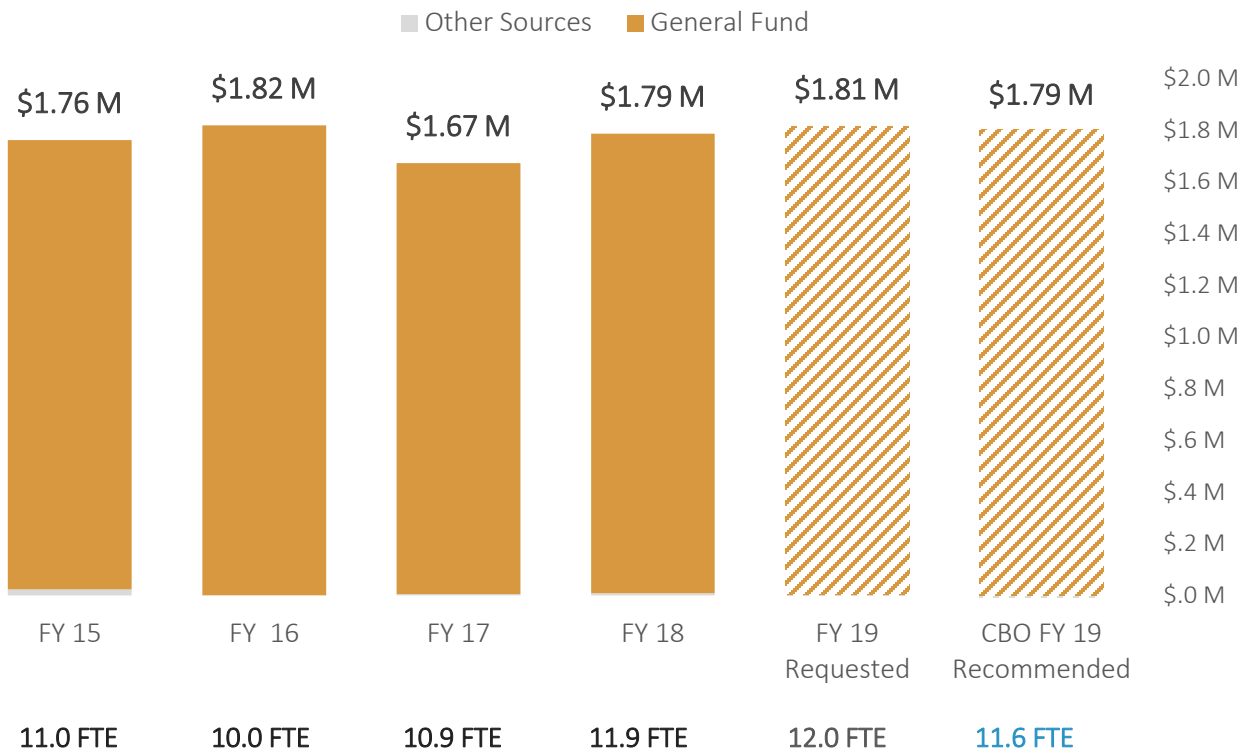




# Office of Equity & Human Rights

*Analysis by Jane Marie Ford*

## Adopted Budget Resources: 5-Year Lookback



## INTRODUCTION

In FY 2018-19, the Office of Equity & Human Rights (OEHR) will move forward in developing a new strategic plan. Accordingly, the City Budget Office (CBO) has not recommended any changes to OEHR’s budget while the bureau, under the guidance of Council and community stakeholders, considers how its priorities, programs, and services will shift over the next five years. The strategic planning process is an important opportunity to consider: how to more formally coordinate Citywide equity efforts; how to best utilize OEHR’s technical assistance to support Citywide priorities; how enhanced data collection, analysis, and reporting can inform Citywide decision-making and investments; and what is required for the City to strengthen its work

related to Civil Rights and disability equity.

## KEY ISSUES

### Strategic Planning

In its founding ordinance, the new Office of Equity & Human Rights was charged with:

- Providing leadership and coordination in facilitating systemic training, change, and accountability to achieve equity and protect human rights in City government;
- Working with all bureaus to eliminate disparity in City policies, processes, decisions and resources allocations;
- Collaborating with external partners to achieve measurable results in reducing disparities within the City and throughout the community; and
- As initial priorities, leading with race and ethnicity and addressing disparities for people with disabilities.<sup>1</sup>

Very little direction was provided regarding the organizational structure, role, and authority of the office. Over the last six years, OEHR's workload has primarily consisted of functions previously administered by other City bureaus. This has made it challenging for one of the smallest City bureaus to balance training, compliance, and programmatic responsibilities while also developing new Citywide policies and strategies. Simultaneously, bureaus across the City have created new dedicated equity positions to assist with implementation of the Racial Equity Roadmaps<sup>2</sup> and other initiatives.

### Decentralized Portfolio Staffing Model

In FY 2017-18, OEHR requested a significant expansion of resources to implement a portfolio staffing model. As proposed, OEHR would shift toward providing enhanced equity technical assistance to City bureaus, focusing on promoting consistency in application of policy, program development, and collection and reporting of data. This new model was also intended to help coordinate bureau equity managers and staff. Council discussed these issues in an April 2017 work session, but chose not to fund major staffing changes prior to completion of the bureau's new strategic plan. Nevertheless, the former director moved forward with rolling out this decentralized support model in fall 2017 without new resources. OEHR reports that this has resulted in strengthened relationships with bureaus and a better understanding of Citywide need for equity technical support.

<sup>1</sup> Ordinance No. 184880 as amended, filed 9/16/2011, available at <https://www.portlandoregon.gov/oehr/article/449202>.

<sup>2</sup> Available at <https://www.portlandoregon.gov/oehr/70046>.

## **Alignment with Citywide Key Issues**

The shift to a portfolio staffing model was made without cutting back on other workload and service levels, and OEHR reports that bureau requests for assistance increasingly outpace staff capacity. As noted above, Council has not made an explicit decision about whether all City equity efforts should funnel through OEHR. CBO recommends that the strategic plan define the process by which bureaus will request equity technical assistance and support. Specific requests for assistance discussed with CBO appear to represent the desire to 1) utilize OEHR's expertise, 2) apply a consistent equity lens across City efforts, and 3) collaborate on complex, cross-bureau issues. Relevant City key issues include housing access, rental services, infrastructure investments, Smart Cities, internal service delivery, increasing the efficiency and effectiveness of community engagement, and more.

## **Data and Performance**

CBO and OEHR agree that enhanced data collection, analysis, and reporting is crucial to tracking progress toward Citywide equity goals. For example, through additional support from an interagency agreement with the Bureau of Technology Solutions, OEHR recently expanded the City of Portland Government Workforce Demographics Dashboard.<sup>3</sup> This is facilitated by easy access to employee data collected during a centralized hiring process. However, there are no such systems or processes for other key points of data collection, such as progress toward removal of barriers identified in the City's Americans with Disabilities Act (ADA) Title II Transition Plan Update,<sup>4</sup> complaints or accommodation requests provided to individual bureaus, or translation of essential documents.

One critical opportunity to begin centralizing equity data is annual reporting on implementation of bureau five-year Racial Equity Roadmaps. Additionally, CBO notes that the Smart Cities program may help to develop technological solutions for data that is currently collected manually. Most importantly, CBO recommends that Council delegate specific responsibilities and authority for the collection, analysis, and reporting of such data, and hold individual bureaus accountable for meeting these requirements.

## **Increasing Focus on Civil Rights & Disability Equity**

OEHR was charged with leading with race and disability as its initial priorities. Accordingly, Council transferred the Civil Rights Program from the Office of Management & Finance to OEHR in FY 2014-15. This program focuses on Title VI of the Civil Rights Act and Title II of the Americans with Disabilities Act, aiming to remove barriers and conditions that prevent underserved groups from accessing programs and services. A December 2016 audit suggested that significant

<sup>3</sup> Available at <https://www.portlandoregon.gov/oehr/article/595121>.

<sup>4</sup> ADA Title II Transition Plan Update, October 2014. Available at <https://www.portlandoregon.gov/oehr/65426>.

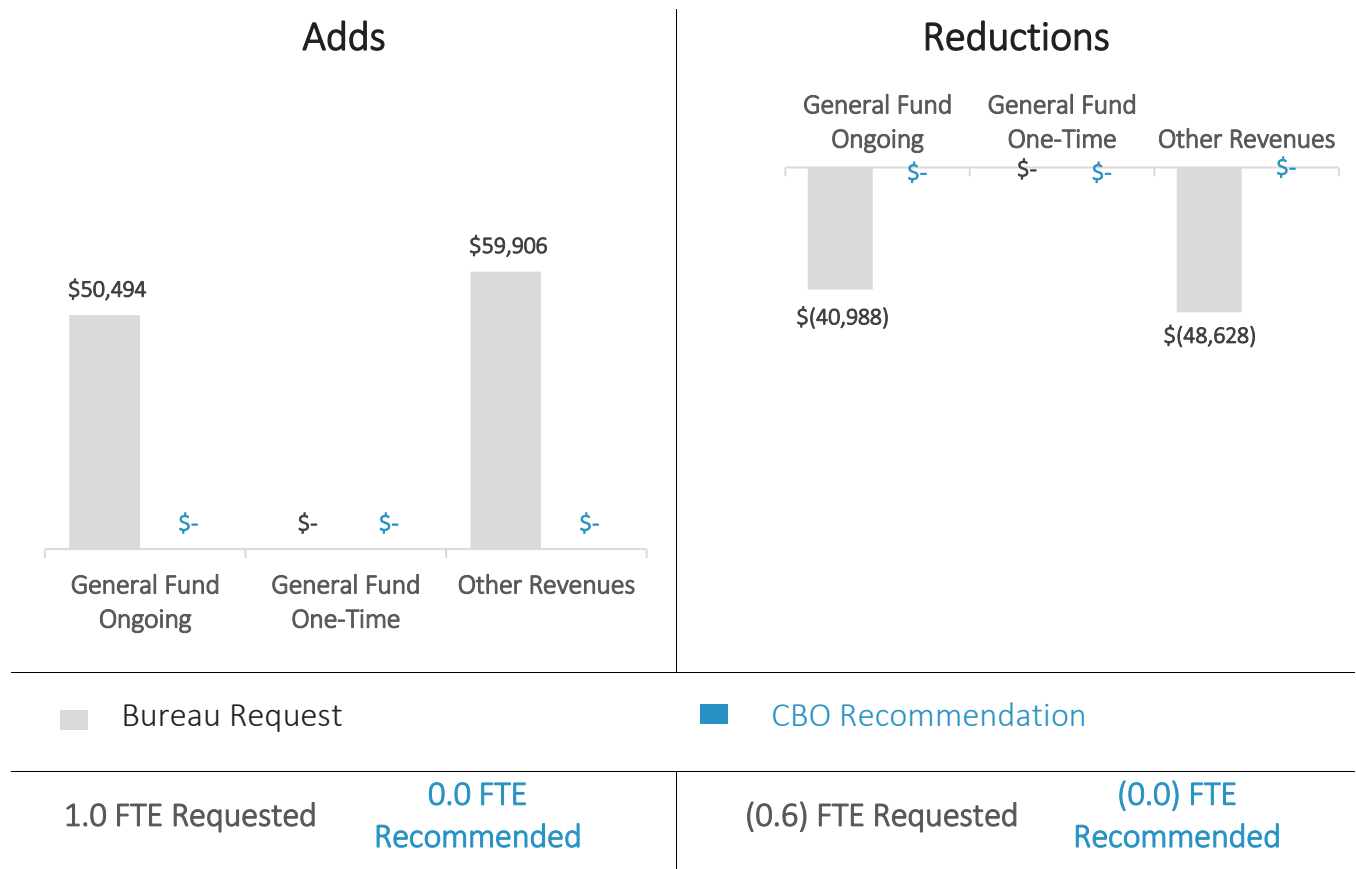
additional resources are likely necessary to meet compliance requirements.<sup>5</sup> The program has spent an average of approximately \$240,000 over the past three years, with an average of just over one FTE dedicated to this work.

CBO recommends that the strategic planning process more clearly define the role of the program, assess opportunities to centralize services, identify current unmet needs, and determine what training is required so that all bureaus and employees understand their responsibilities under both Title II and Title VI. As noted above, enhanced data collection will bolster the City's ability to take a more proactive stance toward Civil Rights by identifying patterns of discrimination or inequitable services; this analysis will also assist the City in prioritizing resources for translating documents, providing accommodations, or removing barriers.

Additionally, CBO suggests that Council consider how to best utilize the advisory role of the Human Rights Commission and Portland Commission on Disability. These commissions have recently increased their contact with elected officials, but there is not currently a formal structure for collaborating with City bureaus. CBO recommends considering a more proactive approach to engagement, such as providing time at commission meetings for bureau presentations on relevant programs and policies.

<sup>5</sup> For more details, please see the December 2016 audit, "Americans with Disabilities Act: Coordination gaps complicate City response." Available at <https://www.portlandoregon.gov/auditservices/article/620521>.

# DECISION PACKAGE ANALYSIS AND RECOMMENDATIONS



## OEHR 5% Reduction Package

*OE\_01, (\$89,616), (0.60 FTE)*

In order to meet the five percent ongoing General Fund reduction target, OEHR has submitted a cut package that would eliminate a part-time Senior Administrative Specialist (\$68,124) and reduce the bureau’s external materials and services budget by \$21,492 across five program areas. CBO does not recommend these reductions.

OEHR created the Senior Administrative Specialist position in FY 2015-16 by realigning existing resources, representing no increase to the bureau’s budget. This part-time role has bolstered OEHR’s minimal administrative capacity across all program areas, including providing crucial accommodations support to bureau staff and commission members. Eliminating this position, which is currently filled, is likely to negatively impact the bureau’s operations at a critical point in the strategic planning process.

The proposed external materials and services cuts are consistent with historical underspending trends, and would likely have minimal impact on bureau operations in FY 2018-19. However, the bureau is unlikely to be fully staffed in the next fiscal

year, and the strategic planning process is expected to generate significant workload. Retaining the bureau's full external materials and services budget will provide OEHR with some flexibility to backfill other workload.

**CBO Recommendation: (\$0) | 0.00 FTE**

### **Add Position for ADA & Civil Rights**

*OE\_02, \$110,400, 1.00 FTE*

The bureau is requesting a new Program Coordinator to increase OEHR's capacity to coordinate and support the City's efforts to comply with both ADA Title II and Civil Rights Title VI requirements, including enhanced data collection and analysis. The bureau requested funding for this position in FY 2017-18 as part of a Civil Rights Program enhancement package with two total FTE; funding was allocated for one position due to limited ongoing resources. A new Accommodation Coordinator was also funded within the Bureau of Human Resources. Due to unforeseen delays, OEHR is still in the process of hiring the new Disability Program Coordinator funded in the current fiscal year.

As discussed above, CBO recognizes that significant additional resources are likely required to meet the City's Civil Rights responsibilities; this not only includes removing barriers to access, but a) developing strategies to drive equitable planning, policy, and program development, b) analyzing outcomes, and c) addressing inequitable impacts on underserved communities. However, CBO does not recommend adding new positions until the strategic planning process is completed. In the interim, the bureau has an existing vacant Program Coordinator position that could be utilized to support this work. Additionally, historical underspending trends indicate that the bureau will have sufficient budget authority to increase either interagency or external contract support for specific functions in FY 2018-19 while the strategic planning process is underway. The bureau also intends to explore these options in the FY 2017-18 Spring Budget Monitoring Process, given current year projected vacancy savings and program underspending.

**CBO Recommendation: (\$0) | 0.00 FTE**

## SUMMARY OF REQUESTS AND RECOMMENDATIONS

The Office of Equity & Human Rights is a General Fund Overhead bureau, with minimal revenue from other sources (such as providing equity trainings to external organizations). Most of the bureau's expenses are related to personnel, supporting 11.6 FTE in the current fiscal year. OEHR's external materials and services budget primarily supports its commissions and community engagement work, including the Diverse and Empowered Employees Program (DEEP), Human Rights Commission, Portland Commission on Disability, and Black Male Achievement Program. Starting in FY 2017-18, the bureau's internal materials and services budget includes funding for increased data analysis and support from the Bureau of Technology Solutions.

	Adopted FY 2017-18	Request Base (A)	Bureau Decision Packages (B)	CBO Recommended Adjustments (C)	Total Recommended Revised (A+B+C)
<b>Resources</b>					
Charges for Services	\$ -	\$ 1,500	\$ -	\$ -	\$ 1,500
Interagency Revenue	5,689		-	-	-
Miscellaneous Sources	2,428	-	-	-	-
General Fund Discretionary	1,146,825	1,175,667	9,506	(9,506)	1,175,667
General Fund Overhead	631,491	616,648	11,278	(11,278)	616,648
<b>Total Resources</b>	<b>\$1,786,433</b>	<b>\$1,793,815</b>	<b>\$20,784</b>	<b>(\$20,784)</b>	<b>\$1,793,815</b>
<b>Requirements</b>					
Personnel Services	\$ 1,430,755	\$ 1,452,361	\$ 58,380	\$ (58,380)	\$ 1,452,361
External Materials and Services	144,386	116,751	(34,979)	34,979	116,751
Internal Materials and Services	211,292	224,703	(2,617)	2,617	224,703
<b>Total Requirements</b>	<b>\$1,786,433</b>	<b>\$1,793,815</b>	<b>\$20,784</b>	<b>(\$20,784)</b>	<b>\$1,793,815</b>

**City of Portland**  
 Decision Package Recommendations  
 (Includes Contingency and Ending Balance)

	Bureau Priority	Bureau Requested					CBO Analyst Recommendations				
		FTE	Gen Fund Ongoing	Gen Fund 1-Time	Other Revenues	Total Expenses	FTE	Gen Fund Ongoing	Gen Fund 1-Time	Other Revenues	Total Expenses
<b>Office of Equity &amp; Human Rights</b>											
<i>Adds</i>											
OE_02 - Add Position - ADA & Civil Rights	01	1.00	50,494	0	59,906	110,400	0.00	0	0	0	0
<i>Total Adds</i>		1.00	50,494	0	59,906	110,400	0.00	0	0	0	0
<i>Reductions</i>											
OE_01 - OEHR 5% Reduction	01	(0.60)	(40,988)	0	(48,628)	(89,616)	(0.00)	0	0	0	0
<i>Total Reductions</i>		(0.60)	(40,988)	0	(48,628)	(89,616)	(0.00)	0	0	0	0
<b>Total Office of Equity &amp; Human Rights</b>		<b>0.40</b>	<b>9,506</b>	<b>0</b>	<b>11,278</b>	<b>20,784</b>	<b>(0.00)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>