



*Jim Edgar*  
*Governor*

1996



*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 that I share with you the activities of the Illinois Department of Human Rights for Fiscal Year 1995.

The Department did its utmost to respond to the challenges of the previous year. Having downsized the year before, the Department initiated streamlining measures in an effort to increase the productivity of our staff as it handles an ever burgeoning case load.

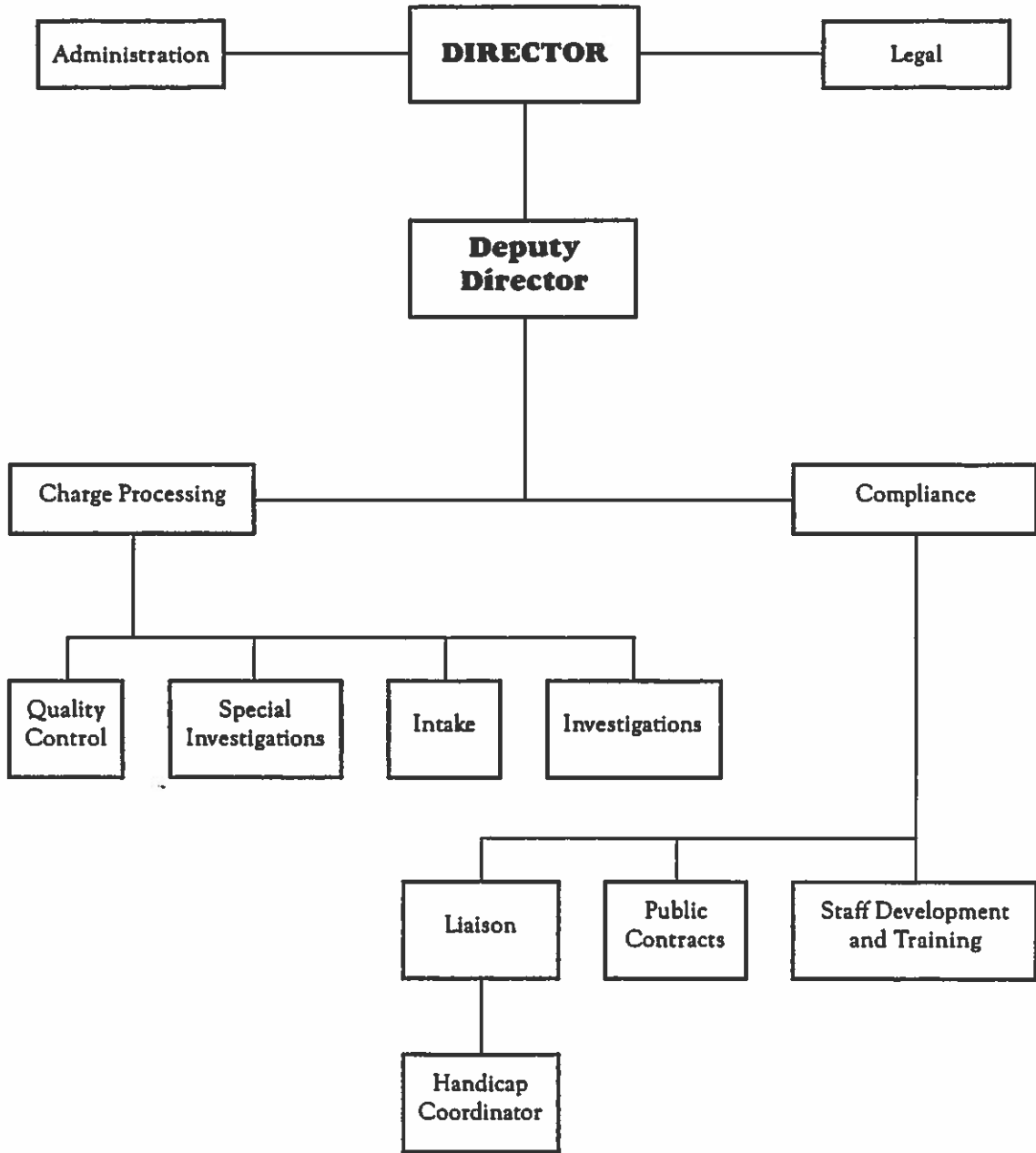
Additional training for all staff has led to improved skills in the Department as a whole. This led to the adoption of innovative means of dealing with the problems of reduced staff and increased responsibilities.

As always, the Department of Human Rights is committed to continue the advancements we have made and we are proud of our accomplishments. I am honored, therefore, to herewith present this Fiscal Year 1995 Report for your review.

A handwritten signature in cursive script that reads "Rose Mary Bombela". The signature is written in dark ink and is positioned above the typed name.

Rose Mary Bombela, Director  
Illinois Department of Human Rights

# CHART OF ORGANIZATION



**MANAGEMENT OPERATIONS  
FY' 95 ANNUAL REPORT**

Management Operations is administratively responsible for all general office services for the Department, insuring that IDHR employees are provided with 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.

**Information Systems**

In FY'95, Management Operations continued to automate the Department and was responsible for fulfilling the space underutilization needs of the Springfield and Chicago offices. Significant accomplishments of Management Operations in FY'95, as they relate to these automation efforts, are as follows:

A new Information Systems' Manager was hired to continue the implementation of the Agency's Information Processing Plan and meet stated objectives.

The Department purchased an IBM AS/400 to automate its Springfield office. The installation and implementation of this equipment will allow the Department to expand the capabilities of the Springfield office.

The Department's Case Management Information System (CMIS) continue to be enhanced so as to provide additional project management tools for the staff. The system currently provides (a) case status reports used to track a particular charge, (b) reports for managing and establishing case load

priorities, (c) case statistics used to provide a variety of statistical reports, (d) information for answering case status inquiries and (e) maintaining information on all closed files. This system additionally provides necessary projections, information requested by outside sources, and data for special projects. The Department also provides access for the Illinois Human Rights Commission to attach to the Case Management Information System (CMIS).

The Department's Public Contracts Information System (PCIS) contains information on vendors who are registered with the State of Illinois. All new requests for bidder numbers are entered into the PCIS. The 65,000 vendors which comprised the system prior to automation are being entered into the database.

In FY'95, the Department implemented a new program for the mediation of cases. Information Systems assisted in this effort by providing the necessary resources to allow staff to develop a data base to monitor this program.

The Liaison Program was expanded to include the automation of additional formulas. Approximately eighty percent of all IDIIR staff were automated by the end of FY'95 which was in line with our goals and objectives. Access was provided for additional data center applications (Central Inventory, Time Keeping, Group Insurance and Posting) made available through Central Management Services. Bureau of Communication and Computer Services.

## RESEARCH PLANNING AND DEVELOPMENT FY'95 ANNUAL REPORT

### INTRODUCTION

During FY'95, the Office of Research, Planning and Development (RPD) launched a new proactive research project, while completing five other research projects to evaluate and improve IDHR's overall performance and to support other units' functions. This office has also participated in two major task forces responsible for overhauling the Department's intake procedures and Housing Investigation Unit.

#### **Grant Project**

RPD initiated a Home Mortgage Disclosure Act (HMDA) data research project as part of a contract with the United States Department of Housing and Urban Development. The project team is analyzing mortgage lending information reported by over five hundred lending institutions operating in the Chicago metropolitan area. The project objectives are two fold; first to develop an improved prediction model for determining lending discrimination, and secondly to produce a manual for HMDA data users. The project completion date is the end of FY'96.

#### **Evaluation Researches**

In a continuing process of internal review, a task force, headed by members of the Special Investigation Unit, (SIU) is evaluating the agency's Housing Investigation Unit and its procedures. To assist the task force, PDR began to review the HUD housing investigation guidelines and procedures, combined housing

investigation sample case files and conducted a comparative study of housing investigation procedures from ten other states. The SIU Task Force's recommendations on stream-lining housing investigation procedures and reorganizing the unit are to be implemented in FY'96.

This office conducted a quality control data analysis for the Charge Processing Division. The research confirmed that the Department statistically made significant improvements in meeting the specific guidelines of EEOC and HUD. The analysis additionally identified the need to enhance supervisory functions and investigation activities within the Department's Charge Processing Unit. An additional benefit of the quality control data analysis was the ability of this office to confirm the success of the streamlined charge processing guidelines adopted last fiscal year. The determination was made by combining the Q.C. analysis and information from an additional survey of investigation staff. We found that the streamlined guidelines substantially reduced overall investigation time without compromising the quality of investigation reports.

The office of RPD also conducted an Employee Morale Survey in April, 1995. This was a follow up to a survey conducted four years ago by Director Bombela. This survey was one component in the Administration's on-going evaluation process. Through this survey, employees

at all levels acknowledged significant improvements in the areas of technology and automation, and improved communication among staff and changes in procedures, particularly in streamlining the charge procedures

### **Supporting Researches**

PDR conducted a follow-up survey of traffic ticketing practices by the Belleville Police Department. The survey was conducted to support Legal Division's monitoring of an agreement entered into with the Belleville Police Department in 1992. This agreement followed findings by IDHR of patterned disparate ticketing by Belleville police against minority drivers.

Research was conducted by PRD for the

Intake Task Force. The information led to an overhauling of Intake procedures and forms. PDR gathered information from other state agencies and analyzed DHR staff input data. New procedures and forms were adopted for implementation in FY'96 upon the recommendations of the Intake Task Force.

### **Software and Research Techniques Upgrade:**

PDR also introduced SPSS (Statistical Package for Social Sciences) software with associated statistical analysis techniques and Microsoft Project Management software to the Department, thus significantly enhancing DHR's capabilities to conduct data analysis, project planning and management and research.

**FISCAL  
FY'95 ANNUAL REPORT**

The General Assembly approved appropriations for the Department of \$5,254,990 in General Revenue Funds and \$1,851,900 in federal money, called Special Projects. Money for Special Projects came from two federal agencies: the Equal Employment Opportunity Commission and the Department of Housing and Urban Development (HUD).

The Department contracted with EEOC to investigate charges of discrimination filed alleging employment and age discrimination. Due to federal cuts, the FY'95 EEOC contract totaled \$1,141,500 for charges related to employment and age discrimination. The Department also contracted with HUD to develop a statistical model and technical manual for the sharing of data with other states as it relates to housing issues. This eighteen month contract totaled \$130,000.

The Department allocated \$43,500 of its federal dollars to the Human Rights

Commission to fund the position of an Assistant General Counsel who will assist in the eradication of discrimination in Illinois.

Of the \$5,254,990 in General Revenue Funds, \$311,390 was reappropriated specifically to the Department to complete the terms of settlement of the ten year old class action lawsuit Bennett vs. Bombela. The funds allocated were for investigation or a \$350 per case settlement for charges closed by the predecessor agency of the Department of Human Rights, the Fair Employment Practices Commission (FEPC), from 1974 through 1978, without a full investigation.

The Department processed approximately 2,200 invoice vouchers for a total of \$6,171,124 in FY'95. This includes \$5,222,718 in General Revenue Funds and \$948,407 in federal funding. Unused expenditures were due to turnover, a hiring lag, and the unused spending authority as a result of the federal reduction.

## CHARGE PROCESSING DIVISION FY' 95 ANNUAL REPORT

### INTRODUCTION

The 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, military status, age, marital status, and/or physical and mental handicap. The Act also prohibits inquiries into or the use of the fact of an arrest or conviction history record information ordered expunged and citizenship status as bases to discriminate in employment, discrimination against families with children in real estate transactions and sexual harassment in higher education.

Within one hundred eighty days (one year for real estate transactions) of the occurrence of an alleged civil rights violation, a person may file a charge of discrimination with the Department. The Charge Processing Division reviews the charges and investigates (and attempts to amicably resolve) 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. If conciliation efforts are unsuccessful, the Department files a formal legal complaint with the Human Rights Commission ("Commission"). After three hundred days (beginning January 1, 1996, three hundred sixty five days) from the filing of a perfected charge of discrimination, a complainant has a thirty day "window" within which to file his or her own

complaint with the Commission if the investigation has not already been completed.

#### **Activities and Accomplishments**

In an effort to operate as efficiently as possible during times of tight resources, the Department has embarked upon several new initiatives in recent years. One of those initiatives, "streamlined processing," grew out of the work of a Case Management Task Force, comprised of employees from throughout the agency. These new streamlined guidelines, which require investigators to set a future date for a fact finding conference within sixty to ninety days of the case assignment and complete the investigation within one hundred eighty days of the assignment, have resulted in the Department's average processing time (from assignment to completion of the investigation) being reduced from one hundred sixty two days in FY'93 to one hundred thirty days in FY'94 and to one hundred fourteen days in FY'95.

Other task forces convened in 1995 included one on intake procedures and another on fact finding conferences. The emphasis in both of these instances is to further streamline and make these processes more efficient. The final reports from these task forces will be completed during FY'96.

Another major focus of FY'95 was HB 741, which was passed by the General Assembly during the Spring legislative session. It was

later signed into law by Governor Edgar. This bill makes several important changes in the Human Rights Act, all of which will become effective January 1, 1996. Among those changes are:

The respondent must file a verified response to the charge within sixty days of filing. Formerly, a respondent had two hundred hundred ten days to file the verified response.

The Department must notify the complainant within ten days of filing and again within three hundred sixty five days, by certified mail, of the right to file a complaint. Formerly, notification was within ten days by regular mail, of the right to file a complaint after three hundred days.

Fact finding conferences are no longer mandatory.

Failure to attend the fact finding conference **shall** (formerly, "may") result in a finding of default.

Requests for review of dismissals on charges filed after January 1, 1996 are to be filed with the Chief Legal Counsel of the Department (formerly, with the Commission). The Department must cease the investigation of a charge if it is not completed within three hundred sixty five days or face a lawsuit.



## DISPOSITION OF COMPLETED INVESTIGATIONS

Fiscal Years 1991 - 1995

	FY'91	FY'92	FY'93	FY'94	FY'95
Inquiries Received	25,328	28,725	28,001	29,703	29,174
Charges Filed	4,887	4,727	4,391	4,491	4,392
Completed Investigations	5,721	4,878	3,677	3,538	3,861
	FY'91	FY'92	FY'93	FY'94	FY'95
	#	#	#	#	#
	%	%	%	%	%
Substantial Evidence	802	753	418	350	296
Settlements	1449	1432	1174	1137	1318
Withdrawn by Complainant	768	615	479	452	492
	14.0	15.4	11.4	9.9	7.7
	25.3	29.3	31.9	32.1	34.1
	13.4	12.6	13	12.8	12.7
Dismissals:					
Lack of Substantial Evidence	1172	938	865	842	915
Lack of Jurisdiction	208	167	126	155	176
Failure to Proceed	1323	973	611	602	664
	20.5	19.2	23.5	23.9	23.7
	5.1	3.4	3.4	4.4	4.6
	23.1	20.0	16.7	17.0	17.1

**CHARGES DOCKETED BY JURISDICTION**

Fiscal Years 1991-1995

Charges Filed

<u>Jurisdiction</u>	<u>FY'91</u>	<u>%</u>	<u>FY'92</u>	<u>%</u>	<u>FY'93</u>	<u>%</u>	<u>FY'94</u>	<u>%</u>	<u>FY'95</u>	<u>%</u>
Employment	4556	(93)	4348	(92)	3949	(90)	4001	(89)	3878	(88)
Housing	113	(2)	197	(4)	263	(6)	289	(6)	351	(5)
Financial Credit	8	(-)	7	(-)	A		10		1	
Public Accommodations	199	(5)	171	(3)	173	(4)	155	(4)	160	(4)
Sexual Harassment, Higher Education	11		4		2		6		2	
<b>TOTAL</b>	<b>4887</b>		<b>4727</b>		<b>4391</b>		<b>4491</b>		<b>4392</b>	

EMPLOYMENT CHARGES

Respondent Type

	FY'91	FY'92	FY'93	FY'94	FY'95
Private Employers	3722	3584	3294	3393	3345
State Government	166	121	145	136	124
Local Government	287	271	293	286	242
Colleges and Universities/Public	49	60	49	46	49
Colleges and Universities/Private	22	42	43	29	14
Elementary and Secondary Schools/Public	52	63	67	54	43
Elementary and Secondary Schools/Private	4	12	1	3	10
Unions	42	46	22	33	29
Joint Apprenticeships Program	13	1	6	12	3
Private Employment Agencies	35	11	6	1	11
State Employment Agencies	5	0	0	2	0
Individuals	159	137	2	6	8
<b>TOTALS</b>	<b>4556</b>	<b>4348</b>	<b>3949</b>	<b>4001</b>	<b>3878</b>

**EMPLOYMENT DISCRIMINATION**

**Issues Alleged as Act of Discrimination\***

**Fiscal Year 1995**

Issue	Number	Issue	Number	Issue	Number
Discharge	2063	Failure to Return/ Medical Leave	68	Job Classification	3
Harassment	308	Unequal Pay	50	Qualification/Testing	8
Terms and Conditions	321	Intimidation/Reprisal	16	Forced Retirement	13
Sexual Harassment	416	Union Representation	21	Employment Reference	15
Suspension	238	Benefits	52	Severance Pay	9
Failure to Accommodate	247	Position Elimination	77	Failure to Reassign	4
Hiring	235	Unequal Job Assignments	55	Advertising	1
Promotion	288	Reduction in Hours	67	Seniority	2
Layoff	171	Probation	52	Tenure	1
Written Reprimand	169	Training/Apprenticeship	40	Vacation	6
Demotion	150	Racial Harassment	67	Drug Testing	1
Constructive Discharge	215	Forced Resignation	53	Aiding and Abetting	2
Wages	162	Oral Reprimand	42	Others	64
Transfer	131	Overtime	20		
Performance Evaluation	89	Forced Medical Leave	29		
Recall	55	Exclusion	6		

**TOTALS**

**6107**

\*Includes charges alleging more than one issue an acts of discrimination.

EMPLOYMENT CHARGES BY BASIS

Basis of Discrimination	FY'92		FY'93		FY'94		FY'95	
	Total	% Of Total Charges*	Total	% Of Total Charges*	Total	% Of Total Charges*	Total	% of Total Charges*
Race	1305	30.0	1245	31.5	1248	31.2	1200	30.9
Sex	1198	27.6	1121	28.4	1155	28.9	1192	30.7
Age	1034	23.8	905	22.9	900	22.5	746	19.2
Physical Handicap	1061	24.4	834	21.1	805	20.1	734	18.9
Retaliation	636	14.6	585	14.8	555	13.9	634	16.3
National Origin/Ancstry	532	12.2	456	11.5	505	12.6	536	13.8
Mental Handicap	133	3.1	165	4.2	154	3.8	150	3.7
Marital Status	83	1.9	65	1.6	66	1.6	55	1.5
Religion	87	2.0	66	1.7	64	1.6	60	1.5
Color	19	.4	23	.6	18	.4	15	.4
Aiding/Abetting	13	.3	13	.3	7	.2	4	.1
Citizenship Status**					4	.1	4	.1
Coercion/Interference	7	.2	6	.2	1	0	3	.1
Arrest/Conviction Record	2	0	5	.1	34	.8	29	.7
Military Discharge	2	0	1	0	0	0	0	0
Military Status**					0	0	2	.1
Other***	22	.5	24	.6	20	.5	13	.3
	6134		5514		5536		5380	

\*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 handi multiple basis charges filed in FY'95).

\*\*Prior to FY'94 those areas were not bases under the Human Rights Act or the Department's computer was unable to capture this information.

\*\*\*Includes non-jurisdictional basics such as personality conflict.

### BASES OF HOUSING DISCRIMINATION CHARGES

BASIS	FY'94		FY'95	
	Number	%	Number	%
Race	157	54.3	150	51.3
Color	0	0	1	0.3
Religion	8	2.8	9	2.6
Sex	63	21.8	52	14.8
National origin	31	10.7	46	13.1
Age	5	1.7	6	1.7
Marital status	16	5.5	4	1.1
Physical handicap	40	13.8	84	23.9
Mental handicap	15	5.2	15	5.1
Familial Status	64	22.1	60	17.1
Retaliation	6	2.1	11	3.1
Other	2	7	12	3.4
<b>TOTAL CHARGES</b>	<b>289</b>		<b>351</b>	

### BASES OF PUBLIC ACCOMMODATIONS CHARGES

BASIS	FY'94		FY' 95	
	Number	%*	Number	%*
Race	85	45.9	96	60.0
Color	4	2.2	2	1.3
Religion	6	3.2	6	3.8
Sex	25	13.5	16	1.0
National origin	14	7.6	20	12.5
Age	a	4.3	5	3.1
Marital Status	3	1.6	1	.6
Physical Handicap	69	37.3	33	20.6
Mental Handicap	4	2.2	3	1.9
Retaliation	6	3.2	8	5.0
Other	2	.1	2	1.3
<b>TOTAL CHARGES</b>	<b>185</b>		<b>160</b>	

\*Percent of total charges filed is greater than 100% because some of the charges were filed under more than one basis (e.g., race and sex).

**LEGAL DIVISION  
FY 95 ANNUAL REPORT**

The Legal Division has many functions which assist agency staff, the public and sister state agencies in a variety of ways. Since the Legal Division reviews all findings of substantial evidence and responds to Requests for Review of dismissals, most of the charges filed with the agency are reviewed by a staff attorney.

**Legislative Activities**

Some of the Division's accomplishments during this fiscal year include: participation in the drafting and passage of P.A. 89-0373, which substantially revised the Human Rights Act, and revisions of the Department's regulations governing the processing of charges.

**Substantive Activities**

Staff attorneys answered about 1400 "attorney of the day" calls and gave speeches to the public on the Human Rights

Act and related issues. The Division also processed about 500 total requests to review for information from the public. This included reviews of investigation files, subpoenas and public inquiries under the Freedom of Information Act.

**Mediation**

The Mediation Program began its second year and moved from the pilot phase to full implementation, scheduling up to 25 conferences a week. The program has an impressive settlement rate of 52%, resulting in 176 cases being settled and diverted from the investigation process.

**Litigation**

Litigated University of Illinois cases alleging that laches prohibited DHR from filing complaints at HRC. Cases continue.

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NUMBER OF DAYS FOR SELECTED EVENTS IN LEGAL DIVISION

	FY'90	FY'91	FY'92	FY'93	FY'94	FY'95
<b>Request for review</b>	100	42	31	30	26	25
<b>SE review</b>	135	152	102	60	59	64
<b>Conciliation and complaint</b>	100	104	86	56	46	42

**(Request for review:** includes receipt by Legal of the Request; assignment to an attorney for response; notification to respondent; drafting, typing and filing response; and sending a copy to parties.)

**(SE review:** includes assignment to an attorney for review; review; return to CP for more work; legal supervisor review; waiting for R/R time to elapse (for split cases); sending out SE notice and assignment to attorney for conciliation.)

**(Conciliation and complaint:** includes receipt by attorney; conciliation; drafting of either terms of settlement or complaint; typing and filing complaint; and typing and mailing notice of filing complaint.)



**COMPLIANCE DIVISION  
FY'95 ANNUAL REPORT**

**INTRODUCTION**

The Compliance Division provides a broad range of services to Illinois residents, the legislature, businesses and others through three program units: Public Contracts, Liaison, and Staff Development and Training. In addition, one specialty program, Disabilities, is housed in this division.

**Accomplishments**

During FY'95, the debate over the merits of affirmative action programs intensified dramatically and, in Illinois, was accompanied by the introduction of legislation that would eliminate or curtail the affirmative action programs administered by the Department of Human Rights regarding state agencies and public contractors. In response to this development, the collective expertise of the Division's professional and administrative staff members was frequently tapped and required extensive research, review, and analysis of affirmative action laws, regulations, policies, and methods. The Compliance Division prepared several narrative and statistical reports on various aspects of affirmative action.

The Liaison Unit, responsible for administering the state agency affirmative program, was intensely involved in the Division's efforts to support affirmative action programs. In addition, this unit continued its traditional responsibilities of monitoring state agency compliance with the applicable portions of Department regulations and providing technical assistance to agency EEO officers in the

performance of their duties. Unit staff began a major initiative to identify agencies that had consistently failed to meet their affirmative action obligations and to subject them to a more intensive level of review. To prepare for this task, standardized compliance review procedures were developed and refined.

The Division's Disability Program Coordinator continued to provide information and technical assistance to employees with disabilities, employers, and members of the general public. She also managed the annual conference of the Interagency Committee on Handicapped Employees (ICHE), which marked both the twentieth anniversary of that body and twenty years of state efforts to employ and advance employees with disabilities. This conference, held in Chicago, drew over two hundred state employees with disabilities, employers, advocates for people with disabilities, and featured both Director Rose Mary Bombela and U.S. EEOC Commissioner Joyce E. Tucker. The name of the ICHE was changed to the Interagency Committee for Employees with Disabilities (ICED) by means of legislation that was actively supported by the Department in recognition of the negative connotations often associated with the term "handicapped."

The Staff Development and Training Unit undertook a major revision of the investigator training curriculum in anticipation of significant changes to the

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Department's charge investigation procedures resulting from the enactment of HB 741 and the planned need to hire fifty new investigators in FY'96. The Unit also provided considerable training to current IDHR investigative staff, including a two day investigator conference, in an effort to update and enhance the skills of these individuals. Several training modules addressing such topics as time management, conflict resolution, and stress management were developed and presented to staff.

The Public Contracts Unit continued to register prospective state bidders and provide technical assistance to contractors in meeting their non-discrimination and affirmative action obligations. Over 2,000 new bidders were registered and close to 5,000 information and inquiry requests were handled by staff. Computerization of PCU records continued and, by the end of FY'95, almost 30% of all eligible bidders were entered into the Public Contracts Information System (PCIS).

Compliance Division staff members worked with the Department's Legal Division to conduct the first major review and revision of the public contracts regulations since their initial implementation in 1973.

In support of a Department-wide initiative, Compliance Division staff members contributed extensively to the preparation for the Department's Symposium, staffing three of the Symposium's five committees; the education committee, the public accommodations committee, and the financial credit and economic development committee. Division staff were largely responsible for organizing and coordinating the myriad activities of their committees, for

researching their respective subjects, and for drafting concept papers covering each topic.

## STAFF DEVELOPMENT UNIT

### Investigator Core Training

The Investigator Core Training Committee, established in October, 1993, spent many hours over the past year developing and refining the training manual that is used by all new and certified investigators. The committee, consisting of representatives from the Charge Processing and Legal Divisions, met several times to reach consensus on the concepts, content and production of the manual. Training schedules, classroom activities, and coordination efforts between classroom training and on-the-job supervisory guidance were addressed. New teaching approaches were adopted and many new visual and other learning aids have been incorporated into the training.

### Conferences

Unit staff members assisted in the development and implementation of several conferences throughout the year. Significant among them were the following:

#### Illinois Municipal Human Relations Association

This year's conference was entitled "Services to Children and Youth: Our Responsibility, Their Future" This theme was a divergence from the traditional issues of discrimination charge processing and broad-based human rights concerns. Instead, it was decided to focus on the challenges facing today's youth,

understanding that their failures today might grow into more serious human and civil rights problems in the future. Several child welfare leaders and professionals from across the state presented informative workshops and participated in lively "town hall" meetings and panel discussions. One highlight of the conference was a presentation by a youth group called "FUSION", during which group members expressed real-life scenarios and beliefs about social issues in creative and impressive ways.

#### Investigator's Conference

This year the Department sponsored its first conference for investigative staff. Entitled "Team Building for the Future: Our Commitment to Excellence", the conference was held October 6-7 in Itasca, Illinois. Important issues related to personal and professional development were discussed. Outside presenters also conducted workshops on "Interpersonal Skills", "Subtle Racism" and "Diversity Management".

#### EEO/ AA Conference

This year's annual conference, sponsored by the Compliance Division's Liaison Unit, was held June 28-29 at the University of Illinois at Springfield, Illinois. Staff Development Unit members were instrumental in the development and implementation of the conference and also presented workshops on "Conflict Resolution" and "Diversity Awareness". Of particular importance this year were presentations and discussions on the critical topic of affirmative action.

#### Illinois Association of Minorities in Government (IAMG)

All unit members attended the annual

conference of this association. Entitled "Equal Opportunity for Quality Government Service", the conference was held on February 24-25 in Bloomingdale, Illinois. In addition to providing an exhibit booth, the Department participated in a workshop staffed by Director Bombela and a Staff Development Unit member.

#### **Workshops and Seminars**

##### Sexual Harassment Prevention

In addition to on-going training for Department staff, unit members also provided training on this topic for managers and administrators of Southern Illinois University School of Medicine. Training on this topic has been requested by the State Office of the Treasurer and will be presented upon request to other state agencies and outside entities.

##### Time Management

This important training module was developed and presented to Department staff to enhance professional skills and improve productivity. It was conducted on April 19th and 21st in Chicago and on May 15th to our Springfield staff.

##### Stress Management

This training module was presented to Department staff as an opportunity for personal growth and to improve productivity. It was conducted in Chicago and Springfield.

##### Interpersonal Skills

Mr. Henry Ortiz from the McDonalds Corporation presented an interesting and animated session on this topic for all agency staff. Attendance was optional, but all those in attendance expressed appreciation

for the opportunity to learn effective interaction skills in a positive and highly-charged environment.

#### Other Activities

Unit members continue to provide support services to new Department staff through orientation sessions designed to acquaint them with the divisions and functions of the agency.

Management staff was provided with updates to the union contracts by John Terranova from the Department of Central Management Services.

A symposium to examine issues of discrimination in Illinois was held on December 15th at Chicago's Bismarck Hotel. Participation by unit members was relative to the Sub-committee on Education and resulted in a position paper which was presented at the symposium. This symposium was the result of a great deal of time and effort by many Department staff.

This unit also participated in a conference sponsored by the Governor's Human Resources Advisory Council in conjunction with Sangamon State University. This conference, entitled "Enhancing Career Development Opportunities for State Employees: Building a High Performance Work Force", provided an opportunity for participants to offer recommendations for planning new directions in human resources development and training.

### **PUBLIC CONTRACTS UNIT**

The mission of the Public Contracts Unit (PCU) is to enforce provisions of the Illinois Human Rights Act and the

Department's Administrative Rules and Regulations that apply to public contractors and eligible bidders and require them to refrain from unlawful discrimination, undertake affirmative action in employment, and develop a written sexual harassment policy.

PCU's traditional mission has been carried out through a series of activities:

1. Registration of potential state bidders and the maintenance of eligibility status records.
2. Compliance reviews of public contractors and eligible bidders to determine adherence to pertinent provisions of the Act and the Rules.
3. Technical assistance regarding equal employment opportunity and affirmative action provided to public contractors, eligible bidders, contracting agencies, and units of the Department.
4. Oversight of the EEO/ AA monitoring programs for public contractors and eligible bidders operated by other units of state government under the authority of the Act and the Rules.
5. Assistance to businesses owned by minorities, females, and persons with disabilities as necessary to fulfill the Department's obligations as a statutory member of the Business Enterprise Council for Minorities, Females, and Persons with Disabilities (commonly known as MFBE).

### **Fiscal Year '95 Overview**

During FY'95, PCU continued to confront limitations placed on its abilities by lack of staff. Despite these limitations, PCU continued registering entities seeking to

state contracts, increasing the number of bidders tracked through the Public Contracts Information System (PCIS), providing technical assistance to public contractors and contracting agencies, engaging in some limited compliance enforcement efforts, and assisting the Department in carrying out its duties under the MFBE program. In addition, staff completed a major revision of the administrative regulations pertaining to public contracts and participated in the Department's response to proposed changes in the State's affirmative action program.

**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 procedures 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 Eligibility Number to evidence its eligibility to bid on state contracts. This number must accompany all bids on state contracts and is also required by many municipalities, school districts, and other public bodies as part of their procurement procedures. In completing the Employer Report Form, the prospective bidder provides the Department with information regarding the racial and gender composition of its work force, employment trends, and policies and practices that bear on the hiring and promotion of minorities and women.

FY'95 Employer Report Form processing activity is summarized in Table I:

**Table I: FY'95 Bidder Registration Activity Summary**

Forms pending at beginning of year	8
Forms received by PCU during year	3688
PCU workload	3696
Forms returned to filer unprocessed for completion	488
Forms processed during year (-)	2949
Forms pending at end of year	259

At the end of FY'95, an estimated 76,008 entities had registered with IDHR (or its predecessor, the FEPC) since the program began in 1973.

In November, 1991, the Public Contracts

Unit implemented a computerized Public Contracts Information System (PCIS) to track key information regarding eligible bidders. Since that time, all initial registrations (entities holding IDHR numbers starting with 70000 or higher)

received by PCU have been processed via computer. In addition, Unit staff have been gradually entering information regarding those bidders registered prior to the implementation of PCIS (entities holding

IDHR numbers below 70000) in order to consolidate this information into one data base. PCIS activity for FY'95 is summarized in Table II:

**Table II: FY'95 Entries to Public Contracts Information System**

Entries with IDHR Number 70000 or higher	2139
Entries with IDHR Number below 70000	1056
Total Entries during FY'95	3195

Since the implementation of PCIS, 22,563 eligible bidders have been entered into the system. This represents about 29% of the total eligible bidders registered with IDHR. Information regarding the remaining registrants is still maintained via an index card file.

During FY'95, PCU staff logged 4,971 inquiries from prospective bidders, contractors, state contracting agencies, and the general public. The inquiries are summarized in Table III:

**Table III: FY'95 Inquiries Received By PCU**

Requests for PC-1 forms	1914
Requests regarding status of pending PC-1 forms	735
Requests for verification of eligibility by contracting agency	788
Requests for verification of eligibility by others	355
Requests for sexual harassment policy/technical assistance	172
Requests for EEO/Affirmative Action/ MFBE information	976
Other calls not elsewhere classified	31
Total FY'95 Inquiries	4971

Of the above figures, the most significant involved the 1148 inquiries received regarding affirmative action, contracting procedures, personnel policies and practices, and sexual harassment. These varied in complexity. Some could be

answered over the telephone, others required an in person visit from an inquiring source. Many involved researching employment statistics, legal issues pertaining to affirmative action, and personnel theory and practice.

### **Public Contractor Compliance Reviews and Related Activity**

Compliance reviews of public contractors examine the contractor's affirmative action plan and the efforts made by the contractor in meeting the commitment made under the plan. The contractor's personnel practices as they pertain to the recruitment, selection, promotion, and compensation of minorities and female workers are also examined in the review.

Compliance review activity during FY'95 was again hampered by the lack of staff available to the Public Contracts Unit. Since the unit administrator was also the only staff member of the unit for a good portion of the fiscal year, most of his activities were concentrated on providing technical assistance to public contractors on request or when the Department became aware of a situation requiring some intervention. As part of an effort to revitalize the public contracts program, a major revision of the administrative regulations pertaining to public contractors and eligible bidders was undertaken. The revision includes an expansion of the contents of public contractor affirmative action plans and the establishment of affirmative action duties for persons with disabilities. The unit completed an initial draft of the revision in January, 1995, and worked with Department Legal Division staff to finalize it throughout the latter months of the year.

During the Spring of 1995, the unit administrator assisted staff from the Liaison Unit in reviewing their procedures for the conduct of compliance reviews of state agencies and in drafting updated procedures.

### **Minority And Female Business Enterprise Activity**

Under the Business Enterprise Council for Minorities, Females and Persons With Disabilities Act of 1994 (commonly known as the MFBE Act), the Department is a statutory member of the Business Council for Minorities, Females, and Persons With Disabilities (the Council). For the first ten years of its history, PCU staff was assigned the task of carrying out certain responsibilities accruing to the Department resulting from its membership on the Council or as an agency covered by the MFBE Act. After November, 1994, most of these duties were reassigned to the Fiscal Officer and her staff.

Prior to the reassignment of duties, the unit administrator compiled and submitted the Department's FY'95 MFBE Compliance Plan. The Department's FY'95 Plan set a minority, female, and disabled business goal of \$58,700, or 14.8% of the total dollars subject to the goal (\$396,940). He also served as a member of the Compliance Plan Committee which reviews the annual compliance plans filed by the sixty-five MFBE agencies and monitors agency performance in meeting its goals.

Since the reassignment of duties, the unit administrator has continued to support the MFBE program upon request from the Director and continued assisting business enterprises owned by minorities, females, and the disabled along the path to certification through DCMS by assisting them in getting an IDHR number. He also continued to assist IDHR staff to locate businesses for specific Department

procurement needs.

### **Symposium Participation**

In support of a symposium sponsored by the Department to examine issues of discrimination in Illinois and chart a course for human rights in the years ahead, the PCU administrator was appointed liaison to the Committee on Financial Credit. He worked with the chair and co-chair of the Committee to assemble a group of 15 experts in the financial credit area and coordinated three plenary meetings of the Committee. At the Committee's request, he drafted a position paper on financial credit discrimination issues and presented this paper at a meeting called by the Director to discuss the status of the symposium held at the Bismark Hotel on December 15th.

### **LIAISON UNIT**

The Liaison Unit monitors affirmative action for executive state agencies, boards, commissions, and instrumentality's 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 that each agency must submit an Affirmative Action Plan, quarterly reports, annual reports, reorganization reports, federal compliance reports, orders and settlements as well as layoff reports. The Rules further indicate the methods by which the Department monitors and assists agencies in meeting these obligations.

During the year, the Liaison Unit began implementing the automation project for

state agencies to computerize the statistical portion of their affirmative action plans. For the first time state agencies submitted statistical information on diskettes. The automation will allow the Liaison Staff to maintain, analyze and retrieve statistical data for special reports and to establish a more technical and analytical sense of the status of affirmative action within each state agency. The Liaison Unit also conducted its second Affirmative Action/Equal Employment Opportunity conference for state EEO Officers. The conference was a joint effort between the Liaison Unit and the Staff Development and Training Unit. The theme was "Affirmative Action: Maintaining the Spirit." The conference dealt with the following topics: adverse impact analysis, investigation techniques, conflict resolution, diversity in the workplace, and substance abuse under ADA. Also there was an EEO roundtable discussion that addressed current affirmative action issues.

The Liaison Unit also provided a special training seminar for EEO Officers newly appointed to their positions. Training included details on how to prepare an affirmative action plan and other reporting requirements.

The Liaison Unit insured that layoff plans were accurately calculated by reviewing and approving the accuracy of adverse impact analyses before layoffs were approved by Central Management Services.

The Liaison Unit monitored the progress and performance of all state agencies in meeting their affirmative action goals during FY'95. During the year, profiles were prepared and sent to all state agencies



informing them of their progress. The unit identified agencies that failed to meet their affirmative action goals. Public Act 86-1411 requires that these agencies establish training programs in cooperation with Central Management Services to assist each agency in meeting the goals indicated in their affirmative action plans. This fiscal year the following agencies were directed to establish a training program: Capital Development Board, Department of Children and Family Services; Department of Conservation; Department of Corrections; Department of Mental Health and Developmental Disabilities and Department of Veterans

Affairs. When necessary, the agency will be monitored on a monthly reporting basis and the Director of DHR may convene a meeting between the agency Director and Governor's Office. When the Department determines reasonable affirmative action efforts have not been demonstrated and/or evidence over a two year period indicates a lack of good faith effort, compliance reviews will be conducted.

The Liaison Unit provides technical assistance on an on-going basis and meets with each agency quarterly to monitor their affirmative action activities.

## FY'95 AFFIRMATIVE ACTION ACTIVITY BY AGENCY

	Affirmative Action Plan Approved	Layoffs Occurred During FY'95	Late Notice	Establish Training
<b><u>Departments and Commissions</u></b>				
1. Abandoned Mined Lands Reclamation Council	x			
2. Aging	x			
3. Agriculture	x			
4. Alcoholism Substance Abuse	x			
5. Arts Council				
6. Attorney General				
7. Banks & Trust, Commissioner	x			
8. Capital Development Board		x		
9. Central Management Services				
10. Children & Family Services		x		
11. Civil Service Commission				
12. Commerce & Community Affairs				
13. Commerce Commission	x			
14. Comptroller				
15. Conservation		x		
16. Corrections	x	x		
17. Criminal Justice Information Authority	x	x		
18. Development Finance Authority	x			
19. Education, State Board of	x			
20. Educational Labor Relations Board	x			
21. Elections, State Board of	x			
22. Emergency Management Agency	x			
23. Employment Security	x	x		
24. Energy & Natural Resources	x			
25. Environmental Protection Agency	x	x		
26. Financial Institutions	x			
27. Governor, Office of the	x			
28. Governor's Planning Council on Developmental Disabilities	x			
29. Governor's Purchased Care Review Board	x			
30. Guardianship & Advocacy Comm.	x			

	<b>Affirmative Action Plan Approved</b>	<b>Layoffs Occurred During FY'95</b>	<b>Late Notice</b>	<b>Establish Training</b>
<b><u>Departments and Commissions</u></b>				
31. Health Care Cost Containment Council	x			
32. Higher Education, Board of	x			
33. Historic Preservation Agency	x			
34. Housing Development Authority	x			
35. Human Rights Commission	x	x		
36. Human Rights, Department of	x			
37. Industrial Commission	x			
38. Insurance, Department of	x			
39. Investment, State Board of	x			
40. Law Enforcement Training and Standard Board	x			
41. Labor, Department of	x	x		
42. Labor Relations Board	x			
43. Lieutenant Governor	x			
44. Liquor Control Commission	x			
45. Law Enforcement Standard Board	x			
46. Lottery	x	x		
47. Medical Center Commission	x			
48. Mental Health & Developmental Disabilities	x		x	x
49. Military Affairs	x	x		
50. Mines & Minerals	x	x		
51. Nuclear Safety	x			
52. Pollution Control Board	x			
53. Prairie State 2000 Authority	x			
54. Prisoner Review Board	x			
55. Professional Regulations	x			
56. Property Tax Appeal Board	x			
57. Public Aid	x			
58. Public Health	x			
59. Racing Board	x			
60. Rehabilitation Services	x			
61. Revenue	x			
62. Savings & Residential Finance	x		x	
63. Secretary of State	x	x		
64. State Fire Marshal	x	x		
65. State Police	x	x		

<b>Affirmative Action Plan Approved</b>	<b>Layoffs Occurred During FY'95</b>	<b>Late Notice</b>	<b>Establish Training</b>
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**Departments and Commissions**

66. State Police Merit Board	x
67. State Retirement Systems	x
68. Student Assistant Commission	x
69. Teachers Retirement	x
70. Toll Highway Authority	x
71. Transportation	x
73. Treasurer's Office	x

**Definitions**

**Affirmative Action Plan Approved** - Agency Affirmative Action Plan found to be in compliance with the Illinois Department of Human Rights Rules and Regulations, for content and format. Formal approval letter was sent to state agency.

**Layoff** - Agencies experienced reduction in work force.

**Late Notice** - Agency failed to comply with

the Illinois Department of Human Rights Rules and Regulations by not submitting Affirmative Action Plan in a timely manner.

**Establish Training** - Agency found deficient in meeting its Affirmative Action goals and must establish a training program to assist in meeting the goals indicated in each agency Affirmative Action Plan according to Public Act 86-141 1.