



**Legislative Recommendations within the
Human Rights Act and
Housing Discrimination Act**

December 31, 2022

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The Department of Labor and Human Rights (Department) is required to publish in even-numbered years a written report recommending legislative or other action to carry out the purposes of the Human Rights Act and the Housing Discrimination Act under N.D.C.C § 14-02.4-22 and N.D.C.C. § 14-02.5-15. This report is intended to meet these requirements.

2023 Legislative Recommendations

The Department recommends legislative approval of the Governor's proposed budget, which represents the Department's budget request and provides the funding necessary for the Department to continue its human rights, wage claim, and fair housing enforcement and educational activities. Over the next biennium, the Department seeks to fill open FTEs to increase the efficiency and timeliness of the investigations.

Staff Training

The Human Rights Director and one Compliance Investigator has attended and completed coursework at the National Fair Housing Training Academy (as available) in order to become certified fair housing investigators. Thus far, the Human Rights Director has completed the five-week program. One Compliance Investigator has completed one week of the five-week program. Finally, the Human Rights Director and three Compliance Investigators have completed basic training in civil mediation and will continue to attend training as necessary to keep their skills current. Over the next biennium, the Department intends to develop and implement internal and external training methods for existing and new investigators in order to increase the efficiency and timeliness of investigations.

Educational Activities

Educating the public about human rights, wage requirements, and fair housing is critical to prevent discriminatory practices and wage violations. The Department's actions in this area will include:

- Maintaining the Department's current education materials, which include: posters, brochures, and materials available on the Department's website.
- Providing speakers for presentations on human rights, wage requirements, and fair housing to various groups and associations throughout the state.

- Hosting booths to disseminate educational materials on human rights, wage requirements, and fair housing at conferences.
- Sponsoring events focusing on human rights, wage requirements, and fair housing.
- Emphasizing education as part of the conciliation process to prevent future violations.

Caseload

The Department currently has the authority to investigate discrimination alleged in the areas of employment, housing, public service, public accommodations, and credit transactions. While the protected categories differ depending on whether the allegations are made under the Human Rights Act or the Housing Discrimination Act, they are race, color, religion, sex, national origin, age, disability, marital status, receipt of public assistance, familial status, status as a victim of domestic violence and lawful activity.

The number of Equal Employment Opportunity (EEO) charges of discrimination and complaints of retaliation under N.D.C.C. § 34-01-20, consists of 388 complaints during the 2019-21 biennium compared to 260 complaints through November 30, 2022. At this pace, the Department is on track to receive approximately 365 complaints in the current biennium. In the 2019-21 biennium, the Department closed 407 cases and is on track to close 291 this biennium.

In the 2019-21 biennium, 52 housing discrimination complaints were filed with the Department. In the current biennium, the Department has received 39 housing discrimination complaints through November 30, 2022. These numbers have remained consistent with expectations based on the previous biennium.

Finally, the Department received 19 complaints in the 2019-21 biennium in the form of complaints regarding public accommodations, public services, and credit transactions. In the current biennium, the Department has received 11 complaints through November 30, 2022.