

HHS COMMITTEE #1
April 18, 2013

Worksession

MEMORANDUM

April 16, 2013

TO: Health and Human Services Committee

FROM: Jean C. Arthur, ^{JCA}Legislative Analyst

SUBJECT: **Worksession: FY14 Operating Budget
Office of Human Rights**

At this meeting, the Committee will review the County Executive's recommendation for the FY14 Operating Budget for the Office of Human Rights. Relevant pages from the FY14 Recommended Operating Budget are attached on ©1-5.

The following persons are expected at this worksession:

James Stowe, Director, Office of Human Rights
Phil Weeda, OMB

OVERVIEW

For FY14, the County Executive is recommending a total of \$934,673, an increase of \$37,725 or 4.2 percent from the FY13 approved budget of \$896,948.

	FY13 Approved	FY14 CE Recommended	% Change
EXPENDITURES			
Personnel	\$838,110	\$870,445	3.9%
Expenses	\$58,838	\$64,228	9.2%
<i>Total General Fund Expenditures</i>	\$896,948	\$934,673	4.2%
PERSONNEL			
Full-time	9	8	-11.1%
Part-time	0	0	0
FTEs	8	8	0
REVENUE			
EEOC Reimbursement	\$57,000	\$57,700	0

Discussion Issues

- In the past year, OHR has drafted regulations to make mediation mandatory as a first step to resolving disputes. OHR has a staff person who is trained in mediation and occasionally handles cases, but generally, mediations are performed by professionals who volunteer their time to facilitate the mediation sessions. Most, but not all, are lawyers and many of them hold mediations in their private practice. Maryland judicial regulations required mediators to have at least 40 hours of mediation training before they can legally perform as mediators. Mediators come to the program after obtaining the required training. The OHR enforcement manager holds mediator orientation sessions each year to bring in new mediators.
- OHR administers the Partnership fund for Hate Violence Victims. The fund provides partial reimbursement for damage that is a result of a hate crime or incident. Both individuals and organizations may apply for financial assistance through this fund. To be eligible for funds, the property must have been damaged by a hate act committed because of race, ethnicity, religion, sexual orientation or disability; and the hate incident must have occurred in Montgomery County.

In the past few years, claims have been increasing. One well-publicized case involved about 22 victims of tire slashing incidents in the Wheaton/Silver Spring area. OHR sent out letters in English and Spanish to the victims identified by police reports. About a dozen other individuals or institutions have inquired about or petitioned for reimbursement outside of those incidents. Requests for reimbursement must contain receipts of property damage or injury, and compensation is based on those receipts.

The Partnership Fund is established through Chapter 27 of the County Code and can accept private contributions.

- In the current fiscal year, OHR has received 82 new complaints of discrimination. The majority of intakes/complaints are related to employment discrimination. About 85-90 percent of cases are reemployment. The other 10-15 percent are in the other categories: housing, commercial real estate, public accommodations and intimidation (hate crimes).
- Most of the increases in the FY14 budget for the OHR are due to compensation changes plus annualization of operating expenses.

Staff Recommendation: Approve as submitted by the County Executive.

Human Rights

MISSION STATEMENT

The mission of the Office of Human Rights is to enforce Federal, State, and County anti-discrimination laws in housing, commercial real estate, employment, public accommodation & intimidation and promote increased understanding and tolerance among diverse groups.

BUDGET OVERVIEW

The total recommended FY14 Operating Budget for the Office of Human Rights is \$934,673, an increase of \$37,725 or 4.2 percent from the FY13 Approved Budget of \$896,948. Personnel Costs comprise 93.1 percent of the budget for eight full-time positions. A total of eight FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 6.9 percent of the FY14 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***A Responsive, Accountable County Government***
- ❖ ***Vital Living for All of Our Residents***

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Office participated in the following Outreach and Education events:***
 - World of Montgomery*
 - Coordinated a One-Stop Shop for Fair Housing Conference and Discussion Panel for Housing and the Real Estate Industry*
 - Human Rights Day Proclamation*
 - Community Discussion on Immigration*
 - One-Stop Shop for Small Employers*
 - Housing Fair*
 - Civil Rights Education Freedom Tour*
 - Released Public Statements against Incidents of Hate/Violence and Call for Civility*
 - 2012 Human Rights Hall of Fame*
- ❖ ***Enforcement:***

From July 2012 to December 2012, the office closed 91 employment cases, 13 real estate and housing cases, and 8 public accommodations cases.

In addition, the office continues streamlining of internal procedures for consistency and expedition of resolutions; growth of the mediation program and conducted training for new and continuing mediators; drafted regulations to make mediation a required first step in the Enforcement process; initiated a language interpreter program to support mediations in which parties have limited English proficiency; strengthened the Appeal and Conciliation Programs; and successfully closed mediation and conciliated cases with monetary and non-monetary resolutions.

The office also promoted hate-violence compensation through Partnership Fund for Hate Violence Victims.

PROGRAM CONTACTS

Contact James Stowe of the Office of Human Rights at 240.777.8490 or Phil Weeda of the Office of Management and Budget at 240.777.2780 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Compliance

This program investigates and resolves formal complaints of discrimination in employment, housing commercial and residential real estate transactions, public accommodations and intimidations through a formal complaint process or mediation.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Percent of cases that have completed their investigation within 24 months ¹	NA	94%	95%	95%	95%
Percent of cases closed that resulted in a backlog status. ²	NA	11%	10%	10%	10%
Percent of referred cases that are mediated successfully	NA	NA	50	50	50
Percent of cases that have a Letter of Determination issued within 30 days of complete investigation by investigator	NA	NA	95	95	95
Percent reduction (or increase) in the average closeout time of cases (formal complaints) over the prior year	NA	NA	10	10	10

¹ This is a new headline measure as of FY12.

² This performance measure did not exist in FY11.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	581,957	6.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	24,474	0.00
FY14 CE Recommended	606,431	6.00

Community Outreach and Education

This program supports and promotes the Human Rights Commission and Committee on Hate Violence on their outreach and education efforts. Participate or, in partnership with other local/state/federal offices, conduct various forums to promote increased understanding and tolerance among diverse groups.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Results of Customer Satisfaction Survey of the Human Rights Commission ¹	NA	3.4	3.5	3.5	3.5

¹ This is a new headline measure in FY12. The results are based on a five-point satisfaction scale.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	38,846	0.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	1,634	0.00
FY14 CE Recommended	40,480	0.50

Monitor the County's Fair Housing Ordinance

This program monitors the County's Fair Housing Ordinance through the Interagency Fair Housing Work Group in order to coordinate the activity of county departments, offices, and agencies to prevent housing discrimination and to perform testing of housing providers.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Percent of housing providers in full compliance with Fair Housing Laws based on the Office of Human Rights' (HRC) selected matched pair testing. HRC is responsible for tracking, monitoring and enforcement ¹	NA	NA	0	0	0

¹ The County's goal is to have zero variance.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	56,768	0.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	2,388	0.00
FY14 CE Recommended	59,156	0.50

Administration

This program provides overall direction of the office, administration of the budget, personnel, procurement, automation, and support services. Also provided in this program is funding for human relations awards.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	219,377	1.00
Increase Cost: FY14 Compensation Adjustment	24,390	0.00
Increase Cost: Annualization of FY13 Personnel Costs	20,030	0.00
Increase Cost: Motor Pool Adjustment	5,399	0.00
Increase Cost: Group Insurance Adjustment	3,027	0.00
Increase Cost: Retirement Adjustment	1,661	0.00
Increase Cost: Other Labor Contract Costs	331	0.00
Decrease Cost: Printing and Mail Adjustment	-9	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-17,104	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-28,496	0.00
FY14 CE Recommended	228,606	1.00

BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	600,801	642,918	642,918	669,175	4.1%
Employee Benefits	151,071	195,192	195,192	201,270	3.1%
County General Fund Personnel Costs	751,872	838,110	838,110	870,445	3.9%
Operating Expenses	99,561	58,838	58,838	64,228	9.2%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	851,433	896,948	896,948	934,673	4.2%
PERSONNEL					
Full-Time	9	9	9	8	-11.1%
Part-Time	0	0	0	0	—
FTEs	8.00	8.00	8.00	8.00	—
REVENUES					
EEOC Reimbursement	0	57,700	57,700	57,700	—
Miscellaneous Revenues	9,132	0	0	0	—
County General Fund Revenues	9,132	57,700	57,700	57,700	—

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY13 ORIGINAL APPROPRIATION	896,948	8.00
Other Adjustments (with no service impacts)		
Increase Cost: FY14 Compensation Adjustment [Administration]	24,390	0.00
Increase Cost: Annualization of FY13 Personnel Costs [Administration]	20,030	0.00
Increase Cost: Motor Pool Adjustment [Administration]	5,399	0.00
Increase Cost: Group Insurance Adjustment [Administration]	3,027	0.00
Increase Cost: Retirement Adjustment [Administration]	1,661	0.00
Increase Cost: Other Labor Contract Costs [Administration]	331	0.00
Decrease Cost: Printing and Mail Adjustment [Administration]	-9	0.00
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum [Administration]	-17,104	0.00
FY14 RECOMMENDED:	934,673	8.00

PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Compliance	581,957	6.00	606,431	6.00
Community Outreach and Education	38,846	0.50	40,480	0.50
Monitor the County's Fair Housing Ordinance Administration	56,768	0.50	59,156	0.50
	219,377	1.00	228,606	1.00
Total	896,948	8.00	934,673	8.00

FUTURE FISCAL IMPACTS

Title	CE REC.			(S000's)		
	FY14	FY15	FY16	FY17	FY18	FY19
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY14 Recommended	935	935	935	935	935	935
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	32	40	40	40	40
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Subtotal Expenditures	935	967	975	975	975	975