

## Part 1 – Agency Profile

### Agency Overview

The Idaho Human Rights Commission (IHRC) was created by the Idaho Legislature in 1969. The act has been amended several times over the years, but the general purposes of the act as set forth in Idaho Code 67-5901(2) remain unchanged: “To secure for all individuals within the state freedom from discrimination . . . and thereby to protect their interest in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights and privileges of individuals within the state.”

Currently the IHRC has statutory authority to investigate complaints of discrimination in education, employment, real estate transactions, and public accommodations based on race, color, religion, national origin, and sex. In employment, housing, and public accommodations, it handles disability discrimination claims. Claims of age discrimination, for those who are 40 years of age or older, are processed only in employment cases. There are nine commissioners who are appointed by the Governor, representing labor, industry, and the ethnic and geographic diversity of Idaho. The commission has one office in Boise, and a staff of 11 FTEs.

### Core Functions/Idaho Code

#### Administrative case processing. Idaho Code 67-5901, 67-5906, 67-5907, and 67-5908

The primary work of the IHRC is to investigate claims of discrimination and to advise the parties on whether there is probable cause to believe that illegal discrimination has occurred. The administrative complaint must be filed within one year of the alleged unlawful discrimination. Idaho law makes the administrative filing a prerequisite to a case being filed in court. A court claim must be filed by a private party within 90 days of the IHRC’s issuance of administrative closure. The IHRC contracts with the EEOC to handle federal discrimination claims within the State of Idaho.

#### Information and referral. Idaho Code 67-5906 (9)

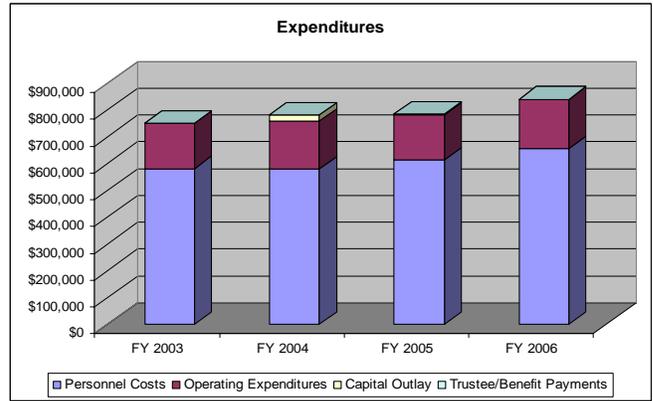
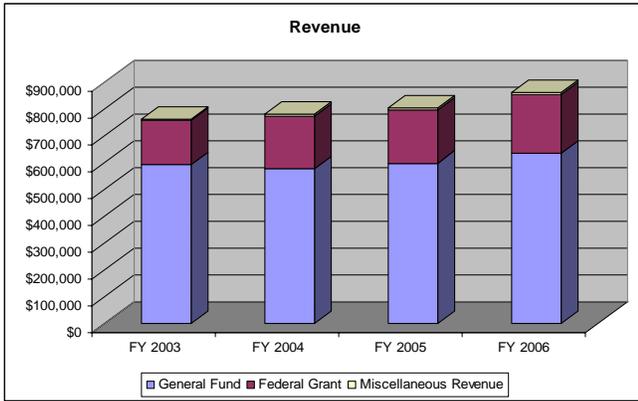
The commission frequently is contacted by people in difficult situations that fall outside the scope of the commission’s statutory authority. In each case, the intake officer attempts to direct the person to a resource that will be able to provide more direct assistance. The commission intake staff also receive many contacts from people who could file a formal administrative complaint with the IHRC, but do not want to do so at that particular point in time. Intake staff will work with them to help them resolve their problems on their own, without the necessity of filing an administrative complaint.

#### Education about discrimination and the law. Idaho Code 67-5906 (9), (10) and (11)

Commission staff offer seminars, workshops, technical assistance, and training programs to help Idahoans understand discrimination law and to be able to resolve discrimination disputes on their own. The IHRC also has the responsibility to inform the Governor and the Legislature of any recommendations it may have for legislative or other action to effectuate the purposes and policies of the anti-discrimination law. Most of the statutory changes that have been made over the years to the Idaho Human Rights Act have come, at least in part, from commission efforts to fulfill this responsibility. Also, the IHRC has taken public stands on issues before the Legislature and other bodies that would impact human rights within the state.

### Revenue and Expenditures:

Revenue	FY 2003	FY 2004	FY 2005	FY 2006
General Fund	\$591,600	\$575,900	\$598,100	\$636,190
Federal Grant	\$164,900	\$197,900	\$198,700	\$218,500
Miscellaneous Revenue	\$6,700	\$6,700	\$6,700	\$6,700
<b>Total</b>	<b>\$763,200</b>	<b>\$780,500</b>	<b>\$803,500</b>	<b>\$861,390</b>
Expenditure	FY 2003	FY 2004	FY 2005	FY 2006
Personnel Costs	\$581,000	\$579,100	\$614,700	\$655,700
Operating Expenditures	\$169,100	\$179,200	\$167,600	\$184,100
Capital Outlay	\$0	\$23,400	\$1,500	\$0
Trustee/Benefit Payments	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$750,100</b>	<b>\$781,700</b>	<b>\$783,800</b>	<b>\$839,800</b>



**Profile of Cases Managed and/or Key Services Provided**

Cases Managed and/or Key Services Provided	FY 2003	FY 2004	FY 2005	FY 2006
Total of administrative cases filed	579	520	532	517
Issues most frequently raised in administrative cases* **				
Discharge (actual or constructive)	63%	63%	63%	
Sexual harassment	25%	17%	20%	
Race/national origin harassment	20%	22%	30%	
Failure to accommodate (disability)	11%	14%	14%	

\*Some cases raise more than one issue, so the percentages may total more than 100%

\*\*This information is not yet available for FY 2006. In June, 2006, the EEOC installed a new national computer system to be used by state agencies with whom they contract. The computer reports from which this information is taken are not yet available to Idaho.

**Performance Highlights**

The commission resolved 486 cases of discrimination, the vast majority of which will not go into either state or federal court. The commission surveys all parties, who may answer anonymously, at the close of every case about their experience in working with the commission. We are pleased to report that in FY 2006, 89% of the Respondents (business owners) who returned the survey expressed satisfaction with the commission's work.

During FY 2006, commission staff filled 33 requests for technical assistance presentations, primarily on the issues of harassment in the workplace, disability discrimination, and creating and maintaining a respectful workplace.

*New Jurisdiction:* Effective July 1, 2005, the Human Rights Act was amended to prohibit discrimination against people with disabilities in places of public accommodation. Although federal law already required accessibility, the Legislature chose to establish a state law and enforcement system that would be more effective than relying on federal processes. In response, the commission designed an Informal Resolution System designed to address accessibility issues quickly and easily whenever possible. Our experience with this new jurisdiction and resolution system is summarized as follows:

- Complaints received: 27
- Resolutions: 18
- Pending: 8
- Formal complaint filed: 1

**Part II – Performance Measures**

Performance Measure	2003	2004	2005	2006	Benchmark
1. Case inventory, July 1	9 mo.	10 mo.	8 mo.	9 mo.	7.5 mo.
2. Cases closed based on mediation or conciliation agreements	17%	22%	25%	25%	30%
3. Respondents reporting satisfaction with commission's case handling	92%	91%	100%	89%	85%
4. Public presentations on human rights issues	19	27	35	33	24
5. Average closure rates (Sr. Invs.) <i>This is a new measure for FY 2007</i>					8 cases per month
6. Age of case load (Sr. Investigators) <i>This is a new measure to FY 2007</i>					3 months or less
7. Average closure rates (Investigators) <i>This is a new measure for FY 2007</i>					5 cases per month
8. Age of case load (Investigators) <i>This is a new measure for FY 2007</i>					5 months or less

**Performance Measure Explanatory Note:** Case inventory is calculated on July 1 of each year. It is a measure of how long it would take to close the entire case load, based on the previous year's rate of closure.

**For More Information Contact**

Leslie Goddard  
Human Rights, Commission on  
1109 Main St Ste 400  
PO Box 83720  
Boise, ID 83720-0040  
Phone: (208) 334-2873  
E-mail: lgoddard@ihrc.idaho.gov

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**Director Attestation for Agency Profile**

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In accordance with *Idaho Code* 67-1904, I certify the data provided in the Agency Profile has been internally assessed for accuracy, and, to the best of my knowledge, is deemed to be accurate.

Department: Idaho Commission on Human Rights

Realie Ruth Waddard  
Director's Signature

August 30, 2006  
Date

Please return to:

Division of Financial Management  
Attn: Anita Hamann  
700 West Jefferson, Rm 122  
Boise, Idaho 83720-0032

FAX: 334-2438  
E-mail: [info@dfm.idaho.gov](mailto:info@dfm.idaho.gov)