

1 BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

2 ALASKA STATE COMMISSION FOR)
3 HUMAN RIGHTS, PAULA M. HALEY,)
4 EXECUTIVE DIRECTOR, *ex rel.*,)
5 MUSTAFA IFLAZOGLU,)

6 Complainant,)

7 v.)

ASCHR No. J-12-299

8 ANCHORAGE LAKEFRONT LIMITED)
9 PARTNERSHIP, d/b/a MILLENNIUM)
10 HOTEL ANCHORAGE, and)
11 M&C HOTEL INTERESTS, INC.,)

12 Respondents.)

RECEIVED
HUMAN RIGHTS COMMISSION
JUN 01 2015
COMMISSION SECRETARY

13 ACCUSATION

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15 Paula M. Haley, Executive Director of the Alaska State Commission for Human
16 Rights, *ex rel.* Mustafa Iflazoglu, hereby alleges the following:

17 1. Respondent Anchorage Lakefront Limited Partnership, doing business as
18 the Millennium Hotel Anchorage (hereinafter the "Millennium Hotel"), is a limited
19 partnership providing hospitality, accommodations, and food services.
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21 2. Respondent M&C Hotel Interests, Inc. is a corporation, which owns
22 and/or operates and manages hospitality, accommodation, and food services at the
23 Millennium Hotel.
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25 3. Complainant Mustafa Iflazoglu is male, of Middle Eastern race and
26 Turkish descent, and a member of the Muslim religion. Mr. Iflazoglu successfully
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ALASKA STATE COMMISSION FOR HUMAN RIGHTS
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1 worked in the hospitality and tourism industry prior to being hired by the Millennium
2 Hotel on April 23, 2012, as a food and beverage director.

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4 4. Respondents dramatically reorganized the management structure during
5 Mr. Iflazoglu's brief employment at the Millennium Hotel. Within two months of Mr.
6 Iflazoglu's hire, respondents terminated the employment of a general manager, replaced
7 the terminated general manager with an interim consultant, and then replaced the interim
8 consultant with a new and different general manager. Carol Fraser was hired as the new
9 general manager on June 25, 2012, and immediately became Mr. Iflazoglu's supervisor.

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11 5. Ms. Fraser was vocal about her employment preferences previous to
12 assuming control at the Millennium Hotel. Ms. Fraser had previously announced in the
13 media that she deliberately hired women as hotel managers due to their allegedly better
14 success rates, eyes for details, and greater empathy and compassion for both employees
15 and guests. Ms. Fraser had previously stated to another Millennium Hotel employee,
16 while they both worked in control level positions in the hospitality industry elsewhere,
17 that Ms. Fraser preferred to hire youthful people who appeared to be Caucasian because
18 of allegedly better work ethics and telephone or face to face presentations.

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20 6. On June 28, 2012, Ms. Fraser met with Mr. Iflazoglu and discussed three
21 tasks that Mr. Iflazoglu was directed to perform within a deadline of twenty-four hours:
22 correct deficiencies in a restaurant health inspection; train and place staff for an
23 upcoming wedding; and resolve miscommunications with a subordinate assistant
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1 restaurant manager. Mr. Iflazoglu believed the tasks to be in progress or already done.
2
3 The assistant manager subsequently confirmed that she had had a minor scheduling
4 dispute with Mr. Iflazoglu, and she believed that Mr. Iflazoglu worked well with her.

5 7. On June 29, 2012, and in less than twenty-four hours after the above-
6 described meeting, Ms. Fraser terminated Mr. Iflazoglu's employment. Earlier that
7 same morning, Ms. Fraser declared her intention to other female staff by saying, "I'm
8 firing that Arab, I'm firing him." This was considered a collective and derogatory
9 reference to Mr. Iflazoglu's race, national origin, religion, and gender. Mr. Iflazoglu
10 worked part of the day on June 29, 2012, while innocently unaware that Ms. Fraser had
11 already announced her discriminatory intention and also while unaware that Ms. Fraser
12 was even then obtaining corporate approval for the imminent termination.

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15 8. On June 29, 2012, Ms. Fraser stated to Mr. Iflazoglu that the reason for
16 termination was that their management styles were incompatible. However, Ms. Fraser
17 did not confirm whether Mr. Iflazoglu had completed any of the three tasks discussed
18 less than twenty-four hours earlier on June 28, 2012.

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21 9. Ms. Fraser replaced Mr. Iflazoglu at the Millennium Hotel with Patrick
22 Cashman, a food and beverage director who she recruited or even pre-recruited from
23 another Alaska hotel. Mr. Cashman is not of Mr. Iflazoglu's race, national origin, and/or
24 religion.
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10. At the time his employment was terminated, and at all times leading up to the termination, Mr. Iflazoglu was performing his job duties in a satisfactory manner and was qualified for his job.

11. After respondents terminated his employment, Mr. Iflazoglu diligently sought other jobs. However, Mr. Iflazoglu was unable to find continuous work or to find work that paid as much as the food and beverage director position with the Millennium Hotel.

FIRST CAUSE OF ACTION

**DISCRIMINATION OR DIFFERENT TREATMENT BECAUSE OF RACE, NATIONAL ORIGIN, SEX, AND RELIGION
A VIOLATION OF AS 18.80.220(a)(1)**

12. Paragraphs 1-11 above are realleged and incorporated herein.

13. Complainant Mustafa Iflazoglu worked for the Millennium Hotel as a food and beverage director from April 23, 2012, to June 29, 2012.

14. Mr. Iflazoglu is Middle Eastern and his national origin is Turkish. Mr. Iflazoglu, a male, is a member of the Muslim religious faith.

15. Mr. Iflazoglu was qualified for his job and his performance was satisfactory.

16. Respondent Anchorage Lakefront Limited Partnership, d/b/a Millennium Hotel Anchorage, and Respondent M&C Hotel Interests, Inc., were employers and/or owners, operators, and managers subject to the provisions of the Alaska Human Rights Law, AS 18.80.

1 including, but not limited to emphasis on the prohibitions against discrimination based on
2 race, national origin, religion, and sex.

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4 5. That the Commission order each and both of Respondents to eliminate from
5 Mr. Iflazoglu's personnel records all documents and entries relating to the facts and
6 circumstances that led to Mr. Iflazoglu's filing of the above-captioned charge and any of
7 the related events occurring thereafter.

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9 6. That the Commission order each and both of Respondents to refrain from
10 penalizing Mr. Iflazoglu in any way in future considerations for employment and, if
11 rehired, for transfers, promotions, or upgrading because Mr. Iflazoglu complained about
12 discrimination or because he filed a complaint with the Commission.

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14 7. That the Commission order each and both of Respondents to refrain from
15 advising or informing any other employer or potential employer of Mr. Iflazoglu of the
16 facts or circumstances involved in this case.

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18 8. That the Commission order each and both of Respondents to pay back
19 wages, including any lost benefits, to Mr. Iflazoglu plus interest at the applicable legal
20 rate, the exact amount of which will be proven at hearing.

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22 9. That the Commission order each and both of Respondents to immediately
23 reinstate Mr. Iflazoglu, with the appropriate wages and benefits, to the position that Mr.
24 Iflazoglu would have occupied at the time of the Commission's order had his
25 employment not been terminated.
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10. That the Commission order each and both of Respondents to pay front pay, including benefits, to Mr. Iflazoglu, from the date of the Commission's order to the date Respondents reinstate Mr. Iflazoglu, the exact amount of which will be proven at hearing.

Dated this 1st day of June 2015 at Anchorage, Alaska.

ALASKA STATE COMMISSION
FOR HUMAN RIGHTS

Signature Redacted

Elizabeth Smith
Human Rights Attorney
Alaska Bar No. 9402003