

CITY OF MILWAUKEE



2000

EQUAL RIGHTS COMMISSION ANNUAL REPORT

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PURPOSE AND HISTORY OF THE EQUAL RIGHTS COMMISSION

The City of Milwaukee Equal Rights Commission (formerly Fair Housing and Employment Commission) was formed by the Common Council of the City of Milwaukee in 1991 in order to bring Milwaukee into conformity with federal legislation providing equal housing and employment opportunities. By creating the Commission and enacting Chapter 109, the City of Milwaukee recognized that "the denial of equal opportunity intensifies group conflict, undermines the foundations of democratic society and adversely affects the general welfare of the community."

The vision of the Equal Rights Commission has been very eloquently articulated by Mayor John O. Norquist, "...to establish a discrimination free city" and "...together we can truly make Milwaukee a city that appreciates its diversity." The Equal Rights Commission recognizes that this vision cannot be accomplished by the Equal Rights Commission working in isolation to fulfill the mission of Chapter 109. The Commission must join with others in the community and form partnerships and networks. It must seek to bring people together, who have not come together before, in order to share this vision, so that it becomes a joint vision for the whole community.

The name of the Commission was changed to the Equal Rights Commission in 1994. In 1995, the Commission moved to the Equal Opportunity Enterprise Offices and was put under the same supervision. However, the charge of the Commission has remained constant: to receive, investigate, and eliminate or remedy, discrimination in housing, employment and public accommodations by means of conciliation, persuasion, education and litigation.

Since 1991, the number of cases processed by the Equal Rights Commission has substantially increased. In 1998, the Commission received a total of 479 inquiries. In 1999, the Commission received 713 inquiries from May 24, 1999 through the end of the year. During the timeframe of January 1, 1999 to May 24, 1999, there was no Equal Rights Specialist, Sr. In 2000, the Commission received 1,292 inquiries.

The Equal Rights Commission is currently reassessing itself and its role in the community regarding issues of parity in the workforce and in fair housing. The Commission has a mandate under Chapter 109 to try and resolve fair employment and fair housing issues. There are a number of agencies and organizations in the community with similar goals and missions and are available for networking and partnerships. The Commission has aligned itself with many of those organizations and is in the process of creating coalitions designed to make significant differences in areas of blatant disparities such as institutional lending, employment, housing and transportation.

The Commission continues to be represented on the Board of Directors for the Fair Lending Coalition. The Commission continues to be interested in the Central City Transit Task Force which supports efforts to create mass transit to the suburbs for greater job accessibility and other socially just purposes. In addition, the Commission has an agreement with the Metropolitan Milwaukee Fair Housing Council to help resolve housing discrimination cases.

Education is another area that impacts employment access. The Commission is working very closely with the education community.

The Commission provided \$7,000.00 to the "9 to 5" organization to help in their investigation of possible employment discrimination in temporary agencies.

The Commission has created the Fair Lending/Fair Housing Video Task Force and worked with several organizations including the UW-Extension division to produce a video tape which is being used to facilitate home buying for those who rent but may have the ability to purchase a home.

The Commission was advised by the City Attorney's Office that the Administrative Law Judge can award equitable damages for Complainants. A Task Force was established to investigate strengthening Chapter 109, including the awarding of attorney's fees. The Commission is also continuing to try and expand the services of the Commission.

The Equal Rights Commission and its statement of goals is now a part of the City of Milwaukee's Web page as well as on the City's Channel 26.

Paulette Douglas, Equal Rights Specialist, Sr., is continuing to distribute pamphlets to the Central Library Office for distribution to all branches of the library, for the public, regarding the Equal Rights Commission. Ms. Douglas also is continuing to monitor the involvement of the Equal Rights Commission to "Helpline", which is an information and referral directory source for the public.

Paulette Douglas, the Equal Rights Specialist, Sr., continues to distribute an informational pamphlet as a resource for workers and employers which provides information on organizations which connect minorities and women to available jobs.

Paulette Douglas, the Equal Rights Specialist, Sr., participated in two (2) community events in which she had a booth and explained the Equal Rights Commission and its purpose to the participants. She plans on expanding this service in the upcoming years.

In order to effectuate the Equal Rights Commission's long standing interest in strengthening the trade and technical curricula at Milwaukee Public Schools, the Commission will continue to monitor the student body and curriculum at the new trade and technical school.

In August 1999, the Commission was expanded to seven (7) members. Through 1999, the Mayor's appointments to implement Chapter 109 of the Milwaukee Code of Ordinances were as follows:

Jay Urban, Urban Taylor & Stawski Limited, trial lawyer. Mr. Urban is the current Chairman of the Commission.

Cheryl L. Keenan is a retired school teacher.

Martha Lamelas, Curriculum Specialist, Bilingual Education, Milwaukee Public Schools; a member of the Wisconsin Advisory Council on Bi-lingual Education; and also a member of the Commission since its inception.

Brentell C. Handley, Assistant Vice President, M&I Marshall & Ilsley Bank.

Minnie Davis, Consultant/Parent and Youth Organizer, Effective Action.

Buddy Julius, Lobbyist, Metropolitan Realty Group, Inc.

The Commission's present staff is William C. Thompson, Manager; Paulette Douglas, Equal Rights Specialist, Sr.; Kathleen Shepherd, Office Assistant

Jay Urban, Chairman

FILING A COMPLAINT WITH THE EQUAL RIGHTS COMMISSION

Any resident of the City of Milwaukee who believes that she or he has been discriminated against may contact the Equal Rights Commission by telephone, in writing, or in person in order to obtain a complaint form. The complaint must be filed within 300 days of the alleged violation of Chapter 109 and it must name a Respondent that either does business in or is within the City.

After the complaint is filed, an Equal Rights Specialist makes determinations as to whether the complainant has standing under Chapter 109 and as to whether the Commission has jurisdiction under Chapter 109. Provided that both standing and jurisdiction are present, the complaint is then forwarded to the Respondent. The Respondent is given 10 days to submit a response to the Commission detailing its version of what occurred.

The response is then forwarded by the Commission to the Complainant for review. At this time the

Complainant is given an opportunity to withdraw the complaint. If the Complainant chooses to proceed with the complaint, she or he must then submit a response to the Commission within 10 days. Upon receiving the response from the Complainant, the Commission initiates an investigation.

During the course of the investigation, an Equal Rights Specialist will seek facts in order to render an initial determination of probable cause or no probable cause. This fact-seeking effort may include one or more of the following: interviewing witnesses; reviewing company records; conducting on-site visits; or submitting interrogatories to either party. When the investigation is completed, the Equal Rights Specialist renders an initial determination.

Initial determinations of probable cause provide the Respondent 30 days in which to reach an agreement with the Complainant. If an agreement is not reached, the case is referred to the Administrative Law Judge. If, after a hearing on the merits, the ALJ concurs in the judgment of the Equal Rights Specialist, remedies such as reinstatement, fines and back pay may be awarded. A decision of the ALJ finding discrimination may be appealed to the state circuit court.

Initial determinations of no probable cause provide the Complainant 30 days in which to appeal the decision of the Equal Rights Specialist. If the Commission receives a written appeal within 30 days, the case is referred to the ALJ who schedules a hearing before the Equal Rights Commissioners. If the Commissioners uphold the determination of the Equal Rights Specialist, the case is dismissed. In the event that the Commissioners reverse the initial determination, a hearing is conducted with the ALJ. The potential remedies that may result from this hearing are the same as those listed above.

CASELOAD ANALYSIS

Cases filed since 1991

1991-	18 cases
1992-	29 cases
1993-	13 cases
1994-	17 cases
1995-	19 cases
1996-	30 cases
1997-	37 cases
1998-	34 cases
1999-	10 cases since May 24, 1999
2000-	13 cases

Cases resolved since 1991

1991-	7
1992-	25
1993-	15
1994-	14
1995-	15
1996-	19
1997-	15
1998-	4
1999-	1 since May 24, 1999
2000-	12

Probable cause findings since 1991

1991-	1
1992-	3
1993-	0
1994-	3
1995-	3
1996-	5
1997-	6
1998-	0
1999-	0 since May 24, 1999
2000-	0

Case backlog

1995	11	3	1	0
	6 mths	1 yr	2 yrs	3 yrs
1996	10	7	0	0
	6 mths	1 yr	2 yrs	3 yrs
1997	22	7	0	0
	6 mths	1 yr	2 yrs	3 yrs
1998	0	0	0	0
	6 mths	1 yr	2 yrs	3 yrs
1999	0	0	0	0
	6 mths	1 yr	2 yrs	3 yrs
2000	0	0	0	0
	6 mths	1 yr	2 yrs	3 yrs

Types of resolutions

1991-	0	conciliations	0	ALJ awards
1992-	1	conciliation	0	ALJ awards
1993-	0	conciliations	0	ALJ awards
1994-	3	conciliations	0	ALJ awards
1995-	2	conciliations	0	ALJ awards
1996-	12	conciliations	0	ALJ awards
1997-	7	conciliations	0	ALJ awards
1998-	0	conciliations	0	ALJ awards
1999-	0	conciliations	0	ALJ awards
2000-	1	conciliation	0	ALJ awards

Types of complaints

Employment-	15	25	11	15	17	25	36	32	10	13
	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Housing-	0	1	2	2	1	4	0	1	0	0
	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Accommodations-	0	3	0	0	1	1	1	1	0	0
	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000

Complaints by protected classes

Sex-	3	2	4	3	6	13	5	2	3
	1992	1993	1994	1995	1996	1997	1998	1999	2000
Race-	23	9	11	13	15	26	14	4	7
	1992	1993	1994	1995	1996	1997	1998	1999	2000
Religion-	1	0	0	0	1	0	2	0	0
	1992	1993	1994	1995	1996	1997	1998	1999	2000
National Origin-	2	0	0	1	0	0	0	0	0
	1992	1993	1994	1995	1996	1997	1998	1999	2000
Age-	1	0	1	1	1	1	3	1	3
	1992	1993	1994	1995	1996	1997	1998	1999	2000
Disability-	0	0	2	1	4	1	2	3	2
	1992	1993	1994	1995	1996	1997	1998	1999	2000

Income-		0	1	1	0	1	0	0	0	0
		1992	1993	1994	1995	1996	1997	1998	1999	2000
Marital Status-	0	0	0	0	0	1	0	0	0	0
		1992	1993	1994	1995	1996	1997	1998	1999	2000
Sexual Orientation-	1	0	1	0	2	0	0	0	0	0
		1992	1993	1994	1995	1996	1997	1998	1999	2000
Familial Status-		0	2	0	0	0	0	1	1	0
		1992	1993	1994	1995	1996	1997	1998	1999	2000

DECISIONS 1998-2000

98-001-E

Disposition: This matter was resolved in a "no fault" settlement which was agreed to by both parties.

98-002-E

Disposition: This matter was dismissed. The complaint was filed past the 300 day statute of limitation deadline.

98-003-E

Disposition: This matter was dismissed because the Complainant failed to respond to the Respondent's answer to her complaint.

98-004-E

Disposition: This matter has been dismissed due to lack of jurisdiction.

98-005-E

Disposition: This matter was dismissed. The Complainant never responded to the Respondent's response to the complaint.

98-006-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-007-E

Disposition: The case was dismissed due to lack of jurisdiction.

98-008-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-009-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-010-E

Disposition: This matter was dismissed. This office followed the determination of the Equal Employment Commission.

98-011-E

Disposition: This matter was dismissed due to lack of response from the Complainant to the Respondent's response to the complaint.

98-012-E

Disposition: This matter was dismissed due to lack of response from the Complainant to the Respondent's response to the complaint.

98-013-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-014-E

Disposition: This matter was dismissed due to lack of response by the Complainant.

98-015-E

Disposition: This matter was investigated by the Equal Employment Opportunity Commission.

98-016-E

Disposition: This matter was dismissed because of lack of response from the Complainant.

98-017-E

Disposition: This matter was dismissed due to lack of response from the Complainant.

98-018-H

Disposition: This matter was dismissed due to lack of response from the Complainant.

98-019-E

Disposition: This case was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-020-E

Disposition: This case was dismissed due to lack of response from the Complainant.

98-021-E

Disposition: This matter was dismissed due to lack of response from the Complainant.

98-022-E

Disposition: This matter was dismissed due to lack of jurisdiction.

98-023-E

Disposition: This matter was referred to the Equal Employment Opportunity Commission and therefore dismissed with this office.

98-024-E

Disposition: This matter was resolved.

98-025-E

Disposition: This matter was dismissed due to lack of jurisdiction.

98-026-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-027-E

Disposition: This matter was resolved through an agreement between the parties.

98-028-PA

Disposition: This matter was dismissed.

98-029-E

Disposition: This matter was referred to the Equal Employment Opportunity Commission.

98-030-E

Disposition: This matter was dismissed because the Complainant did not provide the necessary information needed to file the complaint.

98-031-E

Disposition: This matter was referred to the Equal Rights Division or the Equal Employment Opportunity Commission.

98-032-E

Disposition: This matter was dismissed due to lack of jurisdiction.

98-033-E

Disposition: This matter was resolved through agreement and settlement.

98-034-E
Disposition: This matter was dismissed due to lack of jurisdiction.

99-001-E
Disposition: This matter was resolved by a stipulation and order by the parties.

99-002-E
Disposition: No probable cause

99-003-E
Disposition: Case dismissed due to lack of jurisdiction.

99-004-E
Disposition: No probable cause

99-005-E
Disposition: Case was dismissed due to professional conflict of interest.

99-006-E
Disposition: No probable cause

99-007-E
Disposition: No probable cause

99-008-E
Disposition: No probable cause

99-009-E
Disposition: No probable cause

99-010-E
Disposition: No probable cause

00-001-E
Disposition: No jurisdiction

00-002-E
Disposition: Dismissed due to lack of response from the Complainant.

00-003-E
Disposition: No jurisdiction

00-004-E

Disposition: No probable cause

00-005-E

Disposition: No jurisdiction

00-006-E

Disposition: Dismissed due to lack of response from the Complainant.

00-007-E

Disposition: Held in abeyance to hear the outcome of the Equal Rights Division case.

00-008-E

Disposition: Settlement between parties

00-009-E

Disposition: Dismissed due to lack of response from the Complainant.

00-010-E

Disposition: Dismissed due to lack of response from the Complainant.

00-011-E

Disposition: Lack of jurisdiction

00-012-E

Disposition: No probable cause

00-013-E

Disposition: Pending