

CITY OF MADISON
CITY ATTORNEY'S OFFICE
Room 401, CCB
266-4511

MEMORANDUM

TO: City of Madison Common Council

FROM: Adriana Peguero, Assistant City Attorney

DATE: April 6, 2020

RE: Order No. 6: Resolution to allow the Director of the Department of Civil rights to suspend any rule in the Rules of the Equal Opportunities Commission to allow for flexibility in service requirements or response deadlines.

(Legistar File # 60120)

The Mayor's Emergency Order dated March 26, 2020, item 6, states as follows:

Notwithstanding powers and authority given the Equal Opportunities Commission under Madison General Ordinance Section 39.03(10)(b)7., effective immediately and during the period of declared emergency, the Director of the Department of Civil Rights, or designee, shall have the authority to suspend the application of any rule in the Rules of the Equal Opportunities Commission after appropriate notice and after seeing the need for the suspension and putting in place an alternative that protects the rights and privileges of all parties or entities covered by the rule to be suspended.

BACKGROUND

The Rules of the Equal Opportunities Commission outline the service requirements and deadlines for Complainants and Respondents subject to a complaint and investigation under M.G.O. § 39.03, the Equal Opportunities Ordinance. COVID-19 has caused unprecedented disruption in lives of both City Staff and the citizens of Madison. Because of these disruptions, Complainants or Respondents may feel the need to request extensions to have more time to comply with the requirements outlined in the Rules.

WHY THIS ORDER IS NECESSARY

This order is necessary to protect the rights of Complainants and Respondents that are party to a complaint under M.G.O. § 39.03 and ensures that the

disruption caused by this pandemic does not deprive them of their rights under the Ordinance.

ACTIONS TAKEN THUS FAR PURSUANT TO THIS ORDER

So far, no actions have been taken pursuant to this order. However, current EOD Complainants and Respondents could benefit from this order should they need more time to comply with the rules due to issues caused by the COVID-19 pandemic.

FISCAL IMPACT

No fiscal impact is anticipated.