

# **LSC Greenbook**

**Analysis of the Enacted Budget**

## **Ohio Civil Rights Commission**

Maggie Wolniewicz, Budget Analyst  
Legislative Service Commission

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**ATTACHMENT:**

Budget Spreadsheet By Line Item

# Ohio Civil Rights Commission

- Appropriations total 6% less than prior year actuals
- Reduction in force continues
- Federal funding about 37%

## OVERVIEW

### Duties and Responsibilities

Established in 1959, the Ohio Civil Rights Commission is charged with enforcing R.C. Chapter 4112., which prohibits discrimination in the following areas:

- Employment on the basis of race, color, sex, religion, national origin, age, ancestry, disability, or military status;
- Places of public accommodation on the basis of race, color, sex, religion, national origin, age, ancestry, disability, or military status;
- Housing on the basis of race, color, sex, religion, national origin, ancestry, disability, familial status, or military status;
- Granting of credit on the basis of race, color, sex, religion, national origin, age, ancestry, disability, marital status, or military status;
- Higher education on the basis of disability.

### Appropriation Summary

Summarized in Table 1 below is a fund group comparison of the Commission's FY 2011 expenditures with the appropriations for the FY 2012-FY 2013 biennium.

Fund Group	FY 2011*	FY 2012	% change, FY 2011-FY 2012	FY 2013	% change, FY 2012-FY 2013
General Revenue	\$4,919,635	\$4,725,784	-3.9%	\$4,725,784	0.0%
General Services	\$8,000	\$8,000	0.0%	\$8,000	0.0%
Federal Special Revenue	\$3,015,417	\$2,762,000	-8.4%	\$2,762,000	0.0%
<b>TOTAL</b>	<b>\$7,943,053</b>	<b>\$7,495,784</b>	<b>-5.6%</b>	<b>\$7,495,784</b>	<b>0.0%</b>

\*FY 2011 figures represent actual expenditures.

Most notable in comparison to the Commission's FY 2011 expenditures are the decreases in the amount of General Revenue Fund (GRF) and federal funding appropriated to pay for its annual operating expenses in each of FYs 2012 and 2013. Money appropriated from the GRF will provide about 63% of the Commission's funding. Virtually all of the remaining funding (nearly 37%) will be drawn from

reimbursement contract payments received from two federal agencies: the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD).

### Staffing Levels

The Commission's five-member governing authority consists of individuals appointed by the Governor, with the advice and consent of the Senate. Not more than three of the five members can be of the same political party, and at least one member must be at least 60 years of age. Each member is paid a salary plus necessary and actual expenses while traveling on Commission business.

As can be seen in Table 2 below, as a result of budget reductions and various related actions taken to reduce costs, the Commission's number of full-time equivalent (FTE) staff positions has decreased by 50%, or 77 FTEs, in the period between FY 2004 (154 FTEs) and mid-July 2011 (77 FTEs). The Commission implemented these reductions through a variety of mechanisms, including abolishing positions, implementing an early retirement incentive plan, and downsizing by attrition.

As of mid-July 2011 (the first two weeks of FY 2012), the Commission was operating with a staffing level of 77 FTEs, a decrease of 17 FTEs from FY 2011. For FY 2013, the Commission anticipates increased receipts from HUD and EEOC sufficient to fund 80 FTEs, an increase of three FTEs from FY 2012.

<b>Table 2. Commission Staffing Levels, FY 2004-FY 2013*</b>									
<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>	<b>FY 2010</b>	<b>FY 2011</b>	<b>FY 2012*</b>	<b>FY 2013*</b>
154	147	140	142	124	127	94	94	77	80

\*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FY 2012 represents the actual staffing level on July 14, 2011. The number of FTEs for FY 2013 is an estimate.

## **ANALYSIS OF ENACTED BUDGET**

Table 3 below shows the line items that are used to pay for the Commission's operating expenses, as well as the enacted funding levels. It is then followed by a narrative describing how each appropriated amount will be used.

<b>Table 3. Appropriations for the Civil Rights Commission</b>				
<b>Fund</b>	<b>ALI and Name</b>		<b>FY 2012</b>	<b>FY 2013</b>
<b>General Revenue Fund (GRF)</b>				
GRF	876321	Operating Expenses	\$4,725,784	\$4,725,784
<b>General Services Fund (GSF)</b>				
2170	876604	Operations Support	\$8,000	\$8,000
<b>Federal Special Revenue Fund (FED)</b>				
3340	876601	Federal Programs	\$2,762,000	\$2,762,000
<b>Total Funding: Civil Rights Commission</b>			<b>\$7,495,784</b>	<b>\$7,495,784</b>

### **Operating Expenses (GRF line item 876321)**

This GRF line item is the Commission's primary source of funding, accounting for approximately 60% of the Commission's annual operating expenses. The budget provides this line item with an appropriation of \$4,725,784 in each of FYs 2012 and 2013, a 3.9% decrease from its FY 2011 expenditures totaling \$4,919,636. At these levels, the Commission will not be able to maintain its FY 2011 staffing level, which could effectively impact the quality and timeliness of its investigations.

### **Operations Support (GSF line item 876604)**

This GSF line item draws its appropriation from a relatively small stream of money collected by the Commission from various sources, e.g., copying charges and legal cost reimbursements, and is statutorily restricted for the purpose of paying operating costs of the Commission. Historically, expenditures from this line item have been used for supply costs, such as paper and postage. The budget provides flat funding at the FY 2011 level for this line item, with an appropriation of \$8,000 in each of FYs 2012 and 2013.

### **Federal Programs (FED line item 876601)**

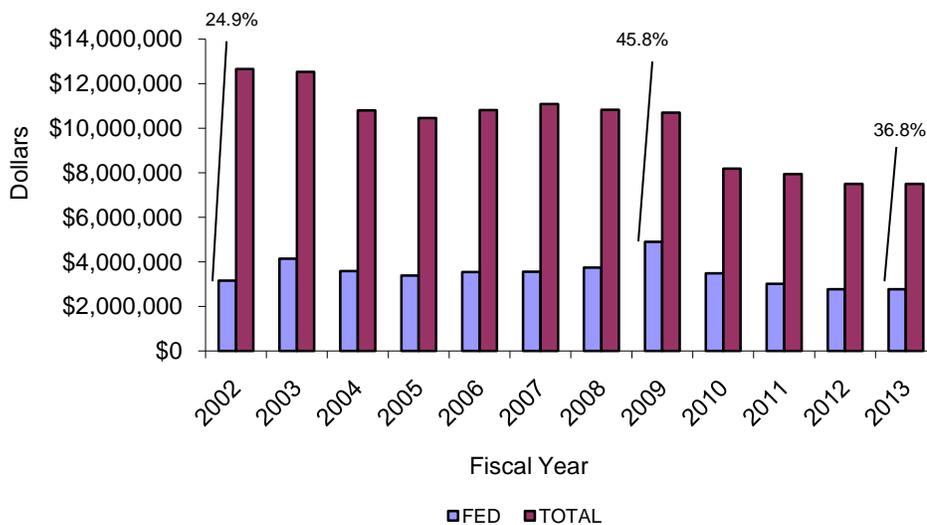
This federal line item consists of reimbursement payments from the U.S. Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD), which are then used to offset the cost of investigating cases. The budget appropriates \$2,762,000 in each of FYs 2012 and 2013, a decrease of 8.4% from its FY 2011 expenditures totaling \$3,015,417. With this reduced funding

amount, the Commission will not be able to maintain its FY 2011 staffing level, which could effectively impact the quality and timeliness of its investigations.

It should be noted that these reimbursement payments do not cover the full cost of processing the cases; the remainder of the cost must be absorbed by GRF funds. In the matter of EEOC cases, federal reimbursement covers approximately \$550 per case for a fixed number of cases. And in the matter of HUD cases, federal reimbursement averages \$2,487 per case based upon the number of eligible cases processed during the previous year.

According to the Commission, previous budget reductions caused the agency to rely more heavily on a small reserve of federal funds. The percentage of federal funds comprising the overall budget of the Commission increased from 24.9% in FY 2002 until it peaked at 45.8% in FY 2009. At the enacted funding levels, that amount is projected to decrease to 36.8% in FYs 2012 and 2013. This reliance on federal funds is depicted in Chart 1 below.

**Chart 1: Federal Funding Utilization, FY 2002-FY 2013**



Note: FYs 2002-2011 are actual amounts; FYs 2012 and 2013 are appropriations.

**FY 2012 - FY 2013 Final Appropriation Amounts**

**All Fund Groups**

Line Item Detail by Agency			FY 2010	FY 2011	Appropriations FY 2012	FY 2011 to FY 2012 % Change	Appropriations FY 2013	FY 2012 to FY 2013 % Change
<b>Report For Main Operating Appropriations Bill</b>			<b>Version: Enacted</b>					
<b>CIV Ohio Civil Rights Commission</b>								
GRF	876321	Operating Expenses	\$ 4,688,215	\$ 4,919,635	\$ 4,725,784	-3.94%	\$ 4,725,784	0.00%
<b>General Revenue Fund Total</b>			<b>\$ 4,688,215</b>	<b>\$ 4,919,635</b>	<b>\$ 4,725,784</b>	<b>-3.94%</b>	<b>\$ 4,725,784</b>	<b>0.00%</b>
2170	876604	Operations Support	\$ 8,000	\$ 8,000	\$ 8,000	0.00%	\$ 8,000	0.00%
<b>General Services Fund Group Total</b>			<b>\$ 8,000</b>	<b>\$ 8,000</b>	<b>\$ 8,000</b>	<b>0.00%</b>	<b>\$ 8,000</b>	<b>0.00%</b>
3340	876601	Federal Programs	\$ 3,477,702	\$ 3,015,417	\$ 2,762,000	-8.40%	\$ 2,762,000	0.00%
<b>Federal Special Revenue Fund Group Total</b>			<b>\$ 3,477,702</b>	<b>\$ 3,015,417</b>	<b>\$ 2,762,000</b>	<b>-8.40%</b>	<b>\$ 2,762,000</b>	<b>0.00%</b>
<b>Ohio Civil Rights Commission Total</b>			<b>\$ 8,173,918</b>	<b>\$ 7,943,053</b>	<b>\$ 7,495,784</b>	<b>-5.63%</b>	<b>\$ 7,495,784</b>	<b>0.00%</b>