

BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

ALASKA STATE COMMISSION FOR)
HUMAN RIGHTS, PAULA M.)
HALEY, EXECUTIVE DIRECTOR,)
ex rel. JANET WASS,)
)
Complainant,)
)
v.)
)
ACE DELIVERY & MOVING, INC.,)
)
Respondent.)
_____)

ASCHR No. J-11-254

ACCUSATION

Paula M. Haley, Executive Director of the Alaska State Commission for Human Rights, *ex rel.* Janet Wass, hereby alleges the following against Respondent Ace Delivery & Moving, Inc.:

1. Respondent Ace Delivery & Moving, Inc. (hereinafter “Ace”) is a company incorporated and doing business in Alaska.
2. Janet Wass was employed by Ace to perform data entry at Ace’s office located at 7920 Schoon Street, in Anchorage, starting on September 30, 2011.
3. Before she was hired by Ace, Ms. Wass was interviewed by Ace’s owner, Hank Schaub. During the employment interview, Mr. Schaub made derogatory comments to Ms. Wass about Jewish people. Ms. Wass told Ms. Schaub that her ex-husband and daughter are Jewish.
4. As soon as Ms. Wass’s employment began, Mr. Schaub made additional derogatory comments about Jewish people, people of Arab descent, and Muslims.

5. Mr. Schaub also made derogatory comments about people of other races, including Alaska Natives. In addition to these comments, a poster on Respondent's office wall, visible to all employees, contained pejorative statements about people of Mexican descent.

6. On October 5, 2011. Ms. Wass resigned from her position with Ace because of Mr. Schaub's racially derogatory comments.

7. On information and belief, the conduct and comments are ongoing.

**FIRST CAUSE OF ACTION – HOSTILE WORK ENVIRONMENT BASED
ON RACE, NATIONAL ORIGIN, AND RELIGION
A VIOLATION OF AS 18.80.220(a)(1)**

8. Paragraphs 1 to 7 above are realleged and incorporated herein.

9. Janet Wass is an aggrieved person under the Human Rights Act.

10. Respondent's owner made multiple pejorative comments about Jews, Arabs, Muslims, and hung a poster at the workplace that is pejorative to people of Mexican descent.

11. Respondent's owner's speech and conduct was unwelcome, offensive to a reasonable person, and offensive to complainant.

12. The conduct was so severe and pervasive that it altered the terms and conditions of complainant's employment.

13. Respondent created a hostile working environment based on the owner's severe or pervasive derogatory comments and postings regarding race, national origin, and religion.

PRAYER FOR RELIEF

Wherefore the Executive Director asks for the following relief:

1. That the Commission issue an order declaring that Respondent violated AS 18.80.220 by creating a hostile work environment on the basis of race, national origin, and religion.

2. That the Commission order Respondent to adopt and disseminate a policy of nondiscrimination under the Alaska Human Rights Law that includes a policy prohibiting discrimination against employees on the basis of race, national origin, and religion, and a policy prohibiting retaliation for complaining about discrimination.

3. That the Commission order Respondent to obtain in-person training of at least six hours in length for its owner, manager, and supervisors, and at least two hours in length for all other employees, on the provisions of the Alaska Human Rights Law that prohibit discrimination in employment, and that such order specify that the trainer and training curriculum be approved by Commission staff prior to the training being conducted.

4. That the Commission order Respondent to eliminate from Ms. Wass's personnel records all documents and entries relating to the facts and circumstances

