

1992
ANNUAL REPORT

ILLINOIS DEPARTMENT OF HUMAN RIGHTS

Jim Edgar
Governor

Rose Mary Bombela
Director





Jim Edgar
Governor

June, 1993



Rose Mary Bombela
Director

To The Honorable Jim Edgar
Governor of Illinois and the
Honorable Members of the General Assembly

It is with a great deal of pride and honor that we share with you the activities of the Illinois Department of Human Rights for Fiscal Year 1992.

This has been a challenging year for the Department in its efforts to complete more investigations than charges received. Once again, we were able to reduce the backlog of cases waiting to be investigated.

Our on-going efforts to improve the skills of our staff will lead to increased productivity, not only for our investigative staff, but for the Department as a whole.

Finally, as agencies continue to downsize, the Department continued its sponsorship of special training for all agency Affirmative Action Officers to analyze for adverse impact. Through the Department of Human Rights' cooperation with Central Management Services, the procedure established last year was refined to insure the analysis was completed prior to the layoffs that took place.

The Department of Human Rights is committed to continue the advancements we have made and we are proud of the accomplishments depicted in the Fiscal Year 1992 Report herewith presented for your review.

Rose Mary Bombela, Director
Illinois Department of Human Rights

INTRODUCTION



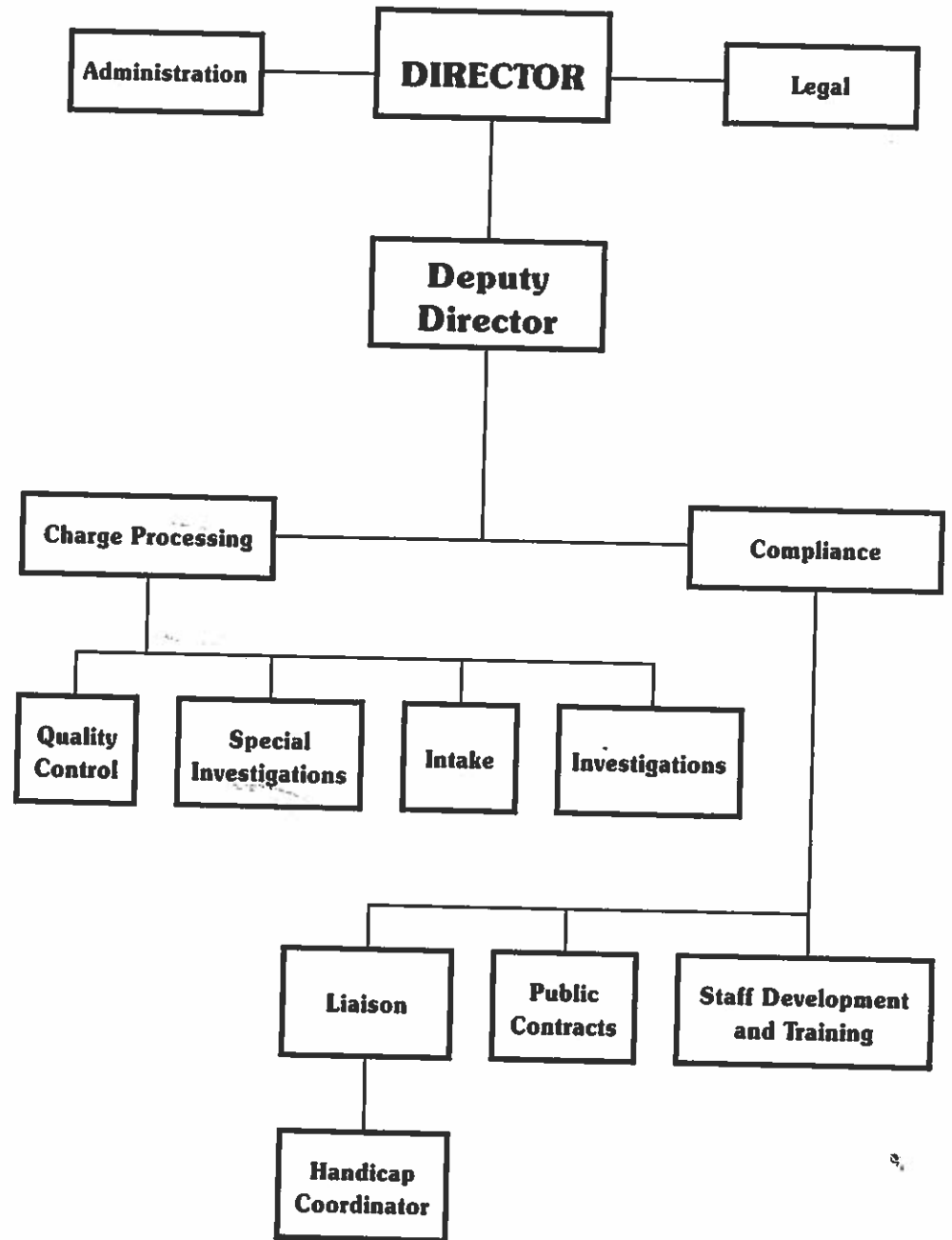
INTRODUCTION

It is the primary function of the Illinois Department of Human Rights to administer and enforce the Illinois Human Rights Act. The Act guarantees that people in Illinois be free from discrimination in employment, real estate transactions, financial lending practices, and in their access to places of public accommodation and services of public officials.

IDHR enforces the law prohibiting discrimination on the bases of: race, color,

religion, sex, national origin, ancestry, age, marital status, unfavorable military discharge in employment, physical handicap, and mental handicap whether real or perceived. Discrimination against families with children under the age of eighteen is also prohibited in rental housing. The Act was recently amended to strengthen the protection of individuals in the areas of sexual harassment in employment, and sexual harassment of students in higher education. Both are prohibited.

CHART OF ORGANIZATION



ADMINISTRATION

Introduction

Fiscal Report

End of the Year Headcount

Income and Expenditure Statement

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INTRODUCTION

The Administration Division is the managerial and administrative body for the Department of Human Rights and is responsible for the following functions: Financial Management, Fiscal Planning, Procurement, Inventory, Auditing, Legislative Bill Review and Analysis, Governmental Relations, Personnel, Public Information, General Office Services, Information Systems and Operational Planning.

Organizationally, the Administration Division consists of the following program areas: Fiscal, Legislative Operations, Management Operations, Personnel, Public Information and Research Planning and Development. The primary responsibilities of each of these program areas are as follows:

Fiscal

Fiscal is administratively responsible for the development, planning and implementation of the Agency's budget, as well as coordinating all financial accounting and auditing (internal and external) activities.

Legislative Operations

Legislative Operations is responsible for monitoring and analyzing legislation, appropriations and regulations which impact or have the potential to impact the Illinois Department of Human Rights. All internal and external governmental relations are coordinated and maintained by Legislative Operations.

Management Operations

Management Operations is administratively responsible for all general office services for the Department, insuring that IDHR employees are provided the necessary tools to effectively and efficiently perform their respective tasks. The functions of Management Operations include information systems, telecommunications services, operational planning and office management. One of the primary tasks for Management Operations during Fiscal Year 1992 was to automate programs within the office which had not previously been automated, thus increasing the agency's overall capability to access, process and exchange data.

Personnel

Personnel is administratively responsible for supporting all the Agency's programs. This unit's responsibility includes processing all personnel transactions (e.g., hirings, promotions, disciplinary actions, administrative changes, etc.), and coordinating the labor relations program including contract negotiations and grievance hearings and resolutions. The Agency employs a position inventory system to keep track of all its positions including their classifications and the status of each position. The Personnel Unit is responsible for updating and keeping the system current and viable. An orientation booklet for all IDHR employees is developed, monitored and disseminated from this unit. All personnel files, active and inactive, are created and maintained in this unit along with all relevant personnel materials (e.g., performance evaluations, interpretive bulletins, etc.).

Public Information

The Department's public information function provides the vehicle by which IDHR promotes and educates the public about agency programs and interprets these programs to other state agencies, state elected officials, community organizations and representatives of various media in matters related to public relations.

Research, Planning & Development

Research, Planning and Development is responsible for conducting agency-wide analytical management studies. This unit is also responsible for grant and proposal writing, program development, data gathering and strategic planning.

FISCAL REPORT

The legislature approved appropriations for the Department of \$4,682,000 in General Revenue Funds and \$1,526,900 in federal monies, called Special Projects. Monies for Special Projects came from two federal agencies: the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD).

The Department contracted with the EEOC to investigate charges of discrimination filed alleging employment and age discrimination. During FY '92, the EEOC contracts totaled \$1,193,437 for charges related to employment and \$210,000 for charges investigated relating to age discrimination.

The Department also contracted with HUD to investigate charges of discrimination related to housing issues and to host a series of informa-

tional workshops related to housing throughout Illinois. This contract was for \$123,463.

Due to General Revenue shortfall, the Department was required to reserve \$192,700 of its general revenue appropriation in January, 1992. This was accomplished through attrition and by eliminating 9 vacant positions. This reduced the approved Department head count to 170 from the previously approved head count of 179.

The Department processed approximately 2,000 invoice vouchers for total expenditures of \$5,963,010 in FY '92. This included \$4,466,300 from General Revenue Funds, while \$1,496,710 came from federal funding. Unused expenditures were due to turnover and hiring lags and \$192,700 which was placed in reserve, as requested.

END OF THE YEAR HEADCOUNT

Division	FY'87	FY'88	FY'89	FY'90	FY'91	FY'92
Administration	17	16	16	16	15	15
Charge Processing	83	83	83	143	141	132
Compliance	25	26	26	26	23	23
TOTAL	125	125	125	185	179	170

INCOME AND EXPENDITURE STATEMENT FY'92

Income (in thousands)	General Revenue Funds	Federal Funds
	FY'92	FY'92
Appropriations	4682.0	1526.9
Reserve	192.7	0
Availability for Expenditure	4489.3	1526.9
Expenditures (in thousands)		
Salaries	3772.3	931.3
Fringe Benefits	494.1	185.2
Contractual Services	88.9	144.0
Rental Real Property	4.3	.3
Registration & Confirmation	1.2	2.7
Rental Office Equipment	6.9	29.4
Rental Motor Vehicle	6.1	2.5
Repair & Maintenance	23.5	14.8
Statistical & Tabulation Service	6.3	0
Freight, Express & Drayage	.2	1.1
Professional and Artistic Service	11.9	38.9
Copying, Photo Printing Service	0	0
Association Dues	.6	.7
Postage	25.6	12.5
Subscription & Information Service	1.5	4.0
Court Reporting and Filing Services	0	.6
Contractual Services Miscellaneous	.8	36.5
Travel Cost	30.0	80.9
Commodities	14.0	48.5
Printing	5.2	6.3
Equipment	0	30.4
Telecommunications	61.8	70.1
Total Expenditures	4466.3	1496.7
Lapsed Appropriation	23.0	30.2
Reserve	192.7	0
Total Appropriation	4682.0	1526.9

CHARGE PROCESSING DIVISION

Introduction

Employment Charges Docketed

Charges Docketed by Jurisdiction

Employment Discrimination Issues

Employment Charges – Respondent Type

Bases on Which Cases are Filed

Disposition of Completed Investigations

Quality Control Unit

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INTRODUCTION

The Illinois Human Rights Act prohibits discrimination in Illinois with respect to employment, financial credit, public accommodations, and real estate transactions on the bases of race, color, sex, national origin, ancestry, age, marital status, unfavorable military discharge and physical and mental handicap. The Act prohibits asking on an employment application if one has ever been arrested, discrimination against families with children in real estate transactions and sexual harassment in higher education. AIDS is now considered a disability.

Within 180 days (one year for real estate transactions) of the occurrence of an alleged civil rights violation, one may file a charge of discrimination with the Illinois Department of Human Rights. The Charge Processing Division reviews the charges and investigates those over which the Department has jurisdiction. If an investigation reveals substantial evidence of discrimination, the Legal Division staff encourages conciliation between the affected parties. The Human Rights Commission reviews all agreements reached through this process. If conciliation fails, the Department files a

formal legal complaint with the Commission. After three hundred days from the filing of a perfected charge of discrimination, individuals have a 30 day period within which to file their own complaints with the Commission if the department has not already completed its investigation.

Staffing

There were 65 total investigator positions, 9 of which are Intake, 8 of which are Special Investigations. Therefore, there are 48 employment investigator positions. Assuming that all were fully trained (6 months tenure) and there were no future vacancies, they would have the capacity to complete a total of 4608 cases in one year (48 x 8 cases x 12 months).

The Department has lost 18 of the 34 investigator positions gained in the FY'90 increase. This has diminished the Department's capacity to produce approximately 1728 cases per year and represents a potential loss of over \$700,000 in federal funds.

EMPLOYMENT CHARGES DOCKETED

I. Number	12 Months FY'89	12 Months FY'90	12 Months FY'91	12 Months FY'92
Average number/month	396.0	366.0	380.0	362.3
Average number/week	91.3	84.0	87.6	83.6
Average number/day	<u>19.1</u>	<u>17.5</u>	<u>18.3</u>	<u>17.4</u>
Total number docketed	4751	4387	4556	4348

II. Types Bases of Discrimination	Total	% of Total Charges *	Total	% of Total Charges *	Total	% of Total Charges *	Total	% of Total Charges *
Race	2047	43.1	1686	38.4	1510	33.1	1305	30.0
Sex	1092	23.8	1266	28.8	1244	27.3	1198	27.6
Age	890	18.7	819	18.6	983	21.6	1034	23.8
Physical Handicap	840	17.7	791	18.0	981	21.5	1061	24.4
Retaliation	606	12.8	585	13.3	628	13.8	636	14.6
National Origin/Ancstry	521	11.0	507	11.5	564	12.4	532	12.2
Mental Handicap	144	3.0	145	3.3	150	3.3	133	3.1
Marital Status	76	1.6	80	1.8	99	2.2	83	1.9
Religion	91	1.9	79	1.8	73	1.6	87	2.0
Color	39	.8	30	.6	46	1.0	19	.4
Aiding/Abetting	0	.0	20	.4	22	.5	3	.3
Coercion/Interference	20	.4	18	.4	21	.5	7	.2
Arrest/Conviction Record	29	.6	18	.4	9	.2	2	.0
Military Discharge	4	.0	0	.0	0	.0	2	.0
Other **	<u>44</u>	.9	<u>9</u>	.2	<u>17</u>	.4	<u>22</u>	.5
Total	6443		6053		6347		6134	

* Percent of total charges filed is greater than 100% because many charges out of the total charges filed were filed on more than one basis (e.g. race, sex, and physical handicap).

** Includes non-jurisdictional bases such as personality conflict.

CHARGES DOCKETED BY JURISDICTION

Jurisdiction	1989	%	1990	%	1991	%	1992	%
Employment	4751	(94)	4387	(94)	4556	(93)	4348	(92)
Housing	145	(3)	112	(2)	113	(2)	197	(4)
Financial Credit	3	(-)	5	(-)	8	(-)	7	(-)
Public Accommodations	176	(3)	140	(3)	199	(5)	171	(3)
Sexual Harassment, Higher Education	<u>2</u>	(-)	<u>2</u>	(-)	<u>11</u>	(-)	<u>4</u>	(-)
Total	5077		4646		4887		4727	

EMPLOYMENT DISCRIMINATION ISSUES

Issues Alleged as an Act of Discrimination*

Issue	FY'89	FY'90	FY'91	FY'92	Issue	FY'89	FY'90	FY'91	FY'92
Discharge	2531	2384	2394	2400	Reduction in Hours **	-	47	77	73
Harassment **	-	433	722	485	Probation **	-	68	73	80
Terms and Conditions	744	649	627	328	Position Elimination **	-	15	72	66
Sexual Harassment	301	401	378	370	Racial Harassment **	-	54	63	58
Hiring	260	252	326	287	Forced Resignation **	-	26	39	44
Wages	428	334	326	219	Oral Reprimand **	-	36	37	65
Suspension **	-	224	326	295	Referral	324	15	27	6
Layoff	245	240	304	289	Forced Medical Leave **	-	27	26	39
Promotion	634	345	297	260	Union Representation	33	53	25	32
Written Reprimand **	-	143	217	223	Qualification/Testing **	-	10	23	10
Constructive Discharge **	-	111	184	176	Forced Retirement **	-	9	20	14
Failure to Accommodate **	-	107	160	238	Intimidation/Reprisal	26	17	14	7
Demotion	157	147	155	180	Exclusion	4	2	14	8
Unequal Job Assignments **	-	76	139	152	Job Classification	15	5	11	8
Recall	128	117	124	64	Overtime **	-	-	-	31
Unequal Pay **	-	99	124	104	Severance Pay **	-	-	-	24
Performance Evaluation **	-	91	107	116	Tenure	18	2	2	5
Failure to Return/Medical Leave **	-	46	107	167	Employment Reference **	-	-	-	18
Benefits	118	124	103	128	Others **	<u>1040</u>	<u>595</u>	<u>349</u>	<u>129</u>
Training/Apprenticeship	17	23	96	48					
Transfer **	-	40	83	156	Total	7028	7376	8179	7402

* Includes charges alleging more than one issue.

** In 1990 and again in 1992 computer programs were developed to capture some of the more frequently mentioned issues.

300 Day Old Cases

Charge Processing Division	4377
Pre-investigation	2187
In Investigation	1381
Post Investigation *	460
Quality Control Unit **	316
Stayed, In Court	33
Legal Division	371
Transferred to EEOC	132
Department Total	4880

* In typing, proofreading, etc.

** Includes cases dismissed (awaiting Request for Review), cases with Final Orders from the Commission, but not yet closed.

EMPLOYMENT CHARGES – RESPONDENT TYPE

Respondents: By Type	1989	1990	1991	1992
Private Employers	3792	3765	3722	3584
State Government	151	123	166	121
Local Government	562	218	287	271
Colleges and Universities/Public	43	28	49	60
Colleges and Universities/Private	33	16	22	42
Elementary and Secondary Schools/Public	54	33	52	63
Elementary and Secondary Schools/Private	4	7	4	12
Unions	80	61	42	46
Joint Apprenticeships Program	0	0	13	1
Private Employment Agencies	21	7	35	11
State Employment Agencies	11	0	4	0
Individuals	<u>0</u>	<u>129</u>	<u>159</u>	<u>137</u>
Totals	4751	4387	4556	4348

BASES ON WHICH CASES ARE FILED

Bases of Housing Discrimination Charges *

Basis	FY'89	FY'90	FY'91	FY'92
Race	44	42	59	109
Religion	2	1	2	9
Sex	11	21	7	23
National Origin	9	5	11	15
Age	6	0	1	1
Marital Status	10	30	4	17
Physical Handicap	6	13	12	17
Mental Handicap	1	0	6	8
Familial Status	54	16	22	19
Retaliation	2	1	1	4
Other	<u>0</u>	<u>0</u>	<u>1</u>	<u>6</u>
Total	145	133	126	228

Bases of Public Accommodations Charges *

Basis	FY'89	FY'90	FY'91	FY'92
Race	65	73	103	65
Color	0	0	5	0
Religion	1	4	15	6
Sex	33	15	35	18
National Origin	12	10	25	10
Age	3	3	8	9
Marital Status	12	5	9	2
Physical Handicap	36	31	37	63
Mental Handicap	2	6	6	12
Retaliation	12	4	9	4
Coercion	0	0	3	1
Arrest Record	0	0	1	1
Other	<u>0</u>	<u>2</u>	<u>3</u>	<u>3</u>
Total	176	153	255	194

* In some instances the number of bases is greater than the number of charges filed during that year. This is because some charges were filed under more than one basis, e.g., failure to rent because of race and sex.

DISPOSITION OF COMPLETED INVESTIGATIONS

	1989	1990	1991	1992
Inquiries Received	21,984	20,985	25,328	28,725
Charges Filed	5,077	4,646	4,887	4,727
Completed Investigations	3,635	3,955	5,721	4,878

	1989		1990		1991		1992	
	#	%	#	%	#	%	#	%
Substantial Evidence	378	10.4	440	11.1	802	14.0	753	15.4
Settlements	885	24.3	957	24.2	1448	25.3	1432	29.3
Withdrawn by Complainant	440	12.1	671	17.0	768	13.4	615	12.6
Dismissals								
Lack of Substantial Evidence	1225	33.7	1022	25.8	1172	20.5	938	19.2
Lack of Jurisdiction	191	5.3	203	5.1	208	5.1	167	3.4
Failure to Proceed	516	14.2	662	16.7	1323	23.1	973	20.0

QUALITY CONTROL UNIT

The establishment of the Quality Control Unit has allowed the agency to commit personnel resources to focus on developing better methods and procedures in the handling and processing of cases. The result to date has been improved efficiency, better cost effectiveness and quicker credit from EEOC for cases completed by the Department.

Since January, new methods of handling case dismissals and closures have resulted in the elimination of past delinquent work by completing the following:

January	Cases Closed	116
	Cases Dismissed	651
	Request for Review	39
	Other	40
		846

February	Cases Closed	801
	Cases Dismissed	174
	Request for Review	37
	Other	46
		1,058

March	Cases Closed	735
	Cases Dismissed	192
	Request for Review	100
	Other	137
		1,164

April	Cases Closed	566
	Cases Dismissed	213
	Request for Review	97
	Other	85
		961

May	Cases Closed	234
	Cases Dismissed	196
	Request for Review	30
	Other	<u>55</u>
		515

June	Cases Closed	439
	Cases Dismissed	139
	Request for Review	60
	Other	<u>86</u>
		724

Total cases handled by this unit
from 1/2/92 - 6/30/92: 5,268

Furthermore, new case handling methods developed and implemented by this unit enabled the Department to be current on cases requiring dismissal. Cases are closed as soon as legal time frames have been observed. Since May, there have been no cases in this unit for longer than 60 days.

The Department and Equal Employment Opportunity Commission

To enable better control of case credit operations and file movement between the Department and EEOC, several new procedures have been established by the Quality Control Unit and will begin with the new EEOC contract which is effective October 1.

Three of the most critical procedures are:

1. From October 1 forward, EEOC records indicating cases submitted by the Department and credits given will be balanced against the Department's

records to ensure that they are in agreement. There will be a monthly review of cases submitted to EEOC for credit against those cases credited and rejected by EEOC. All submissions will be balanced monthly.

In addition, more detailed System36 entries will be made to reflect the final determination of the cases with EEOC, i.e. the case was rejected by EEOC or accepted for credit by EEOC.

2. To ensure that cases closed have had appropriate EEOC action taken, every two months EDP will provide Quality Control with a printout listing any cases which have been closed but no EEOC codes have been subsequently entered.

This will enable us to:

- a) make sure we are submitting for credit all cases that should be submitted; and
 - b) that cases requiring other EEOC codes will have the necessary EDP entries made so that our System36 database balances with that of the EEOC Charge Data System.
3. Case tracking procedures will be put into place to ensure that cases physically sent to EEOC are returned to the Department within an expected time frame. Currently there is no system to control the return of cases to the Department from EEOC.

LEGAL DIVISION

Introduction

Legal Production

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INTRODUCTION

At one stage or another, most charges filed with the Illinois Department of Human Rights are processed by the Legal Division. The attorneys review investigation reports, recommend findings of substantial evidence of discrimination, conciliate and mediate cases and file complaints of civil rights violations with the Human Rights Commission. Attorneys draft responses to complainants' Requests for Review of Dismissals. The Legal Division is also responsible for sending out Notices of Dismissal in cases where findings of lack of substantial evidence, lack of jurisdiction or failure to proceed are made and then closing cases when final proceedings have been completed.

Each attorney has an area of specialization and gives numerous presentations to community, government, private and

educational groups across the state on topics such as handicap, sex, age, race, and housing discrimination. In 1992, over 90 speaking engagements covered all aspects of discrimination to a myriad of groups.

In Fiscal Year 1992, the Division completely eliminated any backlogged work and significantly increased its output of work, although some of the increase in production is as a result of processing backlogged cases. It also implemented a more efficient file review policy for the public and Department's staff and promulgated regulations to govern housing discrimination and began comprehensive regulation revisions. The attorneys received mediation training and implemented a pilot project and obtained a Temporary Restraining Order (TRO) with the Attorney General in the Rockford housing discrimination case.

LEGAL PRODUCTION

The Division performed 21% more SE reviews than in FY'91 and filed 74% more Complaints and 41% more Responses.

Dismissals	FY'89	FY'90	FY'91	FY'92
SE Reviews	761	789	839	1011
Complaints Filed	485	659	551	956
Responses Filed	534	550	534	754
Dismissals Issued	1954	2061	2561	461*
Settlements	34	53	40	68

* First 6 months of FY'92 only, last 6 months Quality Control Unit dismissed cases.

COMPLIANCE DIVISION

Introduction

State Agency Liaison Unit

Affirmative Action Plan by Agency

Public Contracts Unit

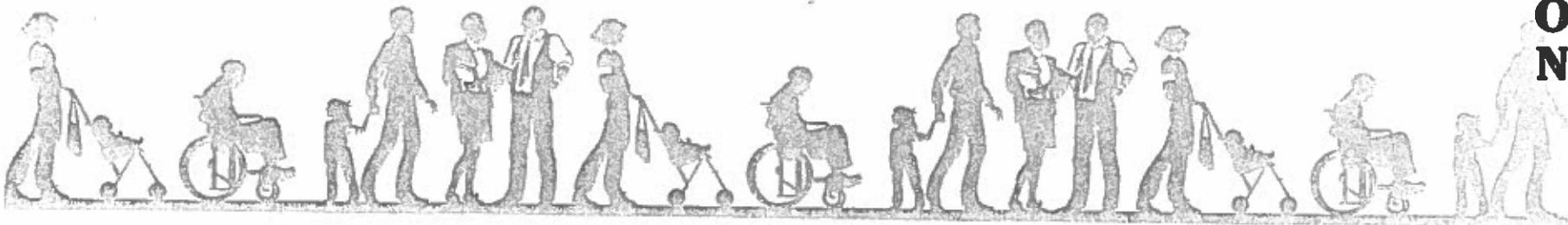
Staff Development and Training Unit

Disabilities Program

Analysis of Disability Charges

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INTRODUCTION

The Compliance Division of the Illinois Department of Human Rights provides a broad range of services through three program units: Public Contracts, Liaison, and Staff Development and Training. In addition, two specialty programs are housed in this division; the Affirmative Recruitment Program and the Disabilities Program.

During FY'92, the Public Contracts Unit (PCU) received 5,519 Employer Report Forms from prospective bidders and processed 6,320 forms. At the end of the fiscal year, 67,372 vendors had registered with the program since its inception in 1973.

On November 18, 1991, the computerized Public Contracts Information System (PCIS) came on-line. PCIS allows the automated processing of all Employer Report Forms filed by prospective bidders. Implementation of PCIS, a task accomplished by IDHR, EDP and Public Contracts Unit staff at minimal cost and without the need to utilize outside consultants has reduced the time it takes to process an Employer Report Form and issue a Notice of Eligibility from several weeks to an average of four working days. It also allows more timely retrieval and updating of eligible bidder information.

At the end of FY'91, 865 Employer Report Forms were pending the assignment of an IDHR number or the completion of some other step in the process. At the end of FY'92, there were 64 Employer Report Forms pending. During FY'92, 6,131 state bidders were entered into PCIS. These entries included 2,373 bidders entered into the system for the first time, and 3,758 bidders entered who had registered prior to the conversion to PCIS.

PCU staff received and answered 7,938 inquiries from vendors, contracting agencies, and the public during FY'92.

The Liaison Unit developed a new procedure to assess and develop numerical goals that more closely parallel the Uniform Guidelines on Employee Selection Procedures, used by the Federal Equal Employment Opportunity Commission. These procedures, based on each

agency's opportunities to hire, will give agencies a better opportunity to set realistic goals and develop greater accountability in meeting the goals they develop.

Based on the new U.S. Department of Labor's Census count, the Liaison Unit spent a significant amount of time in gathering, synthesizing and formatting Census data to develop availability figures of minorities, women and the disabled. These availability figures were required in order to accurately develop Affirmative Action goals in state government based on updated information. By the end of the project, the Liaison Unit had developed 440 forms of figures which will be used by EEO officers throughout the 72 state agencies, boards, commissions and departments in state government.

The Guidebook for the development of agency affirmative action plans was updated reflecting new reporting requirements, new forms developed and procedure modifications for the FY'93 affirmative action plans.

Adverse Impact Analysis training was provided to all state agencies in preparation for projected layoffs.

A joint procedure was developed between the Governor's office and the Department of Central Management Services so that the Department of Human Rights approves the accuracy of adverse impact analyses before the layoff plans are approved. This ensures that the analyses are accurately calculated before a plan is approved by the Department of Central Management Services.

The Staff Development and Training Unit continued coordination of training, throughout the year, to departmental staff and to public and private agencies, to educational institutions and to community organizations.

A computer database of over 300 protected class recruitment sources was updated and distributed to state agency EEO/AA officers.

Assistance was provided in the recruitment of protected class veterans, including technical assistance to the Viet Nam Veterans of America's Job Fair Employer Advisory Committee at the August 7-8 Fair, serving Desert Storm and other Vets. IDES sponsored Women Veterans' Fair on November 19 and the CMS Veterans Outreach Program.

Extensive staff support has been provided to the Governor's Human Resources Advisory Council program staff, Recruitment and Selection Sub-Committee and the IDES Pilot Project.

Special event coordination and support services were provided as part of the state's recruitment activities to All University Minority/Multi-cultural Student Job Fair, Austin Community, Beverly-Chatham-

Washington Heights Communities, CMS Veterans' Outreach Program, Government College Relations Council, Hispanic Alliance for Career Enhancement, Illinois Association of Hispanic State Employees, Illinois Association of Minorities in Government, Illinois Committee on Handicapped Employees, Illinois Municipal Human Relations Association, National LULAC Convention and the Viet Nam Veterans of America.

The State Development Training Unit also furnished technical assistance services to the Minority Student Resume Survey, a statewide program sponsored by Illinois State University, the Assessment of the Status of Minorities in Higher Education and the Illinois Committee on Black Concerns in Higher Education.

STATE AGENCY LIAISON UNIT

The Liaison Unit monitors the affirmative action programs for executive state agencies, boards, commissions, and instrumentalities as prescribed in Section 2-105(B) and 7-105 of the Illinois Human Rights Act. All covered entities must practice equal employment opportunity and affirmative action in employment. The Codified Rules & Regulations for the Department state the methods by which the Department monitors and assists agencies in meeting these obligations.

The Liaison Unit provides a wide range of ongoing and customized technical assistance to state agencies and other entities to enhance, strengthen and promote their equal employment opportunity/affirmative action compliance obligations, addressing all aspects of employment, including but not limited to, recruitment, testing, selection, training, promotions, layoffs and terminations.

Agencies at Parity

Four state agencies reached parity by having attained or surpassed affirmative action goals in hiring and promotion of minority and female employees in all their offices in the state. The distinction was attained by careful analysis of the hiring and promotion records of the agencies

and a study of the labor forces in 11 DHR regions in eight Equal Employment Opportunity categories. These agencies are as follows:

Civil Service Commission
Development Finance Authority, Illinois
Higher Education, Board of
Local Labor Relation Board

The following State agencies had less than 5 persons in each EEO category they utilized. Therefore, these numbers were too insignificant for calculations, as anything less than 5 is considered statistically unreliable. The agencies, however, were still required to develop Affirmative Action Plans with programmatic goals.

Governor's Purchased Care Review Board
Health Care Cost Containment Council, Illinois
Medical Center Commission
Office of Public Counsel
Prairie State 2000 Authority
State Police Merit Board
State Board of Investments

AFFIRMATIVE ACTION PLAN BY AGENCY

Departments and Commissions	(1) <i>Affirmative Action Plan Approved</i>	(2) <i>Received "Show Cause" Notice</i>	(3) <i>Agency at Parity</i>	(4) <i>Layoffs Occurred During FY92</i>	Departments and Commissions	(1) <i>Affirmative Action Plan Approved</i>	(2) <i>Received "Show Cause" Notice</i>	(3) <i>Agency at Parity</i>	(4) <i>Layoffs Occurred During FY92</i>
Abandoned Mined Lands Reclamation Council	✓				Governor's Planning Council on Developmental Disabilities	✓			
Aging	✓				Governor's Purchased Care Review Board	✓			
Agriculture	✓				Guardianship and Advocacy Commission	✓			✓
Alcoholism & Substance Abuse	✓				Health Care Cost Containment Council	✓			
Arts Council	✓				Higher Education, Board of	✓			
Attorney General	✓			✓	Historic Preservation Agency	✓		✓	✓
Banks and Trusts, Commissioner	✓				Housing Development Authority	✓			
Capital Development Board	✓			✓	Human Rights, Department of	✓			
Central Management Services	✓			✓	Human Rights Commission	✓			
Children and Family Services	✓			✓	Industrial Commission	✓			✓
Civil Service Commission	✓		✓		Insurance	✓			
Commerce & Community Affairs	✓			✓	Investment, Illinois State	✓			
Commerce Commission, Illinois	✓				Labor	✓			✓
Comptroller	✓				Labor Relations Board, Local	✓			
Conservation	✓			✓	Labor Relations Board, State	✓		✓	
Corrections	✓				Liquor Control Commission	✓			
Criminal Justice Information Authority	✓			✓	Local Government Law Enforcement Officers Training Board	✓			
Development Finance Authority	✓		✓		Lottery	✓			✓
Education, State Board of	✓				Medical Center Commission	✓			
Educational Labor Relations Board	✓			✓	Mental Health & Developmental Disabilities	✓			✓
Elections, State Board of	✓				Military Affairs	✓			✓
Emergency Management Agency	✓			✓	Mines & Minerals	✓			
Employment Security	✓				Nuclear Safety	✓			
Energy & Natural Resources	✓			✓	Office of Public Counsel	✓			
Environmental Protection Agency	✓				Pollution Control Board	✓			✓
Financial Institutions	✓				Prairie State 2000 Authority	✓			✓
Governor, Office of	✓				Prisoner Review Board	✓			

Departments and Commissions	Affirmative Action Plan Approved	Received "Show Cause" Notice	Agency at Parity	Layoffs Occurred During FY'92
	(1)*	(2)	(3)	(4)
Professional Regulation	✓			
Property Tax Appeal Board	✓	✓		
Public Aid	✓			✓
Public Health	✓			✓
Racing Board	✓			✓
Rehabilitation Services	✓			✓
Revenue	✓			✓
Savings and Loan Commission	✓			
Secretary of State	✓			

Departments and Commissions	Affirmative Action Plan Approved	Received "Show Cause" Notice	Agency at Parity	Layoffs Occurred During FY'92
	(1)*	(2)	(3)	(4)
State Fire Marshal	✓			
State Police	✓			✓
State Police Merit Board	✓			✓
State Employee's Retirement System	✓			
Student Assistance Commission	✓			
Teachers Retirement System	✓			
Toll Highway Authority	✓			
Transportation	✓			
Treasurer	✓			
Veterans Affairs	✓			

- * (1) **Affirmative Action Plan Approved** – Agency Affirmative Action Plan found to be in compliance with the Illinois Department of Human Rights Rules & Regulations, for content and format. Formal approval letter was sent to State agency head.
- (2) **Received "Show Cause" Notice** – Agency failed to comply with the Illinois Department of Human Rights Rules & Regulations by not submitting Affirmative Action Plan in a timely manner.
- (3) **Agency at Parity** – Rendered when the number of protected class employees at least equals (by Equal Employment Opportunity category) the number of protected class persons determined by the agency to be available. Stated in other terms, parity exists when there is no underutilization of protected class persons in the agency's workforce.
- (4) **Layoffs Occured During FY'92** – These agencies experienced reduction in workforce between July 1, 1991 and June 30, 1992.

PUBLIC CONTRACTS UNIT

The mission of the Public Contracts Unit (PCU) is to monitor and enforce the compliance of enterprises holding public contracts with the non-discrimination and affirmative action requirements set forth in the Illinois Human Rights Act and the Public Contracts Rules and Regulations of the Illinois Administrative Code. This mission was accomplished by carrying out the following activities:

1. Registration of potential state bidders and the maintenance of records pertaining to bidder eligibility status.
2. Compliance reviews of public contractors to determine adherence to the Act and the Rules.
3. Technical assistance provided to individual contractors, contracting units, community organizations and units of the Department of Human Rights.
4. Oversight of the EEO/AA monitoring programs operated by other units of state government with regard to public contractors.

5. Assistance to Minority and Female Business Enterprises (MFBEs) as necessary to fulfill the Department's responsibility as a statutory member of the Minority and Female Business Enterprises Council (MFBEC).

Compliance Reviews of Public Contractors

Compliance reviews conducted on public contractors examine the contractor's affirmative action plan and the degree of effort expended by the contractor toward meeting commitments made in the plan. The contractor's personnel practices as they pertain to the recruitment, selection, promotion, and the compensation of minority and female workers are also examined during the review.

A total of 176 public contractors were reviewed by the PCU during FY'92. This represented a 29% increase over the number of contractors reviewed during FY'91 (136). This increase in numbers resulted from a greater focus, during FY'92, on the review of employers with fewer than 100 employees.

Registration of Bidders Seeking Eligibility for Competitively-Bid Contracts

Department rules require that any prospective bidder on a public contract subject to the competitive bidding requirement of the Illinois Purchasing Act register with the Department prior to bid opening. Upon submission of a properly completed and notarized Employer Report Form, the registrant is assigned an IDHR Bidder Identification Number to evidence its eligibility to bid on state contracts. This number must accompany all bids.

Minority / Female Business Enterprise Council Activity

Under the Minority and Female Business Enterprise Act of 1989, the Department is a statutory member of the Minority and Female Busi-

ness Enterprise Council (MFBEC). PCU staff have been assigned the task of carrying out certain responsibilities accruing to IDHR as a result of its membership on the Council.

An IDHR representative served as a member of MFBE's Compliance Plan Committee and participated in the review and approval of the annual MFBE compliance plan submitted by each of the 65 agencies subject to the Act. This representative also attended periodic meetings of the Certification Committee called to review investigation reports on companies seeking certification as minority or female businesses.

Effective January 1, 1992, the MFBE Act was amended by PA 87-701 to add business owned by persons with disabilities and not-for-profit sheltered workshops to the group of entities covered by the MFBE program. The legislation also increased the annual goal that each state agency was responsible for from 10% to 12% of its contract dollars. IDHR staff was involved in a committee established by the MFBE Council to implement this legislation.

As in past years, PCU staff participated in the MFBE Matchmaker programs held to acquaint minority and female business owners with state procurement opportunities and inform them regarding registration, qualification, and procurement procedures used by the various awarding agencies. PCU staff also assisted over 1,400 vendors individually, mainly with obtaining the IDHR Bidder Eligibility Number required of all persons bidding on state contracts, but also with referrals and information regarding state bidding procedures and which agencies to contact for specific types of contracts.

The Department of Human Rights, as an agency covered by the Minority and Female Business Enterprise Act, reported contract awards totalling \$54,581 to minority, female, and disabled enterprises as of the end of FY'92. These dollars represented a 114% attainment of the Department's FY'92 goal of \$47,749.

STAFF DEVELOPMENT AND TRAINING UNIT

The Staff Development and Training Unit has refined and restructured in-service training programs to meet agency demands. In recognition of the continuing need to expand the audio-visual support for human rights investigator training, the unit staff produced additional hours of video tapes. The resulting tape library gives the agency a resource for individual or group training on an as needed basis.

New investigator training was provided for 16 persons. Modification of training modules accommodated the training needs of agency personnel.

General orientation programs were carried out for the Department and Human Rights Commission personnel.

Services to outside agencies included numerous speaking engagements conducted by attorneys and other agency spokespersons.

The Unit provided planning and leadership as the Department conducted an annual Spring conference in conjunction with the Illinois Municipal Human Relations Association.

The Compliance Division provided continued support to the Department's Employee Assistance Program through referrals and follow-up services.

Unit staff was called upon for technical support for the "Ask An Expert" and "Lunch With Legal" programs presented by the handicap program coordinator and the Legal Division, respectively.

Affirmative Recruitment

The Staff Development Unit continued to provide a valuable link between minorities, women and people with disabilities who are seeking employment, and state agencies working to meet their affirmative action goals.

This unit also provided state agencies with technical assistance in the development and implementation of their own affirmative action recruitment efforts. This included recruitment training, resource development, planning and program evaluation and direct linkages with recruitment sources.

Summary of Services

Technical assistance was provided to 43 state agencies in an array of services throughout the year, including the following:

Placements — Clients hired by state agencies.

Training — Received DHR recruitment training or attended an IARP recruitment training workshop.

Strategic Planning — The development of a comprehensive state agency recruitment plan.

Recruitment Procedures — Assistance on task specific recruitment procedures and techniques.

Recruitment Sourcing — Identifying specific recruitment sources to meet an agencies needs or for a specific vacancy — establishing a direct linkage with recruitment sources.

Career Fair — Organize agency based job fairs or coordinate agency participation.

Spanish Speaking Option — Assistance in implementing the Spanish speaking option.

Out Placement — Assistance on the redeployment or outplacement of employees targeted for layoff.

State Agencies Receiving IARP Services

Number of State agencies receiving IARP services: 43.

Agency	Place- ments	Trng	Stra Plan	Rec Pro	Rec SRC	Car Fair	SS Opt	Out Plc
Alcoholism & Substance Abuse		✓		✓	✓	✓		
Attorney General	✓	✓		✓	✓	✓		
Auditor General					✓			
Central Management Services	✓	✓	✓	✓	✓	✓		✓
Children & Family Services	✓	✓	✓	✓	✓	✓		
Commerce Commission				✓	✓	✓		
Commerce & Community Affairs		✓		✓	✓	✓	✓	
Conservation		✓		✓	✓	✓	✓	
Corrections	✓	✓	✓	✓	✓	✓	✓	
Criminal Justice Information Authority		✓						
Employment Security	✓	✓	✓	✓	✓	✓		
Energy & Natural Resources	✓							
Environmental Protection Agency	✓							
Financial Institutions		✓		✓	✓	✓	✓	
Governor			✓	✓	✓			
Guardianship & Advocacy Commission		✓						✓
Historic Preservation		✓						
Human Rights	✓	✓			✓	✓		
Human Rights Commission					✓			
Illinois Development Finance Authority								✓
Illinois State University				✓	✓	✓		
Illinois Student Assistance Commission					✓			
Industrial Commission	✓			✓	✓			
Insurance				✓	✓		✓	

Agency	Place- ments	Trng	Stra Plan	Rec Pro	Rec SRC	Car Fair	SS Opt	Out Plc
Labor								✓
Lottery				✓				
Mental Health & Developmental Disabilities	✓	✓		✓	✓	✓		
Military Affairs					✓			
Professional Regulation					✓			
Public Aid	✓	✓		✓	✓	✓		✓
Public Health		✓	✓	✓	✓		✓	
Rehabilitation Services	✓	✓		✓	✓	✓	✓	
Revenue		✓		✓	✓			
Secretary of State				✓	✓	✓		
Southern Illinois University		✓		✓	✓			
State Board of Education	✓							
State Fire Marshal		✓			✓	✓		
State Police		✓			✓	✓		
Toll Highway Authority					✓			
Transportation	✓	✓			✓	✓		
Treasurer						✓		
University of Illinois		✓						
Veterans Affairs	✓	✓		✓	✓	✓		
Totals	90	24	6	23	32	21	7	5

NOTE: Placements are below the same reporting period for FY'91 due to agency layoffs in FY'92, and redirection of program services.

Statistical Summary of Services

Skills Bank

Sex	White	Black	Hispanic	Asian	Native American	Disabled *	Total
Female	23	107	97	6	0	(5)	233
Male	<u>16</u>	<u>105</u>	<u>49</u>	<u>17</u>	<u>0</u>	<u>(11)</u>	<u>237</u>
Total	39	212	146	23	0	(16)	470

* All figures for people with disabilities are recorded in parenthesis and not included in the total, having already been counted by race.

Direct Job Placements

Sex	White	Black	Hispanic	Asian	Native American	Disabled *	Total
Female	1	16	26	1	0	(1)	44
Male	<u>4</u>	<u>18</u>	<u>22</u>	<u>2</u>	<u>0</u>	<u>(5)</u>	<u>46</u>
Total	5	34	48	3	0	(6)	90

* All figures for people with disabilities are recorded in parenthesis and not included in the total, having already been counted by race.

DISABILITY PROGRAM

The Department's disability program provides information and assistance to members of the public regarding the disability-related requirements of the Act. The Disability Program Coordinator also advises agency staff about disability issues. With the implementation of the federal Americans with Disabilities Act, many advocacy groups are interested in a comparison of the state and federal laws. Employers have also expressed increased interest in their responsibilities to people with disabilities under the law. The disability program has responded by providing information on both state and federal laws through speaking engagements.

Note: The disability program consists of one staff member, who during the fiscal year was on maternity leave for a six-month period.

Speaking Engagements and Media Contacts

The Disability Program Coordinator participated in nine speaking engagements during the year, with most discussions on the requirements of the Act as it relates to people with disabilities and the 1990 Americans with Disabilities Act. The majority of these speeches were delivered to disability rights groups and employer associations. The Coordinator was also interviewed for a radio program and a television reporter covering a story about a child with a disability.

Technical Assistance & Distribution of Materials

Fifty-one responses were made for assistance regarding compliance with the disability-related provisions of state and federal laws. Over

400 publications concerning legal protections for people with disabilities were distributed, including brochures and information sheets written by the Department.

The Coordinator also participated in a project with the Special Supreme Court Committee to Review Minimum Courtroom Standards to establish disability accessibility guidelines for all state courthouses. The Coordinator also contributed information to a study conducted by the Department of Health and Human Services regarding discrimination against people with AIDS attempting to enter nursing homes. In another project, the Coordinator provided assistance in attempting to resolve a potentially discriminatory problem at a state facility. The problem was resolved in a satisfactory manner.

Committee Involvement

The Coordinator represents the Director as one of the co-chairpersons of the state Interagency Committee on Handicapped Employees (ICHE). Composed of five agency representatives and four employees with disabilities appointed by the Governor, this Committee looks at issues of concern to state employees with disabilities and attempts to improve the status of employees with disabilities within state government. During the year ICHE sponsored an educational workshop and conducted an awards program for agencies with the best records in terms of hiring and promoting people with disabilities.

ANALYSIS OF DISABILITY CHARGES

The following chart shows the number and type of disability charges filed in FY'92 and compares FY'92 disability charges with those filed in FY'91. Overall, disability charges were up 8.5% in FY'92, while the Department's total intake of charges decreased 3.2%. Physical disability charges increased 10.5%, but mental disability cases decreased 5.6%. Back disorders have made up the largest disability category in terms of charges filed for the last three years. This year

back disorders made up 18% of the Department's disability charges. Back disorder charges increased 75% since FY'90. Mobility impairment made up the second largest category of disability charges for the second year in a row. Mobility impairment charges increased 44% in FY'92. Carpal tunnel syndrome cases increased 34.6% in FY'92, following a 160% increase in FY'91.

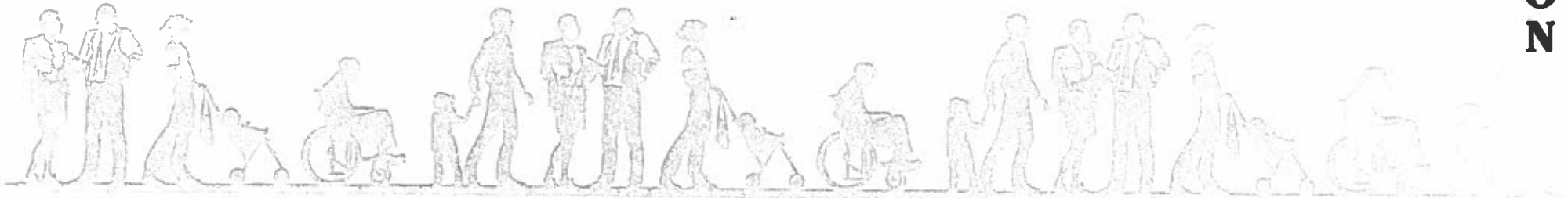
Types of Disabilities Involved in FY'92 Cases – All Jurisdictions

Type of Disability	Number Filed	Percentage of Cases	Percentage of Change From FY'91
I. Physical Disabilities			
Back Disorder	207	18.1%	+ 16.3%
Mobility Impairment	153	13.4%	+ 44.0%
Degenerative Disease	54	4.7%	+ 59.0%
Neurological Disorder	53	4.6%	+ 66.0%
Diabetes	50	4.4%	+ 52.0%
Heart Disorder	47	4.1%	- 4.3%
Visual Impairment	47	4.1%	- 2.1%
Alcoholism	41	3.6%	- 6.8%
Cancer	36	3.2%	+ 2.9%
Carpal Tunnel Syndrome	35	3.1%	+ 35.0%
AIDS	33	2.9%	+ 65.0%
Arthritis	32	2.8%	+ 39.0%
Hearing Impairment	31	2.7%	+ 19.0%
Neck and Shoulder	30	2.6%	+ 150.0%
Respiratory Disorder	28	2.5%	- 15.0%
Epilepsy	26	2.3%	- 24.0%
Digestive Disorder	25	2.2%	- 29.0%
Substance Abuse	21	1.8%	- 40.0%
Hypertension	17	1.5%	+ 13.0%
Reproductive Disorder	14	1.2%	+ 100.0%

Type of Disability	Number Filed	Percentage of Cases	Percentage of Change From FY'91
Kidney Disorder	9	.8%	- 25.0%
Allergy	7	.6%	.
Hernia	3	.3%	.
Speech Impediment	2	.2%	- 82.0%
Skin Disorder	2	.2%	.
Perceived Disability	66	5.8%	- 8.3%
Other	72	6.3%	- 34.5%
II. Mental Disability			
Depression	43	28.0%	+ 1333.0%
Bipolar Disorder	16	11.0%	- 57.0%
Learning Disability	6	4.0%	- 33.0%
Mental Retardation	4	3.0%	- 50.0%
Perceived Mental Disability	38	25.0%	No Change
Other Mental Disabilities	46	30.0%	- 31.0%
III. Total Disability Charges			
	1294		+ 8.5%

* New disability category in FY'92

RECENT LEGISLATION



RECENT LEGISLATION

Governor Jim Edgar has signed into law several bills passed during the 88th Legislative Session. Here is an overview of the major bills which affect civil rights and the activities of the Department of Human Rights, with the assigned law designation in parenthesis:

House Bill 922: (PA 87-0847) Amends the Employment Article of the Human Rights Act in relation to the use of arrest records.
(Effective July 1, 1992)

House Bill 1516: (PA 87-1211) Creates the State Employment Records Act which mandates Central Management Services to collect and publish data concerning the state workforce composition of minorities, women and physically disabled persons, with the cooperation of the Department of Human Rights.
(Effective January 1, 1993).

House Bill 1939: (PA 87-1215) Amends the State Finance Act to create the Audit Expense Fund in the State Treasury. Requires specific amounts from 149 different funds to be transferred into the Audit Expense Fund for purposes authorized by the State Auditing Act. There is no loss of dollars for the Illinois Department of Human Rights in this legislation.
(Effective November 23, 1992)

House Bill 3872: (PA 87-0977) Creates the Persons with Disabilities on State Agency Boards Act. Requires that persons with disabilities or members of their families be included on the membership of boards of certain state entities with disabled persons as their constituents, including the Department of Human Rights.
(Effective September 1, 1992)

House Bill 4170: (PA 87-1050) Mandates Central Management Services to report on the number of employees receiving the bilingual pay supplement for foreign languages or signing. The report must also indicate the number of such persons who are Hispanic and non-Hispanic. Central Management Services must also notify employees of this supplement and set up procedures for appeal of denial of the supplement.
(Effective September 11, 1992)

House Bill 4078: (PA 87-1257) Amends the Human Rights Act to require bidders for public contracts to have written policies concerning sexual harassment. Requires state agencies to establish, maintain and carry out a continuing program concerning sexual harassment. Amends the Crime Victim Assistance Act to provide services for victims of sexual harassment.
(Effective July 1, 1993)