Alaska State Commission for Human Rights

1992 Annual Report

January 16, 1993

STATE OF ALASKA HUMAN RIGHTS COMMISSION

The Honorable Walter Hickel, Governor of Alaska
The Honorable Rick Halford, President, Alaska Senate
The Honorable Ramona Barnes, Speaker, Alaska House of Representatives

I am pleased to submit the 1992 Annual Report of the Alaska State Commission for Human Rights. The Commission is proud to be entering its thirtieth year as Alaska's human rights enforcement agency.

Despite our expectation that complaint filings would level off after last year's sharp increase, even more Alaskans sought out the Commission this year. Commission staff answered 4,237 inquiries. Complaints of discrimination because of age, physical disability and sexual harassment continued to rise. Despite the efficiency of our skilled staff, the high demand for services caused case inventories to continue to grow.

The Commission continued its efforts to reach out and educate all Alaskans about the Human Rights law by meeting in several different communities. Meetings were held in Anchorage, Palmer, Klawock, Craig and Juneau. The Commission heard from a panel of community leaders in Craig, Klawock, and Anchorage about how discrimination affects them. Staff conducted numerous educational outreach presentations in hopes of preventing discrimination.

Under a grant from the Department of Housing and Urban Development the Commission is embarking on an exciting project to instruct high school students on fair housing laws and prejudice reduction. A major part of the project involves filming students discussing these issues. The resulting video will be used by teachers in Alaska's high schools.

This project could not be more timely as Alaska and the rest of the nation are confronted with overt actions of hatred. Schools have been faced with racial incidents and hate literature has shown up in Alaskan's mailboxes and in their driveways. The Commission has been working with several Alaskan communities on these issues.

The Commission will continue its commitment to meet the challenge of enforcing Alaska's human rights laws. With the current demand for services and declining resources, the investigation of complaints may be delayed. We ask for your support in helping fulfill the vision of an Alaska that does not tolerate discrimination

Rex A. Okakok, Chairperson

Key Q. Okahok

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

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Sharon O. Avery, Administrative Officer
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M. Anne Keene, Clerk IV
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Fran Rabago, Investigator
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COMMISSION MEETS ON PRINCE OF WALES ISLAND

A t the invitation of the Commission's Vice Chairman Aaron Isaacs, Jr., the Commission met in Klawock and Craig on Prince of Wales Island in June. This was the first time that the Commission had met in a southeast community outside of Juneau since 1988. The Commission holds only three meetings a year, yet is committed to meeting at least once in rural areas so that it may hear the concerns of all Alaskans.



The Commission heard from panels of local leaders in both communities. Dewey Skan Jr., of the Rural Alaska Community Action Program; Blanche Purdy of Alaska Native Sisterhood; Jack Dempsey Williams of Alaska Native Brotherhood, IRA council member, and City council member; and Ron Williams of Alaska Native Brotherhood spoke to the Commission in Klawock. Gordon James of the Alaska Native Brotherhood; Cindy Gamble of the Alaska Native Sisterhood; Millie Barry of Alaska Native Sisterhood; and, Adrian La Cornu of the Haida Corporation addressed the Commission in Craig. Panel members raised concerns about the lack of local hire on construction projects on the island, unwillingness of the schools to bring in local Native people to teach students Native language and customs, dissatisfaction with the State's affirmative action program, fairness of the judicial system, the lack of employment opportunities for Natives, failure to hire Natives for entry level positions which would allow them to obtain the experience necessary to compete for more lucrative positions, problems with subsistence and issues of Native sovereignty, and different treatment of Native children in the schools. The Executive Director explained the Commission's role and process for filing a complaint of discrimination so that concerned individuals could contact the Commission staff on the toll free number when appropriate.

The Commission also met in Juneau and Anchorage this year. In Anchorage the Commission heard from a panel which included Loretta Jenkins of the Anchorage branch of the National Association for the Advancement of Colored People; Duane French of Access Alaska; Ernie Mangrobang of the Filipino Community of Anchorage; Rabbi Harry Rosenfeld, Congregation Beth Sholom; Sterling Taylor, Alaska Black Caucus; Jorge Rendon of the Minority Forum; Pastor Rick Cavins, Interfaith Council in Anchorage; and Rosalee Sandoval of Hispanic Alaskans. The panel members expressed grave concern about the recent surge in hate activity in Anchorage.

Shattering the Glass Ceiling

A ten-year engineer complained that her employer refused to promote her four times because she is a woman and previously complained about sex and marital status discrimination. She had complained to management that she was paid less than male engineers because of her sex and marital status after hearing supervisors make remarks about the amount of money she and her husband made. The employer denied the engineer's allegations, asserting she was not qualified for three of the positions and lacked "essential leadership qualities" for the fourth. Staff concluded the company rejected her for the three positions not because of her sex but because she lacked a specific engineering experience which the successful candidates possessed. Staff concluded the company did not retaliate as there was not enough evidence to indicate that the individuals involved knew of her previous complaint or used the information against her. Staff found the company failed to promote her to one of its positions on the basis of her sex because, while their leadership skills were equal, complainant's evaluation ratings were higher than those of the successful male candidate. The employer agreed to conciliate the case by promoting the woman to the position of senior engineer; correcting a performance rating; meeting with her during the next three years to discuss job performance and career development; and paying \$11,833 in back wages and \$5,000 in attorney's fees.



HATE ACTIVITY IN ALASKA: A CHRONOLOGY OF EVENTS AND CALL FOR ACTION

In the summer of 1990 several youth vandalized the Temple Beth Sholom and two churches. The Anchorage community reacted quickly. An informal group of leaders and concerned citizens circulated a petition of tolerance which was published in the Anchorage Daily News. The group also brought the National Coalition Building Institute (NCBI) to Anchorage to provide training on reducing prejudice. NCBI returned several times providing training to teachers, students and the general public. An Anchorage chapter of NCBI formed in February 1991.

The crisis passed and the group that formed in reaction to the vandalism dissolved. In August of 1992 Anchorage received a wake-up call. Several articles appeared in the Fairbanks Daily News-Miner about skinheads in Anchorage a week before school started. Bob Hughes of the Department of Justice, Community Relation Service Division, stopped in Anchorage enroute from a speech on hate activity in Fairbanks. The Commission convened a meeting in its office to discuss concerns about the information in the articles and plan a response. The group worried that the community continues to deny the existence of hate activity and the potential for hate violence in Anchorage.

In a proactive move, Reverend William Greene convened a meeting of Anchorage Activists Against Racism at the Anchorage School District Administration Building in mid-September. He invited Bob Hughes to present information about the growth of hate activity throughout the country and to explain how quickly such activity moves into a community and takes hold. Dr. Roy Poole of the Black Education Task Force, Andonia Harrison of the NAACP, Deputy Chief Duane Udland of the Anchorage Police Department, Dr. Tom O'Rourke and staff of the Anchorage School District, Paula Haley of the Human Rights Commission, and State Representative Bettye Davis shared information about what their organizations were doing to combat hate. Parents expressed apprehension about the safety of their children and concerned individuals asked for suggestions to combat hate, while others argued that the speakers misrepresented the activity of hate groups and spread hate itself. Time ran out and the group agreed to meet again and talk about solutions.

Ups and Downs of Compliance

A man who cannot walk or climb stairs due to emphysema and heart disease alleged that a government agency denied him access to services provided on the second floor of a two-story building. The building has no elevator and he is unable to use the stairs. In a Predetermination Settlement, the agency agreed to provide access to the second floor and publish a policy establishing a procedure for evaluating requests for access to its services. Complications relating to the building lease and landlord's objections to the access plans and installation of a lift developed. The agency asserted it had no money in its budget for a full service elevator. The Commission held compliance meetings with the agency and its landlord. The following year the agency obtained money earmarked for a full service elevator. Construction is scheduled to begin in the spring of 1993. The Commission will continue to monitor the agency's compliance with the agreement.

The Sky's the Limit

Three airline employees filed separate complaints after their employer discharged them from their jobs. The workers alleged discrimination in their terminations. Shortly after receiving notice of the complaints, the employer offered airline tickets to each worker to settle the cases. The tickets, issued to the workers and their family members, had a total monetary value of \$9673.

The meeting and subject received a great deal of media coverage. The day after the meeting racist and pro-Hitler fliers appeared in Anchorage driveways. Hate mail targeting Jews arrived in mailboxes. Recruitment literature for neo-Nazi groups showed up at grocery stores in food products and in books at the public libraries. In early October skinheads clashed with Black students at an Anchorage high school.

After much planning, a community forum on hate action was held on November 9. Speakers included Reverend William Greene of the Anchorage Activists Against Racism; Bob Klein of the Temple Beth Sholom; Andonia Harrison of the Anchorage Chapter of the NAACP; Dorothy Larson of the Alaska Federation of Natives; and Robert Lamb of the U.S. Department of Justice, Community Relations Service Division. However, the most important speakers were the members of the public who braved a brutal winter storm to listen and share their concerns about discrimination, prejudice and hate activity in our community.

In Fairbanks the next day Robert Lamb and Paula Haley spoke to a large group about resources available to the community to combat hate. Fairbanks had already created the Fairbanks Ad Hoc Committee on Hate Crimes and Violence and hoped to head off the kind of activity that Anchorage experienced and heal the community where hate had already left its mark.

Though the communities have not yet solved the problem—some ideas to combat hate emerged. Themes which have emerged include: work to end the underlying prejudice and discrimination that leads to hate through education; publicize hate activity to keep the community aware; maintain statistical information on incidents of hate; continue to hear from the public about its concerns on issues relating to human rights and hate activity; support work in the schools to welcome diversity and resolve clashes between different groups; create a task force or ad hoc committee to coordinate work and maintain the focus to end such activity in the community.

Alaskan communities will continue to work towards tolerance and an end to hate activity in our state. The Commission urges anyone who experiences hate action or hate crimes or has information on such incidents to call the Commission on its statewide toll free complaint line at (800) 478-4692. The Commission will refer individuals to appropriate agencies, including the police, and accept complaints for investigation if jurisdictional. The collection of this information about incidents motivated by prejudice and bigotry is one step towards combatting hate.

A Rude Awakening

A Black woman alleged that a medical specialist refused her treatment because of her race. She asserted that the doctor's office manager asked her if her treatment was covered by workers' compensation. When she answered yes, the office manager rudely said in front of other patients, "We can't help you." The woman filed a public accommodations complaint based on race. She said she was the only Black person in the waiting room and was the only one refused service. Initial investigation revealed that the office manager was rude, loud, brash and belligerent. Before staff concluded the investigation, the doctor and the woman agreed to a Predetermination Settlement. The physician expressed regrets for any misunderstanding that arose over his policy not to provide service to workers' compensation claimants; agreed to offer service to the woman for any medical problem within his competence, except that relating to a workers' compensation claim; and promised to provide service to the woman with courtesy and respect.

TEACHING THE KIDS

he children of today will be the future landlords, tenants, realtors and home buyers of tomorrow. With this premise in mind, the Commission applied for and received a U.S. Department of Housing and Urban Development (HUD) one-year educational grant to teach students about fair housing laws and techniques for reducing prejudice to help eliminate discrimination.



The most exciting and challenging project in the grant is the development of a video tape showing high school students discussing fair housing issues and discovering techniques to reduce prejudice. The Commission staff attended prejudice reduction training and will utilize these newly acquired techniques in conducting a weekend workshop with a diverse group of Anchorage high school students. West High School's wealth of diversity with a 42% minority student population, the close proximity of the school to the Commission office and the support given by the West Administration caused the Commission to choose it for this pilot project.

A video contractor will produce a twenty-minute educational video from the filming of the weekend student workshop. The Commission staff will engage students in discussing their own experiences of discrimination, teach the students about their rights and responsibilities under fair housing laws and conduct various exercises in challenging prejudice and discrimination in housing as well as other areas of the students' lives.

Staff will develop a video user's guide, including pre and post lesson plans for use with the video tape in classrooms. West High will pilot the video in its classrooms beginning with teacher training conducted by the Commission staff prior to the end of the grant year.

The temporary coordinator, provided for in the grant, is conducting a local, state and nation-wide search of fair housing and/or prejudice reduction courses and projects focused on youth. The grant provides for the Commission staff to compile a resource directory of these programs. The excitement of the staff grows in direct proportion to the enormous response from people all over the country describing their youth programs.

Housing for One—Housing for All... "A Problem" of Discrimination

A female laborer filed a complaint alleging her employer denied her housing afforded males and terminated her in violation of the laws against discrimination. The employer denied the woman's allegations and gave different explanations for her termination. The employer said the woman and witnesses conspired to misrepresent the facts; that no discrimination occurred because it employs women; that the woman "wasn't good" on the job; and that the woman's termination was not discriminatory because a male employee was terminated at the same time. Staff found that the employer provided housing for males; the company's manager made statements that the female laborer was "a problem", that she "had to go", that having women on the work site was "a pain in the neck"; and that the employer's reasons for firing the woman were not supported by the evidence. The case is in conciliation.

As part of the grant, the staff coordinated a youth fair housing art contest at West High School. The selected artwork will be used for the cover of the video user's guide and a fair housing poster. The Commission asked students to design a poster that showed fair treatment of people when they go to rent an apartment, rent or buy a house, or move into a new neighborhood. During April, national fair housing month, the Commission will conduct a media campaign to make the poster available to all Alaskans.

Once the Commission completes the various grant projects, it will encourage other Alaskan school districts to use the video and user's guide with their students. The Commission is enjoying this opportunity to work with our future community leaders towards the goals of reducing prejudice and eliminating housing discrimination.

PUBLIC HEARING CASES



In **Sharon Webb v. VECO, Inc.**, complainant alleged VECO denied her employment on an offshore construction project because of her sex. A public hearing was held in Kenai in November 1991. The hearing examiner issued a proposed decision in favor of VECO. The Commission has not yet acted on the proposed decision.

In Diane Caleb-Phipps v. EYAK Village Corporation, Arleene Olson v. EYAK Village Corporation and Andrea Taggart v. EYAK Village Corporation, complainants alleged EYAK, a Native village corporation, refused to hire them to work as laborers on a wetlands enhancement project because they are female. EYAK moved to dismiss the case asserting the Commission's jurisdiction to consider employment discrimination complaints against corporations formed under the Alaska Native Claims Settlement Act (ANCSA) was preempted by Section 26G of the Native Claims Settlement Act Amendments of 1987. That law states ANCSA corporations are to be treated like Indian tribes which are not subject to the federal civil rights laws prohibiting employment discrimination. The parties submitted extensive briefs on the disputed legal issues. The hearing examiner issued a proposed decision concluding that the ANCSA amendments preempted Alaska's civil rights laws. The hearing examiner's proposed decision also concluded the law should not be applied retroactively to bar this case because the alleged discrimination happened before Congress changed the law. The Commission has not yet acted on the proposed decision.

Service Without A Smile

A former employee of a fast food restaurant filed a complaint claiming the manager treated her differently than other customers because she is Filipino and dark-skinned. She asserted the manager waited on non-Filipino and lighterskinned customers while refusing to wait on her. One day when she entered the restaurant to return a friend's uniform and pick up her paycheck, the manager yelled: "Now, get out of my sight!" in the presence of customers. As staff prepared to investigate, the restaurant made a settlement proposal which the woman accepted. The restaurant affirmed its belief in providing services and accommodations to everyone without regard to race, color or any other criterion proscribed by the Alaska Human Rights Law. The restaurant also agreed to train its managers and supervisors on their responsibilities to comply with the law.

An Unlawful Happening

A cook at a fish camp made the following allegations. While talking with her boss, he felt her under her shirt and fondled her breast. She looked at him and said, "This is not going to happen." The boss, whom she heard refer to women as "skirts" and "stems", emphatically replied, "This is going to happen!" The woman asked him, "Does this mean if I don't mess around with you I won't have a job?" The boss answered by pulling her shirt up and kissing her. Upset, the woman quit her job. She filed a sex discrimination complaint. The employer denied these allegations. However, after some negotiations, the employer and the cook signed a Predetermination Settlement for \$10,000.

In Charles Peters v. City of Bethel, complainant alleged that the City did not promote him to the position of foreman of the vehicle and equipment shop because of his age. The Commission held a public hearing in Bethel, Alaska in December 1991. The hearing examiner issued a proposed decision in favor of the City of Bethel. The proposal was adopted without change by the Commission.

In Gary Best v. CAMCO, Inc., complainant alleged that CAMCO refused to hire him because it perceived him to be physically disabled. CAMCO argued that Best's pre-employment x-rays revealed spinal abnormalities that would have made Best a risk on the job. After a public hearing the Commission concluded that x-rays could not predict the likelihood of future occupational injuries and CAMCO should not have refused to hire Best purely because of his x-rays. The Commission also found that Best was not entitled to relief because he had not proved that he could perform the essential duties of the job.

In Harry Warner v. Chugach Electric Association, complainant alleged that Chugach refused to hire him because it perceived him to be physically disabled. Chugach argued that Warner's hypertension and diabetes would have made him a safety risk on the job. After a public hearing the hearing examiner concluded that Warner had been the victim of discrimination because there was insufficient evidence to show his risk of injury was substantially higher than that of employees without those conditions. The Commission has not yet acted on the proposed decision.

In **Harold Scollard v. VECO**, **Inc.**, complainant, who refused to work on his Sabbath, alleged that VECO fired him because of his religion. VECO argued that during the oil spill clean-up the reasonable demands of the job required employees to work seven days a week and it could not accommodate Scollard's religious needs. The Commission approved a \$7,000 settlement.

In Randolph Mach v. Guardsmark Inc., complainant alleged that he was fired because of a physical disability. Guardsmark argued that Mach's condition would have precluded him from performing the essential duties of his job safely. The parties reached a mutually agreeable settlement. The Commission approved a \$1,500 settlement.

In Earl Fullingim v. State of Alaska, Department of Community and Regional Affairs, complainant alleged that the Department discriminated against him because of his physical disability when it refused to accommodate his need for a listening device at two public meetings. The Department argued that it had offered to accommodate Fullingim. The Commission approved a settlement that required the Department to provide a Williams Personal AM/FM Broadcasting System for Fullingim's use at any public meeting upon five days notice that he would be attending the meeting.

A Matter of Conscience

For sixteen years a Baptist teacher taught school without joining the local teachers' union because he believed the union took positions on issues which directly conflicted with his religious beliefs. As part of a new contract, the union and the school district enforced a rule requiring the teacher to pay an agency fee of \$45 per month. He filed a discrimination complaint, alleging that the union failed to accommodate his religious beliefs when it rejected his proposal to donate the agency fee to a mutually acceptable charity. Before staff completed its investigation, the parties agreed to a Predetermination Settlement. The teacher and the union selected a mutually acceptable charity and agreed the teacher could pay the amount of the agency fee to this charity.

It's Not Part of the Deal

A woman stated that when she accepted a job offer as a secretary/receptionist her prospective employer told her to dress comfortably. As a result, the woman wore jeans or slacks to work. Shortly after being hired, her boss began making sexual advances towards her. He often said: "Your jeans look good on you, I wonder how you look without them on"; "I'd give you more money if you show me your top"; "Why don't you give me some?" and, "Tell me your fantasies." The woman said she told the boss's wife, who worked in management, that her husband's persistent sexual remarks offended her but that the wife told her to "blow it off". The woman filed a sexual harassment complaint. Immediately after receiving the charge, the employer contacted the Commission and offered to settle the case for \$1500 and a job reference. The woman accepted the offer and the Commission closed the case.

LITIGATION



In Kathryn Kindt et al. v. ASCHR and the State of Alaska, three nurse practitioners who were members of a class of public health nurses employed by the State of Alaska appealed from the Commission's refusal to find that they performed work substantially equal to the work of physician's assistants also employed by the State, even though the Commission found that the remainder of the public health nurses in the class did not perform substantially equal work. The appeal is pending in the superior court.

In Andrea Meyer v. Department of Fish and Game and ASCHR, complainant appealed from a Commission determination that substantial evidence did not support her allegations of sex discrimination in the selection of Fish Biologist I's for extensions of their working seasons. The appeal is pending in the Superior Court.

In Mary Alyce Sager v. ASCHR, complainant appealed from a Superior Court decision that affirmed a Commission decision that she had not been terminated because of her sex. The Supreme Court held that Sager had successfully established a prima facie case of sex discrimination but Mukluk had successfully shown that it had not discriminated against Sager. The Supreme Court also found that Sager had received a fair hearing and procedural due process.

In Gary Best v. ASCHR, complainant appealed from a Commission decision that denied Best relief because he had not proved he could perform the essential duties of the job. The appeal is pending in the superior court.

In Michael DaFermo v. ASCHR and Kelly, Cossman and Associates, complainant appealed from a Commission staff decision that substantial evidence did not support his allegations of disability discrimination. The appeal is pending in the superior court.

Sticks and Stones... Names Often Hurt

A female laborer alleged that co-workers, particularly a foreman, repeatedly called her "bitch", "slut", "hog body", "whore", and "lard ass" and taped a cardboard sign over the license plate of her vehicle which declared that the laborer provides sexual favors. When she complained to her supervisors, one said he was too busy and others listened but ignored her reports. Her employer later fired her, stating that she failed to perform assigned tasks. The laborer filed a sex discrimination complaint asserting her employer failed to provide a work environment free of sexual harassment. The Commission later amended her complaint to include the assertion that her employer unlawfully retaliated against her when it fired her for complaining about sexual harassment. The investigator recommended a finding of substantial evidence in the woman's sexual harassment claim. Before staff completed its investigation of the retaliation claim, the employer offered to settle. The employer agreed to provide her with a written apology and neutral job reference; promulgate and post a written policy regarding unlawful discrimination and sexual harassment; establish a procedure for employees to report sexual harassment; train manager and supervisors on recognizing and preventing sexual harassment in the work place; and pay her \$1800.

ANALYSIS OF FILINGS BY COMPLAINANTS' SEX

Female	282			
Male	265			
Director's Charge	0			
Multiple Charge	0			
Unknown	0			
Total Filings	547			

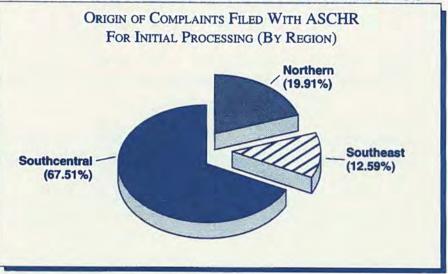
Analysis of Filings By Complainants' Race

Caucasian	269
Black	113
Unknown	45
Alaska Native	36
Asian	28
Hispanic	26
American Indian	17
Other	13
Director's Charge	0
Multiple Charge	0
Total Filings	547

Analysis of Filings By Type

Employment	487
Government Practices	26
Public Accommodation	19
Housing	13
Multiple	2
Coercion	0
Finance	0
Total Filings	547

1992 CASE PROCESSING STATISTICS



LOCATION OF CASES AT YEAR END INCLUDING FILINGS UNDER WORKSHARING AGREEMENTS AERC (9.37%) EEOC (8.15%)

ANALYSIS OF FILINGS BY BASIS

	SINGLE BASIS COMPLAINT	MULTIPLE BASIS COMPLAINT		
Multiple	158	0		
Race/Color	126	60		
Sex	84	96		
Physical Disability	66	37		
Age	40	54		
National Origin	33	26		
Religion	11	11		
Pregnancy	7	7		
Retaliation	6	37		
Mental Disability	5	2		
Marital Status	4	12		
Retaliation for Filing	4	6		
Parenthood	3	5		
Change in Marital Status	0	1		
Total Filings	547	354		

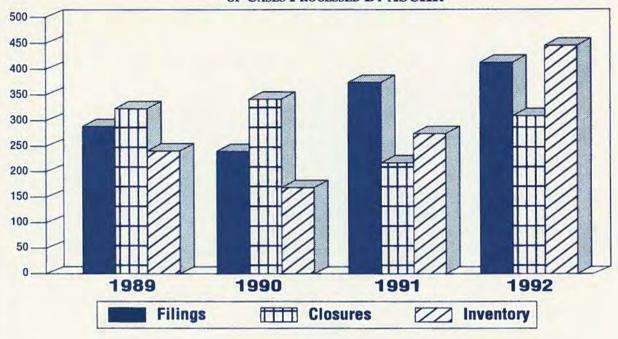
ANALYSIS OF FILINGS BY ISSUE

	SINGLE BASIS COMPLAINT	MULTIPLE BASIS COMPLAINT	
Discharge	153	102	
Multiple	139	1	
Failure to Hire	90	14	
Term/Employment	86	95	
Other	34	33	
Denied Service	18	13	
Failure to Promote	10	27	
Failure to Rent	. 5	0	
Pay Equity	4	6	
Demotion	3	8	
Failure to Dispatch	3	0	
Failure to Sell	2	0	
Denied Credit	0	1	
Eviction	0	1	
Total Filings	547	301	

Analysis of 1992 Closures

REASON FOR CLOSURE	Number of Closures	PERCENTAGE OF TOTAL		
Administrative:	97	19.60%		
Complaint Withdrawn	48	9.70%		
Complaint Not Timely	1	.20%		
Lack of Jurisdiction	15	3.03%		
Complainant Not Available	6	1.21%		
Failure of Complainant to Proceed	13	2.63%		
Complainant to Court	8	1.62%		
Administrative Dismissal	5	1.01%		
Exception	1	.20%		
CONCILIATION/SETTLEMENT:	98	19.80%		
Complaint Withdrawn With Successful Settlement	8	1.62%		
Predetermination Settlement	88	17.78%		
Substantial Evidence/ Conciliation Agreement	1	.20%		
Substantial Evidence/Full Relief Rejected by Complainant	1	.20%		
NOT SUBSTANTIAL EVIDENCE	293	59.19%		
HEARING:	7	1.41%		
Decision for Complainant	1	.20%		
Decision for Respondent	1	.20%		
Pre-Hearing Settlement	5	1.01%		
Administrative Dismissal	0	0%		
TOTAL 1992 CLOSURES	495	100%		

FILINGS, CLOSURES & YEAR END INVENTORY OF CASES PROCESSED BY ASCHR



SUMMARY OF CLOSURES

CATEGORY OF CLOSURES	1990		1991		DETAIL OF 1992 CLOSURES					
					ASCHR		EEOC†		AERC†	
	No.	%	No.	%	No.	%	No.	%	No.	%
Administrative	57	10.7	54	13.3	61	12.3	19	3.8	17	3.4
Conciliation/Settlement	100	18.8	122	30.1	58	11.7	5	1.0	35	7.1
Not Substantial Evidence	366	68.6	227	55.9	206	41.7	46	9.3	41	8.3
Hearing	10	1.9	3	.7	6	1.2	0	0	1	.2
Total Closures						31	70		9	4
	533*		40	6*			4	195		

[†]This reflects ASCHR's review and adoption of closed co-filed complaints.

* Changes in numbers from last year's annual report are due to self audit.



LAWS OF ALASKA 1992

Source HCS CSSB 363(FIN) Chapter No.

65

AN ACT

Requiring certain employers to post information on inquiries and complaints concerning sexual harassment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

Chapter 65

Requiring certain employers to post information on inquiries and complaints concerning sexual
 harassment.

AN ACT

4 * Section 1. AS 23.10 is amended by adding a new section to read:

Sec. 23.10.440. POSTING OF INFORMATION ON SEXUAL HARASSMENT. (a)
 An employer shall post in the workplace a notice prepared by the State Commission for
 Human Rights that

(1) sets out the federal definition of sexual harassment;

9 (2) advises employees of the name, address, and telephone number of the state
10 and federal agencies to which inquiries and complaints concerning sexual harassment may
11 be made; and

(3) sets out the deadlines for filing a complaint of sexual harassment with the agencies listed in (2) of this subsection.

(b) The employer shall select prominent and accessible locations for posting the notice

-1- HCS CSSB 363(FIN)

Chapter 65

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that will permit each of the employees of the employer to read the notice during the course
 of their regular employment duties.

(c) The State Commission for Human Rights shall prepare and make available to employers notices that meet the requirements of this section.

(d) The department may impose a civil fine not to exceed \$500 on an employer for violation of this section.

(e) In this section, "employer" means an employer that employs 15 or more employees
 at one time and includes the state, the University of Alaska, the Alaska Railroad Corporation,
 and political subdivisions of the state.

10 * Section 2. AS 23.10.440 is repealed January 1, 2007.

HCS CSSB 363(FIN)

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