# Alaska State Commission for Human Rights



February 9, 1998

### STATE OF ALASKA HUMAN RIGHTS COMMISSION

The Honorable Tony Knowles, Governor of Alaska The Honorable Mike Miller, President, Alaska Senate The Honorable Gail Phillips, Speaker, Alaska House of Representatives

On behalf of the Commission I am pleased to submit the 1997 Annual Report of the Alaska State Commission for Human Rights.

In 1997, over 5,000 inquiries were received from Alaskans by Commission staff. Allegations by Alaskan Natives that they experienced discrimination because of their race nearly doubled. Allegations that employers used discriminatory hiring practices increased by 33%. While statistics show that staff increased its closure rate in 1997 by 14%, the agency's inventory remains historically high.

The Commission continued its networking efforts to seek comments and educate Alaskans about the Human Rights law by meeting in several different communities. Meetings were held in Juneau, Anchorage, Chugiak and Cordova. A panel of students shared their efforts to combat discrimination and prejudice with the Commission during the Commission meeting at Chugiak High School. Staff also conducted educational presentations to small businesses, students, professors, government and private sector employees in hopes of preventing discrimination.

In 1997, the Commission continued its efforts to reduce the cost of doing business and streamlining its procedures. With the support of the Governor and Legislature, the Commission secured amendments to the Human Rights law which will allow the agency to save money and charge fees for educational services. The budget increment, which authorized the hiring of two additional investigators, helped increase complaint closures in 1997 and will assist in reducing delays caused by the agency's large inventory. The Commission also enacted regulations which shorten the time to file a complaint with the agency from 300 to 180 days.

Additional resources are needed in order to reduce the time it currently takes to investigate and resolve complaints. Expedient complaint resolution benefits the complainant, the respondent and the general public. The Commission is committed to providing the level of services Alaskans are demanding and deserve. We appreciate and continue to need your support. It sends a strong message to all our citizens that Alaska does not tolerate discrimination.

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MARTHA L. GORE, Chairperson ALASKA STATE COMMISSION FOR HUMAN RIGHTS

### COMMISSIONERS

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### **PUBLIC HEARING CASES**



Note: In all of the following public hearing cases the Commission staff found that substantial evidence existed to support the complainants' allegations.

In Abbott v. King Salmon Restaurant, complainant alleged that respondent refused to hire him as a food server in respondent's restaurant because of his sex, male. The Commission has not yet scheduled a public hearing.

In Armstrong v. Chena Hot Springs Resort, complainant alleged that she was terminated as a housekeeper at respondent's resort because of her race, Alaska Native, and age. Evidence in the case showed that respondent hired a substantially younger, non-native housekeeper only six days before terminating complainant. The Commission approved a settlement between the parties on May 21, 1997, in which respondent agreed to provide back pay to complainant.

In Avila v. Kurani Inc. d/b/a Pizza Hut, complainant alleged that while performing her duties as a waitress at respondent's Fairbanks restaurant she was sexually harassed by her supervisor. The Commission scheduled a public hearing to begin on January 20, 1998.

In Beebe v. Russian American Company, complainant alleged that she was terminated from her position as a clerk because her employer perceived her to be disabled. Complainant alleged that her employer believed she had an eating disorder and required her to seek counseling or face termination of her employment. The Commission has not yet scheduled a public hearing.

In Bensen v. V.F. Grace, Inc., complainant alleged that respondent terminated him as a janitor because of his physical disability. A settlement in which respondent agreed to provide back pay to complainant was approved by the Commission on January 7, 1997.

In Cassie v. Golden Valley Electric Association, complainant alleged that respondent did not hire him for the position of right-of-way maintenance forester because of his age, and that respondent retaliated against him for filing an age discrimination complaint. At the end of 1997, the Commission had not yet scheduled a public hearing.

#### **EFFECTIVE COMMUNICATION**

A hearing impaired man alleged that he had not been reasonably accommodated when he sought medical care. The complainant requested and was not provided an interpreter during his visits to the medical center. The center argued that the law did not obligate it to comply with a determination by a patient that an interpreter was necessary. The parties signed a Predetermination Settlement in which the center agreed to provide written disclosure to patients informing them that it would provide a reasonable accommodation in the form of an auxiliary aid and consult with the patient in determining which type of auxiliary aid is best suited to ensure effective Respondent further communication. provided training to its staff, including physicians, and provide information on interpreter referral services.

#### SO SORRY

A Black restaurant hostess filed a complaint claiming that her employer discharged her from her job because of her race. She asserted that her manager accused her of stealing money from the register but did not accuse Caucasian workers with access to the same register. Shortly after receiving notice of the complaint, the restaurant's general manager contacted staff, denied the worker had been accused of stealing and proposed terms of settlement. Staff facilitated a Predetermination Settlement in which the employer agreed to provide: \$3,504 in back pay, a letter of recommendation, and a letter of apology.

In **Carlo v. City of Tanana**, the Commission investigated two complaints in which complainant alleged that his employer treated him differently with regard to the terms and conditions of his employment as a heavy equipment operator, terminated him because of his race, and retaliated against him for filing a race discrimination complaint. A hearing previously scheduled for 1997 was continued.

In Corley v. SOA, Alaska Railroad Corporation, complainant alleged that his employer treated him differently with regard to the terms and conditions of his employment and terminated him because of his race. The Commission has scheduled a public hearing to begin on March 23, 1998.

In Cory v. Kurani Inc. d/b/a Pizza Hut, complainant, who worked as a waitress in respondent's North Pole restaurant, alleged that she was sexually harassed by her supervisor. Complainant further alleged that she was retaliated against for reporting the harassment. At the end of 1997, the Commission scheduled a public hearing to begin on January 23, 1998.

In Croston v. SOA, Alaska Railroad Corporation, complainant alleged that respondent refused to hire him as a locomotive mechanic because respondent perceived him to be disabled. A settlement including the payment of back pay to complainant was approved by the Commission on February 27, 1997.

In **Duncan v. SOA**, Alaska Railroad Corporation, complainant alleged that respondent refused to hire him as a mechanic because respondent perceived him to be disabled. A settlement including the payment of back pay to complainant was approved by the Commission on February 28, 1997.

In *Ferrell v. H.C. Price Company*, complainant alleged that his employer terminated him from his position as a side boom operator on the basis of his race. The Commission has scheduled a public hearing to begin on June 22, 1998.

In Gaudiane v. Fairbanks Daily News-Miner, complainant alleged that respondent failed to provide a reasonable accommodation to him because of his physical disability and that, because of respondent's failure to accommodate him, he was unable to return to his job as journey pressman. A hearing scheduled for December 1997 was continued.

#### THE SMOKIN' SMOCK

A drugstore cashier alleges that her employer terminated her employment the day she began her six-week maternity leave. The employer responded that the cashier had quit as evidenced by her having turned in her work smock and locker keys. Staff investigated the complaint and found substantial evidence to support the employee's allegations of discrimination. The cashier produced her smock and keys as evidence that she had not quit. At conciliation, the employer agreed to: immediately reinstate the cashier with full seniority and benefits; pay the cashier \$5,250 in back pay; provide a copy of its existing policy against discrimination; expunge from the employee's personnel file all references to the discrimination complaint; and train all its managers on the laws prohibiting discrimination.

#### EQUAL OPPORTUNITY SEXUAL HARASSMENT

A young employee of a fast food restaurant alleged that he had been sexually harassed by a female manager, causing him to quit his job. When respondent received notification that the case had been assigned to an investigator, it contacted the investigator and stated that its internal investigation had disclosed that the manager had made inappropriate comments to Pursuant employees. to a Predetermination Settlement, respondent agreed to: reinstate complainant and pay him \$500 back pay. Respondent indicated that the manager had been fired.

In Gorton v. Checker Cab Company, complainant alleged that her employer sexually harassed her and subsequently terminated her in retaliation for opposing sexual harassment. Respondent agreed to provide sexual harassment training to its employees and back pay to complainant in a settlement approved by the Commission on February 12, 1997.

In Graver v. SOA Department of Public Safety, Division of Fish & Wildlife Protection, complainant alleged that respondent failed to hire him as a seasonal enforcement officer because of his physical and mental disabilities. The parties agreed to a settlement wherein respondent agreed to affirm its policy of nondiscrimination and to provide back pay to complainant. The Commission approved the settlement on July 2, 1997.

In Hensley v. UNOCAL Petroleum and Chemicals, complainant alleged that respondent refused to hire him as a utility man because respondent perceived him to be disabled. The Commission held a public hearing April 14-18, 1997. A proposed decision was pending at the end of 1997.

In *Holmes v. Price Waterhouse*, complainant alleged that she was terminated from her employment as a senior tax manager because of her sex and her status as a parent. The Commission has scheduled a public hearing to begin on May 18, 1998.

In Jaya v. Kurani Inc. d/b/a Pizza Hut, complainant alleged that she was sexually harassed by her supervisor and terminated from her position as waitress at respondent's Fairbanks restaurant in retaliation for opposing sexual harassment. At the end of 1997, the Commission scheduled a public hearing to begin on January 21, 1998.

In *Kelly v. Kinney Corporation*, complainant alleged that his employer failed to promote him because of his race, Black. Complainant alleged that although he was qualified to become a store manager, respondent selected other, non-black, less qualified employees to become store managers. A public hearing is scheduled to begin on February 19, 1998.

In Kennedy v. Asbestos Removal Specialists of Alaska, complainant alleged that respondent failed to hire her because of her sex. The Commission held a public hearing on February 27-28, 1997. On May 29, 1997, the Hearing Examiner issued a proposed decision awarding partial back pay to complainant. On review, the Commissioners remanded the decision with instructions to award complainant the full amount of back pay requested at the hearing. At the end of 1997, a final back pay determination was pending.

#### CAN'T SWEEP DISCRIMINATION UNDER THE RUG

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A Puerto Rican road sweeper operator alleged that a road maintenance company failed to hire him because of his national origin. The employer denied complainant's allegation and asserted that it did not hire complainant because it received a negative job reference for complainant. Staff investigated and found that respondent did not receive a negative reference. Investigation also showed that the company had previously subjected a Puerto Rican employee to offensive language regarding his national origin and had expressed reluctance to employ others of his national origin. Staff found substantial evidence of discrimination. In a Conciliation respondent agreed to: Agreement develop a policy against discrimination, train all employees on the laws prohibiting discrimination, expunge complainant's file, and pay complainant \$3.000.

#### A DOLLAR SHORT?

A female laboratory technician alleged that because she is a woman her employer paid her one dollar per hour less than a male who did the same work as she. The employer notified the agency of its interest in discussing settlement. Staff facilitated settlement discussions. In a Predetermination Settlement, the employer agreed to: pay the employee \$7898 in back pay; raise the employee's pay to that of the male employee; and pay the employee an amount equivalent to that which the company would have contributed to her 401K plan. In Khan v. SOA, Department of Military and Veterans Affairs, the Commission investigated two cases in which complainant alleged that his employer failed to promote him and treated him differently because of his religion and national origin, and that he was retaliated against for opposing discriminatory practices. Although a public hearing was scheduled, the Commission staff later agreed to hold the cases in abeyance pending resolution of separate litigation filed by complainant in federal court.

In Lynch v. Dependable Vicky's, the Commission investigated two complaints in which complainants, a husband and wife, alleged that they were treated differently and terminated because of race. Complainants alleged that respondent refused to dispatch non-white employees to jobs where homeowners requested white house cleaners. At the end of 1997, a public hearing was scheduled for February 2, 1998.

In *Malasarte v. Municipality of Anchorage*, complainant alleged that respondent failed to hire him as a medium equipment operator because of his national origin. The Commission has scheduled a public hearing to begin on April 27, 1998.

In *Mamae v. SOA, Alaska Railroad Corporation*, complainant alleged that respondent refused to hire her as a computer operator because of her physical disability. A settlement agreement in which respondent agreed to provide its managers with training regarding disability law was approved by the Commission on February 28, 1997.

In *Meili v. Boot Country*, complainant alleged that respondent subjected her to a hostile work environment and constructively discharged her because of her sex and because she was a parent. A public hearing was held in August 1996. The Commission issued a final decision in favor of respondent on April 14, 1997.

In Meyer v. SOA, Department of Fish and Game, complainant alleged she was treated differently because of her sex. Staff found that substantial evidence did not exist to support the allegation. On appeal, the Alaska Supreme Court clarified the Commission's standards for determining substantial evidence and remanded the case to the Commission for a public hearing. A hearing scheduled for 1997 was continued to 1998.

In Morgan v. KNEB TV Sitka News Bureau, complainant alleged that she was sexually harassed and subsequently terminated from her position as a sales manager in retaliation for opposing discriminatory practices. A hearing scheduled for November 1997 was continued.

#### **BOYS CLUB - NO GIRLS ALLOWED**

A female electrical designer contracted to an oil industry employer alleged that she was treated differently than her male peers and terminated after training her male replacement. She asserted that she was told that "the boys" from the home office did not like female supervisors and that she was to "groom" a male replacement to "indulge the boys". During the investigation, the parties agreed to a Predetermination Settlement. The employer agreed to: pay the employee \$15,000 and train all managers and supervisors on the laws prohibiting sex discrimination

#### DIRTY DEAL

A female secretary filed a complaint alleging that her male supervisors sexually harassed her. She claimed that one supervisor asked her to "talk dirty", tried to kiss and fondle her, and propositioned her. She contended that another supervisor repeatedly told her about his sexual prowess, made sexual propositions and exposed himself to her. The employer denied the allegations, asserting that after the secretary reported the incidents, it conducted an investigation. The employer reached a settlement agreement with the secretary for \$25,000 in exchange for her promise to release the employer from all claims or lawsuits including all discrimination complaints filed with government administrative agencies. The secretary accepted and withdrew her complaint with the Commission.

In Newton v. SOA, Department of Transportation and Public Facilities, complainant alleged that respondent subjected him to different terms and conditions of employment because of his race, subjected him to a racially hostile work environment, and retaliated against him for opposing discriminatory practices. The Commission approved a settlement on May 15, 1997, in which respondent agreed to train its supervisors regarding Alaska's Human Rights Law and to provide back pay to complainant.

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In Norman v. Kurani Inc. d/b/a Pizza Hut, complainant alleged that while he was an assistant manager in respondent's Fairbanks restaurant, respondent treated him less favorably with respect to the terms and conditions of his employment because he is Caucasian. A public hearing was held on December 9-13, 1996. In December 1997, the Commission found in favor of respondent. The Commission did not, however, adopt a more stringent burden of proof for white males in cases alleging gender and racial discrimination. The Commission found that the same legal standards apply to all persons under Alaska's anti-discrimination statutes and remanded the case to the Hearing Examiner. At the end of 1997, a final decision was pending.

In Olson v. Chevron Pipeline Company and J & L Oilfield Maintenance, the Commission investigated two cases in which the complainant alleged that he was terminated from his employment because of his disability. Complainant alleged that he was able to perform his job as a dock worker without an accommodation. The Commission scheduled a public hearing to begin on August 17, 1998.

In *Parker v. Piquniq Management Corporation*, complainant alleged that although she was a qualified applicant for a job as a supply clerk, her prospective employer refused to hire her because of her race. A public hearing was held on April 1-3 and 8, 1997. The Hearing Examiner issued a proposed decision on August 11, 1997, finding for respondent. A final decision was pending at the end of 1997.

In *Perry v. King Salmon Restaurant*, complainant alleged that respondent refused to hire him as a food server solely because of his sex. A hearing scheduled for September 1997 was continued to 1998.

In *Raad v. Fairbanks North Star Borough School District*, complainant alleged that respondent failed to hire her for teaching positions because of her national origin and religion, and in retaliation for filing a complaint of discrimination. The Commission scheduled a public hearing to begin on July 20, 1998.

#### **PROBLEMS OR PREJUDICE**

A Black customer service representative filed a complaint alleging that the utility company where she worked failed to promote her to one of three available positions because of her race. The denied company complainant's allegation asserting that it did not promote her due to performance problems. Staff investigated and found no record of complainant's performance problems. In contrast, two of those promoted who were Caucasian had a record of problems. In a Conciliation Agreement the company agreed to: pay complainant \$5,708 in back pay; expunge her personnel file; and train its workforce on the Alaska Human Rights Law.

#### **BEST SETTLED**

An equipment operator with a physical disability filed two complaints against his employer, an international oil exploration company. The operator alleged that the company denied him promotions and subjected him to different terms and conditions of employment and a hostile work environment because of his physical disability. He also claimed that he was terminated in retaliation for filing his first complaint. In a Predetermination Settlement, the employer agreed to pay the equipment operator \$34,300 in back pay and benefits, and change his personnel records to reflect a voluntarily resignation.

In *Richardson v. Kurani, Inc. d/b/a Pizza Hut*, complainant alleged that respondent refused to hire her as a waitress in respondent's Eagle River restaurant because she was pregnant. The Commission held a public hearing in July 1996. On January 2, 1997, the Commission issued a final decision ordering respondent to provide complainant back pay and to provide training to its managers regarding the Alaska Human Rights Law.

In **Rochon v. North Slope Borough**, complainant alleged that respondent refused to hire her because of her national origin and in retaliation for complainant's earlier complaints of discrimination. Pending a Commission hearing, complainant filed an identical action in federal court which was dismissed on the merits. Subsequently, the Commission staff stipulated to a dismissal based on res judicata. At the end of 1997, the Commission had not issued a final order relating to the dismissal.

In **Rusler v. Subway Restaurant**, complainant alleged that respondent refused to accommodate her religion, which prohibits her from wearing pants in public. The Commission approved a settlement between the parties on July 9, 1997, which provided back pay to complainant.

In *Russell v. Norcon Inc.*, complainant alleged that respondent refused to hire him as a journeyman wireman because of his physical disability. At the end of 1997, the Commission had not scheduled a public hearing.

In *Rutzler v. Alaska Pacific University*, complainant alleged that because of her marital status, single, respondent imposed different terms and conditions on her student housing tenancy than those imposed on married student tenants. A hearing scheduled for November 1997 was continued to 1998.

In Schaeffer v. SOA, Alaska Court System, complainant alleged that respondent refused to hire him as a magistrate in Kotzebue because of his race and that respondent's policy, which gives preference to magistrate-applicants who are attorneys, has a disparate impact on Alaska Natives. The Commission held a public hearing on July 14-21, 1997. The Hearing Examiner issued a proposed decision in favor of respondent. A final Commission order was pending at the end of 1997.

In Searle v. Gold Rush Saloon, complainant alleged that her employer sexually harassed her while she performed her duties as a waitress at respondent's saloon in Fairbanks. The Commission has scheduled a public hearing to begin on July 7, 1998.

#### **BETTER LATE THAN NEVER**

A female medical transcriptionist who suffers from osteoarthritis, carpal tunnel syndrome and degenerative ioint disease, alleged that her supervisor required her to work overtime against her physician's recommendations and refused to modify her work station as suggested by an ergonomist. The employee asserted that her manager accused her of insubordination for not working extra hours and demanding special treatment. The employee filed a complaint alleging that her employer refused to accommodate her physical Shortly after receiving disabilities. notice of the complaint, the company's human resources manager met with the employee to discuss ways that the employer could accommodate her disabilities. The human resources manager informed Commission staff that the employer agreed to provide the employee with an ergonomically-correct chair, a split keyboard, an elevated desk and computer screen, and an adjustable stand. The employer also agreed to eliminate overtime work and modify her schedule for taking breaks. The employee believed the employer was making a good-faith effort to accommodate her disabilities and wished to settle the case. In a Predetermination Settlement, the parties agreed that the accommodations they had agreed upon were sufficient to meet the employee's needs. The Commission dismissed the complaint.

In Setlow v. FMR Developers, complainant alleged that respondent refused to renew his commercial lease for operation of a café in the Mendenhall Mall in Juneau because of his religion. A public hearing was held on June 9-13, 1997. The Hearing Examiner issued a proposed decision in favor of respondent. Complainant's objections to the proposed decision were pending at the end of 1997.

In Shely v. Municipality of Anchorage, Department of Public Safety, complainant alleged that respondent failed to hire him as a patrolman because of his age and national origin. The Commission held a public hearing on June 23-27, 1997. A proposed decision was pending at the end of 1997.

In Smith v. Wick Construction, complainant alleged that he was rejected for a position on the basis of his race. Subsequent to certification of conciliation failure, complainant's attorney requested that his client be permitted to withdraw his complaint. Pursuant to 6 AAC 30.360, the Executive Director consented to the withdrawal on May 23, 1997.

In *Thompson v. Cigna Loss Control Services*, complainant alleged that respondent failed to hire him as a loss control specialist because of his age and mental and physical disabilities, and in retaliation for filing a discrimination complaint. The Commission had not scheduled a public hearing at the end of 1997.

In Warner v. Chugach Electric Association, complainant alleged that respondent refused to hire him as a lineman because of his age and because complainant had previously filed a discrimination complaint against respondent. The Commission scheduled a public hearing to begin on June 1, 1998.

In Weldon v. Collins Company, complainant alleged that respondent refused to accommodate his physical disabilities and terminated him from his position as a quality control person. A hearing scheduled for September 1997 was continued to 1998.

In Wyatt v. SOA, Alaska Railroad Corporation, complainant alleged that respondent treated him differently and refused to rehire him as a brakeman because of his race. A public hearing is scheduled for April 7, 1998.

In Zuniga v. Inlet Tower Suites Hotel, complainant alleged that respondent terminated him because of his physical disability and in retaliation for opposing discrimination. A public hearing was held in November 1996. On July 9, 1997, the Commission issued a Final Decision in favor of complainant on the allegation of disability discrimination.

#### QUALIFICATIONS COUNT

A building maintenance manager alleged that his employer eliminated his position and laid him off because of his race, Black, and sex, male. He further alleged that his employer rejected him for one of two available management positions for which he was qualified and awarded the position to a less qualified Caucasian female. The employer denied the allegations and asserted that it eliminated the maintenance manager's position as part of a reorganization to streamline its management staff and The employer asserted operations. further that it selected applicants who qualified than the were more maintenance manager for the available positions. Staff management investigated the complaint, found substantial evidence to support the employee's allegations and successfully conciliated the case. In the conciliation agreement, the employer agreed to: pay the employee \$5,000 as a lump sum settlement; expunge the employee's personnel file of all documents and entries relating to his discrimination complaint; and provide training to its management staff involved in reorganizations and layoffs on their obligations under the laws prohibiting discrimination in employment.

### LITIGATION

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Gary Baker, Joyce Baker and Kevin Thomas v. Municipality of Anchorage, Anchorage Equal Rights Commission, and Paula Haley. The plaintiffs sued the Municipality of Anchorage, Anchorage Equal Rights Commission (AERC) and Paula Haley, in her capacity as executive director of the Alaska State Commission for Human Rights (ASCHR). The plaintiffs claimed that their right to freedom of religion would be violated if they are compelled to rent the apartments they own to unmarried cohabiting couples. On January 27, 1997, U.S. District Court Judge H. Russell Holland ruled that the landlords' free exercise of religion is substantially burdened and that the state does not have compelling state interests to support the marital status discrimination provision in housing under AS 18.80.240. The decision has been appealed to the Ninth Circuit to resolve the conflict between the federal ruling and the Alaska Supreme Court's contrary decision in <u>Swanner v. AERC</u>, 874 P.2d 274 (Alaska 1994).

McLeod v. Alaska State Commission for Human Rights. The complainant has appealed the staff's adoption of the Anchorage Equal Rights Commission (AERC) determination that her claims are not supported by substantial evidence. Complainant alleges that the Municipality of Anchorage, Department of Health and Human Services discriminated against her on the basis of her race and gender when she applied for a license to operate a fast food cart. The staff adopted the AERC findings of no substantial evidence on September 30, 1996. Complainant has appealed the decision to superior court.

#### ALL IS NOT WELL

A Filipino nurse filed a complaint alleging that her employer failed to promote her because of her national The employer origin. denied complainant's allegation and asserted that it promoted a more qualified non-Filipino applicant because of her positive attitude and flexibility. Staff investigated the complaint and found worked for the that complainant respondent employer approximately twice as many years as the successful applicant, consistently received excellent evaluations and was on record as being dedicated, enthusiastic, and flexible. Commission staff determined that substantial evidence supported the allegations. The employer signed a Conciliation Agreement which provided for an immediate promotion; expungement of complainant's file; back pay in the amount of \$4,803; front pay until complainant is promoted; training for the employer's management on the Alaska Human Rights Law; and the development, dissemination and posting of a policy outlining the employer's obligations under the law.

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#### WHEELCHAIRS WELCOME

An Alaskan who uses a wheelchair for mobility alleged that a business establishment that provides check-cashing services denied him services, advantages and privileges by not making its facility accessible to persons in wheelchairs. The business establishment denied the allegations and stated it made modifications to its building and henceforth made its services accessible to wheelchair users. The business establishment built a wheelchair ramp and provided the Commission with photographs and building specifications of its covered wheelchair ramp. Commission staff found that the ramp respondent had built complied with the requirements of the Americans with Disabilities Act and dismissed the case.

## **1997 CASE PROCESSING STATISTICS**

ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

Female	285			
Male	186			
Total Filings	471			

**ANALYSIS OF FILINGS** 

Caucasian

Alaska Native

American Indian

**Total Filings** 

Black

Asian

Other

Hispanic

Unknown

BY COMPLAINANT'S RACE

238

81

79

27

19

14

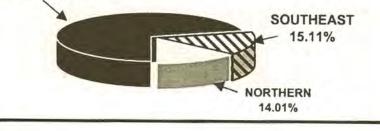
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### ORIGIN OF COMPLAINTS FILED WITH ASCHR FOR INTIAL PROCESSING (BY REGION)

SOUTHCENTRAL 70.88%



Basis	Single Basis Complaint	Multiple Basis Complaint			
Race/Color	121	68			
Physical Disability	65	25			
Sex	54	72			
Age	41	36			
<b>Retaliation for Filing</b>	12	6			
National Origin	10	31			
Pregnancy	9	4			
Retaliation	9	55			
Mental Disability	6	4			
Religion	3	6			
Parenthood	2	1			
Marital Status	0	7			
Multiple Bases	139	-			
Total Filings	471	315			

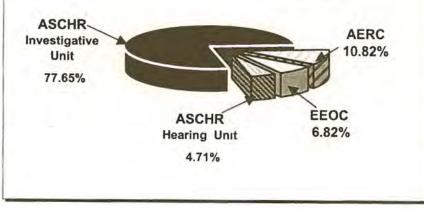
#### **ANALYSIS OF FILINGS BY ISSUE**

Issue	Single Issue Complaint	Multiple Issue Complaint		
Failure to Hire	104	25		
Discharge	79	135		
Terms & Conditions	51	53		
Denied Service	14	2		
Sexual Harassment	6	45		
Failure to Promote	4	18		
Harassment	3	51		
Pay Equity	3	4		
Failure to Sell	3	0		
Other	2	10		
Demotion	1	12		
Denied Credit	1	1		
Failure to Rent	1	0		
Eviction	0	5		
Failure to Dispatch	0	1		
Multiple Issue	199			
Total Filings	471	362		

### ANALYSIS OF FILINGS BY TYPE

Employment	415
<b>Government Practices</b>	22
Public Accommodation	17
Housing	12
Finance	3
Coercion	0
Multiple	, 2
Total Filings	471

LOCATION OF OPEN CASES AT YEAR END INCLUDING FILINGS UNDER WORKSHARING AGREEMENTS

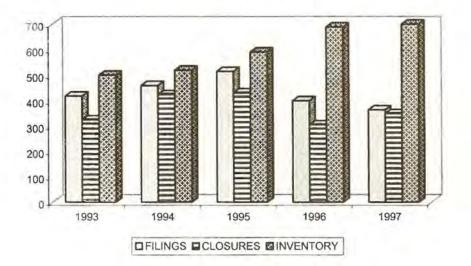


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**ANALYSIS OF FILINGS BY BASIS** 

REASON FOR CLOSURE	NUMBER OF CLOSURES	PERCENTAGE OF TOTAL		
ADMINISTRATIVE:	104	22.22%		
Complaint Withdrawn	44	9.40%		
Lack of Jurisdiction	7	1.50%		
Complainant Not Available	16	3.42%		
Failure of Complainant to Proceed	14	2.99%		
Complainant to Court	9	1.92%		
Administrative Dismissal	14	2.99%		
NOT SUBSTANTIAL EVIDENCE	293	62.61%		
CONCILIATION/SETTLEMENT:	58	12.39%		
Complaint Withdrawn with Successful Settlement		.85%		
Predetermination Settlement (PDS)	42	8.97%		
Substantial Evidence/ Conciliation Agreement	10	2.14%		
Substantial Evidence/ Complainant Rejected Full Relief	2	.43%		
Hearing:	13	2 .78%		
Decision for Complainant	2	.43%		
Decision for Respondent	1	.21%		
Pre-Hearing Settlement	9	1.93%		
Other	1	.21%		
TOTAL 1997 CLOSURES	468	100%		

#### FILINGS, CLOSURES AND YEAR END INVENTORY OF CASES PROCESSED BY ASCHR



CATEGORY OF CLOSURE	1995		1996		Detail of 1997 Closures						
	10.1	14	No.	%	ASCHR		EEOC		AERC		
	No.	%			No.	%	No.	%	No.	%	
Administrative	112	18.7	91	21.4	75	16.0	14	3.0	15	3.2	
Not Substantial Evidence	377	62.7	261	61.3	228	48.7	44	9.4	21	4.5	
Conciliation/Settlement	98	16.3	61	14.3	33	7.1	1	.2	24	5.1	
Hearing	14	2.3	13	3.0	13	2.8	0	0	0	0	
							349*		59		60
TOTAL CLOSURES	601		426		468						

#### SUMMARY OF CLOSURES

\*This total does not include completed investigations for cases still in conciliation or transferred to the Hearing Unit. NOTE: A number of Substantial Evidence Determinations were prepared for legal review, however, due to the vacancy of the attorney position these Substantial Evidence Determinations were not issued in 1997.

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