

BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR )  
HUMAN RIGHTS, PAULA M. )  
HALEY, EXECUTIVE DIRECTOR, )  
*ex rel.* KELLY LEMON, )  
 )  
Complainant, )  
 )  
v. )  
 )  
ANTONIO ANDERSON and )  
NORTHSTAR SECURITY AGENCY, )  
L.L.C., )  
 )  
Respondents. )  
\_\_\_\_\_ )

ASCHR No. J-06-182

**ACCUSATION**

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Kelly Lemon, hereby alleges the following against Respondents Antonio Anderson and NorthStar Security Agency, L.L.C.:

1. Kelly Lemon was employed by Antonio Anderson and NorthStar Security Agency, L.L.C., as a dispatcher from May 27, 2006, to September 15, 2006.
2. Respondent NorthStar Security Agency, L.L.C., is a former limited liability company incorporated and doing business in Alaska.
3. Antonio Anderson is the former sole member and sole manager of NorthStar Security Agency, L.L.C. and is the current sole proprietor of Northstar Security Agency.
4. On information and belief, NorthStar Security Agency, L.L.C., acted as the “mere instrument” of Antonio Anderson.

5. Because NorthStar Security Agency, L.L.C., was the “mere instrument” of Antonio Anderson, Mr. Anderson was, for the purposes of liability, the employer of Kelly Lemon.

6. During the time Ms. Lemon was employed by Antonio Anderson and NorthStar Security Agency, L.L.C., Mr. Anderson subjected Ms. Lemon to unwanted sexual advances on several occasions.

7. Each time Mr. Anderson made sexual advances toward Ms. Lemon, Ms. Lemon made it clear to Mr. Anderson that his advances were not welcome and she asked him to stop.

8. Despite Ms. Lemon’s requests to Mr. Anderson that his sexual advances stop, he did not stop and continued to subject Ms. Lemon to these advances.

9. Mr. Anderson’s sexual advances toward Ms. Lemon were severe and pervasive and had the effect of altering the terms and conditions of Ms. Lemon’s employment to the extent that the advances subjected Ms. Lemon to a hostile working environment.

10. Mr. Anderson’s sexual advances toward Ms. Lemon were so severe that they made her working conditions intolerable and Ms. Lemon was forced to resign from her job with Antonio Anderson and NorthStar Security Agency, L.L.C.

**FIRST CAUSE OF ACTION  
HOSTILE WORK ENVIRONMENT BECAUSE OF SEX  
A VIOLATION OF AS 18.80.220(a)**

11. Paragraphs 1-10 above are realleged and incorporated herein.

12. Kelly Lemon was employed by Respondents Antonio Anderson and NorthStar Security Agency, L.L.C.

13. During the time Ms. Lemon was employed by Respondents, Antonio Anderson subjected Ms. Lemon to unwelcome sexual advances.

14. Mr. Anderson's sexual advances toward Ms. Lemon were so severe and pervasive that they had the effect of altering the terms and conditions of Ms. Lemon's employment and created a hostile working environment.

15. Ms. Lemon made clear to Mr. Anderson that his sexual advances were unwelcome, but the advances continued.

16. Respondents violated AS 18.80.220(a)(1) by subjecting Ms. Lemon to a hostile work environment because of her sex.

**SECOND CAUSE OF ACTION  
CONSTRUCTIVE DISCHARGE  
A VIOLATION OF AS 18.80.220(a)(1)**

17. Paragraphs 1-16 above are realleged and incorporated herein.

18. Kelly Lemon was employed by Respondents Antonio Anderson and NorthStar Security Agency, L.L.C.

19. During the time Ms. Lemon was employed by Respondents, Antonio Anderson subjected Ms. Lemon to unwelcome sexual advances.

20. Mr. Anderson's sexual advances toward Ms. Lemon were so severe and pervasive that they had the effect of making Ms. Lemon's working conditions so intolerable that a reasonable person in Ms. Lemon's position would have felt forced to resign.

21. Because the hostile working environment to which she was subjected created working conditions that were intolerable, Ms. Lemon did resign from Respondents' employ on September 15, 2006.

22. Ms. Lemon's resignation constituted a constructive discharge of Ms. Lemon by Respondents because of her sex, in violation of AS 18.80.220(a)(1).

23. As a result of her forced resignation, Ms. Lemon has suffered harm in the form of lost wages and other remuneration.

### **PRAYER FOR RELIEF**

Wherefore the Executive Director asks for the following relief:

1. That the Commission issue an order declaring that Respondents Antonio Anderson and NorthStar Security Agency, L.L.C., violated AS 18.80.220(a) by subjecting Kelly Lemon to a hostile work environment because of her sex.
2. That the Commission issue an order declaring that Respondents Antonio Anderson and NorthStar Security Agency, L.L.C., violated AS 18.80.220(a) by terminating Kelly Lemon's employment because of her sex.
3. That the Commission order Respondents to adopt and disseminate a policy of nondiscrimination under the Alaska Human Rights Law.
4. That the Commission order Respondent Antonio Anderson to obtain training of at least six hours in length for himself and any of his current managers and supervisors on the provisions of the Alaska Human Rights Law that prohibit discrimination in employment, with an emphasis on the prohibition against sex discrimination and sexual harassment.

