



Commission on Human Rights and Opportunities: Discrimination Complaint Processing

Background

The study focus was to evaluate the discrimination complaint processing function within the Commission on Human Rights and Opportunities (CHRO) as it exists for employment, housing, public accommodation, and credit matters. Of particular interest was the impact of P.A. 11-237 on CHRO's performance.

The commission is a nine-member volunteer panel appointed to enforce various anti-discrimination laws, provide education and outreach to "establish equal opportunity and justice," support and oversee the development and implementation of state agency affirmative action plans, and monitor state contracting for compliance with small contractor set-aside provisions.

Discriminatory practice complaint processing is the commission's most visible function. Investigative staff is mainly located in four regional offices in Bridgeport, Hartford, Norwich, and Waterbury, while all housing-related complaints are processed by a separate housing discrimination unit located in the central office.

The commission processes complaints on behalf of the federal Equal Employment Opportunity Commission and Department of Housing and Urban Development. This work generates state General Fund revenue through payments from those two agencies.

State law requires certain actions to be taken during the complaint process, and within certain timeframes. The law also requires the commission to report annually to the legislature and the governor on how expeditiously it has been investigating discrimination complaints.

Public Acts 11-237 and 15-249 fundamentally changed CHRO's case processing function, including shortened timeframes in certain areas.

Main Findings

Additional data collection and reporting are needed. CHRO has a relatively robust complaint tracking system, but information necessary to fully track performance is lacking in some instances. The agency also has not fulfilled all of its statutory reporting requirements in recent years.

Budget and staffing resources have generally decreased. The commission's FY 16 expenditures are roughly the same as those of FY 10 (adjusted for inflation). Investigative staff within the regions responsible for processing discrimination complaints was at a six-year low as of July 1, 2016, due to vacancies

Written policies and procedures are outdated. The current policies and procedures manual for processing discrimination complaints was developed in the mid-1990s. Although recent efforts have been made by the commission to update the manual, additional work is needed.

Regional disparities exist in process outcomes and workload. Not all regions use the same practices for various parts of the discrimination complaint process. There are differences across regions in the number of inquiries received, complaints filed, types of disposition reached, and numbers of investigative staff available to process complaints.

The workload of all units processing cases is not fully accounted for in overall performance. The commission's Legal Division acts as another unit conducting various case processing functions, yet the division is not required to report on its entire performance, particularly as it relates to "aged" cases.

Key PRI Recommendations

Address data limitations. Incorporate relevant information into the central complaint tracking system to allow better recognition of case processing outcomes and workload disparities across the units processing cases.

Begin reporting on the performance of all units for greater accountability. Provide the commission, legislature, and governor with complete information about how all units involved in case processing are performing.

Focus on meeting statutory case processing timeframes. Track and report on compliance with all statutory timeframes. Identify the underlying reasons and implement corrective changes when timeframes are not met.

Develop uniform case processing procedures. Ensure consistent implementation and application of discrimination case processing practices across all units with case processing responsibilities.

Make technical changes to the housing statutes. Revise the General Statutes to separate the housing discrimination complaint process from the non-housing process.