reviewing Appealed Cases

Minneapolis Commission on Civil Rights
FY 2018

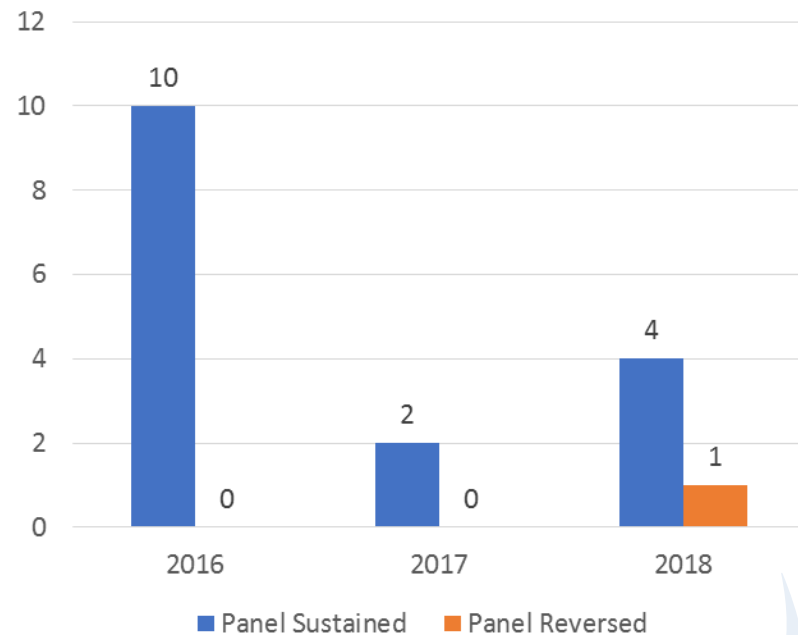
Appealed Case Outcomes

Following the Director's determination of merit, the Complainant may appeal the determination to the Commission on Civil Rights. A panel of commissioners will review determination and submit a written final order.

In 2018, the Commission reviewed five (5) appealed cases of which one (1) was reversed from NPC to Probable Cause (PC).

In 2018, all conciliated cases were settled. Therefore, the Commission did not hold any public hearings for contested cases.

Review Panel Final Orders for
Appealed Case Determinations





Partnership Opportunities for 2019

Civil Rights Department
&
Commission on Civil Rights

Community Engagement

- Outreach Opportunities with Department
 - ❖ Juneteenth in Bethune Park – June 15, 2019
 - ❖ PRIDE in Loring Park – June 22-23, 2019
 - ❖ Somali Independence Day – June 29, 2019
 - ❖ Rondo Rays – July 2019
 - ❖ Minneapolis Urban League Family Day – August 2019
 - ❖ ... *more to come*
- Civil Rights Ambassador Program
- Community Engagement Labs by NCR



Research & Study

Women in Policing

Purpose – respond to concerns of hiring and retention disparities regarding female officers in law enforcement positions.

Partners:

- Office of Public Conduct Review
- Internal Audit Department
- Human Resources
- Police Department
- Complaint Investigations Division
- Minneapolis Commission on Civil Rights
- Police Conduct Oversight Commission



