

Part 1 – Agency Profile

Agency Overview

The Idaho Human Rights Commission was created by the Idaho Legislature in 1969. The act has been amended several times over the years, but the 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 commission 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 commission 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 commission's issuance of administrative closure. The commission contracts with the Equal Employment Opportunities Commission to handle federal discrimination claims within the state of Idaho. The commission also has authority to file claims in court on behalf of victims of discrimination.

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

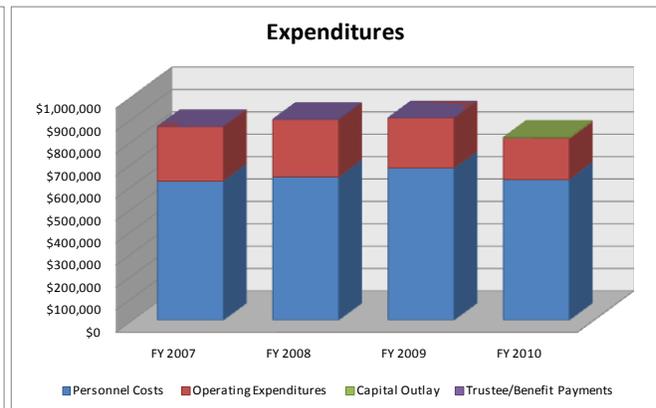
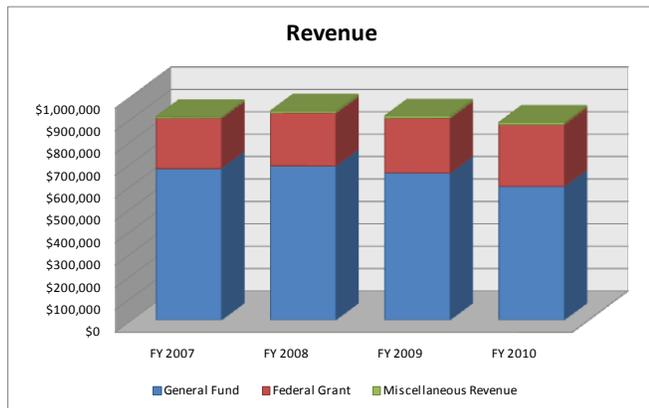
The commission frequently is contacted by people in difficult situations that fall outside the scope of the commission's statutory authority. In each case, the intake officer attempts to direct the person to a resource that will be able to provide more direct assistance. The commission intake staff also receive many contacts from people who could file a formal administrative complaint with the commission, 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 commission 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 commission 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 2007	FY 2008	FY 2009	FY 2010
General Fund	\$675,600	\$688,200	\$656,200	\$596,400
Federal Grant	\$225,600	\$235,600	\$245,100	\$276,000
Miscellaneous Revenue	\$6,800	\$9800	\$9,800	\$10,100
Total	\$908,000	\$933,800	\$911,100	\$882,500
Expenditure	FY 2007	FY 2008	FY 2009	FY 2010
Personnel Costs	\$620,292	\$638,763	\$679,349	\$627,215
Operating Expenditures	\$243,442	\$256,781	\$222,922	\$184,576
Capital Outlay	\$0	\$0	\$0	\$3422
Trustee/Benefit Payments	\$0	\$0	\$0	\$0
Total	\$863,734	\$895,544	\$902,271	\$815,213



Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2007	FY 2008	FY 2009	FY 2010
Total of administrative cases filed	474	497	512	480
Issues most frequently raised in administrative cases*				
Discharge (actual or constructive)	66%	71%	71%	66%
Sexual harassment	24%	25%	24%	15%
Harassment/Intimidation**	34%	27%	26%	31%
Failure to accommodate (disability)	18%	13%	14%	19%
Terms & conditions of employment	25%	16%	19%	20%

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

** These charges allege harassment or intimidation based on race, sex, color, religion, national origin, age, or disability.

Performance Highlights

The commission resolved 410 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. In FY2010, 99.5% of the Respondents (business owners) who returned the survey expressed satisfaction with the commission's work.

During FY2010, commission staff filled 28 requests for technical assistance presentations, primarily on the issues of harassment in the workplace, disability discrimination, and creating and maintaining a respectful workplace. The commission continues to improve its website as a source of information to the public about discrimination law, as well as information about upcoming events related to human rights issues, and the commission updated the Idaho Human Relations Groups Directory. The commission presented Idaho's official ceremony to celebrate Martin Luther King/Idaho Human Rights Day once again in the Statehouse rotunda with Governor Otter delivering the proclamation. Governor Otter reappointed three commissioners.

As a result of economic circumstances, the Legislature approved legislation that merged the commission with the Idaho Department of Labor, which took effect on July 1, 2010. In June 2010, the commission moved to the Department of Labor's Main Office at 317 W. Main Street, Boise, Idaho. The Department of Labor provides administrative and logistical support, while the commission retains independence over discrimination disputes as established when the agency was created 41 years ago.

Disability Discrimination in Places of Public Accommodation. The Human Rights Act also prohibits discrimination against people with disabilities in places of public accommodation. Although federal law already required accessibility, the Legislature chose to establish a state law enforcement system that would be more effective than relying on the federal processes. In response, the commission has an informal resolution system designed to address accessibility issues quickly and easily whenever possible. Complainants are offered the

alternative of filing an informal or formal complaint. Our experience with this jurisdiction and resolution system is summarized as follows:

	FY 2007	FY2008	FY2009	FY 2010
Informal Complaints received:	23	13	17	18
Informal Resolutions:	20	10	8	9
Formal complaints filed:	6	4	4	4
Formal complaints closed:	0	9	6	1

Part II – Performance Measures

Performance Measure	2007	2008	2009	2010	Benchmark
1. Case inventory, July 1*	9 mo.	8.1 mo.	10	10.8	7.5 mo.
2. Cases closed based on mediation or conciliation agreements	21%	23%	26%	23%	27%
3. Respondents reporting satisfaction with commission's case handling	100%	100%	100%	99.5%	85%
4. Public presentations on human rights issues	31	35	25	28	24
5. Average closure rates (Sr. Investigators)	8.6	9.6	7.8	6.9	8 cases per month or more
6. Age of case load (Sr. Investigators)	114 days	119 days	111 days	100.5 days	93 days or less
7. Average closure rates (Investigators)	4.0	3.7	3.7	3.1	5 cases per month
Average closure rates (newly hired investigators)	1.8	3.1	2.6		3 cases per month
8. Age of case load (Investigators)	136 days	126 days	130 days	169.5 days	155 days 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

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