

## How does the ICRC educate the public?

The Commission conducts workshops, seminars, and training sessions on a variety of civil rights topics, publishes and distributes materials on civil rights, and offers an extensive video lending library.

## What materials are available to the public?

The Commission offers free materials: fact sheets; posters and brochures; **Fair Housing Guides**; **The Communicator** newsletter; **Annual Reports**; and many other educational materials. These are also available from our website. Call the Commission at **800-457-4416** or **515-281-4121** to request a speaker or materials.

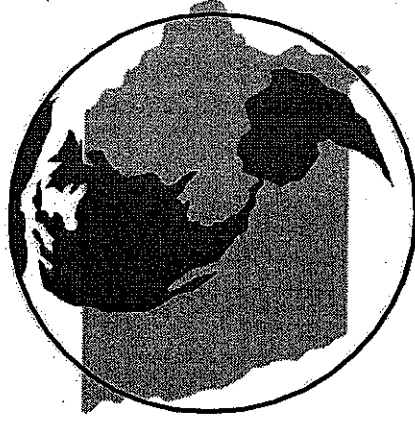
## What can I do to fight discrimination?

- Learn what discrimination is and how it hurts.
- Challenge stereotypes.
- Speak-up against discrimination.
- Learn to appreciate diversity, and advocate for greater diversity everywhere.
- Talk to people about the evils of discrimination and the value of diversity.
- Help start diversity appreciation teams in your community, at work, and in the schools; and then participate.
- Participate in Study Circles in your community.

## Iowa Local Commissions

- Ames Human Relations Commission  
515-239-5101
- Bettendorf Human Rights Commission  
563-344-4000
- Burlington Human Rights Commission  
319-753-8120
- Cedar Falls Human Rights Commission  
319-273-8600
- Cedar Rapids Civil Rights Commission  
319-286-5036
- Clinton Human Rights Commission  
563-242-3207
- Council Bluffs Civil Rights Commission  
712-328-4618
- Davenport Civil Rights Commission  
563-326-7888
- Des Moines Human Rights Commission  
515-283-4284
- Dubuque Human Rights Commission  
563-589-4190
- Fort Dodge/Webster County Human Rights Commission  
515-576-2201
- Fort Madison Human Rights Commission  
319-372-7700
- Grinnell Human Rights Commission  
641-236-2600
- Indianola Human Rights Commission  
515-961-9410
- Iowa City Human Rights Commission  
319-356-5022
- Keokuk Human Relations Commission  
319-524-2050
- Marshalltown Human Rights Commission  
641-754-5712
- Mason City Human Rights Commission  
641-421-3618
- Mount Pleasant Human Rights Commission  
319-385-1470
- Muscatine Human Rights Commission  
563-264-1550
- Ottumwa Human Rights Commission  
641-683-0600
- Sioux City Human Rights Commission  
712-279-6985
- Urbandale Civil Rights Commission  
515-278-3900
- Waterloo Commission on Human Rights  
319-291-4441
- West Des Moines Human Rights Commission  
515-222-3664

# Iowa Civil Rights Commission



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515-281-4121  
800-457-4416  
FAX 515-242-5840

<http://www.state.ia.us/government/crc>

*Our Vision is a state free of  
discrimination.  
Our Mission is enforcing civil rights  
laws through compliance, mediation,  
advocacy, and education.*

## What is the Iowa Civil Rights Commission?

The Iowa Civil Rights Commission is an administrative agency that enforces the "Iowa Civil Rights Act of 1965." Iowa's anti-discrimination law.

The Commission addresses discrimination through:

- Investigation of complaints filed with the agency.
- Reconciliation of complaints by mediators and conciliators.
- Conducting a multi-faceted public education program.
- Providing consultation and direction for communities wanting to identify and resolve diversity and discrimination issues locally.

## What is discrimination?

The "Iowa Civil Rights Act of 1965" prohibits discrimination in the areas of employment, housing, credit, public accommodations, and education.

Discrimination (different treatment) and harassment, is illegal if based on race, color, creed, national origin, religion, sex, pregnancy, physical disability, mental disability, age (in employment and credit), familial status (in housing and credit) or marital status (in credit).

## Who may file a complaint?

Any person who claims to be aggrieved, or wronged, by a discriminatory or unfair practice, as defined by the Iowa Civil Rights Act.

## How is a complaint filed?

A complaint is filed when received in writing by the commission. To file a complaint, or to ask questions about filing a complaint, call 515-281-4121 or 800-457-4416. There is no charge for filing a complaint.

## Is there a filing limitations period?

Yes. Under Iowa law, a complaint usually must be filed within **180 days** of the alleged discriminatory practice.

## What happens after a complaint is filed?

A copy of the complaint is sent to the Respondent. Usually a questionnaire is mailed to both parties. The Commission staff will review the complaint, the answers to the questionnaires and any other collected information, and will then make a decision as to whether further investigation is warranted.

If the complaint warrants further investigation, the parties are offered an opportunity to resolve the complaint through a voluntary mediation process.

The mediator would be a neutral and impartial Commission staff member who assists the parties negotiate a no-fault resolution of the dispute. If an agreement is not reached, the complaint will be put in line for investigation.

When a complaint is assigned to an investigator, an impartial and thorough investigation will be conducted. All relevant information is considered by the investigator.

Following an investigation, an administrative law judge reviews the collected information and decides: **probable cause** (discrimination probably occurred) or **no probable cause** (discrimination probably did not occur). If the decision is "no probable cause, the complaint is dismissed.

If "probable cause" is found, the Commission attempts to negotiate the best settlement for the complainant and the people of Iowa. If this attempt fails, a decision is made whether to proceed to public hearing. With notice of public hearings, the complaint is no longer confidential. After hearing, the Commission makes a final decision whether discrimination occurred.

If the Commission determines the Respondent violated the **Iowa Civil Rights Act**, the Commission will order appropriate "make whole" relief. Examples of Commission-ordered relief are: back pay and interest; actual expenses; an order to cease discriminatory practices; emotional distress damages, and reasonable attorney's fees.

## *Iowa Civil Rights Commission (ICRC) February 2, 2006*

**ICRC investigates and resolves civil rights complaints.** ICRC works to resolve discrimination cases based on age, disability, sex, race, national origin, and family or marital status. ICRC provides a cost effective and equitable justice process that resolves discrimination complaints in the areas of employment, education, public services, housing, credit, and health care. To prevent discrimination, ICRC also offers training, education, and community outreach. Complainants can file with or without attorney; there are no costs for filing.

### **Civil Rights achieves resolutions to complaints**

Civil Rights receives about 2,000 complaints a year. Some of these complaints have legal merit, some do not. Some cases with wrongful conduct and strong evidence fall within our authority, others do not. Out of these 2,000 cases each year, in about 300 the complainant receives some kind of settlement or remedy at the end of the process. Less than twenty of these cases proceed as far as the AG's office; a small portion of cases actually goes to court. In the remaining 250 or so complaints where the complainant receives some sort of remedy, the case is successfully mediated, withdrawn, or otherwise settled without a case ever being filed with a court.

### **Civil Rights takes a graduated approach to resolving complaints which is cost effective and efficient, and which usually results in considerably less time and inconvenience for both parties involved**

Civil Rights combined state and federal budget is less than \$2,000,000 - \$952,000 state dollars and \$880,000 federal. ICRC closes 1,700 cases a year, which comes to a cost of about \$1,000 to \$1,200 per case. In roughly 300 cases a year the complainant receive some sort of settlement.

Contrast the Civil Rights Commission's process with the costs of taking civil rights cases directly to court. One cost estimate for a civil rights case in court approximates \$20,000 in defense costs, plus potential court costs and, where authorized, plaintiff fees on top of that. The State of Iowa's court system incurs additional costs not paid by either the defendant or plaintiff. All these expenses are not yet counting any awards to the plaintiff. The State of Iowa and a defendant could easily spend \$40,000 or more in legal and court costs to process a case that could involve an award of \$3,000 in damages that actually go to the plaintiff. A respondent who wins a case in court still loses in many senses because of high legal defense costs, adverse press and the lost time and added hassles of a court case process that may drag on several years.

The Civil Rights Commission provides complainants and respondents with an alternative approach to resolve complaints which costs considerably less, results in a greater likelihood of a complainant receiving justice, likely involves considerably less hassle for both parties, and is resolved at a far lower cost to the respondent.

Bottom line: action by the Civil Rights Commission is a win-win proposition for complainants, respondents, and the State of Iowa. Civil Rights follows a process which requires less time, cost and hassle for all three. A complainant with a valid case is more likely to achieve justice - you would not have anywhere near 300 complainants receive a remedy each year if their only option was the courts. Defendant's lawyers report strong satisfaction with the professional actions of the commission. Employers and landlords also report high satisfaction with training offered by Civil Rights staff which help them prevent discrimination (and complaints) before they happen. The cost to the State of Iowa is less than the cost of taking a fraction of these cases directly to the court system.

### **Civil Rights faces federal cuts**

Civil Rights is faced with at least \$90,000 in federal cuts this year, on top of past reductions in state funding. In the years 2001-2006, appropriations were reduced from \$1,226,743 to the current \$950,788. The agency's current staff levels remain 30 % below the levels of 4 years ago.

### **The clear consequence**

What will happen as a result of fed cuts? What will happen without added positions?

The commission's backlog, now fewer than 350 cases, will grow. The length of time to resolve a case will increase, increasing cost and frustration to all parties, and justice will not be reached for either the complaining party or the party being complained against. The State will weaken its responses to hate and fear of discrimination among its citizens.

### **Efforts to reduce backlog and increase office efficiency.**

- We are partnering with Drake Law School on an innovative pilot project, where law students will participate in a civil rights mediation project. Students receive course credit and valuable real life experience; ICRC will see its backlog reduced.
- Similar efforts are being initiated with a volunteer group of experienced employment lawyers.
- To stretch resources, ICRC partners with local commissions across the state through 12 sub-contracts.
- To save resources, ICRC has entered into contracts with IDPH to meet staffing needs.

**07 appropriations.** In its offer, ICRC requested \$90,000 for staff to conduct investigations, mediations, and assist in training and working with volunteers. Since the fall, additional federal reductions have become apparent.

The proposal to fund additional staff will help reduce caseloads and backlogs and proactively prevent discrimination.

Increased mediation of complaints and monitoring of civil rights laws. Mediation produces mutually satisfactory out of court settlements if not achieve rapid resolution of complaints or alleged violations. Mediation and greater use of volunteers will reduce backlog, increase the credibility and integrity of the process, and strengthen the image of Iowa as a welcoming community.

Increased funding will also allow for increased consultation with the private sector and training in fair employment and fair housing.

Iowans want to send a positive message regarding the value we place on diversity and the dignity of every Iowan. By fairly enforcing civil rights laws, we want to help create safe, attractive and inclusive communities, free from discrimination based on age, disability, sex, race, color, or family status. A fair and efficient system for investigating discrimination will assist in fighting discrimination and building the image of Iowa as a state that welcomes diversity.

For more information, contact:

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### State Funding for the Iowa Civil Rights Commission

■ State of Iowa Funding

