

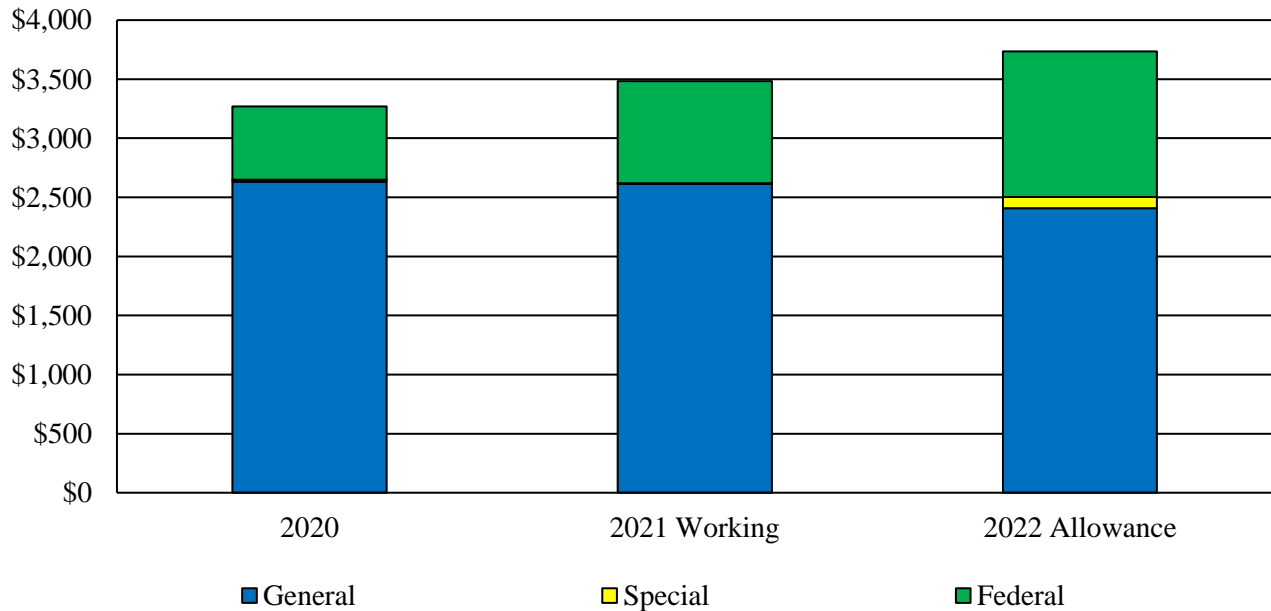
D27L00
Maryland Commission on Civil Rights

Program Description

The Maryland Commission on Civil Rights (MCCR) works to prevent discrimination and ensure equal opportunity in the areas of employment, housing, and public accommodation. MCCR works to resolve allegations of discrimination in these areas through investigation, mediation, and litigation and to promote and improve civil rights across Maryland through education and outreach on a variety of training topics. MCCR maintains work-sharing agreements and contracts with the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD) to supplement its efforts related to employment and fair housing. In addition, MCCR enforces the State’s Commercial Nondiscrimination Policy.

Operating Budget Summary

Fiscal 2022 Budget Increases \$251,000, or 7.2%, to \$3.7 Million
(\$ in Thousands)



Note: Numbers may not sum due to rounding. The fiscal 2021 appropriation includes deficiencies, planned reversions, and general salary increases. The fiscal 2022 allowance includes contingent reductions and annualization of general salary increases.

- Federal funding increases in the fiscal 2022 allowance, allowing for the shifting of some personnel costs from general to available federal funds.

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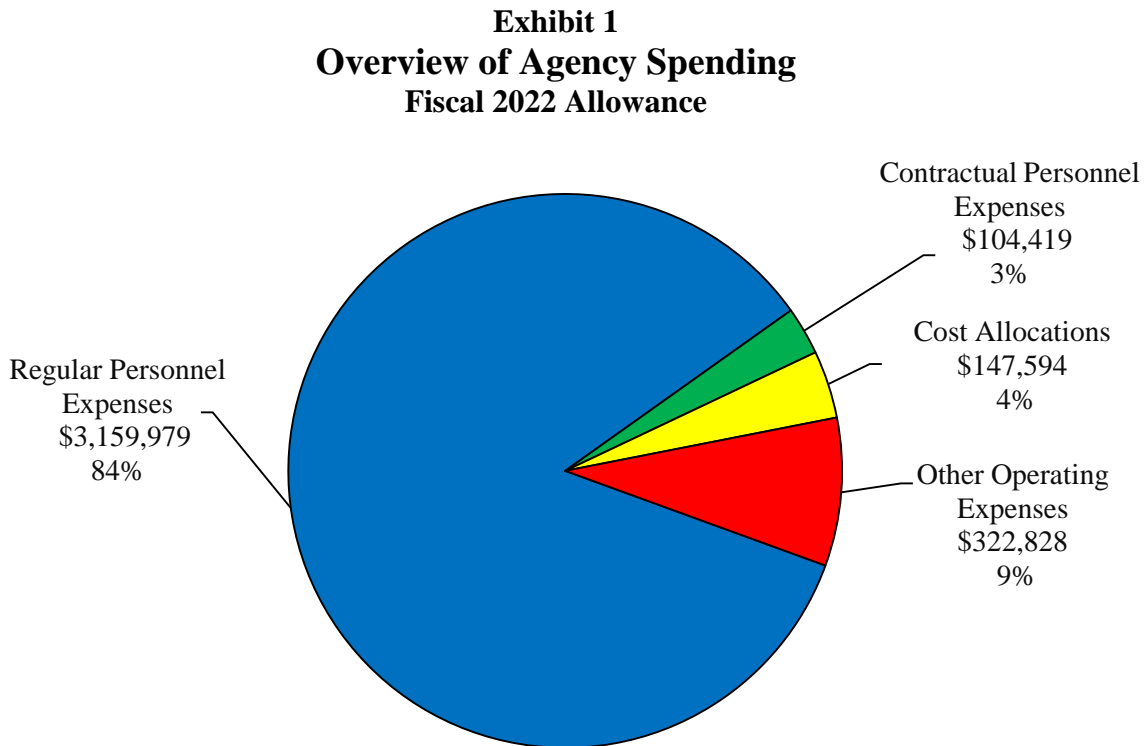
Fiscal 2021

Cost Containment

At its July 1, 2020 meeting, the Board of Public Works approved a one-time reduction of \$168,367 in general funds in the MCCR fiscal 2021 budget due to a shift of funding for 2 positions and miscellaneous operating expenses from general to available federal funds.

Fiscal 2022 Overview of Agency Spending

The total adjusted fiscal 2022 allowance for MCCR is \$3,735,000. As shown in **Exhibit 1**, the majority of the agency’s budget consists of personnel costs. Regular personnel expenses make up 84%, or \$3,159,979, of the budget, and contractual personnel expenses make up an additional 3%, or \$104,419. The remaining 13% of the budget, \$470,422, consists of the agency’s operating expenses. The largest share of these include cost allocations, which total \$147,594; fixed charges, including rent paid to the Department of General Services, which total \$96,897; and other operating expenses including supplies, equipment, and contracts for a variety of services, which total \$225,931.



Note: The fiscal 2022 allowance includes annualization of general salary increases.

Source: Governor’s Proposed Budget

Proposed Budget Change

As shown in **Exhibit 2**, the adjusted fiscal 2022 allowance increases by \$251,000, or 7.2%, from the adjusted fiscal 2021 working appropriation. The largest increase is to regular personnel expenses, which grow by \$230,482. This increase is in part due to the contractual conversions of 2 positions. As a result, contractual personnel expenses decrease by \$85,614. Operating expenses remain mostly stable, with the largest change being an increase of \$90,000 in special funds for anticipated revenue used to pay for expenses for MCCR’s biennial civil rights gala, which is planned for fiscal 2022.

Exhibit 2
Proposed Budget
Maryland Commission on Civil Rights
(\$ in Thousands)

How Much It Grows:	General <u>Fund</u>	Special <u>Fund</u>	Federal <u>Fund</u>	<u>Total</u>
Fiscal 2020 Actual	\$2,632	\$16	\$622	\$3,270
Fiscal 2021 Working Appropriation	2,614	5	865	3,484
Fiscal 2022 Allowance	<u>2,409</u>	<u>95</u>	<u>1,231</u>	<u>3,735</u>
Fiscal 2021-2022 Amount Change	-\$205	\$90	\$365	\$251
Fiscal 2021-2022 Percent Change	-7.8%	1800.0%	42.2%	7.2%

Where It Goes:

Personnel Expenses

Reclassification	\$169
Regular salaries	84
Fiscal 2022 costs of January 1, 2021 2% general salary increase	28
Employee retirement contributions	14
Other fringe benefit adjustments	6
Workers’ compensation premium assessment	-70

Other Changes

Special funding costs for biennial civil rights gala	90
Other	16
Contractual personnel	-86
Total	\$251

Note: Numbers may not sum to total due to rounding.

Personnel Data

	<u>FY 20</u> <u>Actual</u>	<u>FY 21</u> <u>Working</u>	<u>FY 22</u> <u>Allowance</u>	<u>FY 21-22</u> <u>Change</u>
Regular Positions	31.00	31.00	33.00	2.00
Contractual FTEs	<u>2.00</u>	<u>3.00</u>	<u>1.00</u>	<u>-2.00</u>
Total Personnel	33.00	34.00	34.00	0.00

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	0.65	2.10%
Positions and Percentage Vacant as of 12/31/20	3	9.70%
Vacancies Above Turnover	2.35	

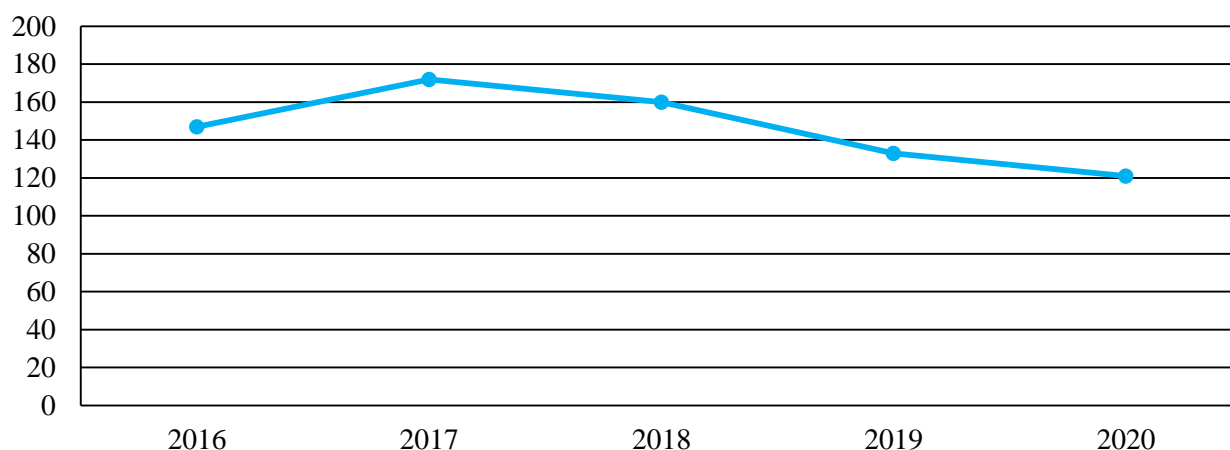
- The fiscal 2022 allowance includes the conversion of 2 contractual positions – a paralegal and a civil rights officer.

Key Observations

1. Education and Outreach Activities Presented by MCCR

MCCR’s Education and Outreach Unit is responsible for creating and providing educational programming, materials, and resources for businesses, State and local government, nonprofits, and community organizations that further the commission’s mission. **Exhibit 3** shows the total number of activities held by the commission each year. In fiscal 2020, 121 education and outreach activities were held. Totals have been declining each year since fiscal 2017, in part due to staffing limitations, the consolidation of mandated statewide sexual harassment trainings, and the addition of larger trainings that are more intensive and time consuming but result in less overall contacts. MCCR’s educational and outreach events were also impacted in fiscal 2020 by the COVID-19 pandemic, with some cancellations occurring as events were transitioned to being conducted virtually.

Exhibit 3
Education and Outreach Activities
Fiscal 2016-2020



Source: Maryland Commission on Civil Rights

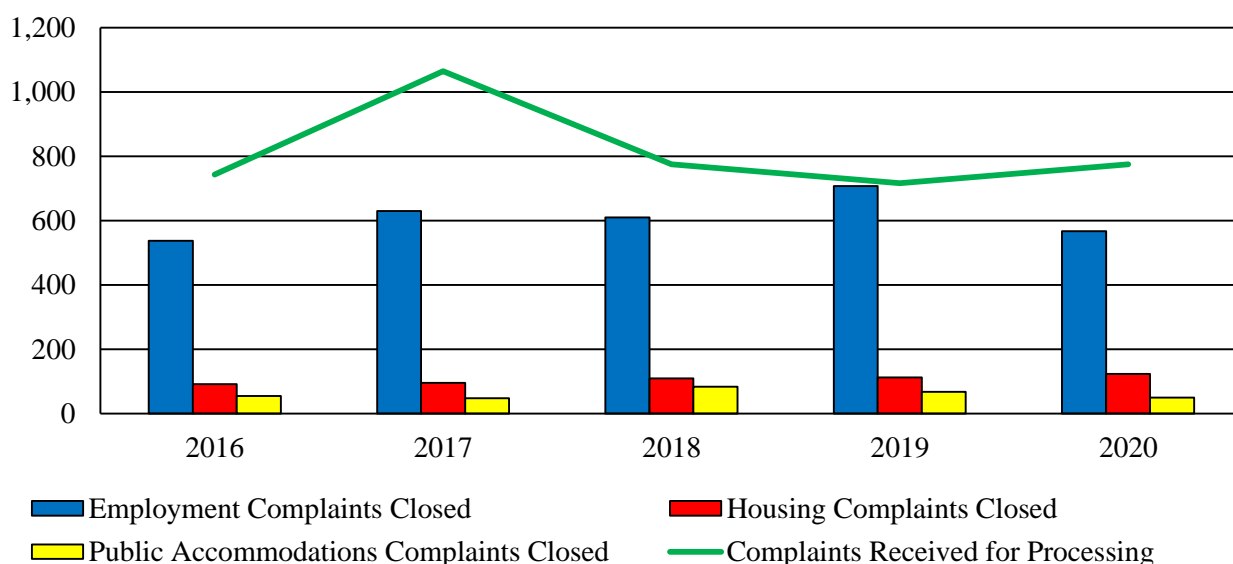
2. Complaints Received and Closed by MCCR

MCCR’s Case Processing Department is responsible for intake and investigative services for complaints of discrimination, harassment, and retaliation that are filed by anyone who feels they have been treated unfairly because of a protected class in the areas of employment, housing, or public accommodation. MCCR receives complaints directly and, when appropriate, also processes complaints

for EEOC and HUD through work-sharing agreements with both entities. To file a complaint, the complainant must provide a written and signed complaint within 180 days of the alleged incident in cases regarding employment or public accommodation and within one year for incidents regarding discrimination in housing practices.

Exhibit 4 shows the total number of complaints received for processing each year as well as the number of complaints closed by category. Employment complaints make up the largest share, at approximately three-quarters of all complaints closed in fiscal 2020. MCCR received a total of 775 complaints for processing in fiscal 2020 and closed 567 employment complaints, 123 housing complaints, and 50 public accommodation complaints. The total number of complaints received for processing increased during fiscal 2020 following declines in the previous two fiscal years and can fluctuate from year to year. The number of complaints closed has also fluctuated in prior years based on staffing and work-sharing agreements with EEOC and HUD but declined overall during fiscal 2020. Closure of employment complaints declined by nearly 20% as a result of staffing constraints and changes to the number of cases eligible for reimbursement through the agency’s contract with EEOC. Closure of housing cases increased slightly as those cases were prioritized due to their higher rate of reimbursement from HUD. Closure of public accommodations cases also declined slightly in fiscal 2020.

Exhibit 4
Complaints Received and Closed by Type
Fiscal 2016-2020

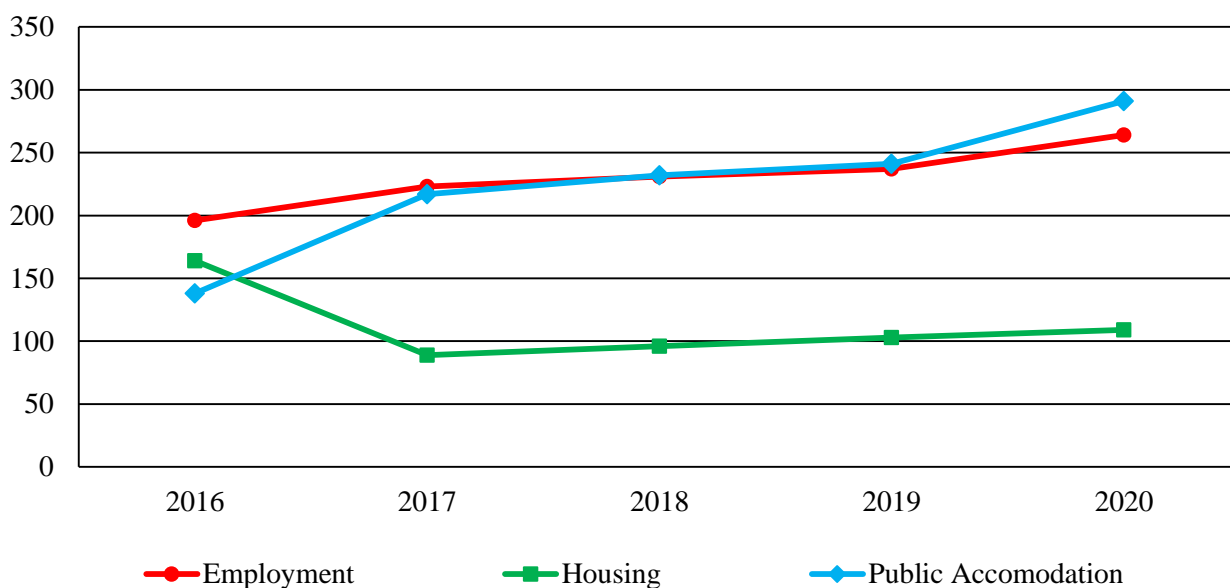


Source: Maryland Commission on Civil Rights

3. Average Number of Days to Process a Case

Exhibit 5 shows the average number of days to process a case by complaint type. Case processing times increased in each category during fiscal 2020 due to the impacts of increased numbers of cases received for processing and rising investigator caseloads. In fiscal 2020, case processing times averaged 264 days for completion for employment cases, 109 days for housing cases, and 291 days for public accommodations cases. Overall, housing complaints average the shortest amount of time to completion, as HUD has set a 100-day timeframe for full reimbursement for these cases. There are no set time limits for employment or public accommodations cases.

Exhibit 5
Average Days to Process a Case
Fiscal 2016-2020



Source: Maryland Commission on Civil Rights

Although the commission continues to meet its obligations for its federal partnerships, staffing constraints have negatively impacted case completion times. MCCR currently reports a total inventory of approximately 850 pending and open cases, and in an attempt to limit investigator caseloads to a manageable size, the agency is currently holding some cases in reserve and not immediately assigning new cases to investigators until an appropriate maximum workable caseload per investigator is determined. This increased time before cases are assigned into investigation is factored into overall average case processing times, causing additional increases.

Operating Budget Recommended Actions

1. Adopt the following narrative:

Pending and Open Cases: The committees request a status update on the total inventory of pending and open cases that have been received for processing by the Maryland Commission on Civil Rights (MCCR), as well as the status of current investigator caseloads and case processing times. The report should include the current total number of open and pending cases, the number of cases that have been unresolved for more than one year, the number awaiting assignment, the current caseload per investigator, as well as the estimated timeframe for assigning remaining outstanding cases to investigators.

Information Request	Author	Due Date
Status update on pending and open cases	MCCR	September 1, 2021

**Appendix 1
Object/Fund Difference Report
Maryland Commission on Civil Rights**

<u>Object/Fund</u>	<u>FY 20 Actual</u>	<u>FY 21 Working Appropriation</u>	<u>FY 22 Allowance</u>	<u>FY 21 - FY 22 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	31.00	31.00	33.00	2.00	6.5%
02 Contractual	4.00	3.00	1.00	-2.00	-66.7%
Total Positions	35.00	34.00	34.00	0.00	0%
Objects					
01 Salaries and Wages	\$ 2,794,842	\$ 2,904,271	\$ 3,107,044	\$ 202,773	7.0%
02 Technical and Special Fees	67,511	190,033	104,419	-85,614	-45.1%
03 Communication	31,451	19,717	22,217	2,500	12.7%
04 Travel	19,966	41,000	43,500	2,500	6.1%
07 Motor Vehicles	2,644	2,200	4,200	2,000	90.9%
08 Contractual Services	237,498	196,689	284,877	88,188	44.8%
09 Supplies and Materials	12,437	8,423	15,231	6,808	80.8%
10 Equipment – Replacement	2,672	2,500	2,500	0	0%
11 Equipment – Additional	5,828	0	1,000	1,000	N/A
13 Fixed Charges	94,922	93,897	96,897	3,000	3.2%
Total Objects	\$ 3,269,771	\$ 3,458,730	\$ 3,681,885	\$ 223,155	6.5%
Funds					
01 General Fund	\$ 2,632,008	\$ 2,592,578	\$ 2,372,495	-\$ 220,083	-8.5%
03 Special Fund	15,701	5,000	95,000	90,000	1800.0%
05 Federal Fund	622,062	861,152	1,214,390	353,238	41.0%
Total Funds	\$ 3,269,771	\$ 3,458,730	\$ 3,681,885	\$ 223,155	6.5%

Note: The fiscal 2021 appropriation does not include deficiencies, targeted revenues, general salary increases or across-the-board reductions. The fiscal 2022 allowance does not include contingent reductions or annualization of general salary increases.