

Agency Strategic Plan

Human Rights Council (170)

3/13/2014 11:01 am

Biennium: 2008-10 ▼

Mission and Vision

Mission Statement

The mission of the Human Rights Council (HRC) is to promote and preserve the human rights of individuals in the Commonwealth by raising the awareness of human rights, accepting complaints, and providing conflict resolution and mediation for the resolution of complaints.

Vision Statement

We envision HRC as a nationally recognized equal employment opportunity and customer services agency that promotes fairness and equity when resolving complaints; is highly regarded for producing outstanding educational and outreach opportunities that prevent discrimination; uses strategic planning and technical training to provide the highest quality investigations and the protection of procedural and substantive due process rights; is trusted to exhibit the highest standard of competency in all aspects of its work and relationships; empowers and treats employees with fairness and respect creating a workplace that is customer driven and employee focused.

Executive Progress Report

Service Performance and Productivity

- *Summary of current service performance*

HRC measures its service performance through performance measures and reporting requirements tied to goals and objectives.

HRC's first goal is to administer and enforce the Human Rights Act thoroughly, impartially, and in a timely manner.

~ The agency's first objective under this goal is to eliminate a backlog of cases that are in the intake and investigatory stages. CHR measures this activity based on the number of complaints received and processed for intake within 45 days of receipt. A backlog is determined during the investigative stage if a case is two years old from the date it was accepted. In 2006, the Council received a total of 287 complaints for review. In 2005, the Council received a total of 287 cases to process. This number of complaints received decreased by 87.5 percent. The current service performance level dictates that a complaint should be accepted, referred, or administratively closed within 45 days.

~ The second objective is to process cases for investigation within one year of acceptance. CHR's ideal closure rate is to investigate a case within six months. In order to maintain the current federal contract and increase the number of federal cases that are closed, the Council works to close four federal cases per month.

- *Summary of current productivity*

The number of cases that HRC receives and processes continues to increase. HRC has increased its services by providing mediations, training, public forums, and on-site investigations to a larger number of customers during the past two years. The number of citizens and businesses that have called HRC requesting assistance has also increased during the past two years. HRC has continued to add services to its outreach program to include internship programs. The Council serves any resident or group within the Commonwealth that needs assistance regarding discrimination.

~ The agency continues to provide services using alternative methods to provide these services. Having an investigative staff of 1.5 makes it challenging for HRC to meet its goals and objectives. 1.5 investigators jeopardizes the federal contract by limiting the amount of federally generated revenue HRC can recoup from investigating federal cases.

~ In the future, HRC will continue to utilize its college internship program. This program brings 3rd and 4th year college students in to assist with the processing of cases. Additionally, HRC will continue to identify partnerships that will provide staff with training, additional resources, and information about best practices.

Initiatives, Rankings and Customer Trends

- *Summary of Major Initiatives and Related Progress*

The 2006 Board Retreat was successful. The Retreat provided members of the Council an opportunity to plan strategic initiatives and goals as a body for the years of 2006 - 2007. Additionally, it also provided members to plan long range goals that the Board wanted to accomplish. The Council in conjunction with Equal Employment Opportunity Commission (EEOC) participated in the Feria de la Oportunidad (A Day of Opportunity * Something for Everyone) which was sponsored by the Virginia Hispanic Chamber of Commerce. This outreach effort supported EEOC's national

chairman's vision of creating partnerships for the purpose of eliminating discrimination. CHR will continue to build upon the partnerships that were created as a result of this forum

- *Summary of Virginia's Ranking*

N/A

- *Summary of Customer Trends and Coverage*

The Council is the only state agency that offers mediation and conciliation services to citizens that file employment complaints against private sector employers within the Commonwealth. CHR's mediation program is a voluntary program which began in 1995. Since its inception, eighty-five percent of the cases that have been mediated have been resolved. The mediation process has become a valuable tool used throughout the country to decrease the amount of time that it takes to investigate a case. CHR will continue to encourage complainants and respondents to take advantage of the mediation process.

The Council will provide an analysis of the impact that the aging of the population will have on our ability to deliver services and how we will respond to these changes.

Future Direction, Expectations, and Priorities

- *Summary of Future Direction and Expectations*

HRC will continue to identify best practices and utilize the strategies identified in these best practices to resolve complaints in a more efficient manner. HRC will contact similarly situated agencies for the purpose of obtaining information about their intake and investigation processes.

- *Summary of Potential Impediments to Achievement*

HRC has a limited staff and for this reason, will continue to utilize the Council's college internship program, as well as, the City of Richmond's and Friends Association for Children Youth Workforce program to meet the goals established by the agency.

Service Area List

Service Number	Title
170 704 14	Compliance and Enforcement

Agency Background Information

Statutory Authority

The Virginia Council on Human Rights Act Chapter 39 empowers the Council to receive and investigate complaints of unlawful discriminatory practices based on race, religion, sex, age, national origin, sex, pregnancy, childbirth or related medical conditions in places of public accommodation, including educational institutions, and employment.

Customers

Customer Group	Customers served annually	Potential customers annually

Anticipated Changes To Agency Customer Base

The changing and increasingly complex nature of the employee/employer relationship - including the growing use of independent contractors, contingent work relationships, flexible work schedules and telecommuting arrangements - will have significant implications for HRC with respect to our enforcement activities and may pose new challenges to the successful implementation of the proactive strategies discussed in this Strategic Plan. We anticipate that HRC will receive an increase number of complaints from employees that fall under the scenarios outlined above.

The administration's focus on creating healthy Virginians means that citizens will live healthier, happier, and longer lives. For this reason, we anticipate a larger number of older workers seeking the services of HRC.

Partners

Partner	Description
The federal Equal Employment Opportunity Commission (EEOC)	The EEOC designated the Virginia Human Rights Council as a fair employment practices agency (FEPA) which allows the Council to contract federal cases with the EEOC. EEOC conducts a substantial weight review on each federal

employment case.

Products and Services

- *Description of the Agency's Products and/or Services:*
HRC investigates, mediates, conciliates and resolves discrimination complaints.
- *Factors Impacting Agency Products and/or Services:*
N/A
- *Anticipated Changes in Products or Services:*
N/A

Finance

- *Financial Overview:*
HRC's funding comes from general funds (92%) and federal funds (8%).
- *Financial Breakdown:*

	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$463,125	\$0	\$440,715	\$0
Change To Base	\$0	\$26,200	\$0	\$25,808
Agency Total	\$463,125	\$26,200	\$440,715	\$25,808

This financial summary is computed from information entered in the service area plans.

Human Resources

- *Overview*
As of July 1, 2010, the Virginia Human Rights Council has an authorized level of four. The office is located in Richmond. HRC uses role codes with three employees falling in the Human Resource Manager I category. Staff members work primarily within the office, but occasionally, if the need arises, telecommute.
- *Human Resource Levels*

Effective Date	7/15/2010
Total Authorized Position level	5
Vacant Positions	0
Current Employment Level	5.0
Non-Classified (Filled)	0
Full-Time Classified (Filled)	5
Part-Time Classified (Filled)	0
Faculty (Filled)	0
Wage	0
Contract Employees	0
Total Human Resource Level	5.0

breakout of Current Employment Level

= Current Employment Level + Wage and Contract Employees

- *Factors Impacting HR*
HRC continues to experience human resource challenges.
- *Anticipated HR Changes*
N/A

Information Technology

- *Current Operational IT Investments:*
CHR's staff members have the necessary IT equipment to meet the agency's goals and objectives.

- *Factors Impacting the Current IT:*
Budget constraints.
- *Proposed IT Solutions:*
N/A
- *Current IT Services:*

Estimated Ongoing Operations and Maintenance Costs for Existing IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Projected Service Fees	\$10,023	\$1,318	\$10,174	\$1,338
Changes (+/-) to VITA Infrastructure	\$0	\$0	\$0	\$0
Estimated VITA Infrastructure	\$10,023	\$1,318	\$10,174	\$1,338
Specialized Infrastructure	\$0	\$0	\$0	\$0
Agency IT Staff	\$0	\$0	\$0	\$0
Non-agency IT Staff	\$0	\$0	\$0	\$0
Other Application Costs	\$0	\$0	\$0	\$0
Agency IT Current Services	\$10,023	\$1,318	\$10,174	\$1,338

Comments:

[Nothing entered]

- *Proposed IT Investments*

Estimated Costs for Projects and New IT Investments

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Major IT Projects	\$0	\$0	\$0	\$0
Non-major IT Projects	\$0	\$0	\$0	\$0
Agency-level IT Projects	\$0	\$0	\$0	\$0
Major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Non-major Stand Alone IT Procurements	\$0	\$0	\$0	\$0
Total Proposed IT Investments	\$0	\$0	\$0	\$0

- *Projected Total IT Budget*

	Cost - Year 1		Cost - Year 2	
	General Fund	Non-general Fund	General Fund	Non-general Fund
Current IT Services	\$10,023	\$1,318	\$10,174	\$1,338
Proposed IT Investments	\$0	\$0	\$0	\$0
Total	\$10,023	\$1,318	\$10,174	\$1,338

[Appendix A](#) - Agency's information technology investment detail maintained in VITA's ProSight system.

Capital

- *Current State of Capital Investments:*
N/A
- *Factors Impacting Capital Investments:*
N/A
- *Capital Investments Alignment:*
N/A

Agency Goals

Goal 1

Proactive Prevention

Goal Summary and Alignment

The best way to combat discrimination in the Commonwealth is to prevent it from happening in the first place. We will work to proactively prevent discrimination by providing information and solutions to members of the public that will help them identify and solve problems before they escalate. We will seek to obtain best practices and reports that encourage learning and understanding among employers and employees. We will also introduce new and enhance our existing outreach activities, such as: the brown bag lunch series, human rights day forum, information dissemination through public radio and television, and strengthening our partnerships and strategic alliances to strengthen efforts and build support. We will work to promote healthy workplace practices and provide information to managers in an effort to find the "cure" for discrimination.

Goal Alignment to Statewide Goals

- Engage and inform citizens to ensure we serve their interests.

Goal 2

Proficient Resolution

Goal Summary and Alignment

Providing quality services that are fair, prompt, and cost effective, is vital to the HRC's mission. We will ensure that our work is consistent, accurate and timely. The CHR will evaluate and improve every stage of HRC's charge processes and will collaborate with federal and other state agencies in our effort to make the state complaint process more efficient. HRC will also introduce new performance techniques to streamline procedures, while enhancing the integrity of our processes.

Goal Alignment to Statewide Goals

- Engage and inform citizens to ensure we serve their interests.

Goal 3

Promote and Expand Mediation/Alternative Dispute Resolution

Goal Summary and Alignment

Promoting and expanding mediation/alternative dispute resolution (ADR) is a major focus for HRC. Our mediation/ADR program has demonstrated that disputes can be settled timely, amicably and cost-effectively through ADR techniques. We will continue to review the pool of private sector charges eligible for mediation and offer mediation at various stages of the private sector charge process. HRC will also expand the use of ADR in our program by continuing to explore new and different ADR methods and identifying ADR methods that prove more efficient and cost effective.

Goal Alignment to Statewide Goals

- Engage and inform citizens to ensure we serve their interests.

Goal 4

HRC as a Model Workplace

Goal Summary and Alignment

The administration's focus on efficiency and effectiveness provides the roadmap for HRC's goal of establishing HRC as a model worksite. The implementation of the agency's strategic plan and other administration and agency initiatives will help build a model workplace where we can effectively and efficiently accomplish our goals in an environment conducive to good employment practices. The very principles and standards we promote to employers should be apparent in our own operations. To achieve our goals, we will build an organization committed to providing opportunities for HRC employees to grow professionally. We will accomplish this through occupational and leadership development, performance management programs, the use of enabling technologies and a flexible, adaptable work environment that is conducive to teamwork. We will build a model workplace with programs and practices worthy of emulation.

Goal Alignment to Statewide Goals

- Be recognized as the best-managed state in the nation.

Goal 5

Strengthen the Culture of Preparedness

Goal Summary and Alignment

We will strengthen the culture of preparedness across state agencies, their employees and customers. This goal ensures compliance with federal and state regulations, policies and procedures for Commonwealth preparedness, in collaboration with the Governor's Cabinet, the Commonwealth Preparedness Working Group, the Department of Planning and Budget and the Council on Virginia's Future. The goal supports achievement of the Commonwealth's statewide goal of protecting the public's safety and security, ensuring a fair and effective system of justice and providing a prepared response to emergencies and disasters of all kinds.

Goal Objectives

- We will strengthen the culture of preparedness across state agencies, their employees and customers.

Objective Strategies

- We will be prepared to act in the interest of the citizens of the Commonwealth and its infrastructure during emergency situations by actively planning and training both as an agency and as individuals.

Link to State Strategy

- nothing linked

Objective Measures

- Strengthen the culture of preparedness.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 2007 COOP Assessment Results (% out of 100)

Measure Target Value: Date:

Measure Target Description: Minimum of 75% or, if at 75%, increase the average by 5% each year b7 07/01/2010.

Data Source and Calculation: The COOP Assessment Review is a 24 component assessment tool that helps measure the viability of a COOP plan.

- We will ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.

Link to State Strategy

- nothing linked

Objective Measures

- Ensure resources are managed efficiently and effectively.

Measure Class: Other Measure Type: Outcome Measure Frequency: Quarterly Preferred Trend: Maintain Measure Baseline Value:

100 Date: 7/1/2007 Measure Baseline Description: The 2007 score of HRC.

Measure Target Value: 100 Date: 7/1/2010

Measure Target Description: 100 percent by 07/01/2010

Data Source and Calculation: The Management Scorecard grades agencies on six criteria. Take the number of cases where HRC scored "Meets Expectations" and divide by six.

Goal 6

Managing resources efficiently and effectively

Goal Summary and Alignment

The Council will ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.

Service Area Strategic Plan

Human Rights Council (170)

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Biennium: 2008-10 ▼

Service Area 1 of 1

Compliance and Enforcement (170 704 14)

Description

Implement and enforce the Virginia Human Rights Act, Chapter 39 that safeguards individuals in the Commonwealth from discrimination based on race, color, religion, sex, pregnancy, childbirth, and related medical conditions, age, national origin and disability.

HRC receives and investigates complaints, seeks resolution through conciliation, refers non-jurisdictional concerns to other agencies, holds hearings pursuant to the Virginia Administrative Process Act, and makes findings and recommendations based upon complaints alleging discrimination.

Compliance and enforcement are divided into three activities, intake, investigation, and mediation.

During the intake process, complaints are analyzed, and based on the analysis are either accepted for investigation or denied.

During the investigative process, witnesses are interviewed and affidavits are prepared. The respondent's position statement is analyzed; the complainant's rebuttal letter is prepared; and a thorough review is conducted to provide a "Reasonable Cause" or "No Reasonable Cause" determination. If a Reasonable Cause is issued on a case, conciliation is offered. If the conciliation fails, the case is sent to a Public Hearing.

Mediation allows the complainants and respondents to quickly resolve and settle the matter without going through a lengthy investigation.

The FEPA contract with the EEOC was formalized in 1994 through a work share agreement. As a result, the Council was designated as a Fair Employment Practices Agency (FEPA). This designation allows the Council to act as an agent of the EEOC and receive, dual filed, and investigate cases that fall within federal statutes.

The contract is executed through investigations, substantial weight reviews, outreach activities, contract modifications, annual training sessions, and with the aid of a federal data tracking system.

The investigation process is outlined above. The substantial weight review occurs when EEOC conducts a review of cases investigated to determine whether or not the investigation meets the contract requirements of a thorough case analysis provided by the agency and comparative data obtained from each case. The Integrated Mission System is maintained by the Council for the purpose of updating contract cases on EEOC's system and submitting monthly and quarterly reports. Outreach activities are conducted for the purpose of informing citizens about the partnership between HRC and EEOC. Each FEPA, in partnership with its EEOC District office is required to conduct at least two outreach initiatives during the contract year. Contract modification is the process by which HRC and EEOC determine whether an upward or downward modification to the contract is warranted. FEPAs are required to participate in annual training sessions where legal updates are taught and contract changes are discussed.

Background Information

Mission Alignment and Authority

- *Describe how this service supports the agency mission*
The service supports the agency's mission by receiving and investigating discrimination complaints and by providing conflict resolutions to the complaints filed on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, or disability in places of public accommodation, including educational institutions.

- *Describe the Statutory Authority of this Service*

I. Employment

The Virginia Human Rights Act, Chapter 39 empowers the Council to investigate complaints alleging discrimination employment by employers employing more than five employees.

Title VII of the Civil Rights Act of 1964 as amended states that the employer must have at least 15 employees and protects employees from disparate treatment on the basis of race, color, sex, national origin, and religion.

The Americans with Disabilities Act of 1990 (ADA) prohibits employers and other entities covered by the ADA from discriminating against a qualified person with a disability with regard to application, hiring, advancement, discharge, compensation, training, and benefits, and from the same retaliation as under Title VII.

II. Public accommodation

Title II of the Civil Rights Act of 1964 prohibits discrimination in public places such as restaurants, theaters, motels, and stadiums.

III. Education

Title IV of the Civil Rights Act of 1964, as amended.

Customers

Agency Customer Group	Customer	Customers served annually	Potential annual customers
	Citizens of the Commonwealth of Virginia	300	500
	Federal and State Agencies	300	500
	Federal, State, and Locally Elected Officials	25	140
	Local Human Rights Commissions	6	6
	Public Interest Groups and the General Public	500	500

Anticipated Changes To Agency Customer Base

The administration's focus on creating healthy Virginians means that citizens will live healthier, happier, and longer lives. For this reason, we anticipate a larger number of older workers seeking the services of CHR. The aging population may seek assistance from the Council if they feel that they have been discriminated against on the basis of their age. The agency will continue to receive and investigate unlawful discrimination complaints on the basis of age.

The Human Rights Council designated Timothy Wilson as the employee to review the agency's policies and program decisions impact on senior citizens and adults with disabilities. Mr. Wilson will also serve as the liaison for the Virginia Department for the Aging.

Partners

Partner	Description
Equal Employment Opportunity Commission (EEOC)	The EEOC is the federal agency that is charged with investigating complaints against employers employing more than 15 employees. The EEOC entered into a workshare agreement with the Council in March of 1994. Training, quarterly meetings, legal updates, legal assistance, are some of the benefits gained from the partnership.
The Virginia Association of Human Rights Agencies (VAHR)	VAHRC is an association of the various human rights commissions, councils, and agencies within Virginia and the employees of state and local Virginia agencies involved in the administration and enforcement of human rights laws. The Commissions within the Association provide invaluable support to CHR by investigating cases that fall within their jurisdiction that are referred to them. The Council's staff members participate in outreach and training that is provided through the Association.

Products and Services

- *Factors Impacting the Products and/or Services:*
[Nothing entered]
- *Anticipated Changes to the Products and/or Services*
[Nothing entered]
- *Listing of Products and/or Services*
 - Customer Assistance The Council assists people who live and work in Virginia and any individual who is involved in causes of action originating in Virginia. The Council serves citizens by answering telephone inquiries, accepting and processing complaints, referring citizens to appropriate services, investigating complaints and mediating and conciliating cases. Technical Assistance The Council provides technical assistance by helping to create and organize local human rights commissions. The Council serves as a liaison to local human rights commissions

during the General Assembly session and tracks relevant legislation that has the potential to impact equal employment opportunities in Virginia. Outreach The agency serves public interest groups and the general public by making presentations and participating in local community discussions regarding discrimination.

Finance

- *Financial Overview*
CHR's funding comes from general funds (92%) and federal funds (8%).
- *Financial Breakdown*

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- *Human Resources Overview*
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- *Human Resource Levels*

Effective Date	7/1/2010	
Total Authorized Position level	5	
Vacant Positions	0	
Current Employment Level	5.0	
Non-Classified (Filled)	0	<i>breakout of Current Employment Level</i>
Full-Time Classified (Filled)	6	
Part-Time Classified (Filled)	0	
Faculty (Filled)	0	
Wage	0	
Contract Employees	0	
Total Human Resource Level	5.0	<i>= Current Employment Level + Wage and Contract Employees</i>

- *Factors Impacting HR*
The Council now employs 1.5 investigators to carry out the mission of the agency throughout the entire Commonwealth. Virginia is a Fair Employment Practices Agency (FEPA) that has a contract with EEOC stipulating that it must close 47 federal cases within the federal fiscal year. CHR's contract with the federal government was upwardly modified last year. However, HRC ranks in the bottom tier of state FEPAs and has one of the smallest number of contracted cases in the nation.

CHR's one investigator's caseload has tremendously increased from a manageable caseload of about 60 to 100 cases. The Council would benefit from having two more staff investigators. Additional investigators result in more cases being investigated in an efficient manner resulting in additional federal funding for the agency. The Council will strive to continue producing the best product for the citizens of the Commonwealth with limited resources.

- *Anticipated HR Changes*
[Nothing entered]

Service Area Objectives

- Process timely, complaint questionnaire forms received in the office.

Objective Description

The Council will process complaints received from the public within 35 days of the time the complaint is filed in our office.

Link to State Strategy

- nothing linked

Objective Measures

- The number of days it takes to process complaints received from the public after the complaint is filed in our office.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 45

Measure Target Value: Date:

Measure Target Description: 35 days by 07/01/2010 The 35 day measure was instituted January 2008.

Data Source and Calculation: Average processing rate of 35 days or less. Compare the number of complaints processed within the 35 day window. Average processing rate was 60 days.

- Reduce the timeframe it takes to investigate a case.

Objective Description

The Council will investigate cases that are accepted within one year of acceptance. This reduces the timeframe it takes this office to investigate a case.

Link to State Strategy

- nothing linked

Objective Measures

- The timeframe it takes the office to investigate a case.

Measure Class: Measure Type: Measure Frequency: Preferred Trend:

Measure Baseline Value: Date:

Measure Baseline Description: 100 percent

Measure Target Value: Date:

Measure Target Description: 80 percent of cases closed in one year by 07/01/2010

Data Source and Calculation: Compare the date the case was assigned to an investigator to the date the investigator close the cases.