

DCR – Equal Opportunities Division – Roles (B. Bishop)

The role of the Commission today: Oversee the work and actions of the E.O. Division, Set/Create Anti-Discrimination Policies for the City of Madison through the commission rules and the law by drafting resolutions for new policy changes to the current City of Madison Ordinance.

Policy Statement

The City of Madison ensures that **no person shall on the grounds of race, color, sex, and national origin**, as provided by **Title VI of the Civil Rights Act of 1964** and the Civil Rights Restoration Act of 1987 (P.L. 100-259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Madison General Ordinance (M.G.O.) Sec. 39.02(8) (a) (b) also includes religion, age, marital status, and disability as protected classes regarding equal access to public services and the notification of the City of Madison’s complaint process.

We are committed to provide equal opportunities in all programs, services, and activities to persons with Limited English Proficiency (LEP). Program access for LEP persons is covered in Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on national origin; these protections are further affirmed in Executive Order 13166. Services include providing **written translation and oral interpretation, free of cost, to LEP** persons to ensure meaningful, accurate, and equal access to programs, benefits, and activities. We monitor the changing demographics and population trends on an annual basis to ensure awareness of the changing demographics and language needs in our service area. We discourage the use of family members or friends as an interpreter because this may violate the persons’ privacy and disclose sensitive and confidential information. It is our policy to inform all LEP customer of the right to free language assistance and interpreter services at no cost to the LEP customer. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI of the Civil Rights Act of 1964 or equal access to public services may file a complaint with the Department of Civil Rights, Civil Rights.

Madison General Ordinance (M.G.O.) Sec. 39.03 (10)

Equal Opportunities Commission and Equal Opportunities Division.

- The Mayor, subject to confirmation by the Common Council, shall appoint an Equal Opportunities Commission, consisting of thirteen (13) members, one of whom shall be designated President by the members of the Commission.
- **At least one, and no more than two, shall be an Alderperson**, who shall be a member only as long as she/he shall continue to hold office as Alderperson.
- Members shall be appointed from among the residents of the entire City, shall be representative of the rich diversity of our community and include as many protected class memberships as is possible and shall be persons committed to the principle of equal opportunities.
- They shall receive no compensation for their services.

Role, Responsibility and Charge of the Commission

... (b) The Equal Opportunities Commission **shall have the following powers and duties: There are (9)**

1. To **study the existence, character, causes** and extent of the denial of equal opportunity because of biases, prejudices, social or institutionalized passive and active forms of discrimination or harassment that occurs either in favor of or to the detriment of any protected class or other unfair classification in the greater Madison community.
(Systemic/Bias and Discrimination)
2. You are to **recommend solutions** to individual or specific problems that may arise which involve the denial of equal opportunities because of protected class or other class memberships.
3. To **disseminate information** and provide technical assistance, consultation, training programs and other **techniques to educate the people** of the City of Madison and to aid **both private and public** agencies to use their resources to promote equal opportunities for all persons.
4. To **receive and initiate complaints alleging violation of this ordinance** and to attempt to eliminate or remedy any violation by means of conciliation, persuasion, education, litigation, or any other means, **to make the complainant whole again.**
5. **Test and investigate** for establishing violations of Section 39.03 of these ordinances and, **if appropriate**, to make, sign, and file complaints alleging violations.
6. Not less than once a year, **provide a written report** of its activities and recommendations to the Mayor and the Common Council.
7. To **adopt such rules and regulations** as it may be necessary to carry out the purpose and provisions of this ordinance
8. As to policy oversight and development, may **issue subpoenas** pursuant to Wis. Stat. §885.01 to assist in the execution of its duties.
9. The Commission may from time to time, designate other Commissioners and/or Equal Opportunities Division staff to carry out its duties.

Appeals Committee (AC):

Comprised of (3) and (1) alternate Commissioner: See **DCR (AC) Manual** – A city Atty is assigned and is a part of the process and acts on behalf defending the city and the Commission.

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Judicial Enforcement of Orders. Whenever in the judgment of the Commission, the judicial enforcement of the ordinance is necessary, the Commission shall in writing request the City Attorney to enforce the ordinance in the name of the City of Madison.

- Upon receipt of such request, the City Attorney shall have the power and duty to seek enforcement of the ordinance in a court of competent jurisdiction.

Judicial Review of Orders. Only those orders that explicitly state therein that they are final orders of the Equal Opportunities Commission shall be final administrative determinations for the purposes of appeal.