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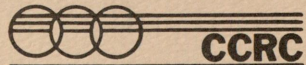
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# Colorado Civil Rights Commission DIVISION

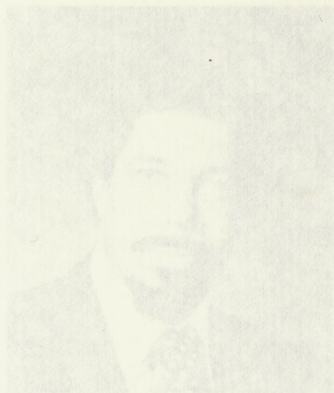


Activity Report  
Fiscal Year 1980-1981



**TABLE OF CONTENTS**

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES



Acknowledgements . . . . . 2  
 A Message from the Department of Regulatory Agencies . . . . . 3  
 A Message from the Colorado Civil Rights Division . . . . . 4  
 Organizational Chart . . . . . 6  
 Colorado Civil Rights Division Staff . . . . . 7  
 Colorado Civil Rights Commission . . . . . 8  
 History . . . . . 10  
 Goal and Objectives . . . . . 11  
 Research & Education Activity Report . . . . . 12  
 Colorado Civil Rights Laws . . . . . 15  
 Processing a Charge Filed with the CCRD: A Summary Chart . . . . . 16  
 Compliance Activity Report . . . . . 17  
 Regional Office Activity Report . . . . . 20  
 Types of Charges by Basis and Issue Filed with the CCRD . . . . . 21  
 Making a Difference: Hearings . . . . . 22  
 Budget . . . . . 23  
 Looking Ahead: CCRD Goals . . . . . 24  
 CCRD Regions and Offices . . . . . Back Cover

Technical assistance. Colorado's diverse population and economic growth, the Civil Rights Division in concert with public and private industry and organizations can join to help create a climate in which equal opportunity is available to all citizens. Such cooperation by the government and the private and public sectors is imperative today and in the future. The services of the Civil Rights Division are a valuable source, a unique and valuable State resource, that is and will continue to benefit all Colorado citizens.

ACKNOWLEDGEMENTS: Appreciation is extended to the following Colorado Civil Rights Division staff who provided special assistance in the preparation and publication of this report:

- Eleanor G. Crow
- Kenneth E. Eyr, Ph.D.
- Betty E. Franklin
- Doris R. Summitt
- Felix Tom Duron
- Barbara A. Williams
- Theresa Wise
- Jack Long y Marquez
- Marilyn H. Spurlock

Acknowledgements ..... 2  
 A Message from the Department of Regulatory Agencies ..... 3  
 A Message from the Colorado Civil Rights Division ..... 4  
 Organizational Chart ..... 5  
 Colorado Civil Rights Division Staff ..... 7  
 Colorado Civil Rights Commission ..... 8  
 History ..... 10  
 Goals and Objectives ..... 11  
 Research & Evaluation Activity Report ..... 13  
 Colorado Civil Rights Laws ..... 15  
 Proceedings & Charge Files with the CCRD: A Summary Chart ..... 16  
 Concurrence Activity Report ..... 17  
 Regional Office Activity Report ..... 20  
 Types of Charges by Basis and Issue Filed with the CCRD ..... 21  
 Model Dispute Resolution Hearings ..... 22  
 Budget ..... 23  
 Looking Ahead: CCRD Goals ..... 24  
 Back Cover ..... 24

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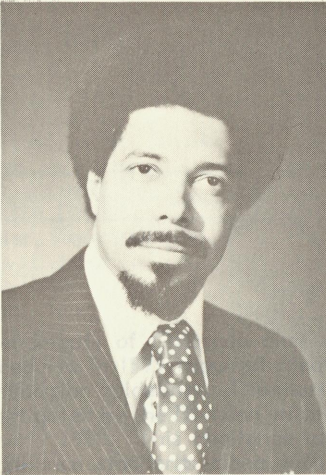
Betty E. Franklin  
 Barbara A. Williams  
 Marilyn H. Spurlock

Kenneth E. Eye, Ph.D.  
 Felix Tom Duran  
 Jack Lang y Marquez

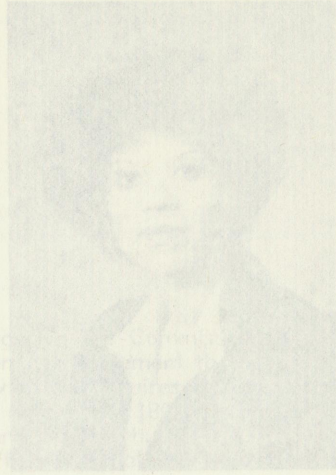
Eleanor G. Crow  
 Doris R. Sumnicht  
 Theresa Wise

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A MESSAGE FROM THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES



Wellington E. Webb, Executive Director  
Department of Regulatory Agencies



The Colorado Civil Rights Division provides a unique service to Colorado residents based on the 1973 Colorado Civil Rights Statute as re-enacted. The Colorado Civil Rights Statute prohibits discrimination in employment, housing and public accommodations on the basis of race, creed, color, sex, national origin, ancestry and physical handicap, and on the basis of marital status in housing and public accommodations only. Both compliance and preventive services are offered statewide in the areas of jurisdiction to individuals and organizations, both public and private. Although the Civil Rights Division is charged by statute to pursue compliance or enforcement activities, it is equally charged to provide preventive services such as research, information and technical assistance. As Colorado experiences rapid population and economic growth, the Civil Rights division in concert with public and private industry and organizations can join to help create a climate in which equal opportunity is available to all citizens. Such cooperation by the government and the private and public sectors is imperative today and in the future. The services of the Civil Rights Division are a valuable source, a unique and valuable State resource, that is and will continue to benefit all Colorado citizens.

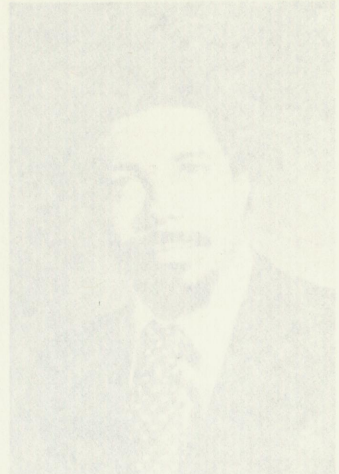
*Wellington E. Webb*

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## AN OVERVIEW AND MESSAGE FROM THE DIRECTOR



Dr. Dorothy J. Porter, Director  
Colorado Civil Rights Division



1980 was a year of transition for the Colorado Civil Rights Commission. Following the 1978 Sunset Review, the legislature mandated the new administration to reorganize. The "old" Commission became the Colorado Civil Rights Commission (which is a bipartisan seven-member policy panel appointed by the Governor) and the Colorado Civil Rights Division (which is the director and staff who serve as the administrative arm of the Commission.) The reorganization also included an expansion of services and new organizational systems for the delivery of those services.

Specifically, the Compliance Unit (which was under the supervision of a Director of Compliance) gained a counterpart which is referred to as the Research and Education Unit (also with its own Director) and whose major purpose is to provide prevention and outreach services to the community. In addition, the position of Regional Director was created to promote an integrated and consistent approach to the delivery of compliance and outreach services by the Division.

Under State law, the Colorado Civil Rights Commission administers and enforces Colorado civil rights laws which prohibit discrimination in employment, housing, public accommodations and advertising, based on race, color, creed, sex, national origin, ancestry, physical handicap and marital status (only in housing and public accommodations). The Commission's ultimate goal is to work towards the elimination of racism and other forms of prejudice and discrimination which limit equal opportunity for Colorado citizens.

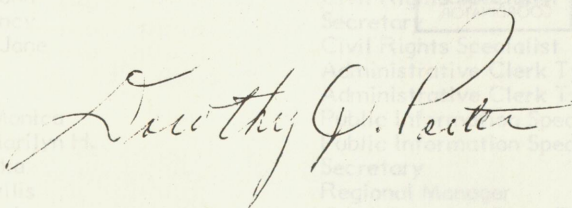
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OF THE COLORADO CIVIL RIGHTS DIVISION

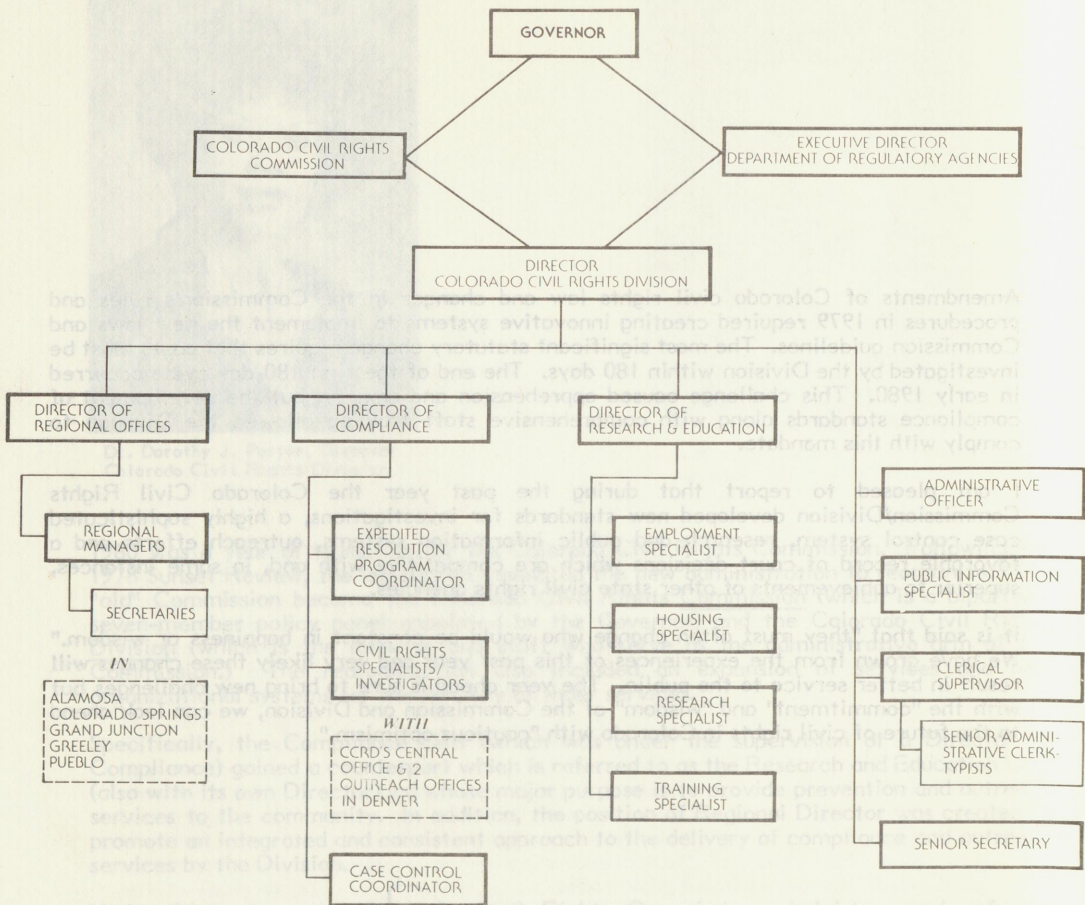
Amendments of Colorado civil rights law and changes in the Commission's rules and procedures in 1979 required creating innovative systems to implement the new laws and Commission guidelines. The most significant statutory change requires that cases must be investigated by the Division within 180 days. The end of the first 180-day cycle occurred in early 1980. This challenge caused apprehension and anxiety, but the development of compliance standards along with comprehensive staff training allowed the Division to comply with this mandate.

I am pleased to report that during the past year the Colorado Civil Rights Commission/Division developed new standards for investigations, a highly sophisticated case control system, research and public information systems, outreach efforts and a favorable record of court decisions which are competitive with and, in some instances, superior to achievements of other state civil rights agencies.

It is said that "they must often change who would be constant in happiness or wisdom." We have grown from the experiences of this past year and very likely these changes will result in better service to the public. The year ahead is sure to bring new challenges but with the "commitment" and "wisdom" of the Commission and Division, we can look ahead to the future of civil rights in Colorado with "cautious optimism."



ORGANIZATIONAL CHART FISCAL YEAR 1980-1981



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## COLORADO CIVIL RIGHTS DIVISION STAFF

Alley, Pat	Secretary
Aragon, Manuel	Regional Manager
Arguello, Patsy	Secretary
Bean, Pat	Civil Rights Specialist
Beasley, James F., Ph.D.	HUD Coordinator
Berry, Edna	HUD Investigator
Branscombe, Bea Sutton	Housing Specialist
Brown, Kathleen	Administrative Clerk Typist
Bryson, Linda	Public Information Specialist
Camara, Damani	Civil Rights Specialist
Center, Sioux LaMonte	Expedited Resolution Program Coordinator
Crow, Eleanor G.	Research Specialist
Cruz, José	Regional Manager
Devine, Rita	Secretary
Duran, Felix Tom	Director of Regional Offices
Eye, Kenneth E., Ph.D.	Director of Research and Education
Farmer, Arlene	Administrative Clerk Typist
Fonza-Willis, Bettina	Clerical Supervisor
Franklin, Betty E.	Training Specialist
Gibbs, Ed	Regional Manager
Gonzales, Manuel	Civil Rights Specialist
Griego, Dorothy	Secretary
Haney, Hal	Case Control Coordinator
Hardy, Kathleen	Administrative Officer
Hatter, Rick	Administrative Officer
Hunter, Nancy	Administrative Clerk Typist
Johnson-Wilburn, Helen	Employment Specialist
Keeper, Cheryl	HUD Secretary
Lang y Marquez, Jack	Director of Compliance
Lee, Nancy	Secretary
Medina, Al	Civil Rights Specialist
Montano, Norbert	Civil Rights Specialist
Montoya, Raymond	Expedited Resolution Program Coordinator
Nakayama, Jim T.	Civil Rights Specialist
Pickard, Kathy	Civil Rights Specialist
Plantz-Russell, Otis	Regional Manager
Porter, Dorothy J., Ph.D.	Director of the Colorado Civil Rights Division
Ray, Susan	Administrative Clerk Typist
Sandoval, John	Civil Rights Specialist
Sharify, Nancy	Secretary
Silverman, Jane	Civil Rights Specialist
Soto, Jesse	Administrative Clerk Typist
Soto, Linda	Administrative Clerk Typist
Spellman, Monica	Public Information Specialist
Spurlock, Marilyn H.	Public Information Specialist
Taylor, Ailika	Secretary
Valdez, Phyllis	Regional Manager
Virgil, Beverly	Administrative Clerk Typist
Williams, Barbara A.	Administrative Officer
Williams, Larry	Civil Rights Specialist
Wise, Theresa	Civil Rights Specialist

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## COLORADO CIVIL RIGHTS COMMISSION

24-34-305, Colorado Revised Statutes as amended, requires the seven Civil Rights Commission members to:

- (a) adopt, publish, amend, and rescind rules and regulations;
- (b) receive, investigate, and pass upon charges alleging unfair or discriminatory practices;
- (c) investigate the existence, character, causes, and extent of unfair or discriminatory practices;
- (d) hold hearings;
- (e) issue publications and reports of investigations and research which will promote good will among racial, religious, and ethnic groups;
- (f) prepare annually a report to the Governor and General Assembly;
- (g) recommend policies to the Governor, and submit recommendations to the private sector to carry out those policies;
- (h) make recommendations to the General Assembly for new or amending legislation;
- (i) cooperate with public and private agencies to eliminate racial, religious, cultural, and intergroup tensions;
- (j) adopt an official seal.

Janet Dorsey represented the handicapped and women's issues while on the Commission, and resided in Aurora, Colorado. Commissioner Dorsey has been a state coordinator for the White House Conference on the Handicapped and a founder of the National Handicapped Sports and Recreation Committee which formed the Rocky Mountain Chapter. She was an advisor to the Boy Scouts of America on its handicapped programs, and was also Director of the Governor's Council for the Handicapped. Commissioner Dorsey currently works for the United States Department of Education, Civil Rights Division, in Program and Review, in Washington, D.C.

Delfino Mata, Chair of the Commission for 1980-1981, is a Senior Psychiatric Technician at the Colorado State Hospital, having served as a State employee for over eighteen years. In addition, Commissioner Mata manages a bakery tortilla factory. Mr. Mata represents the Pueblo area, where he is active in the Republican party. He has served as an election judge, a precinct chairman, a member of the Pueblo County Republican Central Committee, and as a candidate for State Representative from Pueblo. He also has served on the Governor's Manpower Advisory Committee.

Rev. Milton E. Proby is the Pastor of St. John's Baptist Church which is located in Colorado Springs and was elected recently as one of El Paso County's most influential citizens. With a Juris Doctorate Degree and ten years as a Commissioner with the CCRC, his career also includes honors as an officer with many organizations, such as the National Association of Human Rights Workers, the Western States Baptist Convention, the Human Relations Commission of Colorado Springs, and with the National Baptist Convention as a board member during the time that Martin Luther King also served in that capacity.

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## COLORADO CIVIL RIGHTS COMMISSION

Sara J. Beery is a Municipal Judge in Grand Junction, Colorado, and services the Commission as a representative from the Western Slope. Commissioner Beery earned a Juris Doctorate degree from the University of Denver, and has worked for Colorado Rural Legal Services and the United States Department of Justice, Civil Rights Division. She was appointed to the Commission in March, 1975.



Lynn Brown is a Republican from Arvada, Colorado, and the Regional Administrator, Women's Bureau, United States Department of Labor. Commissioner Brown has a Master's degree in Public Administration, with a B.A. in Spanish. She has been active in advocacy for women's rights since 1970, having served on the Commission on the Status of Women, and currently participates in many women's organizations. She was appointed to the Civil Rights Commission in 1980.



Robert Rottman is a Denver native and a graduate of Denver public schools, the University of Denver, and the University of Denver School of Law (LL.D.). He is in private practice of law (general) and active in various community organizations and institutions. "My three years as a member of the Colorado Civil Rights Commission has been the most satisfying and significant of my public service experience. I am most appreciative to have the opportunity to work with fellow commissioners and the Division staff and its Director in the areas of civil rights."



Raymond Roybal is Project Director for El Valle Housing Corporation in La Jara, Colorado, which is a program developed by the Federal Housing Administration that utilizes the self-help concept in building homes. Commissioner Roybal attended Adams State College and the Universities of Colorado and Utah, with studies in psychology. Appointed to the Commission in 1980, Mr. Roybal hopes that Colorado continues to be a forerunner state which works diligently for civil rights.



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## HISTORY

- o As a result of the 1951 Colorado Anti-Discrimination Act, the Fair Employment Practices Division was created within the Industrial Commission to provide research and education to reduce employment discrimination and to conduct hearings in cases involving public employers.
- o Recognizing the need for increased compliance powers in addition to the educational process, this division became the Anti-Discrimination Commission in 1955 with increased enforcement capabilities both in public and private employment.
- o The Commission's jurisdiction was increased again in 1957 with additions in employment law and with the responsibility for enforcement of the State's public accommodations law which, enacted in 1895, was Colorado's first civil rights act.
- o Colorado has the distinction of being the first state to enact fair housing laws which regulated both privately-financed and publicly-assisted housing. Enacted in 1959, Colorado's Fair Housing Laws preceded federal fair housing laws which were provided under Title VIII in 1968. Implementation of these laws was enhanced with the creation of the Metro Denver Fair Housing Center in 1965.
- o The Commission was directed through these years by Roy Chapman, Ed Terrones (Acting Director), and James F. Reynolds (1963-1980). During this time it also was placed within the Department of Regulatory Agencies.
- o Since enactment the Colorado Civil Rights statutes have been revised and expanded and now include jurisdiction in the three areas of employment, housing and public accommodations to remedy and prevent discrimination on the basis of race, creed, color, sex, national origin, ancestry, physical handicap, and on the basis of marital status (in housing and public accommodations only).
- o Currently the seven member bi-partisan Commission and the Division staff, which is under the direction of Dr. Dorothy J. Porter, work jointly to remedy and prevent discrimination against individuals and to assist private and public organizations to eliminate and prevent systemic discrimination. Its dual purposes of compliance and prevention has remained: to actively combat and prevent discrimination, and to actively promote Equal Opportunity for all.

ACTIVITIES AND ACCOMPLISHMENTS

**THE COLORADO CIVIL RIGHTS DIVISION**

GOAL

TO ADVOCATE AND TAKE ACTION TO HELP  
BRING ABOUT A FUTURE IN WHICH EQUAL  
OPPORTUNITY WILL BE A REALITY FOR ALL PEOPLE.

OBJECTIVES

**COMPLIANCE**

To apply the Colorado Civil Rights Statutes  
to provide remedy to persons found to have  
suffered discrimination.

**PREVENTION**

To apply the Colorado Civil Rights Statutes  
to provide assistance to persons, groups,  
government, and business, both private and  
public, to prevent discriminatory acts and  
conditions.

**ADMINISTRATION**

To systematically and cooperatively enhance  
the visibility, viability and effectiveness  
of the Colorado Civil Rights Commission and  
Division.

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## RESEARCH & EDUCATION

### ACTIVITIES AND ACCOMPLISHMENTS

The Research and Education "prevention" unit was formed as a result of the 1978 Sunset Review and the first permanent Research and Education staff appointments were made during the Fiscal Year 1980-1981. As such, this past year involved major unit organization and development activities in addition to the conduct of program activities within the four Research and Education specialty areas. The major activities and outcomes included the following.

- o **ADMINISTRATION.** The first Director of Research and Education, Dr. Kenneth E. Eye, was appointed during this fiscal year, and under his supervision, sub-unit objectives and related activities for research and education were specified, and a reporting system was implemented. The integration of the "preventive" function of the Research and Education unit and the "enforcement" function of the Compliance unit was articulated and implemented. The Director of Research and Education often represented the Commission/Division and provided information, programs, participation and support to a wide range of public and private sector employers and housing representatives to promote cooperation and to further preventive activities in the area of civil rights within these groups. The media, educators, municipalities, state and federal government agencies, and community groups were among the other types of organizations that were recipients of CCRD's preventive activities.
  
- o **EMPLOYMENT.** The Employment Specialist provided various "preventive" services which included: business application forms and policy manuals were reviewed upon request for compliance with the civil rights statutes; many employer questions were answered; all conciliation agreements were reviewed and followed-up as needed to insure compliance; investigative staff was provided technical assistance in the conduct of investigations; and a Technical Assistance manual was drafted for use by business and CCRD staff.
  
- o **HOUSING.** The Housing Specialist's "preventive" services included, for example, the following: information was provided on request to housing providers; a major housing conference was held in Denver in which the Housing Specialist provided major support; conciliation agreements were reviewed and followed-up as needed to insure compliance; numerous community and REALTOR groups (such as Community Housing Resource Boards) were provided Fair Housing information; and the Housing Specialist also participated in several housing-related groups, such as the Housing Issues Task Force and the Colorado Social Legislation Committee, to support the concept of broad-based community coalitions to further Fair Housing. A major activity has been the initiation of a Fair Housing Opportunity Center, of which the Housing Specialist is serving as Acting Director, that is expected to provide significant leadership for metro-wide Fair Housing efforts.

- o **RESEARCH.** The Research Specialist helped plan and conduct Phase I of the Western Slope Study, with the major outcomes being: 1) a Commission Hearing held in Grand Junction that focused on civil rights and energy development, and 2) the writing of a Hearing Proceedings and an Executive Summary that will be distributed statewide. The Research Specialist served as an ongoing information resource for the Compliance, Administrative and other Research and Education staff. As an example, statistical analysis was performed to support several compliance investigations, and information was gathered to help respond to legislative proposals involving age and handicap discrimination.
- o **TRAINING.** The Training Specialist provided and developed numerous training programs and materials both for the private and public sectors and for inservice training for Commissioners and Division staff. A major emphasis of the training is to provide information to aid private and public institutions eliminate or prevent discriminatory practices in employment, housing and public accommodations. The major strategy has been to provide training to trainers or supervisory personnel who are in a position both to transmit the information and to modify policy or procedures. An average of four training programs a month were conducted by the Training Specialist in addition to other research and educational services, including the preparation and publication of several public information brochures on the topics of equal employment opportunity, fair housing, and preventing sex discrimination and sexual harassment.

**JOINT RESEARCH & EDUCATION PROJECTS.** Although many of the above activities required cooperation by several Research and Education or Compliance unit staff, two efforts were particularly dependent on broad staff coordination and cooperation.

- o First, orientation for new Commissioners and training for all Commissioners was a joint effort of the Research and Education, Compliance and Attorney General's staffs.
- o Second, all staff units worked on and participated in a year long HUD-funded capacity building training program which culminated in the implementation of a work sharing agreement with HUD. The work sharing agreement has resulted in elimination of duplication of housing case investigations, eased the referral process for systemic allegations to HUD, updated the Division's overall data system, and initiated a joint staff training series. The HUD work sharing agreement is indicative of the overall thrust of Research and Education, which is to provide "preventive" services to further the overall Commission and Division's goal to insure Equal Opportunity for all Colorado citizens.

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## RESEARCH AND EDUCATION

### HUD PROJECTS

Seven HUD funded grants were applied for through a joint effort of the Research Specialist, Housing Specialist and Director of Research and Education. All seven grants were awarded, all of which serve to supplement the ongoing Research and Education Housing "preventive" program, and to strengthen the Compliance Unit enforcement capability. The following are summaries of the grant purposes and activities:

1. **HOUSING CAPACITY BUILDING.** \$77,000.00. The grant a) pays for Division processing of cases deferred from HUD; b) provides training to HUD and Division staffs to upgrade the quality of investigations; and c) increases the Division case and data processing capability.
2. **METRO FAIR HOUSING CENTER.** \$50,000.00. This grant provides seed money to establish a housing center that will become an independent, community-based and -financed agency. The center will coordinate coalitions of housing industry interests to promote voluntary Fair Housing practices as a part of the overall civil rights effort to insure Equal Opportunity for all citizens.
3. **FAIR HOUSING MARKET AUDIT.** \$20,000.00. As a program activity the Metro Fair Housing Center will conduct various housing audits to provide data to the housing industry about the existence and extent of discriminatory housing practices.
4. **FAIR HOUSING TRAINING MATERIALS.** \$20,000.00. Flexible multipurpose Fair Housing training materials will be developed for housing providers such as the real estate industry, apartment house managers, mortgage lending industry, local governments and civil rights investigators.
5. **DATA AND INFORMATION SYSTEM.** \$70,000.00. The grant is in three parts:
  - a. **Agency Data System.** The Division computer data system will undergo approximately 40% of needed updating.
  - b. **Housing Discrimination Research.** Statistical tests will be used to assess housing discrimination in several urban areas.
  - c. **Housing Data Information Systems.** The project will explore alternative sources and means to coordinate and share Colorado housing data both locally and nationally.

The one year grants for the most part are non-renewable, and thus, are designed to supplement the Research and Education housing program. Given the projected Colorado population growth, the issue of Fair Housing will become critical if preventive action is long delayed.

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## COLORADO CIVIL RIGHTS LAWS

### EMPLOYMENT

The Anti-Discrimination Act of 1957, as re-enacted, prohibits discrimination in employment based on race, creed, color, sex, national origin, ancestry and physical handicap. It includes discrimination by employers in hiring, firing, promotions and matters of compensation. Employment agencies, labor unions, on-the-job training programs, apprenticeship training, vocational schools and advertisements also are covered by this law.

Employment charges must be filed with the Colorado Civil Rights Commission within **six months** of the date of the alleged discrimination or with the Equal Employment Opportunity Commission (EEOC) within **180 days**. To avoid duplication of effort a charge will be processed by the most appropriate agency when there is common jurisdiction. A Civil Rights Specialist can assist in the filing of charges. During the Investigation stage all information is confidential.

### HOUSING

The Fair Housing Act of 1959, as re-enacted, prohibits discrimination in the showing, renting, leasing or sale of housing or vacant land which includes mobile homes, trailer spaces, duplexes, commercial property and private homes. This law prohibits discrimination based on race, creed, color, sex, national origin, ancestry, physical handicap and marital status.

The law also prohibits discrimination in financial assistance for housing, such as loans for buying, repairing or maintaining housing. Segregation, restrictive covenants, discriminatory advertising and retaliation against employees who obey the Fair Housing Law also are prohibited.

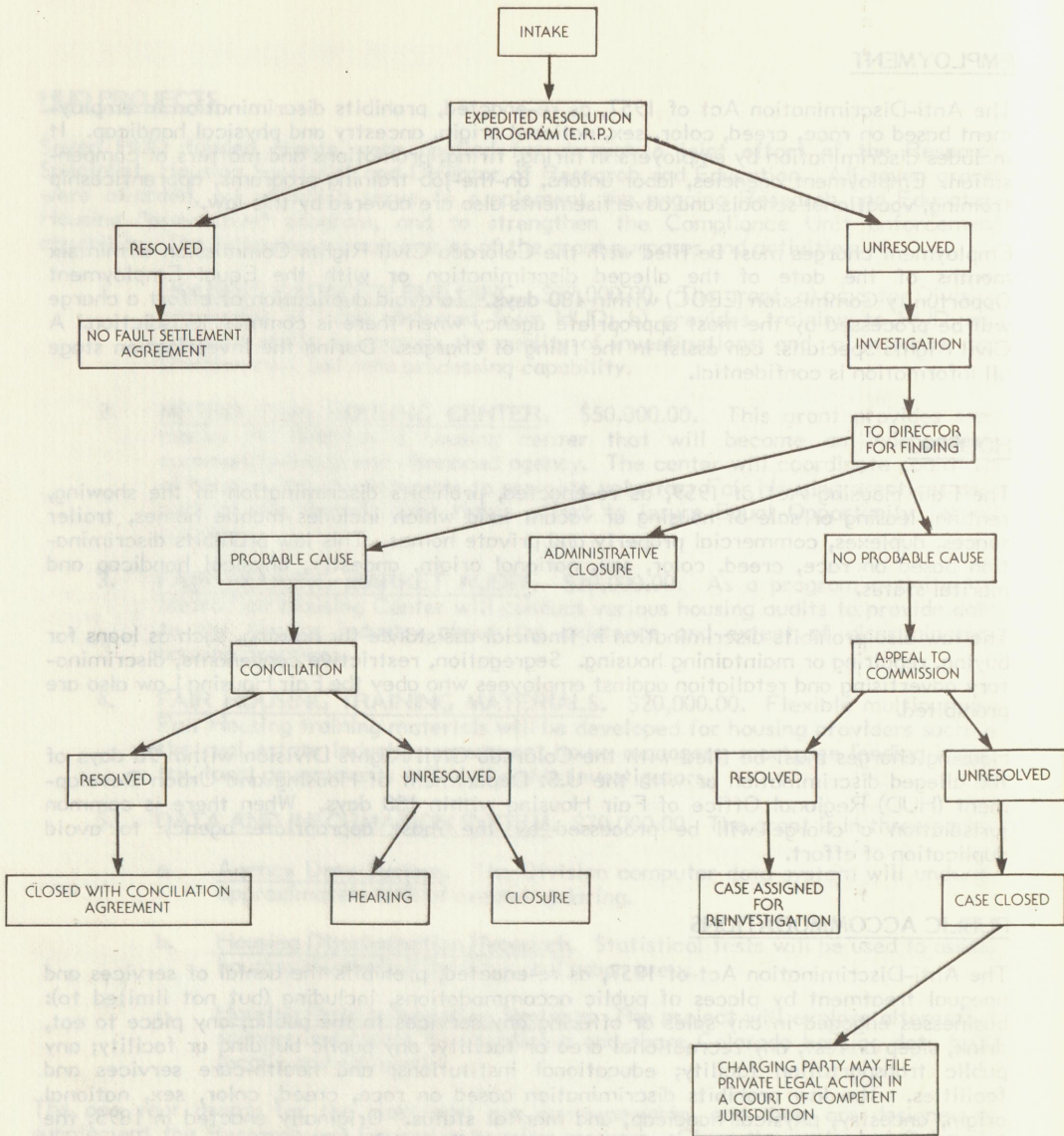
Housing charges must be filed with the Colorado Civil Rights Division within **90 days** of the alleged discrimination or with the U.S. Department of Housing and Urban Development (HUD) Regional Office of Fair Housing within **180 days**. When there is common jurisdiction a charge will be processed by the most appropriate agency to avoid duplication of effort.

### PUBLIC ACCOMMODATIONS

The Anti-Discrimination Act of 1957, as re-enacted, prohibits the denial of services and unequal treatment by places of public accommodations, including (but not limited to): businesses engaged in any sales or offering any services to the public; any place to eat, drink, sleep or rest; any recreational area or facility; any public building or facility; any public transportation facility; educational institutions; and health-care services and facilities. The law prohibits discrimination based on race, creed, color, sex, national origin, ancestry, physical handicap, and marital status. Originally enacted in 1895, the State's public accommodations law was Colorado's first civil rights act.

A public accommodation charge must be filed with the Colorado Civil Rights Commission within **60 days** of the alleged act of discrimination. A civil complaint also may be filed in county court, but may not be filed with both the Commission and the courts.

**PROCESSING A CHARGE FILED WITH THE CCRD: A SUMMARY CHART\***



\*The compliance information on the following page describes in greater detail all of the possible actions that may result when a charge of discrimination is filed with the CCRD.

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## COMPLIANCE

### COMPLIANCE FUNCTIONS

The chief function of the Colorado Civil Rights Division is the enforcement of the Colorado anti-discrimination laws. These laws prohibit discrimination in employment, housing and public accommodations based on race, color, creed (religion), sex, national origin or ancestry, physical handicap and (except in employment) marital status. Any person who believes that he or she has been harmed by the discriminatory actions of another in one of these areas is entitled to file a charge with the Colorado Civil Rights Commission.

**INTAKE** Division staff assigned to compliance spend approximately 20% of their time on Intake duty which includes answering telephone requests for information, assisting in the filing of charges and referring parties to other appropriate sources of assistance. Prior to the filing of a charge an individual must be able to identify a reason for the alleged act of discrimination that is based upon unequal treatment, disparate effect, prejudicial motivation or a violation of Commission guidelines.

- o Despite these rigid intake standards, 778 new charges of discrimination were filed with the Commission during fiscal year 1980-1981. These included 687 charges of employment discrimination, 62 charges of housing discrimination and 29 charges of discrimination in places of public accommodation.

**EXPEDITED RESOLUTION PROGRAM (E.R.P.)** Now in its third year of successful implementation, the Expedited Resolution Program has provided a means for rapid settlement of charges through conference and mediation. This voluntary program brings the charging party and respondent together within 2 or 3 weeks of the initial filing of a charge while the facts are current and the cost of settlement is minimal.

- o 34% of all case closures (385 cases) were achieved through this program during fiscal year 1980-1981. Such closures included primarily No Fault settlement agreements and voluntary withdrawals by the charging party.

**INVESTIGATIONS** Cases not closed by the E.R.P. process are forwarded to the Compliance staff for further investigation. Investigated cases are forwarded to the Director for a determination of Probable Cause or No Probable Cause. Cases dismissed with a finding of No Probable Cause may be appealed to the Commission. Cases of Probable Cause are assigned to a conciliator in an attempt to settle the matter through negotiation. Cases which are not settled through conciliation are either dismissed (allowing parties to proceed into court if they so desire) or are authorized by the Commission for Public Hearing.

**ADMINISTRATIVE CLOSURE** This action refers to cases closed due to lack of jurisdiction or due to inability to locate or to obtain cooperation from the Charging Party and may occur at anytime following Intake.

(\*Refer to inside back cover for current CORD office locations.)

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## COMPLIANCE

### CASES BY TYPE OF CLOSURE

Of the 1015 cases closed by the Division Staff during FY 80-81, the closures by type included:

- o Dismissed by Director - No Probable Cause 312 cases (31%)
- o No Fault Settlement agreements 312 cases (31%)
- o Closed through Conciliation 34 cases ( 3%)
- o Cases withdrawn by Charging Party 196 cases (19%)
- o Administrative Closures 161 cases (16%)

### CASES CLOSED BY THE COMMISSION FY 80-81

Of the 118 appeals that were filed with the Commission, 108 were closed by final action of the Commission. The remaining 10 cases were either undergoing further investigation or pending final action by the Commission at the fiscal year's end.

### STATE/FEDERAL RELATIONSHIP

During FY 80-81 the Civil Rights Division significantly strengthened its working relationship with both the Equal Employment Opportunity Commission (EEOC) and the Office of Fair Housing, U.S. Department of Housing and Urban Development (HUD).

**EEOC:** Through contract and worksharing agreements, CCRC and EEOC have vigorously pursued full protection of state and federal rights of all parties while avoiding duplication of effort. The Civil Rights Commission has contracted to close at least 800 cases per year which have been jointly filed with both agencies. In return, the EEOC has reimbursed a portion of the cost of investigating and closing such cases. The State Civil Rights Commission has consistently met all federal quality standards and thereby has qualified for the maximum 10% contract bonus allowable.

**HUD:** During FY 80-81, Phase I of a capacity-building grant was awarded by HUD to CCRC. The purpose of this grant has been to develop the capacity to process efficiently housing discrimination charges which are filed with HUD's Office of Fair Housing and deferred to CCRC (as specified under the provisions of Title VIII). In addition to finalizing a Memorandum of Understanding between the agencies which defines the deferral process, joint training of both agencies' compliance staff was developed and conducted to assure equivalent processing of charges. As in CCRC's relationship with EEOC, a primary goal of the working relationship with HUD is to avoid duplication of effort in the processing of charges.

## COMPLIANCE

### COMPLIANCE STAFF AND SERVICES

- o The first permanent Director of Compliance, Jack Lang y Marquez, was appointed during FY 80-81. Mr. Lang y Marquez previously had served for one year as a Civil Rights Specialist and for four years as Deputy Director of the Civil Rights Commission prior to its reorganization under the Sunset Review Process.
- o Total Compliance staff in Denver numbered 10 investigators. Average case closures per investigator was 5.73 per month in the Regional offices and 6.5 per month in the Denver office.
- o In addition to new charges, the Compliance workload statewide included 342 cases carried over from the previous fiscal year, 150 cases deferred from EEOC and HUD (refer to State/Federal Relationship), 41 Conciliations, 118 Appeals, and 56 Reinvestigations. Of the new cases filed, 265 (34%) were filed in Regional offices; 513 (66%) were filed in Denver. A total of 362 open cases were carried over from this fiscal year into FY 81-82.
- o During FY 80-81, combined compliance efforts of the Regional and Denver staff resulted in settlement benefits totaling \$516,464 of actual and prospective relief.
- o Of the 1485 cases processed during FY 80-81, 310 (20.9%) fell within the exclusive jurisdiction of the Colorado Civil Rights Commission.
- o A significant issue during FY 80-81 was the development of time management controls to enable the Division to complete case processing within the 180-day time limits enacted in 1979. Improved case management through updating of the Division's computer records was planned and funds for the system's improvement obtained. In addition, rules which define good cause for granting of extensions of time were implemented.
- o Within the Denver metropolitan area two outreach offices were established to provide compliance and educational services to a broad cross-section of the Denver Community. These offices are located in the Five Points Community Center at 2855 Tremont and in the Human Resource Center at 801 West 5th Ave.\*

(\*Refer to inside back cover for current CCRD office locations.)

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## REGIONAL OFFICES

### REGIONAL OFFICES STAFF AND SERVICES

The Colorado Civil Rights Division has five regional offices located in distinct regional areas. Each regional office is staffed with a Manager/Investigator and a Secretary. The Manager is responsible for managing the office as well as functioning as an Investigator, which includes performing the intake, mediation, and investigation of charges. In addition to the compliance responsibility, the Investigator also performs a preventive role by conducting Research and Education activities, which includes presenting workshops for the benefit of employers. The Secretary handles information calls and performs the scheduling of appointments as well as other clerical-related duties.

During FY 1980-1981 Felix Tom Duran, the first permanent Director of Regional Offices, was appointed to the position after having served in the capacity of Acting Director for the previous 2½ years.

### GEOGRAPHICAL REPRESENTATION

The northeast section of the State is serviced by the Greeley office. The western slope is serviced by the office located in Grand Junction whereas the San Luis Valley is serviced by the Alamosa office. The Pueblo office covers the Arkansas Valley, and the Colorado Springs office services the mid-section of the State. (A map and the addresses of all regional offices are provided on the inside back cover.) The five regional offices cover 96% of the State's areas and service 44% of the State's population which includes an estimated:

- o 253,909 (45%) of the State's ethnic and minority population
- o 250,000 females in the labor force
- o 57,777 persons with physical disabilities

### COMPLIANCE ACTIVITIES

- o 344 cases were completed by the Regional staff which represents 1/3 of the total cases completed by the Colorado Civil Rights Commission.
- o The regional offices are staffed with 1/3 of the compliance staff.
- o \$273,546.16 in combined actual and prospective relief for Charging Parties was reclaimed by the Regional staff through the Expedited Resolution Program and conciliation process. (Refer to pages 16-17 for information regarding the compliance process.)

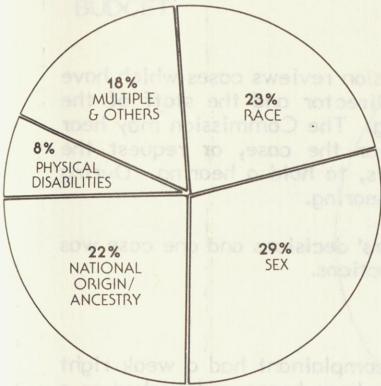
### RESEARCH AND EDUCATIONAL ACTIVITIES

- o 132 preventive workshops and meetings for the benefit of public and private sector organizations, particularly in the area of employment, were conducted throughout the five regions by the Regional Managers.
- o 1,800 persons, in addition to the 344 cases, met with the Regional office staff and were counseled to determine if their concerns met the jurisdictional requirements established by law.

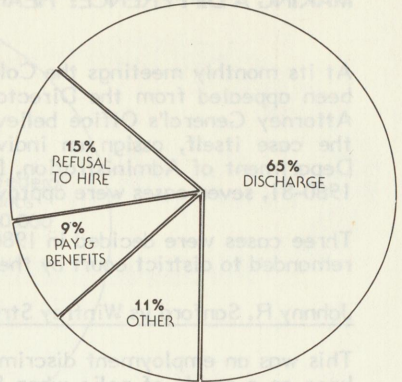
# TYPES OF CHARGES BY BASIS AND ISSUE FILED WITH THE CCRD

## EMPLOYMENT

### BASIS



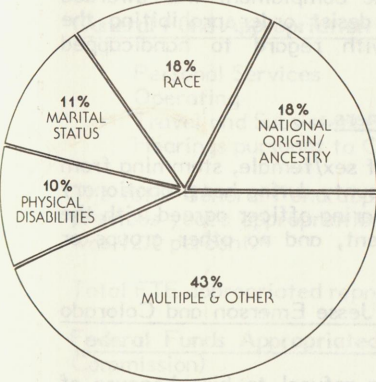
### ISSUE



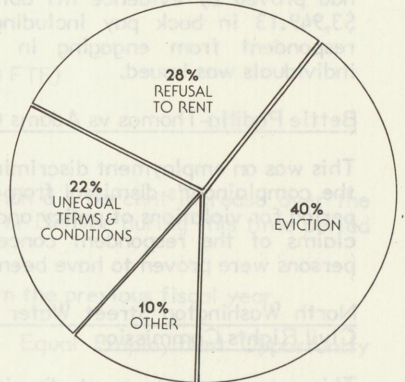
TOTAL EMPLOYMENT CASES = 687

## HOUSING

### BASIS



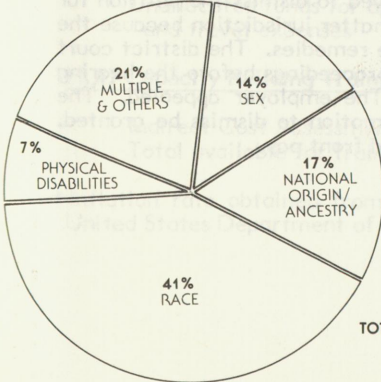
### ISSUE



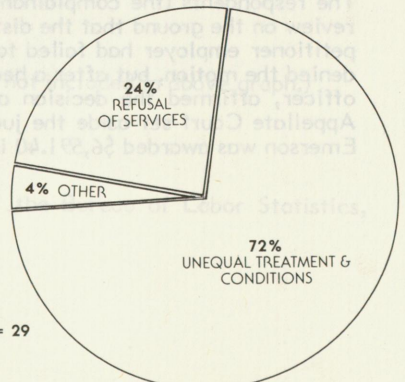
TOTAL HOUSING CASES = 62

## PUBLIC ACCOMMODATIONS

### BASIS



### ISSUE



TOTAL PUBLIC ACCOMMODATIONS CASES = 29

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## MAKING A DIFFERENCE: HEARINGS

At its monthly meetings the Colorado Civil Rights Commission reviews cases which have been appealed from the Director's finding or which the Director and the staff of the Attorney General's Office believe should be set for hearing. The Commission may hear the case itself, assign an individual Commissioner to hear the case, or request the Department of Administration, Division of Hearing Officers, to hold a hearing. During 1980-81, seven cases were approved by the Commission for hearing.

Three cases were decided in 1980-81, two by hearing officers' decisions and one case was remanded to district court by the Court of Appeals with directions.

### Johnny R. Sanford vs Winfrey Structural Concrete Company

This was an employment discrimination case in which the complainant had a weak right knee as a result of polio when he was a child. He wore a knee brace and worked as a welder. The complainant was fired on his first day of work for the respondent by the foreman who did not want to be responsible for any injury to the complainant and who also felt that the complainant climbed ladders too slowly. The hearing officer ruled the respondent violated C.R.S. 1973, 24-34-306 (1) (a), as amended, and that the complainant had proved by evidence his ability to climb ladders. The complainant was awarded \$3,949.13 in back pay including interest. A cease and desist order prohibiting the respondent from engaging in unlawful discrimination with regard to handicapped individuals was issued.

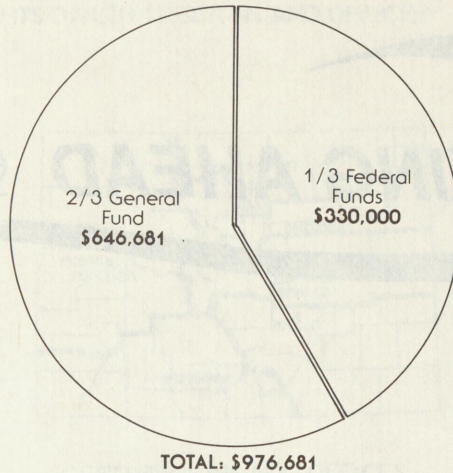
### Bettie Padilla-Thomas vs Adams County Board of Commissioners

This was an employment discrimination charge on the basis of sex/female, stemming from the complainant's dismissal from her position with Adams County during her probationary period for violations of policy and federal guidelines. The hearing officer agreed with the claims of the respondent concerning the particular incident, and no other groups or persons were proven to have been discriminated against.

### North Washington Street Water and Sanitation District vs Jesse Emerson and Colorado Civil Rights Commission

This was an employment discrimination complaint alleging refusal to hire because of race/color, Negro/Black, in which the hearing officer ruled in favor of Jesse Emerson in 1978. The North Washington Street Water and Sanitation District did not appeal the decision to the Commission but instead filed an action for judicial review in district court. The respondents (the complainant and the Commission) moved to dismiss the petition for review on the ground that the district court lacked subject matter jurisdiction because the petitioner employer had failed to exhaust its administrative remedies. The district court denied the motion, but after a hearing on the record of the proceedings before the hearing officer, affirmed the decision and recommended order. The employer appealed. The Appellate Court set aside the judgement and directed the motion to dismiss be granted. Emerson was awarded \$6,591.40 in back pay plus benefits and front pay.

## BUDGET



### General Fund Appropriation By Line Item

Personal Services	\$596,171 (27.0 FTE)
Operating	34,961
Travel and Subsistence	7,598
Hearings pursuant to Complaint	7,951

The total General Fund appropriation represents less than a 6 percent increase over the previous year's appropriation, while the inflation rate for Denver during this time period was 12.1 percent.\*

Total FTE appropriated represents a decrease of 1.0 from the previous fiscal year.

### Federal Funds Appropriated By Line Item (Source: Equal Employment Opportunity Commission)

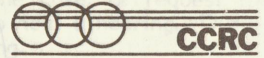
Personal Services	\$206,759 (10.0 FTE)
Legal Services	73,988
Indirect Cost Assessment	18,472
Unallocated funds for operating and travel expenses	30,781

### HUD Capacity Building Training Grant (Special grant is not included in above graph.)

Indirect Cost Assessment	\$ 13,428
Total available for training	63,572

\*Inflation rate obtained from Consumer Price Index of the Bureau of Labor Statistics, United States Department of Labor.

# LOOKING AHEAD



- **EQUAL OPPORTUNITY FOR ALL**

Fair Employment Practices

Fair Housing Practices

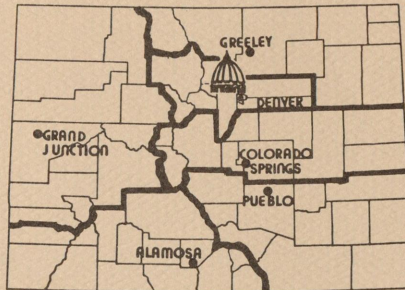
Open Public Accommodations

- **A MULTI-CULTURAL COOPERATIVE SOCIETY**

- **LIBERTY AND JUSTICE FOR ALL**

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COLORADO CIVIL RIGHTS DIVISION REGIONS AND OFFICES\*



CCRD REGIONS AND OFFICES

**CENTRAL OFFICE**

1525 Sherman Street, Room 600C  
Denver, Colorado 80203  
866-2621

**OUTREACH OFFICES**

Five Points Office  
2855 Tremont Place  
Denver, CO 80105  
866-3684

Platte Valley Action Center  
2607 West 14th  
Denver, CO 80204  
534-7244  
(Tuesdays only)

**REGIONAL OFFICES**

815 Main Street  
Alamosa, CO 81101  
589-9101

105 East Vermijo  
Professional Building  
Suite 444  
Colorado Springs  
Colorado 80903  
623-2075

1649 Main Street  
Suite #1  
Grand Junction,  
Colorado 81501  
243-9242

724 - 8th Street  
Suite #210  
Greeley, CO 80631  
356-9221

13th and Francisco  
State Hospital Grounds  
Building 2 - Room 31  
Pueblo, CO 81003  
545-3520  
545-3650

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\*Current through June 30, 1982

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