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BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS
ON REFERRAL TO THE OFFICE OF ADMINISTRATIVE HEARINGS

ALASKA STATE COMMISSION FOR)
HUMAN RIGHTS, PAULA M.)
HALEY, EXECUTIVE DIRECTOR,)
ex rel. KELLY WILKINS,)
)
Complainant,)
)
v.)
)
DOLPHIN TOURS)
)
Respondent.)
_____)

ASCHR No. C-06-076
OAH No. 09-0316-HRC

AMENDED COMPLAINT

Complainant, Paula M. Haley, Executive Director of the Alaska State
Commission for Human Rights, ex rel. Kelly Wilkins, submits the following
Amended Complaint against respondent, Dolphin Tours.

1. Dolphin Tours is a corporation doing business in Juneau, Alaska.
2. Douglas Ward is, and was at the time of the events alleged in this
Amended Complaint, the owner of Dolphin Tours.
3. Kelly Wilkins was employed by Respondent as a dock representative
from April 5, 2006 until April 21, 2006.

AMENDED COMPLAINT

*ASCHR, Paula M. Haley, Executive Director, ex rel. Kelly Wilkins v. Dolphin
Tours, ASCHR No. C-06-076, OAH No. 09-0316-HRC*

- 1 4. On April 18, 2006, when Mr. Ward and Ms. Wilkins were alone in the
2 office together, Mr. Ward asked Ms. Wilkins questions regarding her
3 personal life and made comments regarding her body. Mr. Ward made
4 comments about Ms. Wilkins' tattoo and pulled the waist of her pants
5 down to see the tattoo. At that time, Mr. Ward told Ms. Wilkins that
6 he wanted to have sex with her.
7
8
9 5. Ms. Wilkins opposed Mr. Ward's sexual advances and did not agree to
10 have sex with Mr. Ward.
11
12 6. On April 18, 2006 and subsequent to that date, Mr. Ward subjected
13 Ms. Wilkins to unwelcome and offensive sexual conduct in violation
14 of 18.80.220(a)(1) by making offensive and unwelcome sexual
15 comments.
16
17 7. On April 21, 2008 Mr. Ward admitted to a Juneau Police officer, who
18 investigated the incident, that he pulled Ms. Wilkins' pants down.
19
20 8. On April 21, 2006, after becoming increasingly uncomfortable with
21 Mr. Ward's continuing and increasing sexual comments, Ms.
22 Wilkins felt she had no choice but to resign from her employment.
23
24 9. As a result of her constructive termination, Ms. Wilkins suffered
25 damages in the form of lost wages.
26

27 AMENDED COMPLAINT

28 *ASCHR, Paula M. Haley, Executive Director, ex rel. Kelly Wilkins v. Dolphin
Tours, ASCHR No. C-06-076, OAH No. 09-0316-HRC*

1 **PRAYER FOR RELIEF**

2 Wherefore complainant asks for the following relief:

- 3
- 4 1. That the Commission issue an order declaring that respondent violated
- 5 AS 18.80.220(a)(1) by subjecting Ms. Wilkins to sexual harrasment.
- 6
- 7 2. That the Commission order Respondent to adopt and disseminate to all
- 8 current employees and future applicants a policy of nondiscrimination
- 9 under the Alaska Human Rights Law that includes, but is not limited to,
- 10 a policy prohibiting discrimination because of sexual harassment as
- 11 prohibited by AS 18.80.220.
- 12
- 13 3. That the Commission order Respondent to require training of at least six
- 14 hours in length for all of their owners, supervisors, and managers on the
- 15 provisions of the Alaska Human Rights Law, with specific emphasis on
- 16 the provisions prohibiting discrimination based on sexual harassment.
- 17
- 18 4. That the Commission issue and order directing Respondent to provide
- 19 “back pay” to complainant for the period beginning with the date of the
- 20 alleged discrimination, July 28, 2008, and ending with the date of the
- 21 Commission’s order.
- 22
- 23 5. That the Commission issue and order directing Respondent to provide
- 24 “front pay” to complainant for the period beginning with the date of the
- 25

26

27 **AMENDED COMPLAINT**

28 *ASCHR, Paula M. Haley, Executive Director, ex rel. Kelly Wilkins v. Dolphin
Tours, ASCHR No. C-06-076, OAH No. 09-0316-HRC*

