

BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR)
HUMAN RIGHTS, PAULA M.)
HALEY, EXECUTIVE DIRECTOR,)
ex rel. Lyla PROPPS,)
)
Complainant,)
)
v.) ASCHR No. J-10-037
) ASCHR No. J-10-057
ALASKAN WOOD PRODUCTS, LLC,)
)
Respondent.)
_____)

ACCUSATION

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Lyla Propps, hereby alleges the following against Respondent Alaskan Wood Products, LLC:

1. Respondent Alaskan Wood Products, LLC, is an Alaska limited liability corporation that was organized on February 24, 2007, for the purposes of logging, lumber manufacturing, and wood pellet processing.
2. Walter J. Kurka is Respondent's sole manager and has been Respondent's sole manager since Respondent was organized.
3. Lyla Propps was employed by Respondent from January 2010 to February 2011 as an assistant to Mr. Kurka and as a logging camp foreperson.
4. During Ms. Propps's employment, Mr. Kurka often made sexual advances toward Ms. Propps that Ms. Propps considered to be unwelcome.
5. On numerous occasions Mr. Kurka attempted to hug Ms. Propps when

they were in close proximity. On each of these occasions Ms. Propps would make it clear to Mr. Kurka that she did not want him to touch her.

6. On numerous occasions Mr. Kurka would refer to Ms. Propps as “sweetheart” and “honey.”

7. On numerous occasions Mr. Kurka told Ms. Propps that he loved her.

8. Mr. Kurka also asked Ms. Propps to marry him numerous times.

9. Ms. Propps often told Mr. Kurka that she did not want to marry him and that she did not want to be the object of his affection.

10. Despite her repeated admonitions to Mr. Kurka to cease his unwanted advances, Mr. Kurka continued to engage in the behavior described above.

11. At one point in Ms. Propps’s employment Mr. Kurka became angry and yelled at her because he believed she was having a sexual relationship with another man.

12. Taken together, all of Mr. Kurka’s conduct toward Ms. Propps that is described herein was pervasive and severe enough to alter the terms and conditions of her employment and create a hostile work environment for Ms. Propps because of her sex.

13. All of the above treatment ceased only when Ms. Propps’s employment with Respondent ended.

14. Immediately after her employment ended, however, Mr. Kurka accused Ms. Propps of stealing from him and filed a report of theft with the Alaska State Troopers.

15. The Alaska State Troopers investigated Mr. Kurka’s report of theft by Ms.

Propps and found the report to be falsely filed. Mr. Kurka was thereafter criminally charged with giving false information and making a false report that a crime had occurred.

16. Mr. Kurka falsely reported that Ms. Propps had stolen from him because she had rejected his sexual advances.

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

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

18. Lyla Propps was employed by Respondent Alaskan Wood Products, LLC, from approximately January 2010 to February 2011.

19. During Ms. Propps's employment with Respondent, Respondent's manager, Walter Kurka, subjected Ms. Propps to repeated unwelcome comments and conduct of a sexual nature.

20. The comments and conduct referenced in paragraph 19 and described herein were severe and pervasive enough to alter the condition of Ms. Propps's employment and create a hostile work environment based on Ms. Propps's sex.

21. The comments and conduct referenced in paragraph 19 and described herein constitute a violation of AS 18.80.200(a).

**SECOND CAUSE OF ACTION
DISCRIMINATION BECAUSE OF SEX
A VIOLATION OF AS 18.80.220(a)**

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

23. Lyla Propps was employed by Respondent Alaskan Wood Products, LLC, from approximately January 2010 to February 2011.

24. During Ms. Propps's employment with Respondent, Respondent's manager, Walter Kurka, subjected Ms. Propps to repeated unwelcome comments and conduct of a sexual nature.

25. Ms. Propps made clear to Mr. Kurka that his comments and conduct were unwelcome and rejected his advances.

26. Almost immediately after Ms. Propps's employment ended, Mr. Kurka filed a report with the Alaska State Troopers alleging that Ms. Propps had stolen property from him.

27. Ms. Kurka's report that Ms. Propps had stolen property from him was false.

28. Mr. Kurka filed the false report because Ms. Propps had rejected his sexual advances.

29. Mr. Kurka's act of filing the false report was discriminatory and a violation of AS 18.80.220(a).

PRAYER FOR RELIEF

Wherefore the Executive Director asks for the following relief:

1. That the Commission issue an order declaring that Respondent Alaskan Wood Products, LLC, violated AS 18.80.220(a) by subjecting Lyla Propps to a hostile work environment because of her sex.

2. That the Commission issue an order declaring that Respondent Alaskan Wood Products, LLC, violated AS 18.80.220(a) by discriminating against Ms. Propps because of her sex immediately after her employment ended.

3. That the Commission order Respondent to adopt and disseminate a policy of nondiscrimination under the Alaska Human Rights Law.

4. That the Commission order Respondent to obtain training of at least five hours in length for its managers and supervisors on the provisions of the Alaska Human Rights Law that prohibit discrimination in employment, with an emphasis on the prohibition against discrimination based on sex.

5. That the Commission order Respondent to eliminate from Ms. Propps's personnel records all documents and entries relating to the facts and circumstances that led to Ms. Propps's filing of the above-captioned charge and any of the related events occurring thereafter.

6. That the Commission order Respondent to refrain from advising or informing any other employer or potential employer of Ms. Propps of the facts or circumstances involved in this case.

Dated this 30th day of July 2012 at Anchorage, Alaska.

ALASKA STATE COMMISSION
FOR HUMAN RIGHTS

/s/
Stephen Koteff
Human Rights Advocate
Alaska Bar No. 9407070