

2008-09 Spending Plan	Division of Human Rights
	Galen D. Kirkland, Commissioner

Overview of Proposed Plan

The Division of Human Rights (Division) submits the following Financial Management Plan in Accordance with Budget Bulletin B-1118. The Plan balances the need for fiscal constraint with the execution of the critical mission of the Division.

The Division is charged with enforcing the State’s anti-discrimination statute by investigating and prosecuting complaints of discrimination, advancing policies and legislation that expand civil rights for New Yorkers, and promoting human rights awareness through outreach and education.

Achievement of Savings on a Recurring Basis

The Division will achieve the requisite 3.35% reduction, or \$421,000 in General Fund savings, through a combination of permanent reductions in both Personal and Non-personal Service spending. The reduction will be absorbed into the Division’s budget on a recurring basis. As approximately 70% of the Division’s budget supports personnel costs, Personal Service will be reduced by a commensurate amount, \$300,000 with a \$121,000 reduction in Non-Personal Service.

Personal Service Reductions:

The enacted SFY 2008-09 Budget included two new positions in anticipation of an increased caseload resulting from recently enacted legislation that expanded the rights of the disabled, relative to places of public accommodation. The expected increase in caseload has not been realized. Given the current fiscal climate, the Division does not plan to fill these positions, resulting in a savings of \$120,000. Additional Personal Service reductions of \$180,000 will be achieved by the selective filling of professional items that are currently vacant.

Non-Personal Service Reductions:

The Division will continue to closely examine all Non-Personal Service spending to ensure that the Division’s limited resources are directed at fulfilling our core mission. By seeking further efficiencies in the procurement of supplies and services and reducing staff travel to all but critically essential trips, \$121,000 in savings will be achieved.

Protecting Key Priorities and Treatment of New Initiatives

In recent years, the Division has made great strides in reducing the number of complaints that are pending Investigation or Hearing, and is committed to maintaining the timely processing of all charges, in order to protect the rights of the parties involved. Additionally, there has been a significant increase in the number of complaints the Division receives, as the intake process has been made more accessible. In order to maintain our role as a preeminent Civil Rights agency, the Division will continue to maximize Federal Revenues.

B. Summary of General Fund Financial Impacts

GENERAL FUND -- SAVINGS SUMMARY			
	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	\$0	\$0	\$0
Personal Service	N/A	\$300,000	\$300,000
Non-personal Service	N/A	\$121,000	\$121,000
Total State Operations	\$421,000	\$421,000	\$421,000
Capital			
TOTAL			

GENERAL FUND -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	\$0	\$0	
Personal Service	\$11,222,000	\$9,439,000	
Non-personal Service	\$1,051,000	\$2,968,000	
Total State Operations	\$12,273,000	\$12,407,000	1%
Capital	\$0	\$0	
TOTAL	\$12,273,000	\$12,407,000	

C. Identification of Proposed General Fund Actions

GENERAL FUND	2008-09 Cash	2009-10 Cash	2010-11 Cash
State Operations			
1. Reduce 2 FTEs	\$120,000	\$120,000	\$120,000

	2008-09 Cash	2009-10 Cash	2010-11 Cash
2. Manage additional vacant positions	\$180,000	\$180,000	\$180,000
3. NPS efficiencies	\$121,000	\$121,000	\$121,000

F. Plan to Manage the Workforce

Division staffing is currently 12 positions under the anticipated year-end level of 208, with these vacancies divided between the Executive, Hearing and Regional offices. In order to achieve the necessary savings in Personal Service, the Division will consolidate Regional supervision and eliminate two Regional supervisory positions. These positions were selected because they will have the least impact on the Division's productivity. The remaining ten vacancies, and any future vacancies that occur through attrition, will be evaluated on an individual basis before being filled, with at least three positions remaining unfilled.

Workforce Impact -- All Funds	
a. Initial Target:	208
b. Current Fills PP# 5	196
c. Recurring impact of proposed actions	-2
d. Recurring impact of vacancy-refilling plan	7
e. Total FTEs March 31, 2009	203
f. Change from Initial 2008-09 Target	5

H. Assumptions and Risks of the Proposed Plan

The Division's Financial Management Plan and associated savings assumes that the Division's caseload remains level in future months. As previously noted, the Human Rights Law was expanded as of January 1, 2008, to provide greater access to places of Public Accommodation for the Disabled. While this amendment to the statute more closely aligns the Human Rights Law with the Federal American with Disabilities Act and expands the rights of disabled New Yorkers, it also creates the potential for a significant and unpredictable increase in the Division's caseload. To date, this increase has not occurred, but the potential for a significantly larger workload remains, as the public and advocacy organizations become more familiar with the Laws expanded protections.

Further, the Division has made significant improvements in investigating complaints, holding public hearings and issuing final orders in a timely manner, in accordance with the statutory guidelines. However, a significant backlog remains, particularly in the Hearing Unit. It is critical that the Regional, Hearing and Legal units are adequately staffed with the necessary Investigators, Administrative Law Judges and Attorneys, in order to preserve the rights of all the parties involved.

J. Additional Savings Opportunities for 2008-09

The Division earns Federal revenue from the Equal Employment Opportunity Commission and Department of Housing and Urban Development by processing employment and housing complaints that have overlapping State and Federal jurisdiction. The Division is continually pursuing efficiencies in case processing, resulting in increased productivity. As the number of completed cases increases the Division will seek additional opportunities for General Fund savings.