

Equal Opportunity

Agency Number: **42**
 Budget Function: **Administration**

The mission of the Division of Equal Opportunity is to enable individuals to live and work free of discrimination. The agency is the primary City entity that has the responsibility for the remedy of discrimination complaints brought by individuals. Any remedy pursued by the Division will be based on the enforcement authority of the Equal Opportunities Ordinance which provides a fair and impartial process for resolving charges of discrimination. The Division has the responsibility to provide community education and technical assistance in order for people to know and understand their rights and responsibilities under the law.

<u>Major Service</u>	<u>2003 Actual</u>	<u>2004 Budget</u>	<u>2004 Projected</u>	<u>2005 Request</u>	<u>2005 Executive</u>	<u>2005 Adopted</u>
Complaint Processing	\$ 265,043	\$ 313,633	\$ 313,633	\$ 403,685	\$ 344,757	\$ 351,319
Education and Outreach	315,527	350,479	350,479	254,200	240,672	246,253
Agency Total	<u>\$ 580,570</u>	<u>\$ 664,112</u>	<u>\$ 664,112</u>	<u>\$ 657,885</u>	<u>\$ 585,429</u>	<u>\$ 597,572</u>

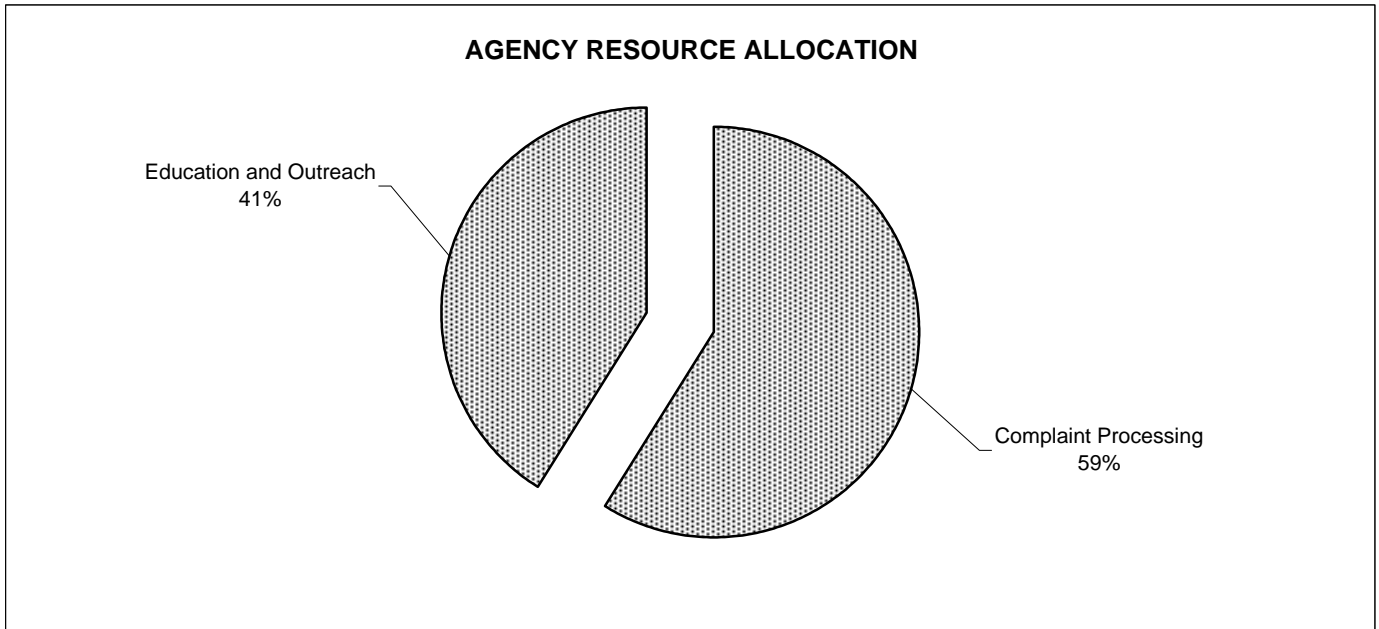
Adopted Budget Highlights

The Budget includes:

1. Effective January 1, 2005, the creation of the Department of Civil Rights, with Divisions of Affirmative Action and Equal Opportunity. The Department of Civil Rights will be headed by a high-level Director who will become a member of the Mayor's Management Team. Current supervisory positions in the Divisions of Affirmative Action and Equal Opportunity will be allocated to agency management positions, such that there will be three management level positions devoted to the advocacy of civil rights. The current supervisor positions will not be deleted until the new manager positions are filled competitively. In addition, there is created within the Division of Affirmative Action a Civil Rights Recruitment Specialist to further focus efforts on making the City workforce more diverse. As space becomes available, the agencies will co-locate in order to fully realize service efficiencies and enhancements.
2. Approve the Dept of Civil Rights and other services regarding civil rights (fair housing testing, language assistance program, enforcement and education for minimum wage and minority recruitment) contingent upon final Council approval. Council approval will be based on a report by an ad hoc committee of 1 EOC staff person, 1 EOC commissioner, 1 AA staff person, 1 AA commissioner, 2 Mayor's Advisory Committee members, 2 City residents, the mayor or his designee, and 2 alders appointed by the Mayor and confirmed by the Common Council. The committee, which will be staffed by the interim director of human resources and the city attorney or their designees, will hold at least three public facilitated forums at locations in places other than downtown regarding the Department of Civil Rights and associated services and report back its recommendations to the Affirmative Action Commission and the Equal Opportunities Commission to be returned to the Common Council by March 1st, 2005. Implementation by the Common Council of organizational changes recommended in the report will require a simple majority vote as long as the changes fall within the proposed budget parameters and general organizational structure; otherwise, a 15-vote majority will be required.
3. Refer to the ad hoc committee an alternative organizational proposal for consideration. The proposal would create a Human Resources/Affirmative Action Department and incorporate the Equal Opportunities Commission in a Department of Civil Rights.
4. \$5,000 for education and outreach materials relating to the City minimum wage Ordinance.
5. \$30,000 to contract for a Fair Housing Testing program.

The agency submitted \$64,427 in supplemental requests, of which \$0 is included in the Adopted Budget.

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Budget Service Descriptions:

The Division of Equal Opportunity processes complaints alleging violations of Section 3.23 Madison General Ordinances, the Equal Opportunities Ordinance. This Ordinance currently includes 18 protected classes, including those found in the Civil Rights Act of 1964 (Title VII), the American with Disabilities Act (ADA) and the Age Discrimination in Employment Act of 1967 (ADEA) issues. Effective January 3, 2005, the agency will also enforce Sec. 3.45, the City's Minimum Wage Ordinance.

Currently, a case filed with the Division must state at least one of these protected classes as the basis for the discrimination complaint and be in the area of employment, housing, public accommodations, and/or credit. The agency offers a neutral complaint process that includes mediation of complaints, investigation of complaints and a quasi-judicial hearing and appeal process. Individuals within the Investigations Unit are Conciliators and Investigators. These individuals are responsible for mediating cases, investigating charges, providing intake services, education and outreach and conciliation services.

During 2003, the agency received 249 new complaints regarding alleged discrimination (215 employment, 13 housing and 21 public accommodations allegations). Race and sex made up the largest percentage of the cases received. The Investigations Unit completed the processing of 112 cases. The Unit issued 92 initial determinations, settled six cases, four were administratively dismissed, and ten were withdrawn. A breakdown of the cases by cause is as follows: 25 probable cause, 61 no probable, 3 probable/no probable cause. Complaints outside of our jurisdiction were referred to the State of Wisconsin Equal Rights Division (ERD) and the United States Equal Employment Opportunity Commission (EEOC).

Interpretations of Equal Opportunity laws are changing on the circuit and federal court levels. It remains a challenge for the staff to keep up-to-date on the changing interpretations that may impact agency determinations. Training and professional development remain a high priority for the unit.

Service Summary			
	2003 Actual	2004 Budget	2005 Adopted
Total Expenditures	\$ 322,163	\$ 369,133	\$ 386,819
Less Inter-Agency Billings	57,120	55,500	35,500
Net Total	\$ 265,043	\$ 313,633	\$ 351,319

Education and Outreach

The Division of Equal Opportunity provides programming to assure that individuals are aware of their rights and responsibilities under the Equal Opportunities Ordinance. The agency is committed to reaching as many advocacy agencies and groups, community-based organizations, employers, property owners and managers, civic groups, and individuals as possible. Prevention of discrimination is preferable to prosecution of violators.

Training programs may be customized to meet the needs of the employer, community-based agency or group requesting this service. During 2003, training was provided to Morningstar Foods, Tellurian UCAN and GDS Associates on the topic of Sexual and General Harassment in the workplace. Training on fair housing laws and practices was provided to the students at Shabazz and East High School enrolled in the Independent Living classes, to Horizons Apartment Association, and MATC Real Estate Program students. Staff provided training on arrest and conviction records protections to 32 company representatives via the Equal Opportunity Employment Committee members and 22 participants in the Food Stamp program at the Dane County Job Center. Information on the Equal Opportunity Community Education Program was also disseminated to over 300 employers and groups.

The Division also provides one-on-one technical assistance on rights and responsibilities under the Equal Opportunities Ordinance.

During 2003, staff assisted with the planning of three major celebrations: Celebrate Madison, the Annual Juneteenth Day Celebration and the King Holiday Celebration. In addition to providing information booths at each of those events, the agency had booths at Fiesta Hispana, Triangle Ethnic Fest, African Fest and Willy Street Festival. Staff also participated on the following community based initiatives: Communities United, Latinos United for Change and Advancement, Latino Family Support Network, YWCA Racial Justice Program, 100 Black Men of Madison, Nehemiah Development Corporation's AODA Advisory Council, NAACP, and the City of Madison Minority Affairs Committee.

The agency staffs the Equal Opportunity Employment Committee, composed of representatives of more than thirty Madison area businesses and community based agencies. The Employment Committee advises the Commission on equal employment opportunity-related issues. During 2003 the Committee held informational presentations for members including a legislative update by Senator Herbert Kohl's office, Americans with Disabilities Act: the Making Work Pay Initiative and on Affirmative Action. The Committee sponsored "The Shrinking Workforce, Strategies for Future Workforce Needs" a conference that attracted 60 individuals. The Marketing Subcommittee updated the Employment Committee brochure and improved the Committee website with links. Committee members also provided assistance to job seekers at the Dane County Job Center providing mock employment interviews and provided informational sessions for job seekers at the Brearly Street Alternative School's Work 'n Learn Program.

The agency has also sponsored a number of programs to improve race relations in the community, including the Preschool Reading Program and book distribution. In addition, Race and Media Forums are held quarterly with individuals from the community and representatives of local media to discuss and promote racially sensitive media coverage. In 2004, the Race and Media planning group sponsored two Preview forums on the subject of Race and the Media. The first focused on young people and how they believe the media portrays them and others that look or dress like them. At the end of the session, each student was given a camera to take pictures that told their stories. Around 100 young people from local schools, programs and community centers were present. The second, "A Matter of Color: The Untold Stories Preview Forum," attracted 132 people

An outgrowth of the Forums has been the Summer Media Institute, held June-July, 2003 at Edgewood College. The Program Coordinator, employed by Edgewood College, worked with media partners who worked with students to provide them hands on experience as well as classroom instruction relative to careers with the media. After completing its fifth year in 2004, it is anticipated that this program will be run by the Simpson Street Free Press in cooperation with Edgewood College and media partners in 2005.

Service Summary

	2003 Actual	2004 Budget	2005 Adopted
Total Expenditures	\$ 315,527	\$ 350,479	\$ 246,253
Less Inter-Agency Billings	0	0	0
Net Total	\$ 315,527	\$ 350,479	\$ 246,253

**Equal Opportunity
Summary by Major Object of Expenditure**

	2003 Actual	2004 Budget	2004 Projected	2005 Request	2005 Executive	2005 Adopted
Permanent Salaries	\$ 433,387	\$ 492,584	\$ 492,584	\$ 465,541	\$ 385,707	\$ 389,872
Hourly Employee Pay	6,536	6,913	6,913	13,088	13,088	13,229
Overtime Pay	0	0	0	0	0	0
Fringe Benefits	126,882	171,250	171,250	162,621	134,999	142,836
Purchased Services	52,346	27,468	27,468	31,008	61,008	61,008
Supplies	17,016	20,261	20,261	20,000	25,000	25,000
Inter-Departmental Charges	1,523	1,136	1,136	1,127	1,127	1,127
Debt/Other Financing Uses	0	0	0	0	0	0
Capital Assets	0	0	0	0	0	0
Total Expenditures	\$ 637,690	\$ 719,612	\$ 719,612	\$ 693,385	\$ 620,929	\$ 633,072
Inter-Agency Billings	57,120	55,500	55,500	35,500	35,500	35,500
Net Budget	\$ 580,570	\$ 664,112	\$ 664,112	\$ 657,885	\$ 585,429	\$ 597,572