



— State of —  
**North Dakota**  
*Office of the Governor*

**John Hoeven**  
*Governor*

November 12, 2003

Ms. Cheryl Bergian  
North Dakota Human Rights Coalition  
PO Box 1961  
Fargo, ND 58107-1961

Dear Cheryl,

Thank you and the members of the North Dakota Human Rights Coalition for meeting with members of my staff and of the labor department to express your views about our work at the Human Rights Division of the Labor Department. It is this positive exchange of ideas that will help us all to educate the public about our human rights laws in North Dakota.

You recognized that we have made significant strides in human rights enforcement since the 2001 legislative session. That recognition is appreciated. We are working hard to make sure that our citizens are familiar with their rights under our new laws and that, if they do have a complaint, it can be quickly and easily given to the Human Rights Division and thoroughly processed.

For many years, the Labor Department had a backlog of cases. In June of 2002, when I appointed a new director of the Human Rights Division, a main objective was to get those claims properly and promptly decided. As you know, through the concerted efforts of the department staff. Very soon, we will be at a point where all human rights complaints are immediately assigned to an investigator and actively pursued.

Recognizing our increased capabilities, the federal EEOC has increased substantially their contracted cases with the labor department and HUD has increased its funding. And, just as importantly, in doing so they have determined that we are deciding these cases properly under all federal laws.

We will use the increased funding from these contracts and from grants the department has obtained to bring more resources to the casework process and to our public education efforts.

Your organization has asked that the department promulgate administrative rules for use by the Human Rights Division, including a definition of "probable cause". At the meeting, Mark Bachmeier assured you that a draft of those rules will be completed by the beginning of the year. The public hearing process will provide an opportunity for detailed comment and suggestions before those rules are officially promulgated. I encourage you to be actively involved in that comment process.

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You have asked that we take steps to make sure it is easy for people to contact the department to file a complaint. At your specific request, we have established a method for people in the Fargo community to file complaints in person and we will continue that practice.

We have also listed the Human Rights Division telephone number in directories across the state, so that everyone has easy access to that number. That process will be completed as the next editions of telephone books are issued. Additionally, we have enhanced the department's website to prominently feature the Human Rights Division. If you have any further suggestions, we would certainly like to hear them.

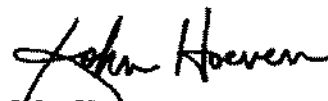
Following the last legislative session, I stated that I would be open to considering legislation that created an advisory committee for the Human Rights Division. I continue to hold that view.

If there is to be an official advisory committee for the department, I believe it must be one that has the acceptance of the legislature. As you are aware, the legislature voted against formation of such a committee in the last session, so you would need to return to the legislature in order for one to be established. I can make sure that our department continues to communicate with all interested parties, including your coalition and the growing number of municipal commissions, about how we can best serve North Dakota citizens.

Also, you can and are performing many of the functions you believe an advisory committee could do. In fact, many of the potential functions you list on your website are things I would encourage you to pursue, being a resource for information and a link to the community; commenting on procedures and initiatives of the department; and making suggestions for better practices. As stated at the meeting, the department intends to solicit your input, among others, as it develops additional public education and awareness campaigns.

Commissioner Bachmeier has maintained a very open dialogue with the human rights community and he will continue to do so. Again, thank you for your continued efforts in promoting the human rights of all North Dakotans.

Sincerely,

  
John Hoeven  
Governor