

EQUAL OPPORTUNITIES DIVISION ANNUAL REPORT

2023



Madison Equal Opportunities Commission
Celebration of 60 Years of Civil Rights and Human Rights (Then and Now)
1963-2023



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OUR HISTORY

In 1963 (prior to the Federal Civil Rights Act in 1964), Madison led the way, adopting the Equal Opportunities Commission (EOC) in response to local and national struggles of equality and the reality that Madison was divided by severe housing discrimination.

The EOC is one of the oldest standing commissions within the State of Wisconsin.

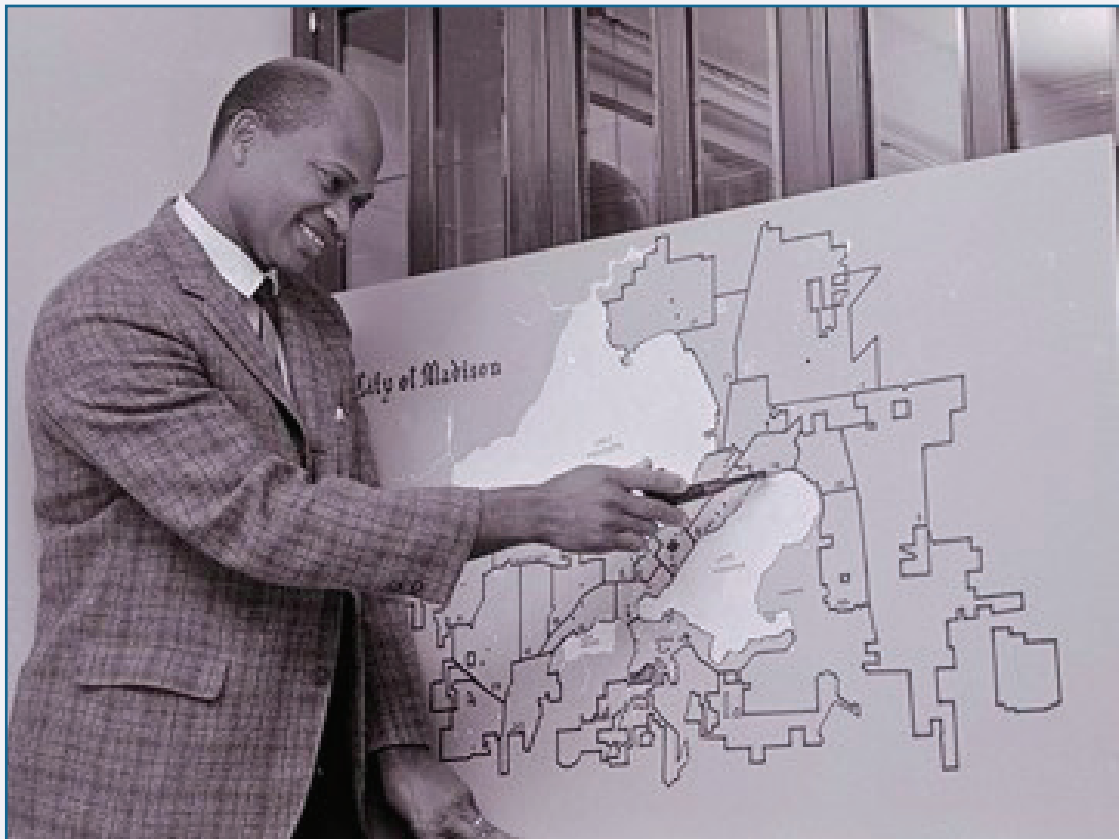
Using a government without walls philosophy, we operate under a servant leadership style: Understanding that being a good servant leader is not spending your time identifying what you can get from others, but rather the giving of oneself to others we serve. - Byron Bishop.

The Equal Opportunities Division (EOD) operates under the authority of the Equal Opportunities Ordinance 39.03, which states we are to:

1. Enable individuals to live and work free of discrimination
2. Provide remedies of discrimination complaints brought forth by the public
3. Provide community education and technical assistance (training)

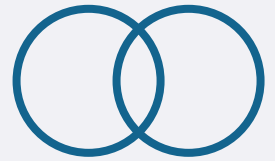
We investigate discrimination complaints for:

1. Employment
2. Housing
3. Public Accommodations
4. (Some) City Services



Rev. James Wright, Madison Equal Opportunities Commission's First Executive Director

MGO 39.03 – EQUAL OPPORTUNITIES ORDINANCE



The charge of the Equal Opportunities Commission as set forth in MGO 39.03 - Equal Opportunities Ordinance is, in part, as follows:

In order that the peace, freedom, safety and general welfare of all inhabitants of the City may be protected and ensured, it is hereby declared to be the public policy of the City of Madison to foster and enforce to the fullest extent the protection by law of the rights of all of its inhabitants to equal opportunity to gainful employment, housing, and the use of City facilities and public accommodations.

To fully effectuate this policy of promoting nondiscrimination, the City shall endeavor to eliminate all discrimination that may occur in its own employment, housing and public accommodation practices and in the use of City facilities. By adopting Sec. 39.05 of these ordinances, the Common Council has attempted to make sure that City facilities and programs that received City financial assistance are accessible to all persons [...].

The Commission is committed to fulfilling their charge through an educated, thoughtful and action-oriented approach to the issues facing the community they serve.

The City of Madison Equal Opportunities Commission ("the Commission") is committed to addressing issues of discrimination in Madison, Wisconsin.

The Commission continues to see and hear of many forms of disparities in Madison including economic, health, and housing crises disproportionately affecting Black, disabled, LGBTQIA and other marginalized communities. The Commission is committed to continuing to address the ongoing housing crisis in the City of Madison and its disparate impact on low-income members of the community and community members of color, and to continuing to understand and challenge the systems and policies that perpetuate the dual public health crises of racism and housing insecurity.

The Commission sees opportunity amidst these challenges. At its annual retreat in 2023, the Commission recommitted to its focus on finding solutions to the complex housing issues in Madison and addressing the policies and practices in place within the City of Madison perpetuating systemic racism.

Pursuant to the authority granted the Commission under MGO 39.03(10)(b), this body sets forth the following statement of intent to further effectuate the goals and purpose of this ordinance:

WHEREAS in 2011 the Madison City Council passed a resolution declaring “that housing be recognized as a human right and that all people who desire a place of shelter and stable long-term housing be prioritized to have this basic need met both temporarily and permanently”; and

WHEREAS the City and community have made progress toward developing housing for low-income residents; and

WHEREAS despite significant gains, housing remains unaffordable and unsustainable for many residents, including low-income and moderate-income earners, creating a disparate impact on a number of different protected classes; and

WHEREAS the laws of the State of Wisconsin preempt the City from enforcing dozens of housing protections for its residents; and

WHEREAS the Equal Opportunities Commission is committed to supporting and providing advocacy for change, and working with the community and stakeholders to reduce all barriers; and

WHEREAS the Equal Opportunities Commission is the enforcement agency for the Equal Opportunities Ordinance; and

WHEREAS the Equal Opportunities Commission has witnessed that not all Madison residents enjoy equitable access to fair, accessible, safe and sustainable housing; and

WHEREAS community residents demand and deserve that the City of Madison be a leader in promoting equitable access to housing and protecting individuals in protected classes;

THEREFORE BE IT RESOLVED that the City of Madison shall reaffirm its commitment to housing as a human right for all residents by advancing policies that support equitable access to housing through its oversight and monitoring, staff funding, contracting, and coordination of services and stakeholders to promote efficient use of City and community resources to supporting housing.



YOU DO HAVE THE RIGHT.

STRATEGIC HIGHLIGHTS



- **EDUCATION, TRAINING AND OUTREACH**

70 Total Events
39 Trainings, 2 Certifications, 29 Outreach
For 1,576 TOTAL PARTICIPANTS REACHED

- **COMMUNITY LISTENING SESSIONS**

North, South, East, West and Central locations within Madison.

- **EXPANDED MUNICIPALITY PARTNERSHIPS AND COLLABORATIONS**

- **REV. WRIGHT AWARD**



LISTENING SESSIONS

In an effort to learn more and stay connected to the issues facing the community, the Commission continued to receive updates from staff at Metro and the City's Transportation Departments on the planning and implementation of the Bus Rapid Transit corridor and Metro Transit redesign and how it is impacting historically marginalized communities throughout the City. Metro shared that the transit redesign routes had begun, and that Metro had implemented the use of Ride Guides to assist community members in navigating and understanding route changes.

The Commission has continued concerns over the distance some riders need to travel to reach their new bus stops and the City's response encouraging the use of paratransit as an alternative to Metro ridership. Additionally, they worry about the impact on folks who need to live on a transit corridor to reach their employment and how that is impacted by the lack of affordable housing in those transit corridors. Metro staff indicated they are continuously soliciting and receiving feedback on the transit redesign changes and implementing improvements based on that feedback.

The Commission is committed to the continued exploration of the impacts of this redesign, particularly the impact these changes have had particularly on paratransit users. The Commission is committed to following the Metro Transit Redesign and Bus Rapid Transit process to ensure the communities who have voiced their concerns are raised up and not lost in this process.

After hearing from the community about disparities in the portrayal of BIPOC folks in the media, members of the Commission met with staff at The Capital Times to discuss ways to decrease and eliminate bias in reporting. The Commission is committed to continuing these conversations to ensure the fair and unbiased representation of people of color in the local media.

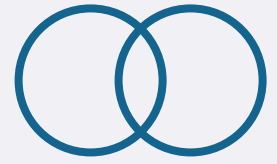
In the ongoing pursuit of a just and equitable housing landscape, the Commission continues to connect with municipalities throughout the State of Wisconsin to learn how preemptions in the law at the state level may be impacting other communities, and to discover how municipalities might be able to partner or collaborate to effect greater change. Madison has long been a leader in the area of civil rights, having one of the most robust and comprehensive Equal Opportunities Ordinances in the country. This leadership continued last year with the creation and passage of the Building Code Complainant protected class being added to the ordinance. The erosion of tenant rights at the state level, however, has done much to undermine the progress of this Commission.

In addition to connecting with local municipalities, the Equal Opportunities Commission held two community listening sessions in furtherance of the "Government Without Walls" philosophy to connect with and hear from the community it serves. Commissioners heard repeatedly about the struggles of the tenant population in the City of Madison in securing stable, safe and affordable housing. The Equal Opportunities Commission continues to seek effective, proactive solutions that impact community members' ability to stay safely and affordably housed.

On November 1, 2022, the City of Madison completed annexation of a portion of the Town of Madison, adding approximately 6,000 community members to Madison's population. On October 25, 2022, the City of Madison Common Council approved a change to Madison General Ordinance 39.03 that added a protection from retaliation for community members who complain of unsafe or unsanitary housing conditions. This Commission has seen a significant increase in the number of discrimination complaints filed through its online portal in 2023. This increase has considerably affected the Equal Opportunities Division's ability to ensure service delivery is efficient and responsive to the community's needs. The Equal Opportunities Commission is dedicated to supporting efforts to ensure the Equal Opportunities Division staff can continue to be effective and responsive in processing complaints of discrimination.

THE COMBINED WORK OF THE EQUAL OPPORTUNITIES DIVISION AND COMMISSION

EOC 60TH CELEBRATION OF SERVICE TO MADISON



Honoring EOC/EOD Team members of today



Corinda Rainey-Moore
Current EOC President



Honoring past EOC commissioners



2023 STATISTICS

INTAKE

541 Complaints received in 2023

- 244 Perfected Complaints Processed
- 66 Perfected Complaints Transferred to the State of WI
 - Employment (53.6%)
 - Housing (29.39%)
 - Public Accommodations (13.12%)
 - City Services (3.7%)
 - Chapter 32 Building Code Complainant (0.18%)

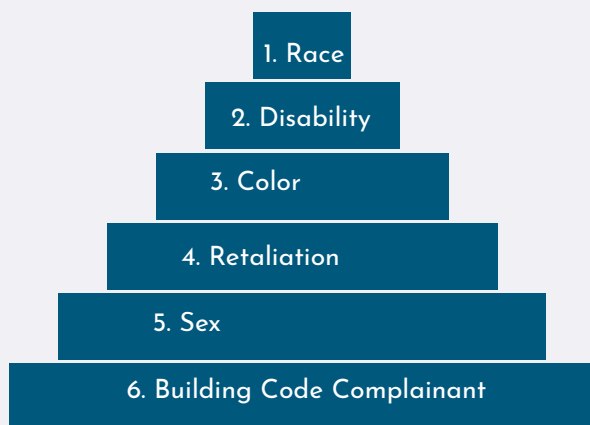
INVESTIGATION

- 83 Assigned to Investigation
- 66 Cases Investigated
- 55 Early Mediations
- For the first time ever in the history of EOD, due to the continual increase of cases and the staffing shortages, we had to create a holding stage for cases to be worked on.
- Down 2 investigators for six to nine months

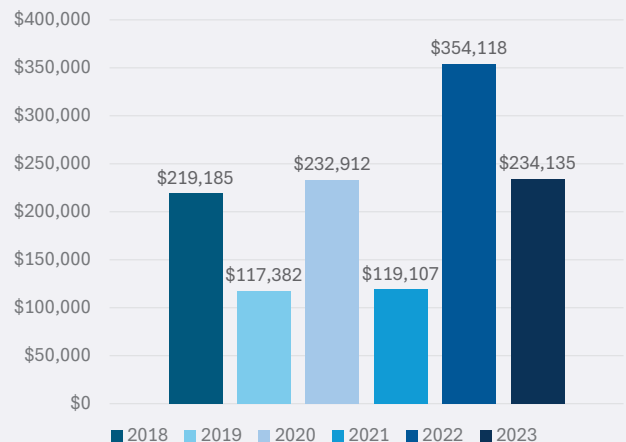
HEARINGS

- 11 Cases Certified to Hearing
- 1 Hearings Held
- 6 Cases Appealed for No Probable Cause Review
- 3 Hearing Examiner Decisions
- 1 Commission Decisions

MOST COMMON ALLEGATIONS



SETTLEMENTS



GOALS & APPROACHES

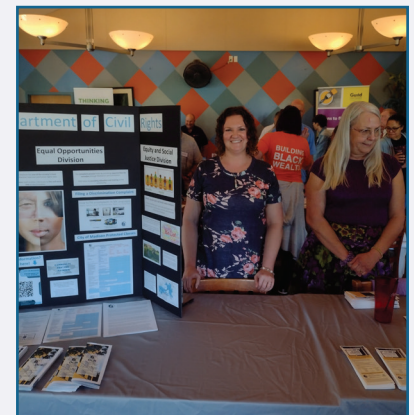
The Commission has identified a number of goals that they feel will help advance some of the outcomes identified above and is committed to pursuing the following approaches to address these issues.

To address housing discrimination in the City of Madison, the Commission will continue to seek ways to proactively address housing insecurity and affordability in the City of Madison. These efforts may include building capacity or collaboration efforts with the Homeless Services Consortium, Community Development Authority, the Dane County Board of Supervisors, Dane County Office of Equity and Inclusion, and working with the City of Madison Common Council to ensure housing and zoning policies are fair and inclusive and do not work to disproportionately exclude community members based on race, disability, socioeconomic status or any other protected status. This Commission will work toward engaging groups where there is natural synergy on civil rights issues affecting our community such as the City of Madison Planning and Zoning Division, the City/County Homeless Issues Committee, the Landlord Tenant Issues Committee, and other City commissions dealing with civil rights issues to identify any natural fusion partnerships.

The Commission will continue to have ongoing and robust engagement with the residents of the City of Madison. This Commission faced challenges in 2023 in its mission of education and outreach due to a lack of staffing and resources with the increase in discrimination complaint filings and the need to efficiently and effectively process those complaints. This Commission is committed to expanding the reach of its education and outreach on the work of the Equal Opportunities Commission, the City's Equal Opportunities Ordinance and how its protections work, what protections are available to the community, and how to engage and access the Commission and its work. This Commission is committed to employing new, alternative and improved ways of communicating messaging and opportunities for engagement to the public it serves, and to making this messaging culturally competent and available in as many languages and formats as possible to create meaningful engagement with the community. This Commission is interested in connecting further with voices from the community including faith-based organizations, our homeless community, our LGBTQIA community, and our disability community. To further the work on this goal, the Commission intends to continue to conduct Community Listening Sessions throughout the City.

This Commission is committed to making Madison inclusive, innovative and thriving through work on equity and inclusion in tourism marketing, entertainment booking and marketing, support of and collaboration with LGBTQIA groups, and support of and collaboration with immigration support organizations. The Commission wishes to review the reports from Kids Forward on the Race To Equity report and report on the state of employment from the local African American-Jewish Friendship Group in furtherance of the efforts of these groups.

The Equal Opportunities Commission celebrates its 60th Anniversary in 2023. This Commission remains committed to the vision and pursuit of a Madison where all of its residents can live, work and play free from discrimination.



RECOMMENDATIONS

Policy Recommendations:

1. Additional investigator/staffing support for the work of the Equal Opportunities Division.
2. Ensure zoning changes are evaluated for equity and their impact on marginalized communities.
3. Eliminate CDA's policy that discriminates against community members with felony drug charges from accessing housing.

Strategic Community Initiatives:

1. Connect with the Mayor/Common Council, and promote the need to the wider community, to support additional funding for Equal Opportunities Division staffing.
2. Creation of a procedure to process Commissioner initiated complaints of discrimination.
3. Continued review and updating of Madison General Ordinance 39.03 by the Ordinance Review Work Group.
4. Coordinate with Alders and City Staff to evaluate zoning proposal changes for disparate impact on marginalized communities.
5. Coordinate with Alders and City Staff to evaluate CDA's policy that discriminates against community members with felony drug charges from accessing housing.

TEAM ACCOMPLISHMENTS

1. 2023 Rev. Wright Awards was given to: Emanuel Scarbrough
2. 60th Celebration of the EOC in Madison.
3. Initiated the process to update and rewrite Madison General Ordinance (MGO) 39.03.
4. Identified 30 protected classes within the Equal Opportunities Ordinance, including the addition of the building code complainant protected class and the separation of the receipt of rental assistance protected class that was previously investigated under the source of income protected class.
5. Expanded our training partnership to include the State of Wisconsin's Equal Rights Division (ERD) and Equal Employment Opportunities Commission (EEOC) in joint monthly presentations at the Dane County Job Center.
6. Shared expertise and provided guidance to other municipalities on expanding their protected classes.
7. We added a fourth Equal Opportunities Investigator position to increase our efficiency and effectiveness in processing discrimination cases for the Madison area. First time we added an investigator within 25 years.
8. Conducted two community listening sessions and strengthened the marketing efforts to increase community visibility and engagement, this to include the (VOF) Voices of Faith Community Discussions.
9. Byron Bishop, EOD Manager, was appointed as the IAOHRA Board representative as the State of WI Rep.

2023 SUPPORTING AND PARTNER ORGANIZATIONS



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