

Fiscal Year July 1, 2015 to June 30, 2016

The Commission on Human Rights and Opportunities

CASE PROCESSING REPORT, CUMULATIVE DATA

1. Complaints Filed by Region

The Commission received a total of 2616 complaints in FY 2015-16. Each regional office takes complaints based on the town the alleged discrimination occurred in with the exception of the Housing Discrimination Unit which takes housing-related complaints from all over the state. A listing of which towns fall under which regional office can be found at the Commission’s website.

Capitol	635
Southwest	624
West Central	652
Eastern	485
Housing Discrimination Unit	<u>220</u>
Total	2616

2. Complaints Filed by Type of Charge

Complaints are classified by the predominant allegation and the allegedly violated statutes. In situations where, for example, a complaint contains mixed allegations of a denial of employment and denial of public accommodations, the complaint will be classified according to what the majority of the allegations relate to. Complaints classified as “Other” include those not readily classified as one of the other categories.

Employment	2160
Housing	220
Public Accommodations	217
Credit Transactions	0
Other	<u>19</u>
Total	2616

3. Complaints Filed Against State Agencies 158

Complaints filed against state agencies are recorded at the time of complaint intake according to who the Respondent is.

Fiscal Year July 1, 2015 to June 30, 2016

4. Case Closures

The Commission closed a total of 2793 complaints during the fiscal year. The inclusion of separate statistics for Case Assessment Review and Merit Assessment Review reflects the language changed by statute effective October 1, 2015. Closures classified as “unknown” are a reflection of the complaint tracking system not being able to accurately reflect the kind of closure or are a result of an internal system error.

Closure Type	Total
Administrative Dismissal	168
Case Assessment Review - No Claim for Relief	49
Case Assessment Review - No Possibility of Reasonable Cause Finding	12
Case Assessment Review - Respondent Exempt	2
Merit Assessment Review - No Claim for Relief	57
Merit Assessment Review - No Possibility of Reasonable Cause Finding	7
Merit Assessment Review - Respondent Exempt	3
No Reasonable Cause	405
No Reasonable Cause - Lack of Jurisdiction	9
Pending	18
Pre-determination Conciliation	92
Public Hearing/Court Closure	60
Release of Jurisdiction	600
Satisfactorily Adjusted	10
Unknown	10
Withdrawal	160
Withdrawal with Settlement	1131
Grand Total	2793

5. OPH Closures

The Office of Public Hearings (OPH) conducts hearings on any discrimination complaints certified after a finding of reasonable cause or for cases that are certified through the Early Legal Intervention process.

Administrative Dismissals	7
Public Hearing Withdrawals	6
Referee Decisions	12
Stipulated Agreements	68
Decertified	4
Grand Total	97

Fiscal Year July 1, 2015 to June 30, 2016

In addition to the discrimination complaints included above, the OPH also conducts hearings on Whistleblower Retaliation complaints.

Administrative Dismissals	2
Withdrawals	6
Referee Decisions	1
Stipulated Agreements	<u>0</u>
Grand Total	10

6. Number of Reasonable Cause Findings

Reasonable Cause findings come about after an investigator determines there is a bona fide belief that the material issues of fact are such that a person of ordinary caution, prudence and judgment could believe the facts alleged in the complaint. After a draft finding is issued, the parties have fifteen (15) days to comment on the draft findings. The investigator must review these comments and then issue a final finding. After a final finding of reasonable cause, the investigator shall attempt to eliminate the practice complained of by conference, conciliation and persuasion not later than fifty days after the date of the finding. If the investigator fails to eliminate the discriminatory practice complained of, the investigator shall certify the complaint within ten days. Upon certification, a Human Rights Referee shall be assigned to act as a presiding officer to hear the complaint. The complaint may also be directly certified to public hearing following a request for early legal intervention.

Cases Certified to Public Hearing	49
Reasonable Cause Drafts Issued	<u>96</u>
Grant Total	145

7. Total Number of Pending Cases at End of Year 1961

Complaints are classified as “pending” when they are awaiting assignment for a Case Assessment Review, Mediation, Investigation, or Public Hearing. This status is the default status of a case being processed by the Commission.

8. Total Number of Active Cases at End of Year 472

Complaints are classified as “active” when there is a Commission investigator actively working on the case at the end of the year.

2433

Fiscal Year July 1, 2015 to June 30, 2016

Complaints Filed – Basis/Type					Type
Basis	Employment	Housing	Other	PA*	Total
Age	518	51	1	9	579
Alienage	10		1	2	13
Ancestry	188	12	2	14	216
Blindness	5			1	6
Color	473	22	5	65	565
Familial Status	10	22	1		33
Gender Identity	7	1	1	5	14
Guide Dog/Access				1	1
Learning Disability	17		2	2	21
Marital Status	28	2		1	31
Mental Disability	110	21	1	21	153
Mental Disorder	49	2	1	9	61
Mental Retardation		1			1
National Origin	227	19	4	23	273
None	1				1
Other	245	2	1	12	260
Physical Disability	520	72	4	37	633
Prior Conviction of Crime	11				11
Race	616	32	8	88	744
Religious Creed	55	4	1	41	101
Retaliation - Housing		16			16
Sex	532	12	4	30	578
Sexual Orientation	69	4	1	6	80
Source of Income				2	2
Source of Income - Other		12			12
Source of Income - SDG		4			4
Source of Income - Sect. 8		25			25
Source of Income - SS		1			1
Source of Income - SSI		1		2	3
Grand Total	3691	338	38	371	4438

***Public Accommodation**

Fiscal Year July 1, 2015 to June 30, 2016

Complaints Filed by Issue		
Type	Issue	Total
EMPLOYMENT	Advertising	7
	Aiding & Abetting	35
	Demotion	53
	Denied Disability(Pregnancy)	2
	Discharge	1219
	Expel from Membership	2
	Harassment	545
	Hiring	128
	Other	602
	Other(Pregnancy)	35
	Promotion	71
	Reasonable Accommodation	228
	Refused Leave(Pregnancy)	2
	Retaliation	776
	Sexual Harassment	135
	Termination(Pregnancy)	47
Terms & Conditions	1056	
HOUSING	Denial of Rental	44
	Denial of Sale	7
	Eviction	24
	Other	12
	Reasonable Accommodation	57
	Retaliation	20
	Sale	2
	Terms and Conditions	105
OTHER	Code of Fair Practices	10
	Other	6
PUBLIC ACCOMMODATION	Denied Accommodation	43
	Entertainment	1
	Food	3
	Other	132
	Police Conduct	10
	Public Agency	8
	Reasonable Accommodation	12
	Recreation	2
Grand Total		5441

Fiscal Year July 1, 2015 to June 30, 2016
 The Commission on Human Rights and Opportunities

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Complaints Closed by Unit	Type				
	Employment	Housing	Other	Public Accommodations	Total
Capitol	430	0	0	31	461
Southwest	352	0	0	23	375
West Central	403	0	3	6	412
Eastern	409	0	2	26	437
Housing	0	210	0	0	210
Legal	703	14	29	152	898
Grand Total	2297	224	34	238	2793