

ALASKA
STATE
COMMISSION
FOR
HUMAN
RIGHTS

1975 ANNUAL REPORT

Jay Hammond, Governor

COMMISSIONERS

Willie Ratcliff, Chairperson
Carol L. Smith, Vice-Chairperson
Lisa Rudd
Roberto Garza
Dorothy Larson
Thomas Johnson
John Gonzales

Niel Thomas
Executive Director

ANCHORAGE OFFICE
2457 Arctic Boulevard
Suite 3
Anchorage, Alaska 99503
Telephone: 274-4692

JUNEAU OFFICE
Pouch AH
Juneau, Alaska 99811
Telephone: 465-3564

FAIRBANKS OFFICE
Fairbanks Regional Office Building
Room H, 675 7th Avenue
Fairbanks, Alaska 99701
Telephone: 452-1561

KETCHIKAN OFFICE
P.O. Box 1774
Ketchikan, Alaska 99901
Telephone: 225-5225

STATE OF ALASKA

HUMAN RIGHTS COMMISSION

JAY S. HAMMOND, GOVERNOR

2457 ARCTIC BLVD., SUITE 3
ANCHORAGE 99503
PHONE: 274-4692

January 5, 1976

Alaska State Legislators
Juneau, Alaska 99811

Dear Legislators:

Pursuant to AS 18.80.150, the Alaska State Commission for Human Rights herewith submits its Annual Report for 1975. The report is simultaneously filed with the Governor, as required by law.

The report demonstrates a healthy increase in educational and enforcement activity at the Commission. Old cases have been resolved at three times the rate of 1974, due in part to effective supervision of VISTA Volunteers and increased legislative funding of investigative positions and support costs.

Preliminary estimates indicate that over \$721,000 in wages and other losses was returned to Alaskans by the Commission's resolution of these cases. The Commission's current appropriation is \$405,000.

Increased coverage of the Human Rights Law, Pipeline impact, and higher visibility of the Commission resulted in a doubling of the rate of new case filings. Thus, the outstanding docket of unresolved cases grew by 54%. An even greater rate of increase is projected during 1976.

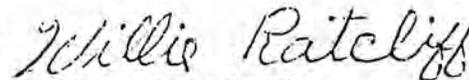
To cope with management problems, the Commissioners have taken a number of steps, in cooperation with its Executive Director and the Administration, to improve program and fiscal administration. In an effort to accommodate the State's fiscal crunch, the Commissioner's have voted not to request any supplemental appropriation in FY '76, in favor of seeking realistic funding for FY '77. The present law and regulations, both of which were clarified, expanded and strengthened in 1975, do not require amendment in this session.

The cooperation and support of the Legislature and the Administration have been sincerely appreciated. We are

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optimistic that a continuation of this excellent working relationship in 1976 will yield an even greater reduction of discriminatory practices and the associated losses which Alaska's citizens experience.

Sincerely,



Willie Ratcliff
Chairperson

WR:mdd

cc: Governor Jay Hammond

IN MEMORIAM

Willard L. Bowman

We note with deepest sadness the passing of Rep. Willard L. Bowman, the first Executive Director of the Commission. More than any other person in modern Alaska history, Rep. Bowman was a lightning rod for human rights concerns.

He was often the first to sense that a fulminating problem could erupt if it was not identified, brought out into the open, discussed, and resolved by mature people. He acted as a quiet catalyst throughout his career with the Commission -- and later as a Legislator -- to bring reason to circumstances in which emotions and even violence might otherwise prevail.

Willard Bowman often seemed larger than the human rights issues he encountered. He was not identified with any strident group: he was a humanist first.

He wrote the Human Rights Law. Every subsequent amendment clarifying and expanding its coverage bore his mark. He saw the facts of living and poverty in rural Alaska and together with the Commissioners produced solid plans to address these problems. For example, the first state-wide conference of Native organizations was planned by staff he hired into the Commission. As the Pipeline loomed in Alaska's future, Rep. Bowman was in the forefront of those who insisted that Alaskans, without regard to their race or sex, have their fair share of job opportunities. In 1975, sensing the need for local control of human rights administration, he marshalled legislation to make clear the authority of local communities to establish their own commissions.

The momentum of Willard Bowman's human rights accomplishments may falter in the coming months and years -- but we hope it does not. We pray that new leadership will emerge to fill the void his passing has created. Certainly he has set a high and worthy goal for all of us. We can only wish to have the maturity to carry his work forward with comparable humility.

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

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I. Overview of Human Rights Commission

The Human Rights Commission was created by law in 1963 to help reduce the losses attributable to discrimination which Alaska's citizens experience.

Restoration of Losses

Every year the public loses millions of dollars when people are unlawfully denied housing, jobs and associated job rights, government services, and access to public accommodations and sources of credit because of race, sex, national origin age, physical handicap, marital status, changes in marital status, pregnancy or parenthood. In addition to direct losses such as earnings, our people suffer humiliation and embarrassment and incur heavy costs trying to assert their rights.

All these losses can be restored through the filing of a complaint with the Human Rights Commission. The Executive Director may also probe violations by filing a complaint, without waiting for an individual or group of people to complain formally.

Education

Much discrimination occurs because people who must comply with the law do not know its prohibitions. An important function of the Commission is education "before the fact": letting the public know what may not be done, and giving advice on the types of equal opportunity programs which help one to comply with the law. A successful educational program, combined with effective enforcement, should reduce discriminatory practices and the number of cases filed.

Many people are unaware of their rights and of the procedures of the Commission. The second prong of the Commission's educational effort, then, is directed to the general public. The more people know their rights -- and know that the law protects them from retaliation for assisting the Commission -- the more instances of discriminatory conduct will be identified and eliminated.

Enforcement Procedures

A discriminatory practice is alleged in the form of a complaint filed at one of the Commission's four offices or by mail. The Human Rights Law (AS 18.80.010 et seq.) and Regulations (6 AAC 30.010 et seq) provide a detailed procedure for resolving cases with fairness and objectivity. Non-adversary procedures and attempts to settle cases found to have merit are attempted before the public hearing phase is entered. Cases without merit are also dismissed during initial fact-finding.

Impartial Fact-Finding: Each complaint which on its face starts a claim under the law requires an impartial airing of all relevant facts. The one charged with alleged discrimination is notified of the investigation by a copy of the complaint, served promptly after filing. The investigation is a function of the staff, with the Executive Director's determination reviewable by the Commission's Chairperson. (There are seven unpaid Commissioners appointed by the Governor to staggered five-year terms. The choice of Director is subject to gubernatorial confirmation. Thereafter the Director serves at the pleasure of the Commissioners). Any question "like, related to, or growing out of" the original complaint may be investigated, and the Commission may obtain court orders to require witnesses to give depositions and to produce documents during this fact-finding stage. In addition, the Commission has recently established by rule an "interrogatory enforcement procedure" to compel the answering of questions relevant to an investigation. The staff is instructed to view all evidence impartially, and to take no position on the complaint until all the evidence is in. The staff is not the advocate for complainant, (or his or her representative, in a legal sense) during the investigation, a point sometimes misunderstood by respondents.

Determination and Settlement: The Executive Director's determination, on behalf of the Commission, is rendered in writing, with a copy to the parties. Dismissal orders are sent certified mail to complainant and respondent. If the facts give the staff a reasonable basis to believe that the law has been violated, the written determination summarizes the facts and applicable law and invites the respondent to negotiate a settlement agreement. Most cases are settled as a result of these non-adversary procedures. Settlement agreements are written as binding court-enforceable contracts between the respondent and the Commission. The complainant usually agrees, although the Commission reserves the right to settle if the law is complied with by the settlement proposal and complainant's demands exceed what the law

requires. The respondent is not required to admit to a violation in order to settle.

Public Hearings: Only if these voluntary settlement efforts fail after a staff finding of violation does the public hearing mechanism commence. With the issuance of a hearing notice, the Commissioners sit as impartial judges on the case. The staff role shifts from neutral fact-finders and arbiters of settlement efforts to become the advocate for the rights the complainant alleges were violated. The public hearing resembles the trial of a civil action in court, with rights of due process and pre-hearing discovery in full force. Under a new rule enacted in 1975, the Commissioners may hire an attorney to assist with the taking of evidence: a hearing examiner. Even where an examiner is hired, only the Commissioners themselves, upon a reading of the entire record, have the power to render final interpretations of the law at the agency level.

Judicial Actions: As with all administrative agencies, the Commission's orders are reviewable by the Superior Court. Upon application by the Commission, the Court may grant an order enforcing any order of the Commission which is not complied with. The Commission is represented in judicial proceedings by the Department of Law, which also serves as an impartial legal advisor to the Commissioners when they conduct hearings. Where emergency relief is required and the respondent refuses to desist from an unlawful practice after the filing of a complaint and notification by the Commission, the Department of Law may also seek injunctive relief from the courts. Finally, if a person files a complaint in court, without going to the Commission, as provided by law, the Department of Law may intervene in those proceedings on behalf of the Commission.

Administration

Reporting to the Executive Director (who is responsible to the Commissioners) are three Assistant Directors, in Anchorage (the headquarter office which covers rural areas from Cordova through Kodiak, Dillingham and Bethel), Juneau (covering Yakutat and all of Southeastern, with a one-person office in Ketchikan) and Fairbanks (covering all the Pipeline, except Sections I and II and rural areas north of the Anchorage territory). All investigators and associated clerical staff report to these Assistant Directors. Central administrative support functions are located in Anchorage, including the Administrative Assistant (and clerical personnel), case processing coordinator (and the

case docket control unit), public information and in-house legal assistants. A Rural Programs Coordinator, proposed for FY '77, would also be based in Anchorage but would spend most of his or her time in liaison with University Year for Action students from the University of Alaska in rural areas.

Fiscal responsibility is maintained by the central administrative staff under the general review of one Commissioner designated by the Chairperson to specialize in budget and internal audit. Regular management reports are made to the Commissioners on personnel, budget allocation and requests, audit, travel, and major purchases to ensure independent accountability at the Commissioner level.

II. Highlights of 1975 Activities

This past year saw important changes in direction for the Human Rights Commission. The change was initiated by the Commissioners, who conducted a concentrated review of the program and their plans for 1975 in late 1974. When the new Executive Director was hired in December, 1974, the Commissioners were able to give him clear and definite instructions as to changes desired. The results attributable to these instructions are discussed in the remainder of this report. They may be summarized as follows:

Case Activity

Pipeline activity and the state's rapid population growth generated far more cases in 1974 and 1975 than the Commission was equipped to handle. From 281 new filings in 1974 the rate more than doubled, to 618 in 1975. More efficient procedures and a larger staff resulted in a tripling of the resolution rate, however, from 138 in 1974 to 411 in 1975. With new filings continuing to run ahead of resolutions, the backlog still continued to grow, from 238 on January 1, 1974 to 381 on January 1, 1975, to its present level of 588 at the end of 1975.

Major Cases: Several major cases of long-range significance were active in 1975.

University of Alaska: This case challenges sex discrimination in University of Alaska faculty hiring and promotions. It became the Commission's second case in its 12-year history to complete all administrative

stages through public hearing and order. Judicial review has been sought by the University on the Commission's jurisdiction over non-profit educational institutions, and argument in the Superior Court is expected early in 1976.

Airline Crash: When Wien Air's Gambell flight crashed this fall, the Commission obtained short-term court relief to block insurance company efforts to settle claims until the victims and their families, all of whom were Native, had received information from neutral attorneys and the Commission's staff concerning civil litigation rights and insurance settlement procedures.

Vita Foods: The Commission charged that this cannery did nearly all its hiring through Seattle, thereby excluding Alaska Natives in its area of operation. The firm agreed to change its hiring practices. The agreement was widely publicized by the company in its efforts to locate available labor within Alaska.

Other major cases, most of which are in the investigative or determination stages, ask these questions:

Pipeliners: Does Local 798 of the Pipeliners Union, a welders union based in Tulsa, Oklahoma with an office in Fairbanks, fail to dispatch minorities (particularly Blacks) and women to the Pipeline? Do its white members harrass and intimidate minorities and women workers who belong to other unions on the Pipeline? (under investigation).

Culinary: Did Local 879 of the Culinary Union, based in Fairbanks, refuse to dispatch women to the Pipeline in 1974 and later continue to exclude them by an A,B,C,D List system requiring prior pipeline experience to be listed for priority dispatch? (Public hearing commenced and adjourned; resumption blocked by court order requiring class action rules to be drawn up; new trial motion pending on this question; appeal granted on class action authority).

Canneries: Do various canneries maintain hiring and job assignment practices which deny equal employment opportunity to minorities and women? (under investigation).

State Employment: Have job patterns in a major state agency been structured to exclude women from higher-paying classifications? (under investigation).

Police: Did a major municipal police department exclude women from sworn officer ranks? (settlement mostly completed: \$38,000 in back pay awarded, less \$10,000 in mitigation). Did the Chief of another police department so mistreat Natives without lawful authority that his termination by the City Council was merited? (Council hearing based in part upon Commission evidence completed; decision awaited).

It is important to stress the Commission staff's neutrality on those questions not fully investigated. Where settlement is underway, a staff-level finding of unlawful practice has been made. But if settlement is successful, no admission of violation will be made. If settlement is unsuccessful, a hearing will be scheduled before the Commissioners, who will know nothing of the case, except for the complaint and answer, prior to the first hearing day. By law, the Commissioners must be impartial judges, and decide such cases only upon the evidence presented during a hearing.

PUBLIC HEARINGS

In addition to the celebrated Culinary case previously mentioned, these cases involving individual claims of discrimination reached the public hearing stage in 1975:

Peratrovich v. Phillips & Lively: A Native family charged that they were denied a trailer space in Anchorage after purchasing a trailer from the space's former tenant, because the court operator used a three-children rule as an excuse. The Commissioners found the rule had been applied selectively on the basis of race. Due to the Commission's involvement in the case, the family was able to remain in the trailer until his job took the family breadwinner to another city, after which the appeal of the Commission's decision (based upon which section of the law applied to the facts) was dismissed by mutual consent.

Raymond v. Wien Air Alaska, Inc. A woman charged that she was denied a position at Deadhorse because of her sex. Respondent countered that a lack of facilities for women was a defense to the charge of sex discrimination and that complainant was unqualified. A decision of the Commissioners is pending.

Barrett v. Alaska Plan: A white secretary charged that she was fired shortly after being hired on the orders of a Board member who allegedly insisted on a minority person being hired. Respondent asserted that improper procedures had been followed in hiring her in the first place. The Commission found in her

favor but declined to make a compensatory money award for humiliation and embarrassment because of insufficient evidence. Compliance with Commission's order is due by late 1975.

Case Management Systems

At the end of 1974, no personnel were allocated to tracking the cases.

Cases deferred to the Commission by Federal agencies (as required by law) were unattended and even lost. No central recordkeeping system existed. Statistics for program management were unreliable. By the end of 1975, two positions were redefined to reflect the increased emphasis on case activity established by the Commissioners. A Case Processing Coordinator now reviews all cases prior to determination by the Executive Director and serves as a general advisor to the Assistant Directors. Reporting to him is a Docket Control Clerk who maintains a central record of cases in master files and on the state's computer. Regular and prompt statistical reports (such as those in this report) are now easily available for review by the Commissioners, the Administration, the Legislature, and the public.

Administration: During 1975, an array of incomplete fiscal, travel, and personnel files was brought up to date. An audit requested by the Commission corrected several incorrect fiscal entries. One Commissioner was designated to oversee budget preparation, allocation of appropriations to line items, transfers of funds, and internal audit. Clerks were trained to ensure that bills would be processed for payment promptly and travel files would be complete and accurate. Personnel policies were set by the Commissioners, including a grievance procedure and a semi-annual evaluation requirement. Job descriptions were updated and restructured to create career ladders from the clerical to the professional ranks. With a near 100% turnover in staff, the Commission emerged as a model equal opportunity employer. Forty percent of the staff is composed of minority persons. Blacks, Natives, and other minorities are all represented. Eight out of 27 persons (including VISTA workers) serving in positions equivalent to Range 14 and above are minority persons. Fifteen of these 27 are women. Of the top five positions, three are minority persons. Three of the top five are women. Vigorous training for staff and legal orientation for Commissioners marked the year. The cornerstone was publication of the agency's first operations manual, a 200-page summary of the law and enforcement procedures and techniques.

local commission the first opportunity to resolve cases within its jurisdiction.

Anchorage Municipal Commission

The State Commission requested legislative enactment of a section amending state law to empower municipalities to establish their own Commissions. The request was consistent with a recommendation by the late Rep. Willard Bowman to the former Anchorage Borough Assembly that a local Commission would answer minority concerns over Borough hiring practices which had been publicly voiced late in 1974. Both the Anchorage charter and legislative passage of Senate Bill 60 in the current term provided the authority for the new ordinance adopted December 30, 1975 in Anchorage. The State Commission's staff and Commissioner Lisa S. Rudd were active in drafting the new ordinance during 1975. Except for protection of homosexuals in the Anchorage ordinance, the new legislation is nearly identical to state law. A basis now exists for increased cooperation between the state and the municipality. The action in Anchorage may also spur other communities to consider similar enactments. The Commission's November meeting in Ketchikan was scheduled there specifically to meet with local community groups, public officials and legislators to assist with initial steps to write such an ordinance.

Public Education

The Commissioners and Staff were particularly visible in public presentations about the agency's new directions. The public education effort -- directed through news media, public speeches to community organizations, printed materials, and small meetings with business, government officials and private individuals -- was designed to provide accurate information about the law in a restrained manner. The Commission made a particular effort to speak from a solid basis in fact and to debunk rumor while probing the truth.

IV. Commissioner Activities

The departure of Commissioner Sylvia Munsey for The Netherlands, the expiration of Commissioner Mitch Demientieff's term and a long-standing vacancy gave Governor Jay Hammond three appointment opportunities:

- Dorothy Larson, Dillingham, who had resided in Anchorage during 1975 while serving in several capacities at the Alaska Federation of Natives. She has since returned to Dillingham with the staff of the Bristol Bay Native Corporation.
- John Gonzales, Clear, an employee at the Clear Site station who is a member of the local school board and Lions Club. Commissioner Gonzales was elected to the Board of Directors of the International Association of Official Human Rights Agencies when the organization held its annual conference in July 1975 in New Orleans.
- Thomas Johnson, Nome, served as Commissioner (1968-1972) and as Chairman (1972). He has held several operating positions during 1975 on the Pipeline, one of which gave rise to a complaint of race discrimination.

The new Commissioners joined Willie Ratcliff, Fairbanks, a pipeline contractor (who was re-elected Chairperson in January 1975). Carol Smith, Anchorage, Equal Employment Officer first for the City of Anchorage and for the Municipality since unification, (elected Vice-Chairperson at the same meeting -- the office of Secretary which she formerly held was abolished); Lisa Rudd, Anchorage, who served as Commissioner from 1966-70, and was named by Governor Hammond to succeed the late Rep. Willard Bowman in the House of Representatives, and Roberto Garza, Ketchikan, IBEW Business Agent who actively encourages expansion of Commission programming in Southeastern.

Commission Meetings

After the Commissioners set upon a major change in direction for the agency, the need for more frequent meetings became apparent. Regular meetings occurred in January (Anchorage), March (Juneau), June (Fairbanks), August and September (Anchorage) and November (Ketchikan). An intensive two-day legal orientation for Commissioners

and staff in Clear in July was led by six candidates for the newly-created attorney position in the Department of Law. The applicants/candidates included two VISTA attorneys, Larry Shaw and Tim Stearns, who had been working for the Commission (drafting new regulations and assisting the Senate State Affairs Committee with Human Rights Law amendments of Senate Bill 60), an Assistant Attorney General, Michael Stark, who had represented the Commission in two major cases in court, the General Counsel of the Maryland Human Relations Commission, a Civil Rights practitioner from Chicago and the successful applicant, Carolyn Jones of California.

Major activities of the Commission were of policy determinations, overseeing management actions, and staff hiring:

1. Delegation of Authority - The authority of the Executive Director to supervise investigations and settle cases prior to hearings was clarified.
2. Amendment of procedural rules to provide for employment of hearing examiners, an interrogatory enforcement procedure, adopting substantive Federal guidelines defining employment discrimination, setting employer recordkeeping requirements and defining physical handicap.
3. Ratification of Memoranda of Understanding with the State Equal Employment Opportunity Program, the Office of Revenue Sharing and the Anchorage Human Relations Commission.
4. Review and evaluation of VISTA Program leading to strengthening and working relationships and establishment of policies governing supervision of VISTA workers.
5. Review of Audit report on financial accounts, leading to designation of one Commissioner to oversee fiscal matters. Related policies established advance approvals of budget submissions, Commission-level allocation of legislative appropriations, and approval of large transfers between line items.
6. Personnel Policies approved, including an internal grievance procedure; a complete revision of all position descriptions with an integrated career ladder from clerical through professional to management positions; a policy governing

confidentiality; and a semi-annual system of personnel evaluations to be reviewed by the Commissioners.

7. Access to Case Files, a policy defining public information in case files was approved in an effort to harmonize the requirements of the State Freedom of Information Act with the need to investigate and settle cases in private.
8. Powers of the Chairperson clarified in a policy statement.
9. Public education pamphlets were approved, but funding to print most of them lapsed in the interim between the legislative appropriation for them in May and the deadline for obligating funds. Publication is anticipated in early 1976.
10. Per Diem Policy adopted established circumstances under which Commissioners receive per diem while on official business.

Staff Hiring

During these seven regular meetings and in special sessions, the Commissioners also filled nine professional staff positions, some of which had over 175 applicants, Three finalists for each position are usually interviewed by the Commissioners upon the Executive Director's recommendation, but Commissioners always review the equal employment implications of each decision and assess the fairness of recruitment and initial screening standards as compared with previously approved position descriptions.

Legislative Liaison

In February, 1975, the House Finance Committee requested testimony of Commissioner Rudd and the Director concerning the new directions decided upon by the Commissioners and staff plans to implement these directions.

The Commission testified in March 1975 before the Joint Labor Committee hearings on Alaska hire to explain how the Human Rights Law governs employment of women and minorities on the Pipeline (and cases then pending raising issues of possible discrimination.)

The Commission appeared twice before the Senate State Affairs Committee as it considered Senate Bill 60, which, upon passage and Governor Hammond's endorsement, added "marital status, changes in marital status, pregnancy and

parenthood," to Alaska's Laws Against Discrimination.

Relationships with the Administration

1975 brought back a more harmonious working relationship with the Office of the Governor. One Governor's office staff person was designated as liaison with the Commission and an agreement was reached under which the Administration's civil rights concerns are voiced directly to the Commission. Additionally, the Commission has been able to make effective use of this communication channel to reach mutual understandings on matters of civil rights policy and administration.

Public Hearings

As recounted in detail in Section III, three public hearings were conducted in 1975. Hearings held in 1974 neared final resolution, as described in Section VII, Litigation. A point consuming considerable discussion was the role of Commissioners at hearings under the new hearing examiner rule. When an examiner has been employed, may Commissioners still attend? May they question witnesses? Must they attend the entire proceeding if they do choose to appear? The answer to each question was yes, and the Commissioners voted to amend the rules to add the option of conducting hearings jointly with an examiner.

V. Central Office Activities

The Central Office in Anchorage carries out Commission policy by coordinating all staff programs and facilitating Commissioner activities. The Executive Director, Niel Thomas, after confirmation by Governor Hammond, serves at the pleasure of the Commissioners. Assisting him are Secretary May Dollarhide, who also provides clerical support to Commissioners and marshals the logistics of public hearings; Robert Kemp, Case Processing Coordinator, who reviews cases prior to final action by the Executive Director; his Docket Control Clerk, Marie Kusick, who manages the case record-keeping system and computerized reports from these records; Administrative Assistant Julie Winegarden and clerical workers Maryrose Peoples, Linda Franklin and Barbara Cole; Philip Supina, Administrative Counsel who performs internal legal research; and Lynn Brady, research assistant in charge of public information and education. (The three Assistant Directors in charge of regional activities report to the Director: These regional reports follow in Section VI. The Litigation Report, Section VII, recounts the activities of the Commission's attorney in the Department of Law).

Central office staff activities in 1975 were evenly divided between administrative matters, case actions and associated training, and public education.

Administration

Administrative accomplishments are summarized in the overview of Section III. Details follow:

Audit Report: An audit by the Department of Administration State Internal Auditor for FY '73-'74 and the first half of FY '74-'75 was requested by the new Director to:

- Determine if financial records were properly and fairly presented according to the State regulations.
- Appraise the internal control system, efficiency, effectiveness and economy of operations, and program performance in the terms of accomplishing program objectives.

The audit found that:

- Funds had been erroneously charged to one line item that should have been expended from a different line item;

- Salaries had been charged erroneously between state and grant funds;
- Some out-of-state travel had been unauthorized;
- There were some unauthorized signatures on Field Warrants; and
- Some expenditures were unauthorized.

There was a question on program findings regarding proper use of VISTA Volunteers in relation to ASCHR budget conflict, a finding that the Commission had failed to provide effective program measures, a note of a lack of program management, and a failure to file an annual report after 1973, according to AS 18.50.150.

Remedial measures were suggested. Most recommendations had already been instituted by the new Director. The summary stated, "both the financial and audit findings in this report have reflected poor management in the ASCHR. We are confident that the current Executive Director is capable of providing good management practices to the ASCHR."

Business Location: The Anchorage office, located at 2457 Arctic Boulevard, Suite 3 is in an unsuitable location. Its physical plant is defective, too. The Commissioners sought to break the three-year lease (due to expire in March, 1977) but the General Services and Supply Section of the Department of Administration counseled against breaking the lease, since it appeared to be binding.

Vehicles: The staff ranges all over the Municipality of Anchorage and as far as Eagle River and Palmer to conduct investigations. During 1975 the Commission secured transportation for the Anchorage office by renting one Department of Highways vehicle. A Federal Government vehicle is also used by VISTA volunteers.

VISTA Volunteers: 65 percent of the investigative staff and 80 percent of the legal staff is comprised of VISTA Volunteers. The present VISTA compliment is 16: three in Fairbanks, three in Juneau, one in Ketchikan, and nine in Anchorage. An intensive in-house training session for the new group lasted one work week.

EEOC Contract: The Commission's contract with the U.S. Equal Employment Opportunity Commission continued in 1975 reimbursing the Commission at the rate of approximately \$274 for each case filed first with EEOC, but resolved at the

State level. Alaska's rate of resolution justified an increase in the contract in mid-year.

Training and Career Development

Career development for agency staff centered on compilation of the Commission's first operations manual, which sets forth all case processing procedures, related administrative rules, and summaries of the case law of discrimination. The 300-page document is the basic reference handbook for present staff and a training aid for incoming employees. Supervisory staff attended the Supervisory Management course offered by the Department of Administration.

Public Education

Most public education work at the Central Office level was carried out by the Executive Director, who became a frequent speaker before organizations and on radio and TV. Many invitations to conduct workshops of longer duration were declined in the interest of furthering the urgent need in-house to attend to case management, staff training and administrative matters. Shorter presentations included speeches and workshops for: Anchorage and Juneau Chapters of National Organization for Women, Women's Caucus and supervisory staff of Anchorage Borough School District, Anchorage Building Trades Council, Board of Governors of Alaska Bar Association, Anchorage Personnel Association, Anchorage Rotary, Fairview Lions Club, Anchorage Equal Rights Association, Alaska State Advisory Committee to U.S. Civil Rights Commission, Governor Hammond's Cabinet Members, Human Resources Committee of Alaska Federation of Natives, three sessions for Pipeline Contractors sponsored by Alyeska Pipeline Service Company, and the Anchorage Republican Club.

Implementation of Senate Bill 60

The passage of Senate Bill 60 added marital status, changes in marital status, pregnancy and parenthood as prohibited discrimination. The credit section of the law was also broadened to cover all credit transactions (instead of just mortgages, as previously) and the housing section was broadened.

Case statistics following in Section IV, show that no great flood of new complaints uniquely attributable to the new coverage materialized. As the Commission moves to

familiarize more persons with its provisions, however, more complaints will doubtless be filed. Such was the Commission's experience following the addition of sex discrimination to the Human Rights Law in 1972.

The credit section did not take effect until October 28. The Commission staff held a series of meetings with credit industry representatives and consumers to prepare implementing regulations, which will be published for general comment in January, 1976. The proposed regulations generally follow rules issued in October 1975, by the Federal Reserve Board pursuant to the Fair Credit Reporting Act amendment barring marital status discrimination in credit granting nationwide.

The first case arising under the new law occurred the day it took effect. A Commission investigator purchased a household appliance and made credit arrangements based upon her income as a state employee. She was about to leave the store with it when the manager told her that her husband would have to sign for it. The store's position changed abruptly when the manager learned of the new law from the investigator.

One still observes many faulty credit application forms which violate the law. Enforcement actions will follow in 1976 following adoption of the new regulations if voluntary compliance is not first achieved.

Planning a Rural Program

The Commission's activities in rural Alaska have been intermittent throughout its history. What it has done has been done well, as for example, instances referred to in the summary of Willard Bowman's career with the Commission, and some of the cases and activities mentioned in this report.

Some observers have suggested that the Human Rights Law itself may be faulted as not fully relevant to the needs and concerns of rural people. Admittedly, the law is based upon similar enactments dating to New York's in 1945 and now common to 36 states and several hundred municipalities outside. The public need these laws originally addressed was discrimination against Blacks, mostly in urban areas. Discrimination against women entered as a statutory concern with the Federal Equal Pay Act of 1963 and the 1964 Civil Rights Act's employment Section, Title VII.

The present Commission in Alaska believes that if there are legal defects at all they are not with the law, but with its interpretation and administration at the agency level. Accordingly, 1975 brought forth plans to seek interpretations of the law which relate to the facts of rural Alaska, and to establish an administrative mechanism to implement these interpretations.

Two staff papers form the basis the basis for the Commission's plans. One, "Implications of the Human Rights Law in Rural Alaska," was prepared for distribution to attorneys with Alaska Legal Services. It discussed the present Human Rights Law section by section and suggested some of the ways it may be applied in the context of cases arising from commonly-known facts of living -- poverty, unemployment, communications, access to government, subsistence, and lack of awareness of legal rights -- in rural areas.

The second paper discussed the type of academic background the Commission considers to be relevant to professional employment with the agency. It is a framework for planning a network of volunteer student staff in rural areas proposed for FY '77. The mechanism for the volunteer effort is the Federal University Year for Action Program (UYA). Under this program, students may receive academic credit for work performed for the Commission, while pursuing an academic program which prepares them for careers in human rights work and state government in general.

Under the Commission's proposal (part of its budget submission to the Administration), a staff Rural Programs Coordinator would recruit third and fourth year students at the University of Alaska who come from rural areas. The students would return to their homes and conduct legal education activities centering on the Human Rights Law. At the same time, this network of as many as 10 students would provide feedback to the Commission, teaching the agency what the nature of the social problem is which the Commission may alleviate. The students would receive an interdisciplinary education relevant to their needs under the tutelage of University faculty members.

The ambitious, but not implausible, long-range objective of the program is to capitalize on Alaska's human resources in rural areas and build from among such people some of the future policy makers for Alaska's state government.

VI. Regional Activities

Each of the Commission's four field offices, under the supervision of an Assistant Director, conducts a semi-autonomous enforcement and educational program. Cases are reviewed by the Anchorage headquarters office and priorities are set in consultation with the Executive Director. Following are details of these regional activities, many of which were referred to in the overview chapter just preceeding.

Anchorage Assistant Director, Dorothy Case: Ms. Case was one of the Commission's VISTA para-legal investigators before her appointment by the Commissioners in the summer following the departure of Calvin Luddington for pipeline employment. The Anchorage office experienced a two month period of low case processing activity from mid-summer to mid-September when the entire VISTA work force either completed their one-year terms of duty or departed early for other employment. With no investigators authorized for the Anchorage office case processing came to a standstill, to the distress of complainants and respondents who were anxious to see cases move to resolution. After six weeks of orientation the new group of six VISTA investigators (Helen Gorini, Suzanne Forester, Calistro Rodriguez, Barbara Gillmore, Daveed Schwartz and Brenda Cheatham) and the unit's administrative counsel (Ian Sievers) is moving rapidly to resolve backlogged cases. Ms. Case adopted a new system for assigning cases: rather than require each investigator to juggle 30-40 cases (one-sixth of the office backlog) she now assigns two or three cases at a time and supervises their prompt determination. The result is a concentrated effort over a short period of time, which may prove more efficient than trying to keep track of too many cases at one time.

Typical cases resolved in the Anchorage office include the following:

In Favor of Complainant

1. A female complained that she couldn't be hired as a Police Officer because she was a woman. The Police Department would not hire women until a "study" was completed. No evidence, however, was found by the Commission of a study. Therefore, the Commission found in favor of the Complainant and negotiated a conciliation agreement which included her being hired as a Police Officer and a backpay award of \$27,000.

2. A female member of the Ba Hai Faith took a day off to go to that Faith's special holy day celebrations. Upon her return to work she was told she was fired. The Commission's investigation found that the fact that she took the day off for religious purposes was a significant factor in her discharge. She was awarded backpay.

3. A black female was trying to find an apartment for herself and her girlfriend. After viewing one she liked they decided to take it, but when arriving to pay the money, she was told it was already rented. The next day a call found that it was still available, so a white Commission tester attempted to rent the apartment and was successful. The black female again arrived as the white woman's roommate to pay the money and was given the apartment. The Commission's participation got the woman the apartment, without serving a formal complaint on the respondent.

4. A male applied for a job as waiter but was told that the restaurant only hired females, as men would not like that kind of work. The restaurant admitted it wanted all female waitresses. He was offered a job and awarded backpay. Job titles and announcements of job openings were changed also at the company.

5. A black male was not hired for a job as a cook in a restaurant. It was found in the investigation by the Commission that the manager made sure he wasn't hired. The manager was fired, the male hired, and backpay of \$2,000 was given.

6. An airline asked for bust, waist, and hip measurements for airline attendants on its application forms. Due to the filing of the complaint, the company's application was changed to eliminate this non-job related inquiry.

7. A single female was denied maternity benefits by a company. Investigation found that her marital status was the sole reason for the denial. Consequently the benefits were awarded to her.

8. A black female received a poor work evaluation from a new supervisor. The old supervisors thought her performance to be adequate. The poor evaluation was eliminated from her file in a pre-decision settlement agreement.

In Favor of Respondent

1. A black male complained that he was unable to get an unskilled job at a local company. He said he knew a white friend who got a job after he had applied. Investigation revealed that the Complainant had applied much later than he had stated and that the friend was hired before he applied, but didn't begin work until a later date. The Commission found no cause to believe discrimination was a factor.

2. A pregnant female alleged she was fired because she was pregnant. Investigation revealed that the past policy had been to allow pregnant females to work as long as they could, even though a company rule stated that they must begin maternity leave at 7 months. Complainant was fired after her 5th month of pregnancy, so the Commission found that discrimination because of her pregnancy was not a factor in her discharge.

Public Education

The Anchorage office averages 1 1/2 to 2 calls per working day from people wanting to know if something can be done about what they feel was infringement in some way on their "human rights." The intake investigators ask them to come in and file a complaint if it sounds like a violation of the Alaska State Laws against Discrimination. If it is not jurisdictional, the staff tries to get the person in touch with the proper agency.

The Anchorage staff was also often asked to speak at various clubs of groups such as: Business & Professional Women, Citizens Housing Action Coalition, Ba Hai', NOW, North Pacific Rim. Various staff have appeared on talk radio programs about the Commission and T.V. spots to tell about the Commission and recent cases that were settled by the Commission, as well as constant newspaper coverage to publicize settlements.

Fairbanks Assistant Director, Jesse Arrington:
Mr. Arrington joined the Commission from a post as EEO Officer at Ft. Wainwright following the departure of Gil Guitierrez for a Pipeline EEO post. Legislative approval of House Bill 184 late in the current session produced three investigators to focus on Pipeline employment problems here. (All work in Fairbanks ceased for six weeks between the departure of Mr. Guitierrez and the hiring of Mr. Arrington and his investigators, Donna Komure, Cara Peters and Cathi Carr-Lundfelt. VISTA investigators April Cotton and Clifford Chirls also joined the office in mid-year, followed by Administrative Counsel Tim MacKin and clerical workers Florence Murphy and Yvonne Bethya.) Productivity has picked up starting in late summer: output was slow even in the first part of the year when the only professional position authorized was that of Mr. Guitierrez. From a cramped two-person office in the Court Building in late summer the office moved to quarters in the new State Office Building shared with the office of the Governor and the Bureau of Elections. A State car for staff use became available for the first time, too. Some typical cases and leading activities follow:

Successful Settlements

1. A black female charged a company with race discrimination. She alleged she was unfairly discharged after approximately 2 1/2 weeks of employment.

Respondent replied that Complainant was discharged for being late twice. Respondent utilizes accurate machine punch time cards. The investigator requested copies of time cards for all employees over a six month period. Respondent then acknowledged that a cause finding was likely and a settlement followed.

Complainant had worked on the Pipeline from her discharge to the time of settlement (minus a ten week period of unemployment). Because of her high Pipeline wages, Complainant had fully mitigated her losses. In lieu of backpay, the investigator obtained a "monetary settlement" of \$600 for "mental suffering, inconvenience and extra expenses incurred by Complainant as a result of Complainant's period of unemployment directly following Complainant's discharge from Respondent company."

The settlement was greatly facilitated by the Respondent's thorough knowledge of the Human Rights Law. The accurate record keeping methods of Respondent made it obvious to Respondent that the Commission would eventually make a cause finding in the case.

2. Complainants charged sex discrimination resulted from a City Ordinance prohibiting women from driving cabs between 7:00 p.m. and 6:00 a.m.

After the Commission investigator served the complaint, the Fairbanks City Attorney drafted a repeal ordinance and asked the investigator to testify before the Fairbanks City Council to speak in support of the repeal.

The burden of proof was on the City to establish a business necessity, the Commission argued. The council repealed the ordinance by a 4 - 1 vote. The repeal affected 10 women employed by the cab company.

3. A man said he was called a "dirty German" when he disputed the refusal of a fuel company to deliver fuel to his house. "They said they didn't have to serve foreigners," he told the Commission. The company replied that the Complainant was impolite and that his driveway was too narrow, blocked by dogs, and lacked room to turn around. A company official made repeated reference to Complainant's national origin. After giving advice about the Human Rights Law the Commission's investigator negotiated settlement in which charging party agreed to keep the driveway clear and the company agreed to make deliveries in the daytime by backing up the driveway.

4. The Fairbanks office received a letter from a rural resident alleging that Natives were mistreated after they were arrested. Investigators took sworn statements from residents who were then being detained at the Fairbanks Correctional Center. These affidavits supported the earlier allegations of physical abuse, unsanitary jail conditions, and general mistreatment of Native prisoners. Some of the allegations were that prisoners were being chained to fire trucks for long periods without food or water, mace was being sprayed in the face of chained prisoners, and prisoners were being made to sleep on the floor while chained to doors.

Further affidavits were then taken in the village from persons who alleged mistreatment, and from the magistrate who claimed to have observed mistreatment. The Commission then presented the results to city officials, who decided to suspend the delete police chief with pay until a formal hearing could be conducted.

At the hearing, evidence was taken, and findings were issued terminating the police chief for failure to properly carry out his duties.

Public Education

The Fairbanks office has been heavily involved in educating the public about State and Federal Laws against

discrimination. The staff are continuously making public appearances through radio, television, panel discussions, speeches, and newspaper articles. Below are some of these efforts: KFAR Television: Jesse Arrington, Assist. Director & W. Ratcliff, Chairperson; KTVA Television: Jesse Arrington, Assist. Director & W. Ratcliff, Chairperson; Comprehensive Alcoholism Program: Donna Komure, Investigator; KTVF Television: Jesse Arrington, Assist. Director; NAACP Television Program: Cara Peters, Investigator, Donna Komure, Investigator, Jesse Arrington, Assist. Director; NAACP Television Program: Cara Peters, Investigator, Donna Komure, Investigator, Jesse Arrington, Assist. Director; Tenant, Cathi Carr-Lundfelt, Investigator; Tenant, Cathi Carr-Lundfelt, Investigator; Karen Schaefer: Cathi Carr-Lundfelt, Investigator; Town & Village Assoc.: Cathi Carr-Lundfelt, Investigator; Fairbanks Native Center: Donna Komure, Investigator; Landlord: Cathi Carr-Lundfelt, Investigator; Fairbanks Native Center: Donna Komure, Investigator; Teamsters: Cathi Carr-Lundfelt, Investigator; Barrow Television: Niel Thomas, Executive Director, Jesse Arrington, Assist. Director.

Juneau Assistant Director, Janet Bradley: Ms. Bradley joined the Commission staff in mid-1974 and is currently the most senior person. Her territory covers all of Southeastern, including a one-person office in Ketchikan. No full-time staff positions existed in Southeastern prior to Ms. Bradley's; hers is the only state-funded position at present. VISTA assistance is provided by counsel Steve U'ren and investigators Brien Farrell and Rebecca Pixler in Juneau and David Smullin in Ketchikan. Eva Lott provides clerical services in Juneau. During 1975 the Juneau office moved twice and is now permanently housed in the Court Building.

This was the first year that staff and budget permitted minimal travel throughout rural areas of Southeastern. An Augoon trip yielded seven complaints on one issue; another half dozen charges have resulted from trips to Sitka. A vigorous correspondence continues with citizens from several villages in the region, and personal staff visits are planned for 1976. Meanwhile case activity focused in Juneau and Ketchikan produced these representative resolutions:

1. No probable cause was found in a sex case where a Black female was discharged from a partially exempt position in state government after a change in administration. Discharge was attributed to political affiliation which is not within the meaning of the Human Rights Law.

2. A sex discrimination complaint was filed by Commissioner Lisa Rudd when a local hotel did not provide the services of the sauna (advertised in guest rooms) to female guests. The settlement produced a system of equitable hours of access for the sexes.

3. Lack of statistical evidence showing an adverse impact of a state test which denied a promotion to an Alaska Native female precluded a complete investigation.

4. No probable cause was found in the denial of temporary work in a job considered inappropriate by Complainant's physician where Complainant was physically handicapped and a regular employee of Respondent company.

5. A number of cases are pending which raise the question of whether Natives are prosecuted more vigorously, are treated more roughly by police, and are required to count Land Claims Settlement earnings when eligibility for Public Defender Services is determined. This latter issue involves judicial determinations which may not be reviewable by the Commission. Resolution may result from negotiation with the Court System.

6. A married teacher alleged that she was denied the right to a credit card in her own name. She received it after filing a complaint. The settlement required issuance of a credit card to a married person in that person's name, if so requested and if otherwise creditworthy. The company also agreed not to discriminate by withholding or denying services, goods, facilities, advantages, or privileges on the basis of sex or marital status. In addition the company agreed to inform all employees of this action.

Public Education

Local outreach includes the formation of the Juneau Equal Rights Association (JERA) by Ms. Bradley and Jim Beltran of the State Equal Employment Opportunity Program.

Ms. Bradley has been active in Alaska Native Sisterhood, National Organization for Women, Business and Professional Women, League of Women Voters and made speeches at League of Women Voters annual membership luncheon, state convention of Business and Professional Women, the International Women's Year Luncheons, the Bahai Human Rights Celebration, Beta Sigma Phi's Birthday banquet, the National Secretaries Association, the University of Alaska Continuing Education for Women Class and testifying at legislative committee meetings on SB60. Staff made several visits to the Senior Citizen's center to explain the Commission's program. Steve U'Ren has spoken to the National Organization of Women on Women and the Law.

Ms. Bradley attended the Native Arts and Literature Conference in Sitka sponsored by Sheldon Jackson College and Alaska Native Brotherhood, Alaska Native Sisterhood with funds from the Alaska Humanities Forum.

VII. Litigation

Full-time legal representation for the Commission by one person with specific experience in civil rights, first requested in 1968, became a reality in 1975 with the addition to the Department of Law of Carolyn Jones. Ms. Jones, whose salary and costs are funded by the Commission, is a graduate of Yale Law School who was most recently with the California Continuing Education of the Bar program preparing programs for members of the California Bar. She immediately assumed responsibility for preparing all Commission cases pending in court:

HOTEL, MOTEL, RESTAURANT
CONSTRUCTION CAMP EMPLOYEES AND BARTENDERS LOCAL 879 vs. ALASKA STATE COMMISSION FOR HUMAN RIGHTS

The Executive Director filed a complaint under AS 18.80.100 alleging sex discrimination in referring women for work on the pipeline. Since the complaint was filed on February 3, 1975, the following issues have been litigated and decided:

- The Alaska anti-discrimination statute is not preempted by the National Labor Relations Act or by any federal anti-discrimination statute.
- In conducting an impartial administrative investigation, the Commission may use the subpoena and the subpoena duces tecum to compel the presence of witnesses and the production of documents.
- The Executive Director of the Commission may file an administrative complaint in the nature of or in lieu of a class action (on appeal).
- Before meaningful conciliation may take place or an administrative hearing held, rules and regulations regulating class actions must be promulgated. (Still under litigation at the trial stage.)

UNIVERSITY OF ALASKA vs. ALASKA STATE COMMISSION FOR
et al. HUMAN RIGHTS

The Commission, sitting as a quasi-judicial body, found that the University of Alaska had discriminated against its female professors in the terms and conditions of their employment. The University has appealed that decision to the Superior Court on the grounds that the Human Rights Law does not extend to a public non-profit educational corporation.

WONDZELL & ALASKA STATE vs. ALASKA WOOD PRODUCTS, et al.
COMMISSION FOR HUMAN
RIGHTS

The Commission intervened in this Superior Court action which alleged discrimination in religion because a labor union and its contracting employer allegedly refused to accommodate WONDZELL's religious preference. The Commission intervened for the limited purpose of arguing that Alaska courts, and not the National Labor Relations Board, are in a better position to decide whether the state anti-discrimination law has been violated. The Superior Court has issued a favorable ruling on that point.

ALASKA STATE COMMISSION vs. PHILLIPS & LIVELY
FOR HUMAN RIGHTS

The Commission, sitting as a quasi-judicial body, found that respondents had discriminated against the complainant in the rental of a housing accommodation on the basis of race. Respondents appealed to Superior Court and alleged several procedural irregularities during the conduct of the administrative hearing. During the entire proceeding, the complainant continued as respondents' tenant; he moved out of the area a year later. Mutual dismissal of the appeal was agreed to on the grounds that:

- the procedural irregularities were harmless error and could be easily rebutted, but
- it would be meaningless to defend an appeal on behalf of a complainant who would never benefit from any relief obtained.

Respondent's agreed to the mutual dismissal.

ALASKA STATE COMMISSION vs. PALM SPRINGS & EUROPEAN HEALTH
FOR HUMAN RIGHTS SPA, et al.

The Department of Law filed a complaint in Superior Court for enforcement of a Commission finding and order that respondents had discriminated in the terms and conditions of employment against a female employee. Respondents counter-claimed alleging violations of their Federal civil rights and requesting money damages for the violations. The complaint was filed almost three years ago and the Commission and its staff committed several due process procedural errors that would make it extremely difficult to defeat against the counter-claim. In view of the fact that complainant had moved out of the state and no longer wished the case to proceed, respondents' offer of mutual dismissal was accepted.

ENFORCEMENT OF CONCILIATION AGREEMENT
NOT COMPLIED WITH

No enforcement action was taken pursuant to a conciliation agreement that respondent would offer complainant a job because:

- complainant had left the state and did not intend to return,
- complainant had lied on four (4) different job applications about his relevant work experience,
- respondents' hired 15 males for the position which was formerly closed to men.

ALASKA STATE COMMISSION vs. CHAIM NACHTIGAL
FOR HUMAN RIGHTS

The Department researched the legality of subpoenaing Commission investigatory files for use in a criminal proceeding and the propriety of limiting access to agency case files vis-a-vis the Alaska public records statute.

BRAY vs. ALASKA STATE COURT SYSTEM

The Department recommended against intervening in a private state court action alleging sex discrimination. The recommendations were based on the fact that:

- it was unlikely that plaintiff had been discriminated against on the basis of her sex,
- plaintiff is ably represented by counsel,
- in view of (1) and (2), the Commission should direct its priorities to intervention when the outcome of the case will have a broad impact on the law itself or on a group of people rather than on just one individual.

APPEAL OF STAFF-LEVEL
CLOSING ORDER

On appeal to the Commission chairperson for a review of the Executive Director's finding of no probable cause, the Department reviewed the file and advised the chairperson of whether there were substantial grounds for upholding the finding of no probable cause. The case was returned to staff when the basis for the dismissal turned out not to be factual; it was thought that complainant had brought suit under the Human Rights Law, thus barring his right to administrative processing. It turned out that he had gone to court under another law and was therefore entitled to an investigation.

Research, Review and Recommendations: The following issues have been raised by the Commission, individual Commissioners or the staff and referred to the Attorney General's Office for review and recommendations:

- The extent of participation by the hearing commissioners in examiner-conducted administrative hearings.
- The feasibility of increasing the Commission budget by finding respondents who are found to have discriminated.
- ~~Employee grievance procedure.~~
- Confidentiality of employee records.
- Access to Agency Case Files.
- Definition of substantial evidence to support investigatory findings of fact.
- Analysis of 18.80.220(2).
- Possible remedies under employment discrimination complaint alleging disparate medical treatment.
- Interpretation of new credit discrimination statute vis-a-vis the obligation of one spouse to pay the debts contracted by the other spouse.

Miscellaneous Activity: In addition to the above, the Attorney General's designee has also:

- helped conduct a week-long orientation and training program for the staff and newly-arrived VISTA volunteers.
- attended Commission meetings to serve as the Commission's legal advisor.
- conducted a one-day training session with the Fairbanks staff in December.
- helped write amendments to the regulations that implement AS 18.80.
- offered suggestions on how to maintain case files.
- attended four-day employment discrimination seminar in Chicago.
- provided orientation to attorneys serving as hearing examiners.

Case Processing Statistics

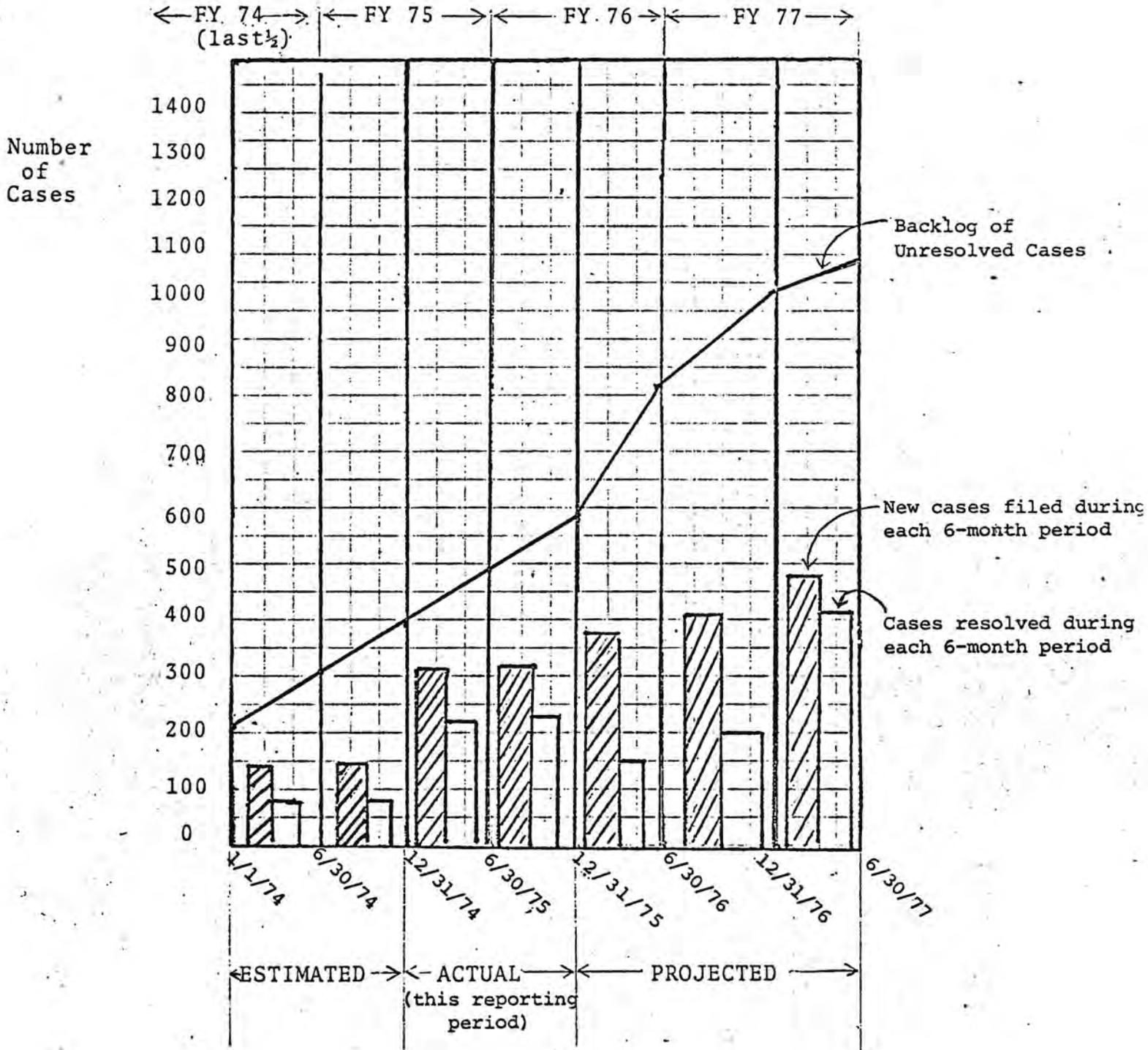
The establishment of a centralized master file of all cases, together with a data bank in the state's computer of associated facts, has made it possible for the first time in recent years for the Commission to report on its level of case activity accurately and promptly. Following are several charts of data typically obtained from the computer for management analysis and public reporting:

Chart I: This chart contains data on the total number of cases filed in six-month periods (beginning with estimates in 1974 and ending with projections for 1976 and 1977). The total number of cases resolved in each period; and the backlog of unresolved cases.

The chart shows a rapid rate of growth of new cases filed in 1975, followed by a projected decrease in the rate of growth. Part of the reason for the huge jump in new cases is the increased visibility of the Commission in 1975. But part of the reason is also that many cases lost in 1974 were located as much as a year later and thus counted in 1975.

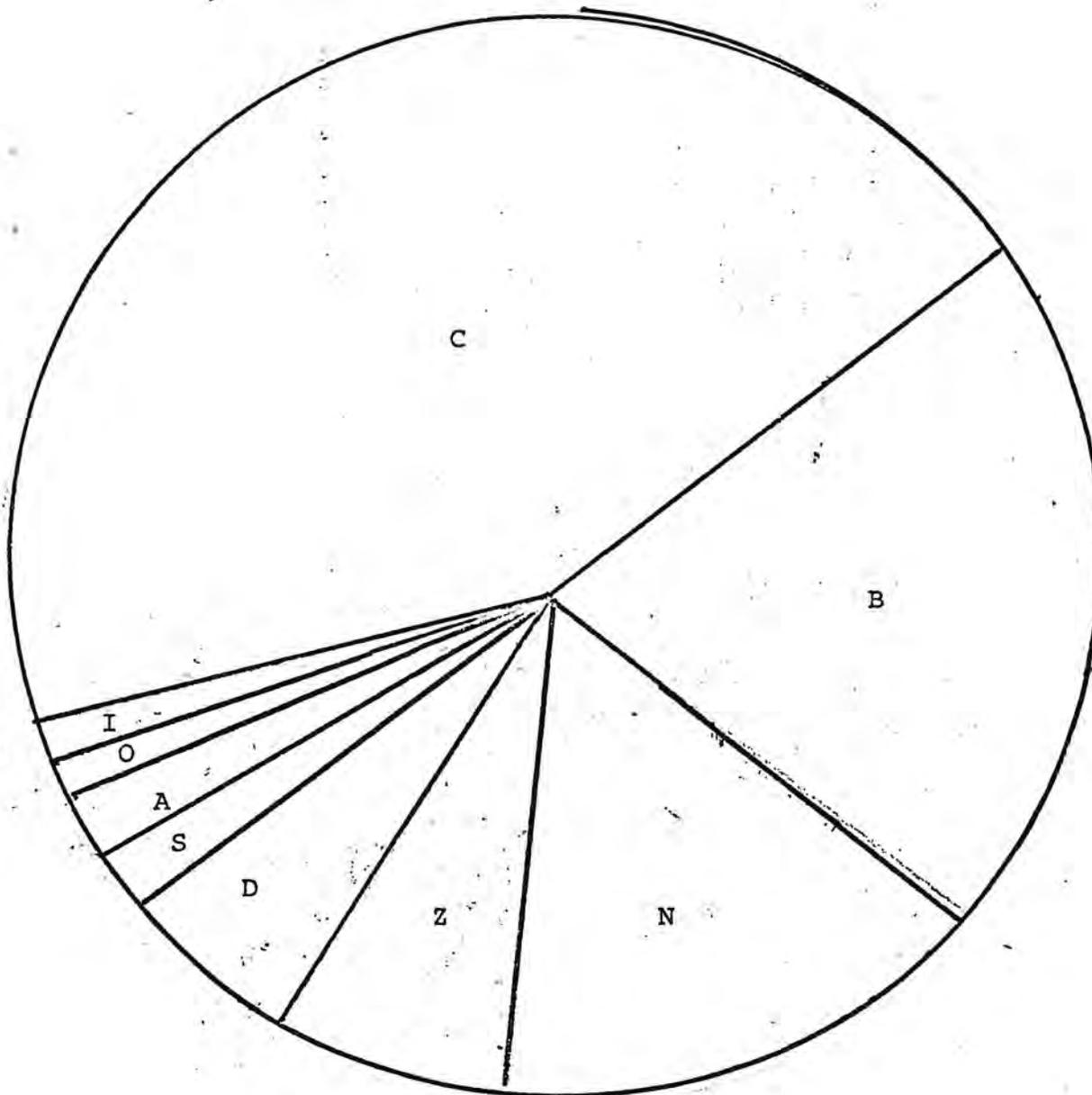
Similarly, the rate of case resolution tripled in 1975 owing partly to more efficient management, but partly also owing to a clean-up of many old cases which had grown too stale to locate witnesses and complainants. Hence the rate of resolution is projected to decline in 1976 as the more time-consuming current cases come up for investigation. These factors have combined to produce a continued growth in case backlog. With the present level of resources devoted to agency staffing, the public should expect a rapid growth in backlog in 1976.

Backlog, New Filing & Resolutions
1/1/74 - 6/30/77



Charts II & III: These charts show the race and sex of persons filing complaints in 1975. Although whites file the most complaints, most of these are white women claiming sex discrimination (see Chart V), rather than so-called "reverse discrimination" cases. Note that men and women file complaints at approximately the same rate.

CHART II
ANALYSIS OF NEW FILINGS - RACE CHARGES

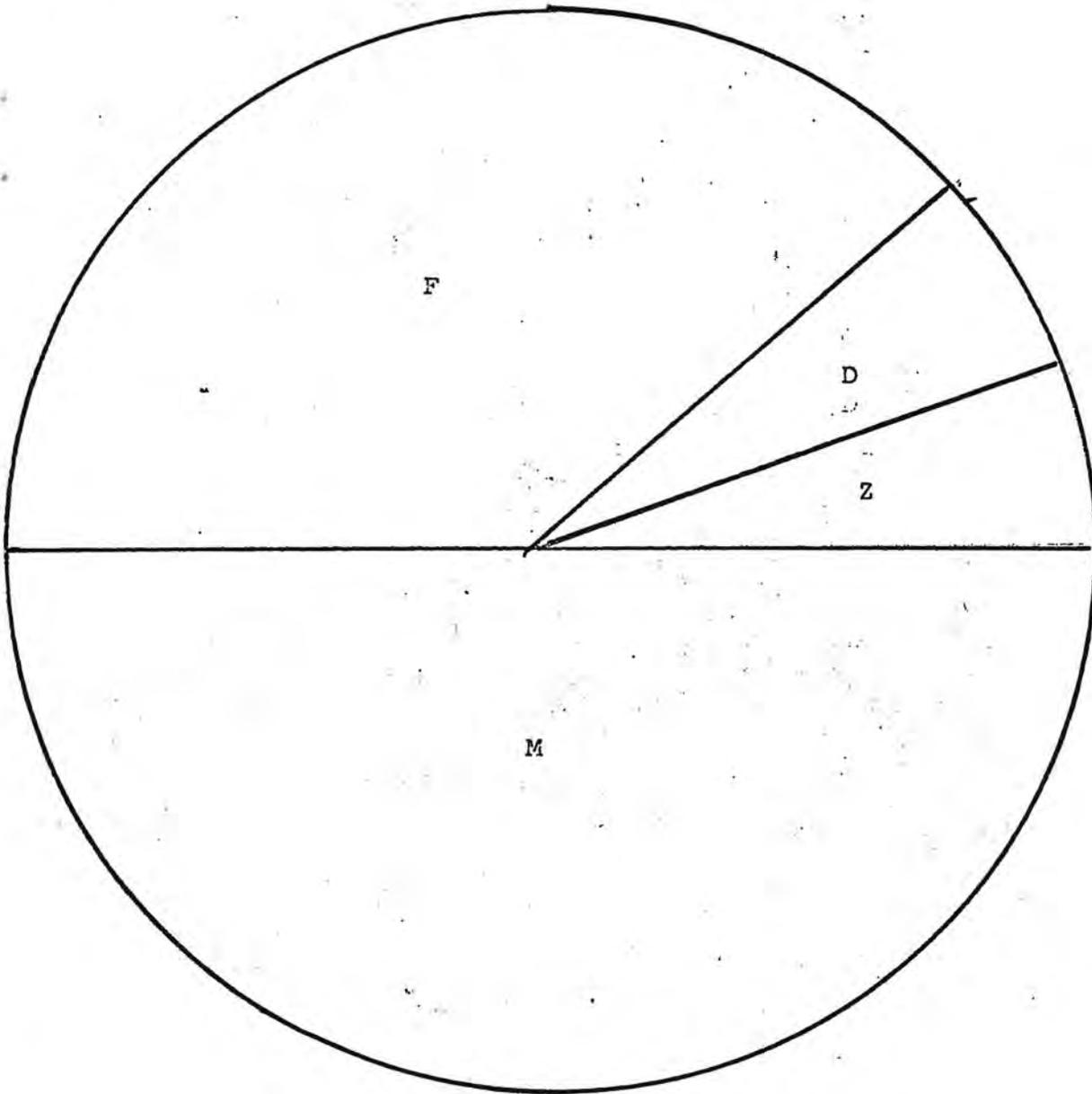


Definitions	Amt. of Cases	Percentages
A Asian (Korean, Chinese, Japanese, Filipino)	13	2.1%
B Black	136	22.0%
C Caucasian	261	42.2%
D Director's Charge	36	5.8%
I American Indian	6	1.0%
N Native (Alaskan Eskimo & Ind. Group)	100	16.2%
S Spanish	13	2.1%
O Other	5	0.8%
Z Unidentified & Third Party	48	7.8%

Total Number 618

CHART III

ANALYSIS OF NEW FILINGS - SEX CHARGES

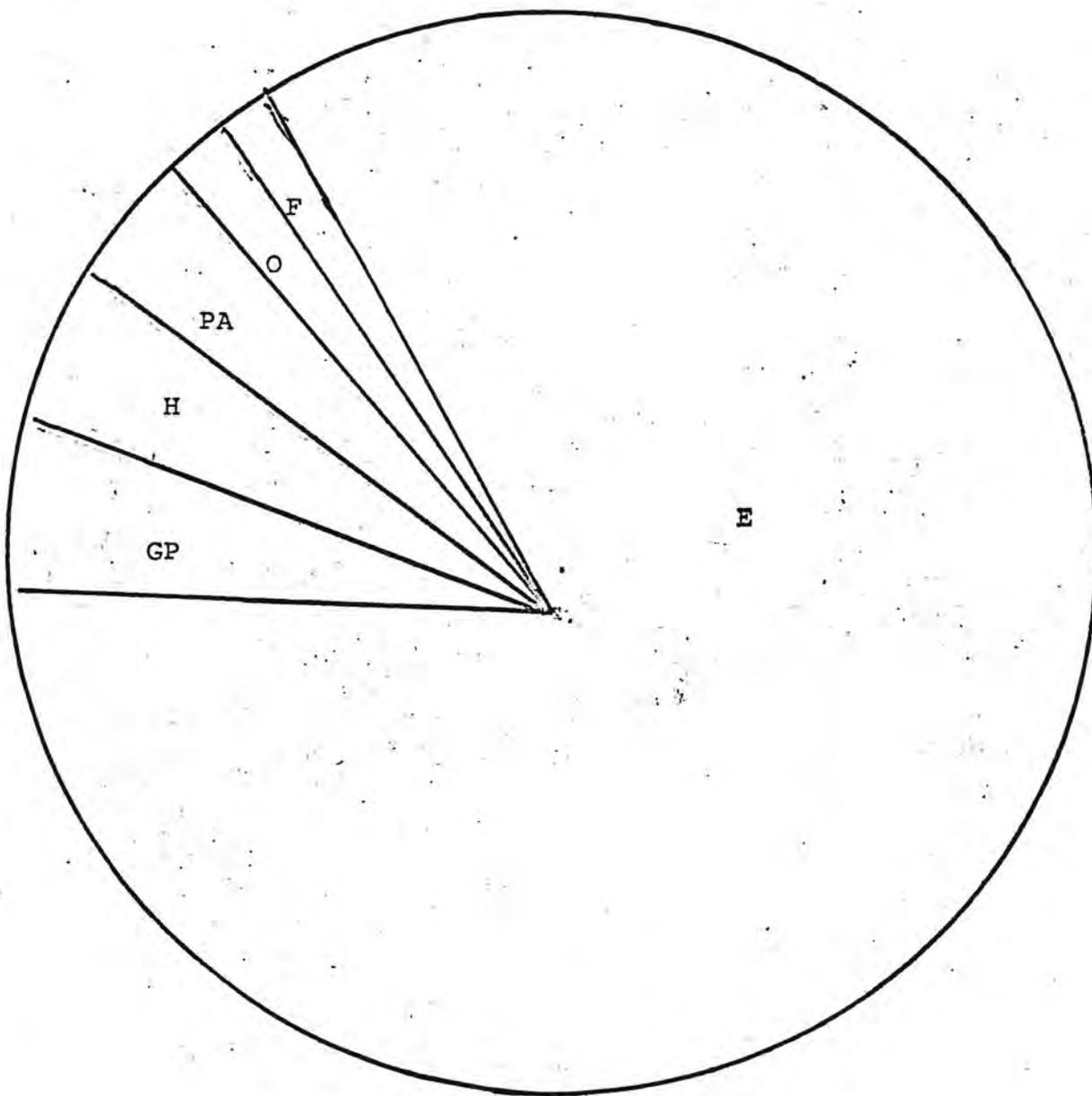


<u>Definitions</u>	<u>Amt. of Cases</u>	<u>Percentages</u>
M Male	313	50.6%
F Female	250	40.5%
D Director	36	5.8%
Z Unidentified & Third Party	19	3.1%
Total Number of Filings	618	

Charts IV & V: These charts analyze the cases filed in 1975 in terms of types of discrimination charged and the basis on which discrimination is claimed. Note that five out of six cases are employment discrimination complaints and that two out of three complaints charge race or sex discrimination.

CHART IV

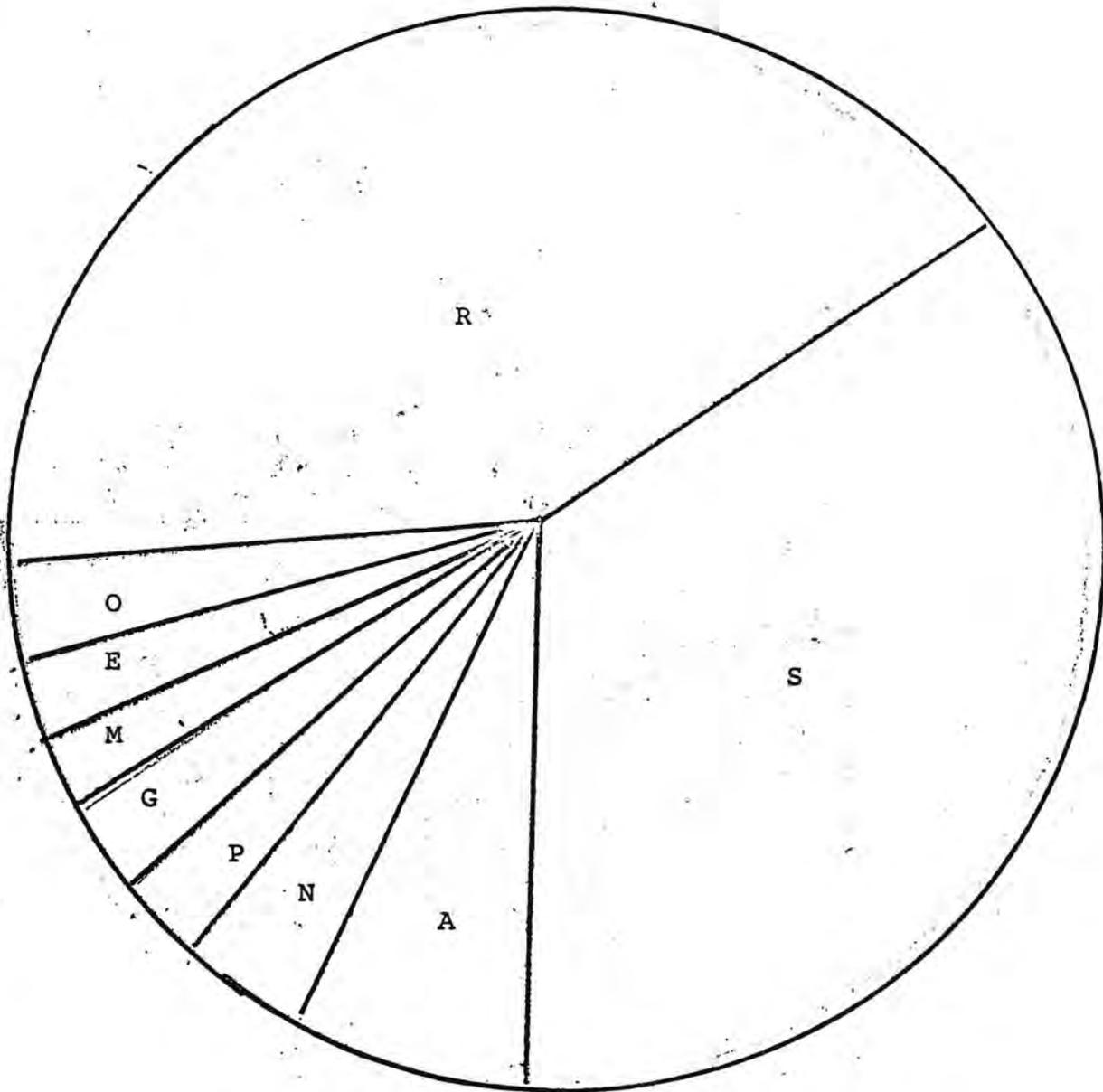
ANALYSIS OF NEW FILINGS - SUBJECT AREA



<u>Definitions</u>	<u>Amt. of Cases</u>	<u>Percentages</u>
E Employment	516	83.5%
PA Public Acc.	25	4.0%
H Housing	31	5.0%
GP Gov't. Practices	29	4.7%
O Others	15	2.4%
F Finance	2	0.3%

Total Number 612

ANALYSIS OF NEW FILINGS - BASIS CLAIMED

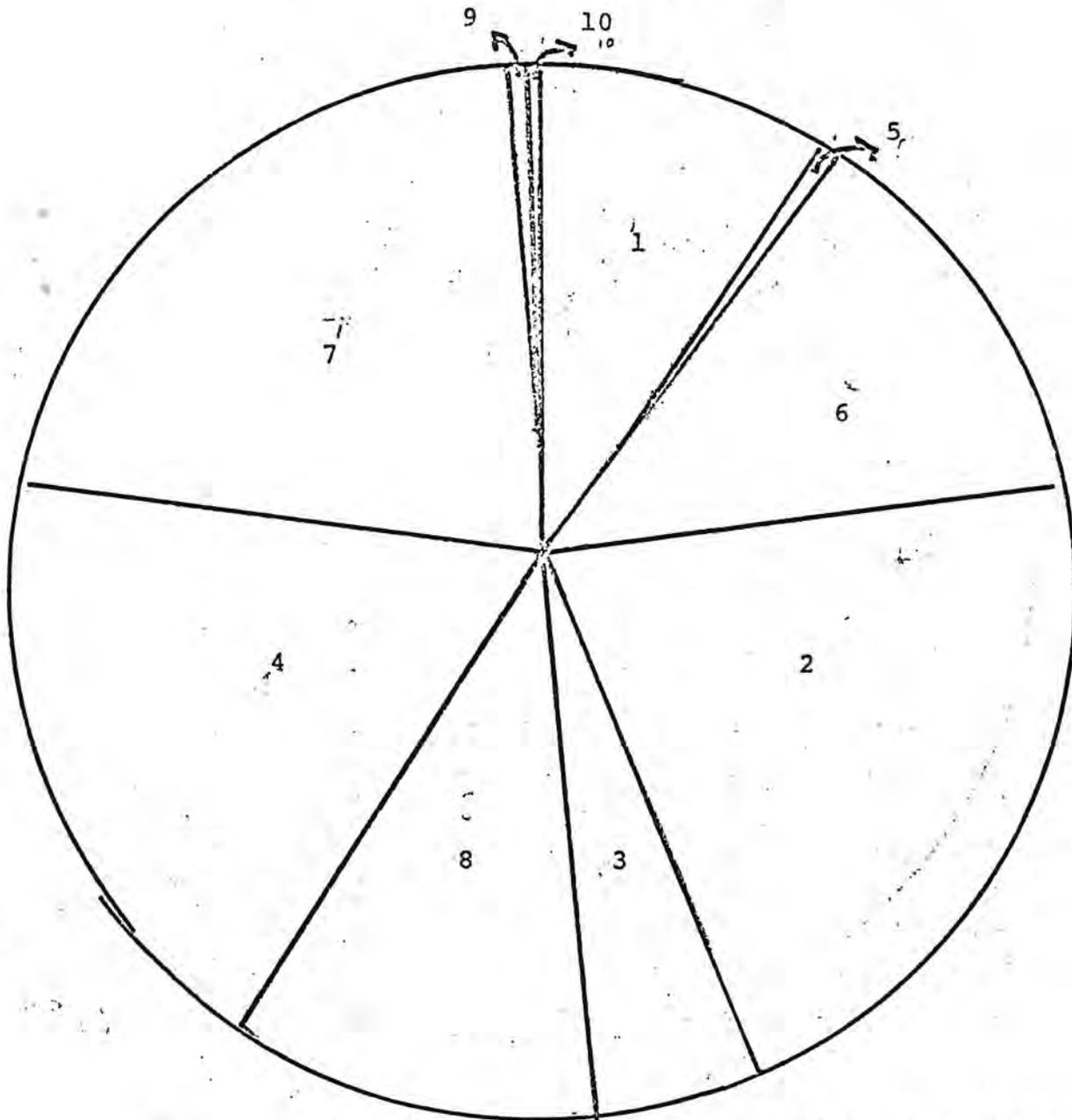


Definitions	Amt. of Cases	Percentages
A Age	54	7.6%
R Religion	14	2.0%
N National Origin	26	3.7%
P Physical Handicap	24	3.4%
R Race	289	40.5%
S Sex	258	36.3%
P Pregnancy	20	2.8%
O Others	14	2.0%
M Marital Status	12	1.7%
X Change in Marital Status	0	-

Total Number 711

Chart VI: This chart shows the reasons why cases were resolved during 1975. A large group of cases was either withdrawn, was closed because complainants were not available or did not wish to proceed, or was administratively dismissed usually because evidence was not available when the investigation commenced. Alaska's transient population, plus the long delay complainants experience in having their cases completed, produces this reduction in claims, complaints which were once live concerns but which withered with the passage of time. If the Commission's resources increase so that it gives justice promptly to complainants and respondents alike -- these cases should reach a more definitive resolution, either as "no cause" or true violations which are settled prior to or following a public hearing.

CHART VI



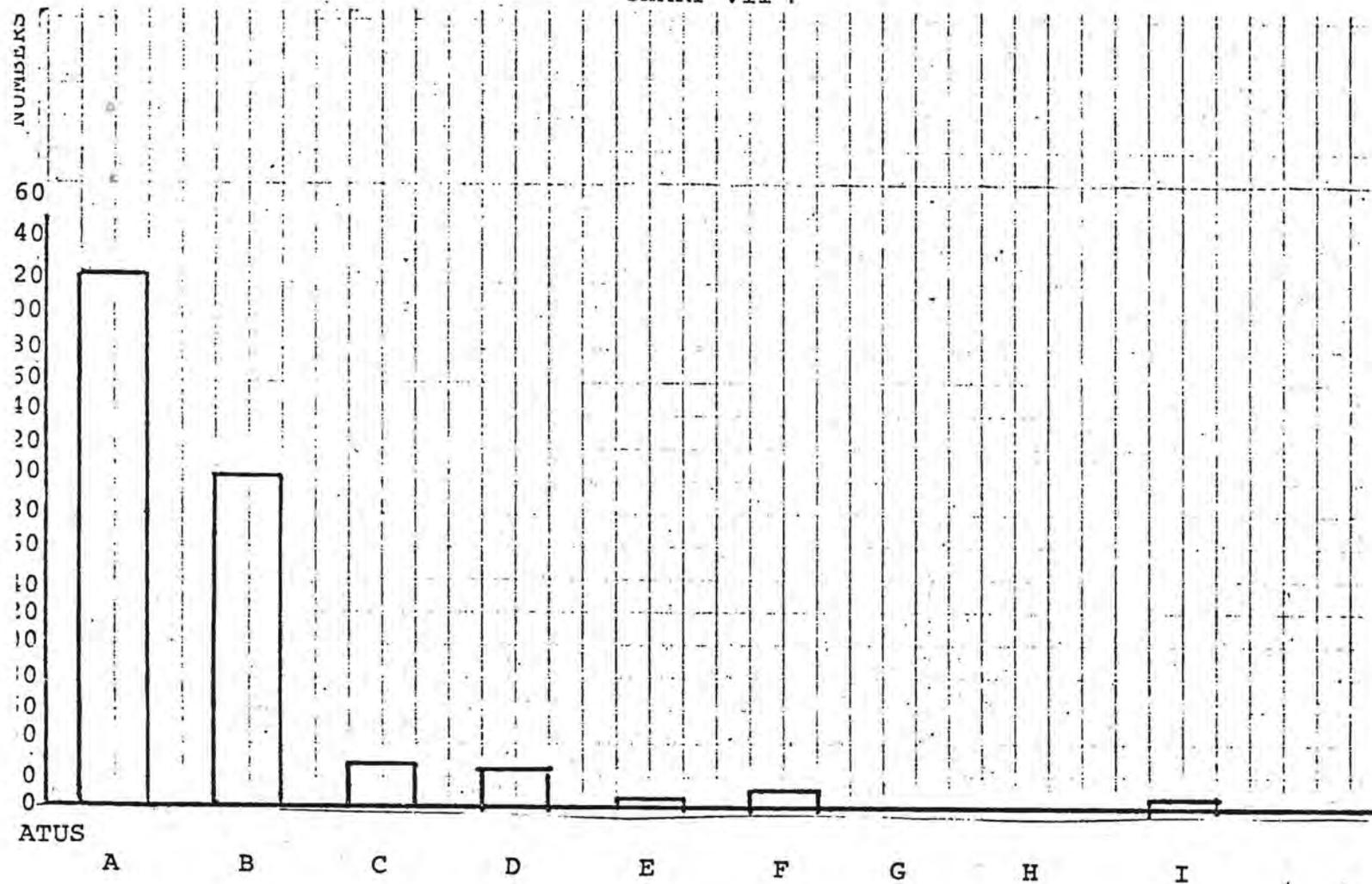
Definitions	Amt. of Cases	Percentages
1 Withdrawals	43	10.4%
5 Untimely	3	0.7%
6 No Jurisdiction	53	12.9%
2 Complaint - Not Available	87	21.1%
3 Failure to Proceed	18	4.4%
8 Prehearing Settlement	42	10.2%
4 Administrator Dismissal..	74	18.0%
7 No Probable Cause	90	21.09%
9 Hearing for Charging Party	1	0.2%
10 Court Intervention	1	0.2%

Total 412

Chart VII: This chart shows how many unresolved cases were at different stages of processing as of the end of 1975. Over half of the Commission's cases had not been assigned for investigation at that time. However, the 200 cases under investigation at any time (approximately 10 per investigator), can take an average of two or three weeks to complete. Complainants are told to expect a delay of several months before their case is assigned. The two dozen cases under conciliation are all that remain after closing orders are issued for the reasons listed on Chart VI. The chart also shows two dozen cases in which conciliation has failed and public hearing is expected. Included in this category are 16 complaints on one issue which will probably be heard in one proceeding; the number of hearings anticipated of the year-end group is therefore smaller.

STATEWIDE TOTALS
STATUS OF OPEN CASES

CHART VII .



TOTAL NUMBER

KEY

322
201
28
25
2
6
0
0
2

A - Unassigned Cases
B - Under Investigation
C - Findings Entered; under conciliation
D - Conciliation failed, awaiting hearing
E - Hearing Completed, awaiting order
F - Order entered; Court Action
G - Complainant in Court
H - Commission Intervention
I - Closing Order Appealed

Chart VIII: Finally, the table following compares activity in the Commission's three regions in 1975. Southeastern emerges as the fastest growing area of complaint filing, and Southcentral was the only area which nearly kept pace with its rate of new cases.

Chart VIII
Analysis of Complaints by Region

	Cases Open At <u>Jan. 1, 1975</u>	New Filings During <u>1975</u>	Cases Resolved During <u>1975</u>	Cases Open At <u>Dec. 31, 1975</u>
Southcentral (Anchorage Office)	240	288	265	262
Southeastern (Juneau & Ketchikan Offices)	38	127	67	98
Northern (Fairbanks Office)	103	203	79	226
Totals	381	618	411	586