

Ohio Civil Rights Commission

Senate Finance and Financial Institutions Committee

*Matthew L. Stiffler, Budget Analyst
Legislative Service Commission*

May 18, 2007

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LSC Redbook

for the

Ohio Civil Rights Commission

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ATTACHMENTS:

- Catalog of Budget Line Items
- LSC Budget Spreadsheet By Line Item: Executive to House Passed

May 18, 2007

Ohio Civil Rights Commission

- Less GRF spells more federal
- Series of budget reductions means more than four out of every ten staff positions eliminated
- Likely delay in equipment purchases

OVERVIEW

Mission and History

The Ohio Civil Rights Commission is charged with enforcing Chapter 4112. of the Revised Code, which prohibits discrimination in the following areas:

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

The Commission was established in 1959 with the enactment of Am. S.B. 10 of the 103rd General Assembly. Before being renamed the Ohio Civil Rights Commission in 1961, the agency was originally known as the Fair Employment Practices Commission.

The Governor, with the advice and consent of the Senate, appoints five members to the Commission, not more than three of whom can be of the same political party, and at least one member of whom must be at least 60 years of age. The Commission is a single program series agency with two major activities. First, it receives, mediates, and investigates complaints and adjudicates discrimination charges filed by citizens of Ohio pertaining to discrimination in employment, housing, places of public accommodation, credit, and admission to, and participation in, activities sponsored by institutions of higher education. Second, in addition to its enforcement responsibilities, the Commission is mandated to conduct educational and public outreach programs.¹

¹ Division (A)(9) of section 4112.04 of the Revised Code states that the Civil Rights Commission is to "Prepare a comprehensive educational program, in cooperation with the department of education, for the students of the public schools of this state and for all other residents of this state that is designed to eliminate prejudice on the basis of race, color, religion, sex, familial status, national origin, disability, age, or ancestry in this state, to further good will among those groups, and to emphasize the origin of prejudice against those groups, its harmful effects, and its incompatibility with American principles of equality and fair play."

Anyone who lives or works in Ohio and feels that he or she has been subjected to unlawful discrimination can file a charge with one of the Commission's regional offices. Complaints must be filed within six months of the alleged act of discrimination.

The Commission receives approximately 5,000 to 6,000 official charges of discrimination each year, and thousands of inquiries from the public with questions and/or concerns regarding discrimination. State law mandates that investigations must be completed within one year. Over 95% of the Commission's GRF budget is allocated for staff that investigates and resolves charges of discrimination. Additional funding is provided with federal funds through contracts with two federal agencies: the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD).

Investigation and Enforcement

Caseloads

During FY 2006, the Commission investigated 5,307 charges of discrimination, obtained \$5,379,885 in monetary and other relief for victims of discrimination, and successfully mediated 646 cases, with a resolution rate of 81%.

Relative to the types of cases terminated by the Commission over the last nine fiscal years, as depicted in the table below, 84% to 90% involve charges of discrimination in matters related to employment. Over the same time period, the Commission has terminated, on average, around 5,100 discrimination cases annually. Caseloads are expected to rise, however. If current caseload trends continue, an additional 600 to 700 more charges could be filed on an annual basis.² The Commission expects its annual case filings to eclipse 6,000 in the coming biennium. Despite this rise in case filings, the Commission is still obligated to resolve its cases within one year. Each investigator currently conducts an average of 85 cases per year. The Commission does not have the option to refuse to investigate a charge.

Type of Cases Terminated by Fiscal Year									
Type of Case	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Employment	4,766	4,379	4,543	4,014	4,258	4,734	4,183	4,225	4,381
Housing	434	333	344	505	526	551	569	539	620
Public Accommodation	124	201	183	183	209	260	198	200	210
Credit	12	14	11	3	3	7	2	6	6
Disability in Education	6	8	11	7	4	11	13	13	16
Totals	5,342	4,935	5,092	4,712	5,000	5,563	4,965	4,983	5,241

The table below shows that, over time, the charges filed annually with the Commission have gone beyond allegations of discrimination based solely on a single factor, e.g., race, sex, or disability. According to the Commission, filed charges more frequently allege that the complainant experienced discrimination as a function of multiple factors, e.g., their race and sex. Also of note is that the number of charges that have been filed annually on the basis that an individual has been "retaliated" against because

² At the time of this writing, the Commission is still investigating the reasons for the significant rise in the number of charges filed in Ohio.

of the filing of a prior charge of discrimination visibly increased in FYs 1998 and 1999 but have since leveled off.

Basis of Charges of Alleged Discrimination by Fiscal Year									
Discrimination Charge	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Race/Color	3,522	3,532	3,786	3,157	3,360	3,201	2,899	2,809	3,092
Sex	2,221	2,071	2,207	1,893	2,041	1,849	1,747	1,753	1,843
Disability	1,634	1,124	1,592	1,352	1,382	1,296	1,234	1,238	1,301
Age	970	1,486	833	715	811	1,185	841	843	886
Retaliation	1,476	1,979	1,538	1,424	1,434	1,391	1,296	1,300	1,367
National Origin	235	240	336	269	278	351	325	330	387
Religion	170	163	178	131	133	161	117	149	158
Totals	10,228	10,595	10,470	8,941	9,439	9,434	8,459	8,422	9,034

The following table shows the number of discrimination charges that have been filed annually in each of the Commission's six regional offices since FY 1998.

Charges Filed by Region by Fiscal Year									
Region	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Akron	962	1,018	1,044	907	1,064	887	943	1,177	1,329
Cincinnati	722	691	707	682	697	651	597	637	589
Cleveland	644	930	1,007	860	873	670	722	958	967
Columbus	1,372	1,113	1,026	911	1,468	1,030	875	1,016	1,193
Dayton	459	524	538	552	551	546	572	615	568
Toledo	1,267	860	769	817	868	893	892	939	1,056
Totals	5,426	5,136	5,091	4,729	5,521	4,677	4,601	5,342	5,702

Mediation Services

The Commission's Alternative Dispute Resolution Unit offers mediation services as an alternative means of resolving a discrimination complaint. Mediation brings both the charging party and respondent together in an attempt to voluntarily settle disputes short of a full-scale investigation. Whereas the investigative process for a case can take between six months to a year to complete, mediation requires only 30 to 45 days to complete. Most successful mediations are resolved within one day. Discrimination complaints that cannot be successfully mediated are then investigated. In FY 2006, the Commission successfully mediated 646 cases, with a resolution rate of 81%.

Each of the Commission's six regional offices employs one mediator with the exception of Akron, which has two mediators. According to the Commission, one mediator in the other regional offices is an adequate level of staffing to meet the current demand for its mediation services. The Commission's regional offices are located in Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo.

Public Affairs and Community Service

Education and Outreach

In addition to its enforcement responsibilities, the Commission is mandated to conduct educational and public outreach programs. In order to meet the requirements of the mandate, when possible, the Commission partners with the federal government (HUD and EEOC), which allows it to get maximum use of the federal moneys available for education and public outreach. According to the Commission, it has been involved in educational and outreach activities such as joint "Best Practices" forums with the EEOC, fair housing conferences, training seminars, and hate crime forums.

The Commission expends a relatively small percentage of its annual operating budget, around \$315,000, or 3%, to meet its statutorily mandated outreach and education obligations. Current education and outreach services and activities include, but are not limited to:

- Creating and hosting advisory councils to assist in identifying and addressing issues of discriminatory practices.
- Preparing and administering surveys.
- Developing and implementing training programs and forums for businesses and human resource personnel.
- Preparing an educational program and related materials for grades K-12.

Federal and State Agency Partnerships

Equal Employment Opportunity Commission (EEOC)

The Commission has a work-sharing agreement with the U.S. Equal Employment Opportunity Commission (EEOC) for a specific number of cases agreed upon by both parties, which currently is 3,859 cases for FFY 2007.³ EEOC permits the Commission to draw down 50% of the agreement in May and the remaining 50% in September as long as the Commission meets the contracted number of cases submitted and approved by the EEOC. The Commission is currently paid \$540 for every approved case submitted to EEOC, up to the agreed contract number of cases. The Commission does not receive payment for any cases over the contracted number of cases. Ohio is only one of a handful of states that contract with the federal government to mediate cases filed with the EEOC.

Department of Housing and Urban Development (HUD)

The Commission also has a work-sharing agreement with the U.S. Department of Housing and Urban Development (HUD) for the number of cases actually submitted and approved by HUD by September 30th of each year. HUD permits the Commission to draw down 100% of the agreement in October of each year.

The Commission processes on average 450 housing cases annually. HUD pays the Commission \$2,400 for each approved case as long as the case is completed and submitted to HUD within the *Standards for Payments for Timeliness of Complaint Processing*. HUD's \$2,400 case payments are decreased if the Commission submits a case outside of the timeline requirements. Currently, the

³ FFY 2007 refers to federal fiscal year 2007.

Commission completes and submits 99% of its housing cases within the required guidelines that guarantee 100% for a given case under the HUD agreement.

There are eight different measures or timelines that HUD has set out with specific types of case closures. Two are shown below as an illustrative example.

Sampling of Payment Guidelines Issued by the U.S. Department of Housing and Urban Development		
Type of Case Settled and/or Conciliated	Time Resolved	Amount of Reimbursement
Regular or Not Systemic Complaint*	100 days or less	100% payment
	150 days or less	90% payment
	200 days or less	80% payment
	250 days or less	70% payment
	> than 251 days	0% to 69% TBD
Systemic Complaint**	300 days or less	100% payment
	350 days or less	90% payment
	400 days or less	80% payment
	> than 401 days	0% to 79% TBD

* "Not Systemic" means that there is no pattern or practice, or that the case is not considered to be novel or complex.

** "Systemic" means that there is believed to be a pattern of behavior or that the case is novel or complex.

Office of the Attorney General Civil Rights Section

The Commission provides funding for legal services performed by the Office of the Attorney General's Civil Rights Section. Under section 4112.10 of the Revised Code, the Civil Rights Section handles all litigation in which the Commission participates as a party pursuant to Chapter 4112. of the Revised Code. The Commission enters into an annual interagency agreement with the Office of the Attorney General to reimburse the Civil Rights Section for its legal services, including the equivalent of 5.5 full-time attorneys to prosecute discrimination cases. Historically, these reimbursement payments have covered approximately 30% of the Civil Rights Section's operating expenses, with the remaining 70% being covered by the Office of the Attorney General's GRF line item 055-321, Operating Expenses.

The Commission anticipates reimbursing the Office of the Attorney General \$401,212 in FY 2008 and \$415,254 in FY 2009. In addition to the legal services payments it makes to the Civil Rights Section, the Commission disburses over \$100,000 annually to cover other litigation-related expenses, e.g., deposition costs and expert witness fees.

Cost-Saving Measures

Task Force Initiative

In FY 2002, the Commission implemented the Task Force Initiative. This undertaking was, in effect, the first major work redesign of the investigative process in the history of the Commission. The resulting redesigned investigative process, referred to as the Task Force Initiative, uses a team of investigators, in concert with an assistant attorney general, to evaluate the merits of a discrimination charge before the investigation begins. The purpose of this preliminary evaluation is to ensure that the Commission expends only the amount of time and resources necessary to resolve a particular charge. The Commission intends to continue its systematic redesign of its investigative process and to examine and

implement best practices from across the country during the upcoming biennium. While this streamlining process has generated cost savings, the Commission believes that maximum efficiencies have been realized. For the upcoming biennium, the Commission will work to maintain its current workflow levels.

Other Cost-Saving Initiatives

During the FY 2004-2005 biennium, the Commission implemented a number of cost-saving initiatives, including the following:

- Elimination of an entire level of middle management.
- Elimination of two senior staff positions.
- Continuation of an early retirement incentive plan (first implemented in FY 2003).
- Downsized office space at a cost savings of \$160,000 a year.
- Reduced overtime.
- Continued reduction in out-of-state travel.

During the current biennium (FYs 2006-2007), the Commission abolished 11 filled positions (layoffs) and left unfilled several positions that were vacated due to retirements and attrition. In June 2007, the Commission intends to relocate its central offices to the Rhodes Office Building located at 30 West Broad Street in Columbus.⁴ The move is expected to cost approximately \$70,000 or more in one-time costs but is expected to save an estimated \$200,000⁵ annually in lease costs. From the Commission's perspective, any further cost-cutting measures could begin to erode current service levels.

FYs 2008-2009 Budget Summary

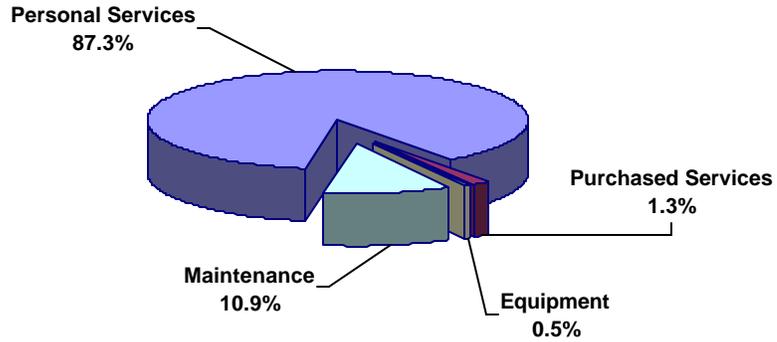
Expense by Object Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by major object of expense. This information is shown for the GRF and for all funds.

⁴ The Civil Rights Commission's central office is currently located at 1111 East Broad Street, Columbus, Ohio.

⁵ To date, the Commission has not received confirmation of these potential cost savings. The figure of \$200,000 is an estimate.

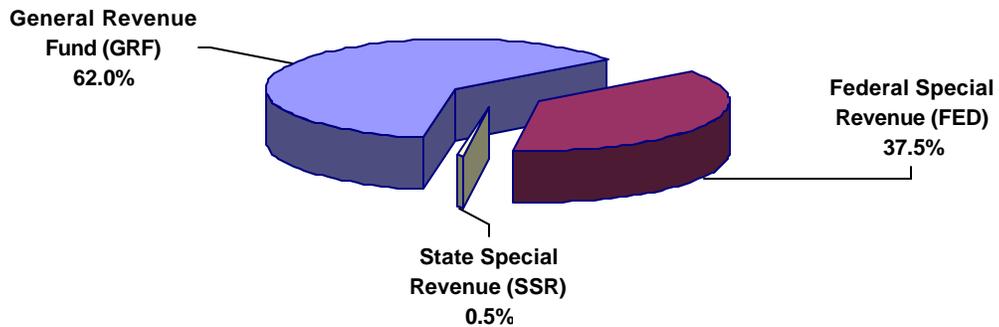
**Total Budget by Object of Expense
FYs 2008 and 2009**



Expense by Fund Group Summary

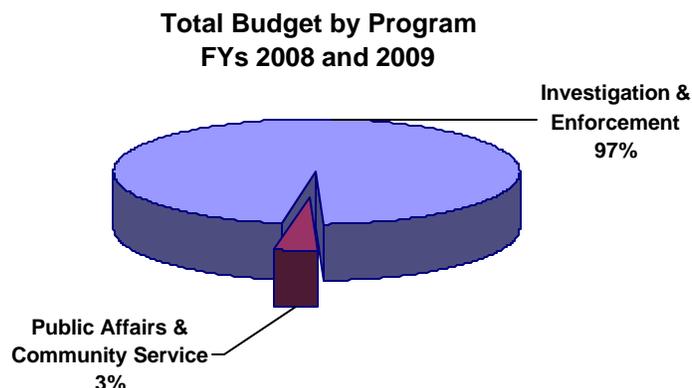
The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by fund group. This information is shown for the GRF and for all funds.

**Total Budget by Fund Group
FYs 2008 and 2009**



Expense by Program Summary

The pie chart immediately below shows the total recommended appropriations (FYs 2008 and 2009) by program. This information is shown for the GRF and for all funds.



Fiscal Challenges

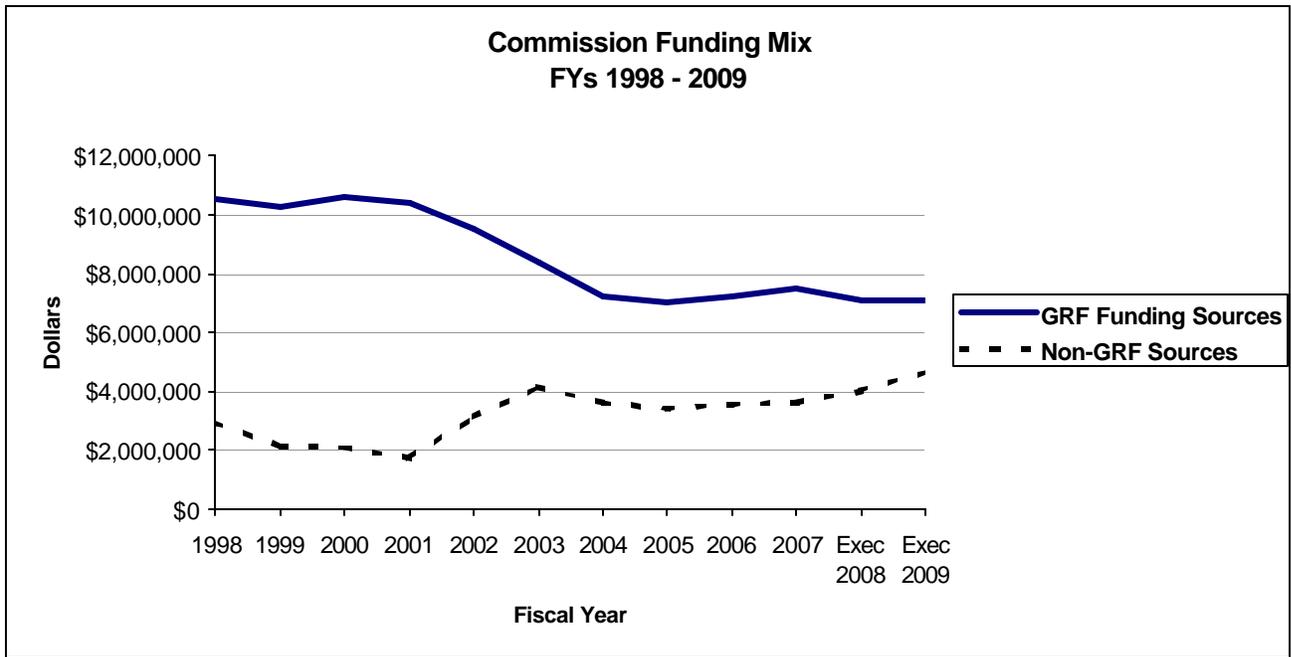
Reduced GRF Funding

Although the budgetary constraints in effect for the last few fiscal years have forced the Commission to tap more heavily into its reserve of federal funding, it is still the case that it relies heavily on the GRF to cover its annual costs of doing business. In FY 2007, the Commission's estimated level of total GRF expenditures is \$7.5 million, or 67% of its totaled estimated FY 2007 expenditures, including federal funds.

The total level of executive-recommended GRF funding for FYs 2008 and 2009 is \$7.1 million in both fiscal years, annual amounts that are \$373,533 less than the Commission's estimated FY 2007 GRF expenditures. For FY 2008, that level of GRF funding represents 63.8% of the total amount of funding recommended for FY 2008, and for FY 2009, that level of GRF funding represents 60.4% of the total amount of funding recommended for FY 2009.

In the past few years, the Commission typically depleted its annual GRF appropriations by May. In order to then cover its payroll and other related operating expenses for the remainder of the fiscal year, the Commission tapped the cash balance in its federal Fund 334.

The changing picture of the mix of GRF and non-GRF, principally federal, funds used to support the Commission's annual operating expenses is depicted in the chart below.

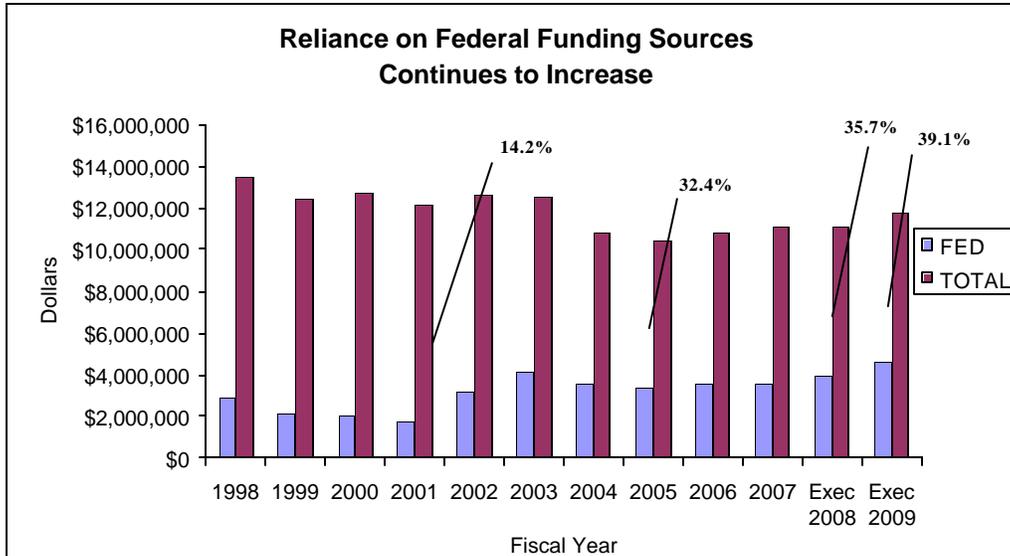


Tapping Federal Funds

Federal Fund 334 consists of reimbursement payments from the United States 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. These reimbursement payments do not, however, 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 \$540 per case for a fixed number of cases. In the matter of HUD cases, federal reimbursement covers approximately \$2,400 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 14.2% in FY 2001 to 32.4% in FY 2005, and is projected to increase to 39.1% by FY 2009. This increased reliance on federal funds is depicted in the chart below.

The changing picture of the mix of GRF and non-GRF, principally federal, funds used to support the Commission's annual operating expenses is depicted in the chart below.



As stated earlier, for the FY 2008-2009 biennium, the Commission will be required to rely more heavily on its cash reserves in Fund 334. The Commission anticipates that, in order to cover its aforementioned typical shortfall in annual GRF funding, it may need to tap into its federal funding as early as April in 2008, and perhaps even earlier than that in FY 2009.

Relative to its Fund 334, the Commission has stated that an acceptable level of federal cash to be held in reserve, especially in light of the somewhat problematic timing of federal receipts, is approximately \$500,000. The Commission believes that, at some point in FY 2009, its federal cash reserve could be completely depleted. The factors fueling that belief include, but are not limited to, the mandated cost of living adjustments and step increases for its staff, the actual cost savings of moving its office to the Rhodes Office Building and subsequent one-time moving expenses, and the actual size of the federal funding awards, which can be unpredictable.

Mandated Salary Increases

At the start of the biennial budget deliberations in early 2006, the Commission informed the Office of Budget and Management that, under the latter's budget request limitations, that it would not be able to maintain its current staffing levels, primarily because of salary increases mandated by statute and collective bargaining agreements. Approximately 70% of the Commission's personnel are affected by these mandated increases. The Commission requested an increase in funding in order to maintain current staffing levels; additional moneys for the purpose of hiring new staff were not requested.

According to the Commission, under the executive-recommended budget, in particular the 5% reduction in annual GRF appropriations relative to the estimated level of FY 2007 GRF expenditures, it will have to layoff approximately ten staff members. It is the Commission's belief that, in order to provide the mandated cost of living adjustments and step increases, eligible to more than 50% of its staff, staff layoffs appear to be inevitable.

Information Technology Equipment

In its biennial budget request submitted to the Office of Budget and Management in October 2006, the Commission requested funding to upgrade its computers, software, and other information technology (IT) equipment. In particular, 180 desktops and 5 servers, originally purchased in February

2002, were identified for replacement. (Most state agencies have established a 3 to 5 year replacement cycle for their IT equipment.)

After reviewing the Commission's information technology inventory, a representative of the state's Office of Information Technology stated that the Commission's desktops and notebook computers were far below the current standards for newly purchased personal and notebook computers. Also of note is that the technical support for the operating and desktop software used by the Commission ended in March 2005. Resultant complications relating to this became particularly evident during the recent change in the daylight savings time.

Due to EEOC and HUD on-line case filing and reporting requirements, the Commission relies substantially on its IT equipment. Many of the EEOC and HUD systems require Windows XP or Vista to operate. The Commission currently operates with Windows 2000 and cannot upgrade its software due to the limited and outdated nature of its existing hardware. The Commission estimates that it will need approximately \$318,733 to make these purchases and upgrades in order to remain compliant with EEOC and HUD standards. The executive-recommended budget does not provide additional funding for these IT equipment purchases.

Federal Funding Streams Reliant on Prompt Case Resolution

As stated earlier, many of the EEOC and HUD reimbursement rates are tied to the timely processing and resolution of complaints. Arguably, if staff layoffs are likely, updated technology and software upgrades are delayed, and all potential efficiencies have been maximized, the result would be that cases could take longer to resolve, thus affecting those federal reimbursement rates. If federal funding is threatened, it is unclear how long the Commission could sustain its mission or continue to operate if this scenario becomes a reality.

Staffing Levels

As can be seen from the table below, as a result of budget reductions and various related actions taken to reduce costs, the Commission's number of FTEs has declined annually. The Commission has made earlier staff reductions through a variety of mechanisms, including abolishing positions, implementing an early retirement incentive plan, downsizing by attrition, and ending the practice of using college interns. Based on the executive-recommended budget for the next biennium (FYs 2008 and 2009), the Commission anticipates that it will need to layoff approximately 10 staff persons. At the time of this writing, it is unclear where these cuts will be made, but it seems likely that investigative staff will be preserved.

Ohio Civil Rights Commission Staffing Levels by Fiscal Year*									
2000	2001	2002	2003*	2004	2005	2006	2007*	2008*	2009*
199	189	179	162	154	147	140	142	130	130

*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2007, 2008, and 2009 are estimates.

ANALYSIS OF EXECUTIVE PROPOSAL

For budget purposes, as detailed below, the Ohio Civil Rights Commission is considered a single program series agency and its activities are not subdivided into multiple programs.

Program Series

Protection of Civil Rights

Purpose: To protect the civil rights of Ohio's citizens as well as take a proactive approach through educating, training, and disseminating publications informing the public of their rights.

The following table shows the line items that are used to fund the Protection of Civil Rights program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	876-321	Operating Expenses	\$7,097,134	\$7,097,134
General Revenue Fund Subtotal			\$7,097,134	\$7,097,134
Federal Special Revenue Fund				
334	876-601	Investigations	\$3,965,507	\$4,602,185
Federal Special Revenue Fund Subtotal			\$3,965,507	\$4,602,185
State Special Revenue Services Fund				
217	876-604	Operations Support	\$60,000	\$60,000
State Special Revenue Fund Subtotal			\$60,000	\$60,000
Total Funding: Protection of Civil Rights			\$11,122,641	\$11,759,319

This analysis focuses on the following specific programs within the Protection of Civil Rights program series:

- **Program 1.01 – Investigations and Enforcement**
- **Program 1.02 – Public Affairs and Community Service**

Program 1.01 – Investigations and Enforcement

Program Description: This program receives, investigates, and prosecutes charges of unlawful discriminatory practices in the areas of employment, housing, places of public accommodation, credit, and higher education (disability only). Each year, the Commission processes between 5,000 and 6,000 discrimination charges, which include charge intake, field investigation, conciliation/settlement, case recommendations, public hearings, compliance reviews, and enforcement. Each year, the Commission pays a little more than \$400,000 to the Office of the Attorney General for the services of the equivalent of 5.5 full-time attorneys to prosecute discrimination cases. There are no fees that support the Investigation and Enforcement program.

Fund	ALI	Title	FY 2008	FY 2009
General Revenue Fund				
GRF	876-321	Operating Expenses	\$7,097,134	\$7,097,134
General Revenue Fund Subtotal			\$7,097,134	\$7,097,134
Federal Special Revenue Fund				
334	876-601	Investigations	\$3,601,844	\$4,213,680
Federal Special Revenue Fund Subtotal			\$3,601,844	\$4,213,680
State Special Revenue Services Fund				
217	876-604	Operations Support	\$60,000	\$60,000
State Special Revenue Fund Subtotal			\$60,000	\$60,000
Total Funding: Investigations and Enforcement			\$10,758,978	\$11,370,814

Funding Sources: (1) GRF, (2) federal reimbursement payments, and (3) payment for the provision of various goods and services, including copies of Commission documents

Line Items: See above table

Implication of Executive Recommendation: The executive-recommended budget: (1) does not provide sufficient funding to cover mandated salary and step increases, the likely outcome of which will be a staff reduction of around 10 FTEs, (2) funds the working agreement with the Office of the Attorney General's Civil Rights Section, and (3) does not provide funding for necessary equipment purchases or software upgrades needed for compliance with several HUD and EEOC criteria.

The GRF funds around 65% of the program, with the remainder, or 35%, drawn largely from revenues generated through work sharing agreements between the Commission and both the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD). The EEOC contract is for a fixed dollar amount, subject to modification by EEOC. The HUD contract is variable depending upon the number of eligible cases processed the previous year. From the Commission's perspective, both sources of federal funding are somewhat unpredictable.

Temporary and Permanent Law

It does not appear that the executive-recommended budget contains any permanent or temporary law provisions directly affecting the Commission's Investigations and Enforcement program.

Program 1:02 – Public Affairs and Community Service

Program Description: This program provides technical assistance and other community service programs to inform the public about Ohio laws against discrimination. The Commission conducts, sponsors, and participates in workshops, seminars, and other types of training in order to educate the public about their rights, as well as to educate the community about their responsibilities to achieve voluntary compliance with anti-discrimination laws. The program also prepares educational materials for use by K-12 schools to eliminate prejudice and foster good will among Ohio's diverse citizenry.

Fund	ALI	Title	FY 2008	FY 2009
Federal Special Revenue Fund				
334	876-601	Investigations	\$363,663	\$388,505
Federal Special Revenue Fund Subtotal			\$363,663	\$388,505
Total Funding: Public Affairs and Community Service			\$363,663	\$388,505

Funding Source: Federal funds designated specifically for technical assistance and community service programs

Line Item: See above table

Implication of Executive Recommendation: According to the Commission, the executive-recommended budget for this program will provide support for the equivalent of 4 full-time staff and permit it to perform the minimum statutorily mandated educational services and activities, including the delivery of various outreach programs.

Temporary and Permanent Law

It does not appear that the executive-recommended budget contains any permanent or temporary law provisions directly affecting the Commission's Public Affairs and Community Service program.

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General Revenue Fund

GRF 876-100 Personal Services

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$6,729,931	\$6,601,418	\$0	\$0	\$0	\$0
	-1.9%				

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 831 of the 103rd G.A., the general appropriations act covering FYs 1960 and 1961, which funded the Commission following its creation pursuant to Am. S.B. 10 of the 103rd G.A., effective July 29, 1959)

Purpose: This line item provided funding for the Commission's expenses associated with payroll, fringe benefits, and personal services contracts. Starting with FY 2006, the line item's funding and related purpose was merged into newly created GRF line item 876-321, Operating Expenses.

GRF 876-200 Maintenance

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$404,586	\$400,000	\$0	\$0	\$0	\$0
	-1.1%				

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 831 of the 103rd G.A., the general appropriations act covering FYs 1960 and 1961, which funded the Commission following its creation pursuant to Am. S.B. 10 of the 103rd G.A., effective July 29, 1959)

Purpose: This line item provided funding for maintenance expenses of the Commission, which on occasion has included payments that partially support the Office of the Attorney General's Civil Rights Section. Starting with FY 2006, the line item's funding and related purpose was merged into newly created GRF line item 876-321, Operating Expenses.

GRF 876-300 Equipment

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$59,091	\$42,441	\$0	\$0	\$0	\$0
	-28.2%				

Source: GRF

Legal Basis: Discontinued line item (originally established by Am. Sub. H.B. 831 of the 103rd G.A., the general appropriations act covering FYs 1960 and 1961, which funded the Commission following its creation pursuant to Am. S.B. 10 of the 103rd G.A., effective July 29, 1959)

Purpose: This line item provided funding for the Commission's equipment purchases. Starting with FY 2006, the line item's funding and related purpose was merged into newly created GRF line item 876-321, Operating Expenses.

GRF 876-321 Operating Expenses

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$0	\$0	\$7,252,949	\$7,470,667	\$7,097,134	\$7,097,134
		N/A	3.0%	-5.0%	0.0%

Source: GRF

Legal Basis: Section 203.72 of Am. Sub. H.B. 66 of the 126th G.A.

Purpose: This line item provides funding for the Commission's expenses associated with payroll, personal services, maintenance, and equipment purchases. Prior to FY 2006, these expenses were covered by GRF line items 876-100, 876-200, and 876-300.

Federal Special Revenue Fund Group

334 876-601 Investigations

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$3,587,740	\$3,389,717	\$3,543,634	\$3,560,000	\$3,965,507	\$4,602,185
	-5.5%	4.5%	0.5%	11.4%	16.1%

Source: FED: CFDA 30.002, Employment Discrimination; CFDA 14.401, Fair Housing Assistance Program

Legal Basis: Section 203.72 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Controlling Board in 1970)

Purpose: The fund's moneys consist of reimbursement payments from the United States 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. These reimbursement payments do not, however, 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 \$540 per case for a fixed number of cases. In the matter of HUD cases, federal reimbursement covers approximately \$2,400 per case based upon the number of eligible cases processed during the previous year.

It should be noted that the work sharing agreements between the Commission and these two federal agencies reduce duplication of effort, as the same cases are no longer simultaneously filed with both state and federal agencies. The Commission does not have the option of refusing to process these cases. Also of note is that the total amount of federal reimbursement earned by the Commission, as well as the timing of when it will be received, is fraught with some uncertainty. This uncertainty has been known to create cash flow problems for the Commission requiring it to rely more heavily on available GRF funding for a longer period of time than might have been assumed when a given annual operating budget was originally constructed.

State Special Revenue Fund Group

217 876-604 Operations Support

2004	2005	2006	2007 Estimate	2008 House Passed	2009 House Passed
\$14,984	\$22,496	\$10,626	\$50,951	\$60,000	\$60,000
	50.1%	-52.8%	379.5%	17.8%	0.0%

Source: SSR: (1) Moneys received by the Commission for copies of Commission documents and for other goods and services furnished by the Commission, and (2) all moneys received by the Commission, and all amounts awarded by a court to the Commission, for attorney's fees, court costs, expert witness fees, and other litigation expenses

Legal Basis: ORC 4112.15; Section 203.72 of Am. Sub. H.B. 66 of the 126th G.A. (originally established by Am. Sub. H.B. 283 of the 123rd G.A.)

Purpose: Moneys deposited to the credit of the fund may only be used to pay operating costs of the Commission.

LSC Budget Spreadsheet by Line Item, FY 2008 - FY 2009

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2007</i>	<i>As Introduced 2008</i>	<i>House Passed 2008</i>	<i>% Change Est. 2007 to House 2008</i>	<i>As Introduced 2009</i>	<i>House Passed 2009</i>	<i>% Change House 2008 to House 2009</i>
<i>CIV Civil Rights Commission, Ohio</i>									
GRF	876-321	Operating Expenses	\$7,470,667	\$ 7,097,134	\$ 7,097,134	-5.0%	\$ 7,097,134	\$ 7,097,134	0.0%
General Revenue Fund Total			\$ 7,470,667	\$ 7,097,134	\$ 7,097,134	-5.0%	\$ 7,097,134	\$ 7,097,134	0.0%
334	876-601	Investigations	\$3,560,000	\$ 3,965,507	\$ 3,965,507	11.4%	\$ 4,602,185	\$ 4,602,185	16.1%
Federal Special Revenue Fund Group Total			\$ 3,560,000	\$ 3,965,507	\$ 3,965,507	11.4%	\$ 4,602,185	\$ 4,602,185	16.1%
217	876-604	Operations Support	\$50,951	\$ 60,000	\$ 60,000	17.8%	\$ 60,000	\$ 60,000	0.0%
State Special Revenue Fund Group Total			\$ 50,951	\$ 60,000	\$ 60,000	17.8%	\$ 60,000	\$ 60,000	0.0%
Total All Budget Fund Groups			\$ 11,081,618	\$ 11,122,641	\$ 11,122,641	0.4%	\$ 11,759,319	\$ 11,759,319	5.7%