One of our partner organizations, the Multicultural Family Resource Center, celebrated its grand opening and expansion in September 2009. Visit them at www.mfcdbhq.org.

City of Dubuque
Human Rights Department

Annual Performance Report
July 1, 2009 – June 30, 2010

Mission Statement
The Human Rights Commission shall work to eliminate discrimination and promote the quality of life for every resident in the city of Dubuque.
November 8, 2010

Honorable Mayor and City Council:

It’s my pleasure to provide you with this year’s Human Rights Commission Annual Report.

In the work that we do, it is easy to lose hope and feel that progress has stagnated. Yet, each year as I put together this report, I am energized and often surprised by the things that we have been able to accomplish here in our community.

In order to move towards our ideal of living together peacefully in a diverse community, we know that we must work on several areas at once. First and foremost, we must accept the reality of conflict and be willing to engage that conflict in effective ways. Borrowing from William Ury’s book “Getting to Peace”, we need to: 1) have prevention efforts in place so that we are building bridges, teaching skills, and meeting unmet needs; 2) have a variety of options for resolving conflict that take into account conflicting interests, disputed rights, unequal power, and injured relationships; and 3) contain conflict by paying attention to injustices, setting limits, and offering protection. Obviously, the handful of staff people in a human rights office will never be able to accomplish these tasks – this must be a community-wide effort. Our role is to provide some degree of leadership and expertise, while keeping sight of the fact that in a democracy we must have the assistance, support, and diverse insights of the public. Everything we do succeeds or fails on this basis, and you will find in these pages a significant amount of work by tireless volunteers and supporters.

On the prevention side of things, part of our role is to help people work more effectively across cultural differences so that situations do not escalate to the point of illegal discrimination. We reached over 3,000 people this year with our educational efforts, slowly building understanding and skills. Our intercultural competence training team also trained over 600 City staff members on intercultural conflict styles, so they can begin to recognize and more effectively respond to cultural differences in handling conflict. The Human Rights Commissioners reached out to the public by conducting a fair housing forum in April and a roundtable discussion in recognition of the twentieth anniversary of the Americans with Disabilities Act in July. Our intercultural team also added signage in Spanish in City Hall and provided resources to staff to help them better communicate with those whose English proficiency is limited.

We also want to celebrate our partners who work to educate and meet needs. The Multicultural Family Center celebrated its grand opening this year, expanding its work to empower children and families. The International Speakers Bureau, an independent group of community volunteers associated with the Presentation Lantern Center, worked with 16
immigrant speakers and conducted thirteen outreach sessions to build understanding of the immigrant experience in Dubuque. Faces & voices, working through the Community Foundation of Greater Dubuque, sponsored a series of book discussions on racial reconciliation, bringing together black and white residents to discuss the challenges – and necessity – of truly understanding one another.

While education and understanding are important, it is equally critical that we create environments within our organizations and community that allow people to reach their potential. This means that we need to recognize how issues of power and interests and damaged relationships can cause conflict to escalate if we fail to develop ways for people of very different backgrounds to communicate effectively during conflict. In the coming year, we will be increasing our efforts in this regard, partly in response to the recommendations of a diverse group of residents involved in the Safe Community Task Force. The Task Force recognized the need for more prevention efforts around these issues, so that we might intervene effectively before things reach the point of needing legal enforcement.

On the enforcement side, we obtained our first settlement in a gender identity case following a finding of probable cause. We also had a sexual harassment case that resulted in a settlement of $150,000 and, at the time of this writing, we are finalizing a significant settlement in a housing case. While we recognize that those who were found to have violated the law disagree with our conclusions, we stand firm in our conviction that until people choose to resolve intercultural conflict effectively and create more inclusive institutions and systems, the legal limits need to exist and be enforced. At the same time, we know that our staff’s efforts at prevention and resolution will be more successful if we do not have the same staff members who are teaching and mediating also involved in making the enforcement decisions. Consequently, in the coming year we will begin allowing the Legal Department to make the enforcement decisions on cases so that our staff can expand our work on education, conflict engagement, and institutional change. We will remain, however, the first point of contact for human rights and equal opportunity issues, and we will stay engaged in mediation and conciliation efforts, as well as public hearings for those circumstances where there is probable cause to believe discrimination has occurred.

As always, thank you for your ongoing support.

Respectfully submitted

Kelly Larson
Human Rights Director
Agency Overview

The Dubuque Human Rights Department is located on the second floor of the City Hall Annex at 1300 Main, and is staffed by a Human Rights Director, Human Relations Specialist, and Intake Specialist. Staff members work in conjunction with the Dubuque Human Rights Commission, which consists of nine volunteer members serving 3-year terms at City Council appointment. In addition to making policy recommendations to the City Council, the Commission evaluates community needs and takes appropriate action to satisfy those needs. In addition to the Dubuque Human Rights Commission, our major partners include faces & voices, the League of Iowa Human Rights Agencies, the Iowa Civil Rights Commission, the Regional Executive Council on Civil Rights, and the U.S. Department of Housing and Urban Development.
**Mission: Why does the Human Rights Department exist?**

The Human Rights Department exists to enforce the local human rights law and to foster a safe, just, and inclusive community in which differences are recognized as valuable resources, the economic benefits of a diverse workforce are realized, and people are able to reach their full potential as contributing members of the community. The Department also assists in carrying out this mission with employees in the City organization itself.

**Guiding Principles: What values influence our operation?**

In deciding how best to fulfill our mission and statutory mandate, we are guided by our commitment to gathering input, creating partnerships, solving problems, and exercising compassion as we carry out our work.

- We believe that the best decisions are made by engaging and soliciting input from residents and employees representing a broad range of backgrounds, including groups whose needs are often overlooked and groups who are often in a position of power.
- We believe in empowering others, removing barriers to participation, and communicating in a way that fosters understanding across differences.
- We believe that flexibility, risk-taking, and the willingness to view problems and differences of opinion as an opportunity for improvement can lead to creative problem solving.
- We know the value of understanding various cultural approaches to communication and conflict, and strive to learn the skills necessary to adapt our approach so that we can more effectively solve problems.
- We recognize that good governance requires community effort, and we are committed to developing partnerships that reflect the variety of backgrounds and interests in the community that we serve.
- We understand that while the people we serve often have competing interests, they also have some common expectations of our Department: due process, fairness and equity, accurate information, timeliness, courtesy and accessibility of staff, effective communication, and thorough knowledge and performance of our duties.
- We strive to carry out our work with compassion and respect for the basic human dignity of all with whom we interact.

**Service and Performance Measures: What products and services do we deliver, and how can we measure their success?**

We exist to serve all residents of the City of Dubuque, including parties to complaints and stakeholder groups. The services that we provide fall within these four categories, as defined by City ordinance:

1. We mediate and determine the legal merits of discrimination complaints received by our office.

2. We engage in education and conflict management to promote civil and respectful behavior that will tend to prevent discrimination and reduce tensions between groups.

3. We cooperate with other groups in the community in programs and activities designed to prevent tensions between groups.

4. We study the existence and causes of conflict and inequality of opportunity and attempt to find resolutions.
These services are necessary to the City Council’s vision of an inclusive community with global connections, engaged residents, and livable neighborhoods.

The measures of our success in the following pages include a combination of output measures (case statistics, numbers of people trained, reports issued, numbers of meetings or educational sessions held), outcome measures (customer satisfaction surveys, training evaluations, case outcomes, increased equality of opportunity and cooperative work across groups) and progress reports on current department initiatives. These measures revolve around the goals and objectives discussed below, which are designed to meet our core service requirements.

**Goals and Objectives: Where is the Human Rights Department going and what must we do to get there?**

The Human Rights Department is working toward prevention of discrimination and conflict that arises between groups, while at the same time addressing discrimination and conflict that currently exists. The Department’s efforts include a combination of work within the community and work internally with the City organization.

In general, we work to prevent conflict by:

- Providing training on legal rights and responsibilities
- Building bridges through effective communication across cultures
- Building intercultural competence within the City organization as a way to lead by example
- Effectively using technology and the media to educate the public and raise awareness
- Developing partnerships in the community to identify and respond to unmet needs of traditionally marginalized groups

In general, we work to resolve and contain conflict by:

- Providing parties the choice to mediate and encouraging that option
- Equalizing power imbalances and healing injured relationships
- Maintaining a timely and effective enforcement process
- Maintaining an up-to-date understanding of the changing state of the law
- Identifying areas where additional efforts to further equality through enforcement are necessary

The following pages provide the details of our action plan and our performance during FY10.
FY10 Performance Results

Service Objective #1: Mediate and determine the legal merits of discrimination complaints received.

Goal: The Human Rights Department will have a timely and effective enforcement process.

<table>
<thead>
<tr>
<th>Performance Measures/Results</th>
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<tbody>
<tr>
<td>CASELOAD REPORT</td>
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During fiscal year 2010, 509 individuals contacted the office requesting assistance or information. Forty of those inquiries resulted in a formal case filing. Forty-one cases were processed and closed.

### 2010 Intake Summary

![Bar graph showing intake summary from 2006 to 2010]

### 2010 Cases Filed & Cases Closed

![Bar graph showing cases filed and closed from 2006 to 2010]

Cases Filed | Cases Closed
--- | ---
2006 | 606 | 47
2007 | 518 | 30
2008 | 585 | 38
2009 | 542 | 35
2010 | 469 | 40

- Resolved/Referred
- Formal Complaints
FY10 Performance Results

CASELOAD SUMMARY

The majority of the cases filed were in the area of employment. In fact, 77% of the 40 cases filed in FY10 were in the area of employment. The area of housing accounted for 10% of the total cases filed, and public accommodation 13%. This breakdown reveals that employment continues to comprise the largest share of the breakdown in past years, though we have seen some increase in public accommodation cases.

2010 Case Breakdown by Area

Sex and disability claims encompassed the greatest shares of the 40 cases filed in fiscal year 2010, followed by age, race, sexual orientation, gender identity, national origin, retaliation and familial status.

Breakdown by Bases

Cases filed in one area (i.e. employment) may have alleged discrimination on one or more bases (i.e. disability and age); therefore the total by bases may be greater than the number of cases by area.
## FY10 Performance Results

### CASELOAD STATISTICAL DATA

Breakdown of Cases into Area and Basis of Discrimination

<table>
<thead>
<tr>
<th>Area</th>
<th>FY2008</th>
<th>FY2009</th>
<th>FY2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment</td>
<td>21</td>
<td>22</td>
<td>31</td>
</tr>
<tr>
<td>Disability</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>Sex</td>
<td>4</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Race</td>
<td>8</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Age</td>
<td>4</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>National Origin</td>
<td>3</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Retaliation</td>
<td>2</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
</tbody>
</table>

| Public Accommodation   | 10     | 5      | 5      |
| Disability             | 8      | 1      | 1      |
| Sex                    | 0      | 0      | 0      |
| Race                   | 1      | 1      | 0      |
| Religion               | 1      | 0      | 0      |
| National Origin        | 0      | 0      | 0      |
| Gender Identity        | 0      | 3      | 3      |
| Sexual Orientation     | 0      | 0      | 1      |

| Housing                | 7      | 8      | 4      |
| Disability             | 1      | 3      | 0      |
| Sex                    | 0      | 1      | 2      |
| Race                   | 4      | 5      | 0      |
| Age                    | 0      | 1      | 0      |
| National Origin        | 1      | 0      | 0      |
| Familial Status        | 2      | 1      | 1      |
| Retaliation            | 0      | 0      | 1      |

**TOTAL CASES FILED**     **38**     **35**     **40**

*Cases filed in one area (i.e. employment) may have alleged discrimination on one or more bases (i.e. disability and age); therefore the total by bases may be greater than the number of cases by area.*
CASES CLOSED/RESOLVED

July 1, 2009 - June 30, 2010

Employment ........................................................................................................... 27
  Disability ............................................................................................................... 5
  Sex ......................................................................................................................... 7
  Race ....................................................................................................................... 4
  Age ......................................................................................................................... 3
  Retaliation ............................................................................................................. 0
  National Origin .................................................................................................... 4
  Gender Identity .................................................................................................... 2
  Sexual Orientation ............................................................................................... 2

Housing ................................................................................................................... 8
  Disability ............................................................................................................... 2
  Race ....................................................................................................................... 2
  Age ......................................................................................................................... 2
  Retaliation ............................................................................................................. 1
  Familial Status ..................................................................................................... 1

Public Accommodation ................................................................................... 6
  Sex ......................................................................................................................... 1
  Gender Identity .................................................................................................... 5

Total Cases Closed ............................................................................................ 41

Total monetary settlement awards: $183,166.00.
SAMPLE CASE DISPOSITIONS

- An administrative law judge issued a probable cause finding in an employment claim involving sex (pregnancy) discrimination. The Complainant, a 37 year old female, worked as a bartender at Respondent’s place of business. During a layoff she informed her employer that she was pregnant. Respondent later called nearly all of the bartenders back to work, except for Complainant and two others, despite Complainant's experience and exceptional performance reviews. The Respondent claimed Complaint was not called back because she had complained about a manager and had refused to perform certain job duties. Witness testimony revealed that many of the laid-off employees had expressed concerns about this same manager and were re-hired. In addition, the male manager was rehired despite a record of questionable management skills, including yelling, throwing items, and making sexual comments. The evidence gathered as a whole suggested that Complainant was held to a significantly different hiring standard than this male employee regarding workplace behavior. The parties conciliated the claim for $5,791 after a finding of probable cause.

- The Complainant, a 24 year old female, alleged that she had been subjected to sexual harassment by her supervisor, and then retaliated against after following Respondent’s formal complaint process and reporting the behavior to management. An investigation revealed that Complainant’s male supervisor made regular requests that she date him, made inappropriate sexual comments to her, and when she refused his advances he retaliated against her by threatening unwarranted write-ups, not giving her breaks, and not assisting her with patron alerts. The administrative law judge concluded probable cause as witness testimony and the evidence gathered showed that the supervisor used his position of authority over the Complainant in a way that affected the terms and conditions of her employment, and that the Respondent did not take Complainant’s concerns about sexual harassment seriously. This claim was conciliated for $150,000.00 prior to a public hearing.

- A transgendered male to female charged the Respondent with discrimination in the area of public accommodation based on gender identity when she was harassed and ordered to leave Respondent’s place of business upon exiting the women’s restroom. The Complainant was approached by another patron after exiting the women’s restroom, who told her she did not belong in the women’s restroom and was ordered to leave the premises. The administrative law judge rendered a finding of probable cause for discrimination. Parties agreed to settle for $3,750.00
Service Objective #2: Engage in education and conflict management to promote civil and respectful behavior that will tend to prevent discrimination and reduce tension between groups.

Goal: The Human Rights Department will have a comprehensive outreach and education plan to be used as a model.

Performance Measures/Results

This year, the Human Rights Department, with the help of dedicated Commissioners and volunteers, exceeded our goals for outreach and education. Our major accomplishments this year include:

- reaching 3,046 individuals through over 92 training and outreach sessions totaling 160 hours, with a specific emphasis on prevention;
• demonstrating high levels of customer satisfaction, on a scale of one to seven;

**Customer Evaluations**

<table>
<thead>
<tr>
<th>Service</th>
<th>Goal</th>
<th>Actual</th>
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<tbody>
<tr>
<td>Provide a better understanding</td>
<td>5.8</td>
<td>5.9</td>
</tr>
<tr>
<td>Will use information received</td>
<td>6.6</td>
<td>6.4</td>
</tr>
<tr>
<td>Trainer effective in making info understandable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Satisfied with overall quality of training</td>
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• reaching 70,459 people with pieces of advertising and media coverage;

• maintaining excellent front-line customer service, and quality record-keeping and logistical arrangements to keep the office running smoothly;

• educating all Section 8 rental assistance recipients on fair housing rights;

• creating a detailed annual report to keep the department accountable to the public and to raise awareness of the role and work of the department;
- opening the doors for dialogue through 40 Speakers' Bureau presentations highlighting individual experiences of race, sexual orientation, disability, or national origin in our community. These engagements were made possible through the work of Commissioners and additional community volunteers, including an independent partner group called The International Speakers Bureau (ISB). The ISB draws from a panel of 16 immigrant speakers, and has reached over 230 residents with group presentations and an educational video called Diverse Dubuque: A Focus on National Origin;

- creating the video Dubuque Dispute Resolution Center: A Sample Mediation to raise awareness of the benefits of mediation. The video runs regularly on CityChannel 8;

- making conscious efforts to personally discuss the value of mediation with complainants and respondents, as often as feasible;

- working towards prevention through "leading by example," with the city's inter-cultural competence initiative;

- making conscious efforts to devote time to strengthening one-on-one relationships with neighborhood and stakeholder leadership;

- conducting a commissioner-led ADA Roundtable, issuing a written report, and creating a video in celebration of the twentieth anniversary of the Americans with Disabilities Act;

- conducting a commissioner-led Fair Housing Forum for Fair Housing month;

- presenting at the National ADA Symposium in recognition of the 20th Anniversary of the ADA;

- facilitating a series of book discussions around the book "Letters Across the Divide" by David Anderson, as part of our Dr. King Tribute Days.

Service Objective #3: Cooperate with other groups in programs and activities designed to prevent tensions between groups.

Goal #1: The Human Rights Department will partner with other community groups concerned with equality of opportunity and managing conflict across differences.

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Our goal was to partner on at least one major program/activity this year. We in fact partnered on three programs/activities: faces & voices, the Dubuque Dispute Resolution Center, and the Safe Community Task Force. Below is a summary of project accomplishments.

Initiative: faces & voices

Brief description of partnership: faces & voices is a community group that plans the annual Dr. King Tribute Days and also sponsors other diversity events in the community. The Human Rights Director is a member of the group.

Update on current status: The Dr. King Tribute Days this year featured David Anderson, co-author of Letters Across the Divide which explores black and white perspectives on race in America. In addition to hosting Dr. Anderson as a speaker at the annual breakfast, the group
also: 1) hosted a luncheon with Dr. Anderson and community leaders, 2) hosted an evening educational session with Dr. Anderson speaking on diversity initiatives; and 3) hosted a series of book discussions across the community on the book *Letters Across the Divide: Two Friends Explore Racism, Friendship and Faith*, written by David Anderson and his friend Brent Zuercher. The local NAACP event included a march, speaker, and awards ceremony for student winners of the Dr. King Multi-Media Tribute Contest.

**Initiative:** Dubuque Dispute Resolution Center  
**Brief description of partnership:** The Dubuque Dispute Resolution Center consists of trained community volunteer mediators, whose work to resolve neighborhood related disputes is coordinated through the Human Rights Department.  
**Update on current status:** This year, the DDRC handled 36 intakes and conducted four neighborhood related mediations. Mediators also filmed a sample mediation that is being aired as an educational video on the value of mediation on CityChannel 8.

**Initiative:** Safe Community Task Force  
**Brief description of partnership:** The Human Rights Director served as the initial facilitator of the Safe Community Task force, a diverse group of residents who came together to discuss community safety concerns.  
**Update on current status:** The Task Force interviewed and recommended the selection of two consultants to assist with Task Force priorities: 1) Urban Strategies, who was hired to take over facilitation of the group during the second half of the year; and 2) Northern Illinois University, who was hired upon recommendation from the task force to conduct a study on crime and poverty in Dubuque. After several months of meetings, deliberation and consensus building, the task force sent a series of recommendations to the City Council. Currently, staff across departments are working to implement those recommendations. The Human Rights Department is specifically charged with implementing two recommendations: 1) helping to coordinate the NIU study; and 2) reorganizing the Human Rights Department in order to increase human relations and prevention efforts in the community.

**Goal #2:** The Human Rights Department will partner with other City Departments to foster commitment to creating inclusive city services and an inclusive work environment within City government.

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<th>Performance Measures/Results</th>
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Our goal was to partner on at least one major project this year. Below is a summary of the project accomplishments.

**Initiative:** Intercultural Competence Initiative  
**Brief description of partnership:** This project is coordinated by the City of Dubuque’s Steering and Training teams. The Director and the Human Relations Specialist occupy leadership roles on both teams.  
**Update on current status:** The training team offered seven hours of Foundations of Intercultural Competence Training to City staff hired in the past year, and met monthly to further develop training skills and future sessions. This year, the training team conducted 18, 3.5-hour training sessions for all City staff on Intercultural Conflict Styles. The Steering team and subcommittees completed and distributed its second Annual Report, instituted an Intercultural Competence Administrative Policy, offered four mini-trainings for City staff, implemented an online application system called NEOGOV, assisted with the addition of signage in Spanish in City
Hall, raised awareness of the availability of the Language Line Services for staff members, and continued to provide regular intercultural tips at management team and in the employee newsletter.

Service Objective #4: Study the existence and causes of conflict and inequality of opportunity and attempt to find resolutions.

Goal: The Human Rights Department will work to identify unmet needs and partner with other groups to develop solutions to inequality of opportunity.

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<th>Performance Measures/Results</th>
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<tr>
<td>Our goal was to partner on at least one major project this year. This year, we have participated in the Multicultural Family Center expansion and the Housing and Community Development Departments update to the Analysis of Impediments to Fair Housing. Below is a summary of project accomplishments.</td>
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Initiative: Multicultural Family Center  
**Brief description of partnership:** The City recognizes the Multicultural Family Center, previously operating under the Iowa State University Extension office, as critical to empowering neighborhood residents and building unity through diversity, and various City departments have partnered to increase the capacity of the Center.  
**Update on current status:** The AmeriCorps VISTA member and Director worked with the other partners to assist the new Director with the Grand Opening of the expanded 6,000 square foot facility, which occurred in September 2009. The Director joined the Board of Directors for the Center, and the group worked on obtaining independent 501(c)(3) status, developing operating policies, supporting the expanded programming, and supporting the first annual *Taste of the World* Fundraiser.

Initiative: Analysis of Impediments to Fair Housing  
**Brief description of partnership:** As part of the receipt of federal community development block grant funding, the City of Dubuque is required to regularly perform an Analysis of Impediments to Fair Housing, and take action toward eliminating those impediments. The Human Rights Department assists the Housing and Community Development Department in taking these steps.  
**Update on current status:** The two departments entered into a contract with Alta Vista Research to perform the Analysis of Impediments. Upon receipt of the completed analysis, the Director drafted an action plan for the Housing and Community Development Department and the Community Development Commission.

### Staff Development

- Staff met our goal of 80 hours of legal update training this year, with the Director and the Human Relations Specialist attending Week V of the National Fair Housing Training Academy, and graduating from that Academy.

- Staff remained abreast of case law developments by reviewing the BNA Fair Employment Reports, the Iowa Employment Law Letter, the ADA Compliance Guide, Fair Housing Coach Newsletters, and the Fair Housing/Fair Lending Reporter.
- The Director and Human Relations Specialist attended the Summer Institute on Intercultural Communication.
- The Director attended mandatory VISTA supervisor training.
- The Director attended legal ethics training.
- The Director and Human Relations Specialist attended a Consensus Building Workshop.
- The Intake Specialist assisted with the Family Self-Sufficiency Program’s Road to Success.

**Community Activities**

- The Director serves on the Multicultural Family Center Board of Directors.
- The Director serves as the Secretary for the League of Iowa Human Rights Agencies and also for the Regional Executive Council on Civil Rights.
- Staff assisted with Community Days of Caring.
THE COMPLAINT PROCESS

A complaint is filed when a person feels that he/she is the victim of unlawful discrimination. A complainant may file a complaint with the Human Rights Department within 300 days of the alleged discriminatory act. Any of the Department’s staff can perform the intake interview establishing that the Department has authority in the matter (jurisdiction and gathering the necessary information about the alleged act, such as time, place, the person involved, and the details of the act.) Note that the complainant has the right to withdraw the complaint at any time.

A respondent is notified once jurisdiction is established and intake is complete.

A mediation conference is encouraged at this time because it offers all parties the possibility of a speedy and satisfactory resolution. If mediation fails, the Director or Human Relations Specialist begins an investigation.

An investigation can include field investigations, site visits, interviews with witnesses, documentation examination, and face-to-face meetings with both the complainant and the respondent to discuss the complaint and gather facts.

Probable cause is determined at the end of the investigation by an administrative law judge (ALJ). If the facts/evidence support the charge, a determination of probable cause is issued. If the evidence does not support the charge, a determination of no probable cause (NPC) is issued and the case is then dismissed. The complainant can request to reopen the case if he/she feels the NPC is in error.

A post-probable cause conciliation is undertaken to try and bring the complainant and the respondent to a mutually agreeable arrangement saving all the parties time, and possibly, legal fees.

When conciliation is unsuccessful the complaint proceeds to a pre-hearing review.

When a case goes to public hearing, it is presided over by an administrative law judge. At the hearing, the complainant is often represented by private counsel. The respondent is often represented by private counsel. The attorneys present the facts of the case to the administrative law judge. The City Solicitor represents the public interest.

The full Commission reviews the recommended order and the record of the hearing. If the Commission finds that discrimination has not occurred, the case is dismissed, but if the finding is that discrimination has occurred, the respondent is ordered to take appropriate action to redress the effects of the discrimination. The Commission may order employment, promotion, raise, back pay, letter of reference, housing, credit, formal apology, a change in the respondent’s policies, and cash awards in compensation for humiliation, suffering, and mental anguish. Both the complainant and the respondent can appeal the Commission’s order within 30 days to district court.
**COMPLAINT PROCESS AT A GLANCE**

- **Intake Interview**
  - A Complaint is Filed
    - (Must be within 300 days of the alleged unlawful act)

- **Respondent is Notified**
  - (The person or entity whose action is the subject of the complaint)

- **Mediation Conference**
  - (If agreed to by both parties)

  - If Successful
    - Mediation Agreement

  - If Unsuccessful

- **Investigation**

- **Determination**

  - **No Probable Cause**
    - (Case dismissed)

  - If Successful
    - Conciliation Agreement

- **Post Probable Cause Conciliation Effort**
  - (Conducted by the Department)

  - If Unsuccessful

- **Pre-Hearing Review**

- **Public Hearing**

- **Recommended Order**

  - Commission’s Order After Hearing
    - (No discrimination found—case dismissed
    - OR
      - Discrimination found—corrective action ordered)

  - Court Appeal

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1. Complainant has 30 days to request judicial review
2. In a fair housing case the Complainant may elect to commence a civil action in court.
3. Complainant or Respondent can appeal the decision to the District Court within 30 days.
DUBUQUE
HUMAN RIGHTS COMMISSION

CITY OF DUBUQUE
HUMAN RIGHTS DEPARTMENT
1300 MAIN STREET
DUBUQUE, IA 52001

Visit us on the web
www.cityofdubuque.org