
Introduction

During the 1995 session, legislators raised questions about the Department of Human Rights that could not be quickly settled.

The Legislature established the Minnesota Department of Human Rights (DHR) in 1967 to enforce the state's laws against illegal discrimination. The Minnesota Human Rights Act (*Minn. Stat.* §363) protects citizens from discrimination in employment, housing, real property, public accommodations, public services, credit, education, and business. It prohibits discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, and familial status. The law grants the Department of Human Rights the authority to receive and investigate charges filed by individuals who feel they have been the victims of illegal discrimination.

The department is also responsible for enforcing the contract compliance provisions in the Human Rights Act. Any business that employs more than 20 full-time workers and wishes to bid for a state contract greater than \$50,000 must comply with the state's affirmative action requirements. The contract compliance unit of DHR reviews affirmative action plans submitted by vendors and certifies those companies whose plans meet the specifications outlined in administrative rule.

Over the past 15 years, the department has been plagued with recurring performance and leadership problems. In 1981 we evaluated the performance of the Department of Human Rights and then conducted a follow-up study in 1983.¹ We found that the department was unable to process charges as quickly as they were filed and, as a result, had developed a sizable case backlog. Other studies were completed by the Management Analysis Division of the Department of Administration in 1985, and a special task force appointed by then Governor Rudy Perpich in 1987.²

During the 1995 legislative session, questions about the effectiveness and efficiency of the department resurfaced. The Senate Finance State Government Division heard testimony from the Department of Human Rights about its performance, but several former employees and members of the private bar disputed the commissioner's testimony. They raised questions about the competence

¹ Office of the Legislative Auditor, *Evaluation of the Minnesota Department of Human Rights* (St. Paul, January 1981), and *Evaluation of the Minnesota Department of Human Rights: A Follow-up Study* (St. Paul, August 1983).

² Department of Administration, *An Operational Analysis of the Department of Human Rights* (St. Paul, January 1984), and Human Rights Advisory Task Force *Human Rights Advisory Task Force Report* (St. Paul, February 1987).

of management, the accuracy of department data, and the ability of DHR to achieve the goals of the Human Rights Act. Finding these questions difficult to address without further investigation, the Division asked the Legislative Audit Commission (LAC) to authorize an evaluation of the department. In July 1995, the LAC officially authorized this study.

Our project focused on the following research questions:

- **Does the Department of Human Rights investigate and resolve discrimination charges in a timely fashion? Is there a backlog of open cases, and if so, how large is it?**
- **Is the department's internal allocation of resources appropriate for its workload and responsibilities?**
- **Is the department's contract compliance program fulfilling its statutory purposes?**
- **How do the department's organization, productivity, and practices compare with human rights agencies in other states?**
- **What strategies might the department and/or the Legislature adopt to improve the department's performance in order to better achieve the goals of the Human Rights Act?**

To answer these questions, we began by reviewing the historical development of both the department and the Human Rights Act. We looked at the department's biennial budget proposals dating back to 1979, consulted both internal and external department documents, and reviewed reports about the department prepared by other organizations. We also interviewed experts in the field of human rights and gathered information from more than 30 human rights agencies around the country, including the federal Equal Employment Opportunity Commission, the Minneapolis Department of Civil Rights, the St. Paul Department of Human Rights, and civil rights enforcement agencies in other states.

At the Minnesota Department of Human Rights, we interviewed members of the commissioner's staff, unit supervisors, and a number of department employees. In addition, we conducted a survey of non-managerial employees, asking them to rate their satisfaction with various aspects of the department and giving them opportunity to suggest ways to improve the department. Finally, we extracted data from the department's case-tracking information system in order to develop a statistical picture of DHR's performance over the last three fiscal years.³ Our interviews and data collection activities were conducted during the summer and fall of 1995.

Our report is organized into four chapters. Chapter 1 reviews the history of the Human Rights Act and describes its provisions. It also provides an overview of

³ Our statistical review is limited to the time period since July 1992 because the department's information system does not contain complete historical data for prior periods.

the department's organizational structure and describes changes in the department's expenditures and staffing over time. Chapter 2 discusses the performance of the contract compliance unit. In Chapter 3, we evaluate the effectiveness of the department's case processing program, focusing on the statistical data drawn from the case-tracking system. In our last chapter, we look at factors that affect the department's performance in case processing, including management, employee training, and information systems. Our report ends with a description of strategies that the department and the Legislature could adopt to improve DHR's performance.