Alaska State Commission for Human Rights

1998 Annual Report

STATE OF ALASKA HUMAN RIGHTS COMMISSION

The Honorable Tony Knowles, Governor of Alaska The Honorable Drue Pearce, President, Alaska Senate The Honorable Brian Porter, Speaker, Alaska House of Representatives

On behalf of the Commission I respectfully submit the 1998 Annual Report of the Alaska State Commission for Human Rights. The Commission is entering its 36th year as Alaska's civil rights enforcement agency.

In 1998, Commission staff answered over 4,000 inquiries from Alaskans. The type of discrimination complained of changed little from 1997, except that claims of discrimination based on age rose sharply.

I am particularly pleased to report that in 1998 the staff completed 37% more investigations than in the prior year, cutting the agency's backlog of cases nearly in half. This Fall the Commission created a mediation program to offer parties an alternative to investigation. While new, the program has been well received. Businesses in particular have offered comments such as, "I appreciate the availability of the mediation option", "I applaud the wisdom of offering alternatives" and "We no doubt will make use of this service in the future."

The Commission also continued its efforts to provide education to Alaskans on the State's Human Rights Law. Staff trained managers, supervisors, employees, and the general public about their rights and responsibilities under Alaska's laws prohibiting discrimination.

The Commission greatly appreciates the support and additional resources you provided to help reduce the time Alaskans must wait for investigations to be completed. As I stated last year, expedient complaint resolution is needed for the benefit of the person who complains of unlawful discrimination, the business charged with violating the law, and the general public. We ask for your continued support of our efforts to prevent and eliminate discrimination in Alaska.

MARTHA L. GORE, Chairperson 1998

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ALASKA STATE COMMISSION FOR HUMAN RIGHTS

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FOR ADDITIONAL COPIES OF THIS REPORT, INFORMATION REGARDING ALASKA'S HUMAN RIGHTS LAW, OR TO FILE A COMPLAINT, PLEASE CONTACT THE COMMISSION AT THE ADDRESS OR PHONE NUMBERS ABOVE.



PUBLIC HEARING CASES

Note: In all of the following public hearing cases, unless otherwise noted, 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. At the end of 1998, a public hearing was scheduled for January 14, 1999.

In Amarok v. Bering Straight School District, complainant alleged that respondent refused to hire her as a cook because of her pregnancy. The Commission staff found no substantial evidence to support complainant's allegations, but found during investigation that respondent's hiring practices violated the disability protection provisions of the Human Rights Law. A public hearing had not yet been scheduled at the end of 1998.

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 approved a settlement between the parties in March 1998, in which respondent paid complainant backpay and agreed to provide sexual harassment training for its employees.

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. A public hearing is scheduled to begin on April 6, 1999.

In *Beegan v. McLean Electric*, complainant alleged that he was discriminated against on the basis of his age when respondent refused to hire him as an electrician. A public hearing had not yet been scheduled at the end of 1998.

In *Brooks v. Laborer's International Union*, complainant alleged that she was discriminated against because of her race, Black and American Indian (Creek), when the union refused to dispatch her. A public hearing is scheduled to begin on May 17, 1999.

ADDING INSULT TO INJURY

A food service worker with a physical disability alleged that following treatment for a heart condition and a stroke, and despite a release from her physician, her employer refused to allow her to return to The worker alleged that the employer discriminated against her because of her disability and terminated her. The employer denied the allegation and asserted that it did not follow the physician's recommendations because it had no faith in the physician's ability to determine whether the worker could return to work without risk of injury. Staff found substantial evidence to support the worker's allegations. In a Conciliation Agreement the employer agreed to develop a policy on discrimination, train all management personnel laws prohibiting discrimination, offer the worker immediate employment, and pay the worker \$8,000.

HOLD THE HARASSMENT

A 17 year old fast food worker alleged that her male manager often remarked about her looks, touched, groped, and sexually propositioned her. She told him to stop but he persisted and she resigned. After the worker filed a sexual harassment complaint, the restaurant owner conducted an investigation and agreed to send his managers to training. The worker declined the owner's offer of reinstatement saying she was not returning to food service. The worker did accept the owner's offer to meet to learn about her career goals and get his assistance in her job search. She received backpay of \$750, a letter of recommendation, a list of employers with job vacancies, and a positive verbal reference to prospective employers.

In Caissie v. Golden Valley Electric Association, complainant alleged that respondent did not hire him for a right-of-way maintenance position because of his age, and that respondent retaliated against him for filing an age discrimination complaint. A public hearing scheduled to begin on December 8, 1998 was continued pending a possible settlement agreement between the parties.

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. On April 7, 1998, the Commissioners approved a stipulation to dismiss the case based on a settlement of other pending litigation.

In *Corley v. SOA*, *Alaska Railroad Corporation*, complainant alleged that his employer treated him differently and terminated him because of his race. The case was dismissed by the Commission on August 3, 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. The Commission approved a settlement in March 1998, in which respondent paid complainant backpay and agreed to provide sexual harassment training for its employees.

In Cox v. Alaska Women's Club, complainant alleged that the respondent discriminated against him on the basis of his sex, male, when respondent denied complainant membership in its health club. A public hearing has not yet been scheduled.

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, Black. The Commission approved a settlement between the parties on November 20, 1998.

In Gaudiane v. Fairbanks Daily News-Miner, complainant alleged that respondent failed to provide him a reasonable accommodation because of his physical disability. The Commission approved a settlement between the parties in September 1998, in which respondent agreed to provide backpay to complainant.

WHY DO YOU ASK?

A Filipino seafood processor alleged that his employer subjected him to sexual harassment and discrimination based on his national origin and forced him to resign after he complained of the Investigation failed to harassment. support the worker's allegations. During investigation, however, staff found a violation of the human rights law. The employer's job application elicited information that could require applicants to disclose the existence of a disability. In a Conciliation Agreement the employer agreed to provide an application that did not elicit unlawful disability related information and to instruct its employees to refrain from obtaining information from job applicants which could reasonably be seen to require disclosure of a disability

OUT OF HERE

A store clerk filed a complaint alleging that her male supervisor asked her several times to let him take nude photographs of her and she refused. She further alleged that after she reported these incidents her employer asked her how to discipline the supervisor. The employer denied the clerk's allegations that it failed to take timely and appropriate action or that it required her to make a disciplinary decision. Shortly after investigation began, the parties entered into a Predetermination Settlement wherein the employer agreed to provide the clerk a written apology and expunge her personnel file.

In *Hensley v. UNOCAL Petroleum and Chemicals*, complainant alleged that respondent did not hire him because of his disability. The Commission held a public hearing April 14-18, 1997. On March 26, 1998, the Hearing Examiner issued a Proposed Decision dismissing the case. The Commission approved the decision on November 4, 1998.

In *Holmes v. Price Waterhouse*, complainant alleged that she was terminated from her employment as a senior tax manager because of her sex. A public hearing scheduled for December 1, 1998, was continued. At the end of 1998, a new hearing date had not been set.

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. On May 13, 1998, the Commissioners approved a stipulation to dismiss the case.

In Johnson v. SOA, Department of Health and Social Services, the Commission investigated two complaints in which complainant alleged that he was treated differently because of his race, and that he was terminated in retaliation for filing a discrimination complaint. A public hearing is scheduled to begin on April 22, 1999.

In *Kelly v. Kinney Corporation*, complainant alleged that his employer failed to promote him and terminated him because of his race, Black. On March 4, 1998, the Commissioners approved a stipulation by the parties to dismiss the case.

In Kennedy v. Asbestos Removal Specialists of Alaska, complainant alleged that respondent failed to hire her as an asbestos abatement specialist 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 backpay to complainant. Upon review, the Commission remanded the decision with instructions to award additional backpay to complainant. A final decision awarding full backpay to complainant was issued by the Commission on August 3, 1998.

In Khan v. SOA, Department of Military and Veterans Affairs, the Commission staff investigated two cases in which complainant alleged that his employer treated him differently because of his religion and national origin and retaliated against him for opposing discriminatory practices. The parties agreed to dismiss complainant's claims based on a separate settlement of other litigation between complainant and respondent. The Commission issued a final decision on November 5, 1998, dismissing the complaint.

AGAINST ALL ODDS

A property manager filed a discrimination complaint alleging that his employer involuntarily transferred him to a more stressful position and later terminated him because of his physical disabilities. He further alleged that his employer denied his repeated requests for transfer back to his former position, gave him assignments with unrealistic deadlines, and then criticized him for failing to complete them in a timely manner. Shortly after the complaint was assigned for investigation, the parties entered into a settlement agreement. To settle this and several other complaints by the manager, the employer agreed to provide the manager with \$45,000 backpay, expunge his personnel file, and change his termination to resignation. In return, the property manager withdrew his complaint with the Commission.

BREAKING DOWN BARRIERS

An Alaskan who uses a cane to assist with his mobility alleged that the owner of an office building denied him services by failing to provide safe accessible parking for persons with disabilities. After service of the complaint, the business acknowledged that the parking at its premises did not meet the necessary legal requirements and agreed to comply with the law as soon as possible. The parties entered into a Predetermination Settlement in which the owner of the building agreed to provide the required number of parking spaces, striping, access aisles, ramps, and signage for people with disabilities.

In Luck v. North Slope Borough, complainant alleged that the respondent discriminated against her on the basis of her race, Asian, and national origin, Filipino, when complainant was subjected to harassment and hostile treatment. A public hearing had not been scheduled at the end of 1998.

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. A hearing scheduled for September 1998, was continued.

In *Malasarte v. Municipality of Anchorage*, complainant alleged that respondent failed to hire him as a medium equipment operator because of his national origin. After a public hearing held in April 1998, the Hearing Examiner issued a proposed decision dismissing the case. The Commission adopted the proposed decision on December 24, 1998.

In Meyer v. SOA, Department of Fish and Game, complainant alleged that 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. An order scheduling a public hearing was vacated based on a pending agreement between the parties to settle the case.

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 public hearing is scheduled for March 22, 1999.

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 10-11, 1996. In December 1997, the Commission adopted the Hearing Examiner's proposed finding that complainant failed to meet his burden to establish that respondent discriminated against him. The Commission refused, however, to 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 decision to the Hearing Examiner. A second proposed decision consistent with the Commission's remand was approved by the Commission in August 1998.

TWICE A VICTIM

A female seafood processor filed a complaint alleging that her employer refused to rehire her in retaliation for reporting that a male worker sexually assaulted her the previous work season. Staff investigated the complaint and found that the employer conducted an inadequate investigation of the woman's report of sexual harassment, marked her ineligible for rehire, refused to rehire her, and rehired the male worker involved in the alleged sexual assault. Conciliation Agreement, the employer agreed to revise its sexual harassment policy, pay back wages to the female worker, change her status to eligible for rehire, re-employ her for the next season, and provide training to its management staff in the laws prohibiting sexual harassment. The Commission dismissed the case after the woman declined to sign the agreement, deciding instead to file a court action.

FAIR PAY

An Asian worker alleged that when she was laid off her employer paid her one month's severance pay while it paid a less-tenured Caucasian worker two month's severance pay. She filed a complaint claiming that her employer treated her differently because of her race. Within a week of receiving notice of the complaint, the employer offered to settle by paying the worker the additional month's severance pay. The worker accepted the offer, the parties signed a Predetermination Settlement, and the Commission dismissed the case.

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. A public hearing scheduled for October 29, 1998 was continued pending an agreement between the parties to settle the case.

In *Parker v. Piquniq Management Corporation*, complainant alleged that her prospective employer refused to hire her because of her race. A public hearing was held in April 1997. The Hearing Examiner issued a proposed decision in August 1997, in favor of respondent. The Commission adopted the decision in January 1998.

In *Perry v. King Salmon Restaurant*, complainant alleged that respondent refused to hire him as a food server solely because of his sex, male. At the end of 1998, a public hearing was scheduled for January 15, 1999.

In Raad v. Fairbanks North Star Borough School District, complainant alleged that respondent failed to hire her for several teaching positions because of her national origin and religion, and in retaliation for filing a complaint of discrimination. A public hearing is scheduled for June 21, 1999.

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. The Commissioners approved the stipulation on January 21, 1998.

In Russell v. Norcon Inc., complainant alleged that the respondent refused to hire him as a journeyman wireman because of his physical disability. A public hearing is scheduled to begin on January 26, 1999.

EQUAL OPPORTUNITY HARASSMENT

A male security guard alleged that his female supervisor invited him to her home while her husband was away. He claimed that when he went to her house to help her deal with some stressful news, he declined her invitation to spend the night. The guard alleged that afterwards the supervisor accused him of being hostile and hard to get along with. complained to management who moved him to another post. The security guard filed a complaint alleging sexual harassment and retaliation. One week after service of the complaint, the employer offered to settle the case. The parties signed a Predetermination Settlement wherein the employer agreed to promote the guard to a supervisory position at his preferred post and train its managers on sexual harassment.

NO RESPECT FOR ELDERS

A 64 year old technician who had worked for a utility company for two decades alleged that his supervisors often referred to him as "that old fart" and made remarks such as "you're retiring anyway," and "why don't you retire?" The technician also alleged that his supervisors denied him training and trained younger workers instead. The employer asserted that the supervisors were only joking. Investigation by Commission staff resulted in a finding of substantial evidence to support the worker's allegations of discrimination based on age. In a Conciliation Agreement, the utility company agreed to pay the technician \$10,000 and to train its supervisors in the laws prohibiting harassment and discrimination in the workplace.

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 students. A public hearing is scheduled to begin on February 10, 1999.

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. The Commission adopted the decision on September 29, 1998.

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. A public hearing scheduled for July 1998 was continued pending completion of a settlement agreement between the parties.

In **Setlow v. FMR Developers**, complainant alleged that respondent refused to renew his commercial lease because of his religion. The Commission held a public hearing on June 9-13, 1997. On April 29, 1998, the Hearing Examiner issued a revised recommended order in favor of respondent. A final decision by the Commission was issued on November 4, 1998, dismissing the case.

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. The Hearing Examiner issued a proposed decision in favor of complainant on February 2, 1998. The Commission adopted the decision on December 22, 1998.

In Shepard v. General Securities Services Corporation, complainant alleged that respondent discriminated against her when she was terminated on the basis of her sex. Complainant filed an identical action in federal court which was dismissed on the merits. Subsequently, the Commission staff stipulated with respondent to a dismissal based on res judicata. At the end of 1998, a final decision by the Commission was pending.

NOT SO FUNNY

A Puerto Rican laborer filed a complaint alleging that his foreman made fun of his skin color and ethnic origin by calling him "pygmy." He claimed that the daily reference was offensive, created a hostile work environment, and that he was forced to quit his job. The employer asserted that it did not know the laborer was Puerto Rican and denied that the foreman made any discriminatory comments. employer explained that the crew often joked around to lighten an otherwise and monotonous strenuous environment. Commission staff's investigation confirmed that the foreman often called the Puerto Rican worker "pygmy" and referred to Blacks, women, and other minorities in racially and sexually derogatory terms. Staff issued a determination of substantial evidence of discrimination and successfully conciliated the case The employer agreed to train its employees in the laws regarding workplace harassment and discrimination. laborer did not receive backpay because his subsequent earnings exceeded the wages he would have earned from his former employer. The parties signed Conciliation Agreement and the Commission dismissed the case.

In Smith v. Bergmann Hotel, complainant alleged that respondent discriminated against her on the basis of her sex, female, and terminated her in retaliation for opposing sexual harassment in the workplace. At the end of 1998, a public hearing had not been scheduled.

In *Thompson v. Cigna Loss Control Services*, the Commission staff investigated two complaints in which complainant alleged that respondent failed to hire him as a loss control specialist because of his age and mental/physical disabilities, and in retaliation for filing a discrimination complaint. The Commission approved a settlement between the parties in December 1998.

In Valencia v. International Seafoods of Alaska, complainant alleged that respondent terminated her on the basis of her national origin, Salvadoran. The Commission staff found no substantial evidence to support complainant's allegations, but found during investigation that respondent's hiring practices violated the disability protection provisions of the Human Rights Law. A public hearing had not been scheduled at the end of 1998.

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. A hearing scheduled for June 1998 was continued pending completion of a proposed settlement agreement.

In Weldon v. Collins Company, complainant alleged that his employer refused to accommodate his physical disabilities and terminated him from his position as a quality control technician. The Commission approved a settlement on September 30, 1998.

In Wyatt v. SOA, Alaska Railroad Corporation, complainant alleged that respondent refused to rehire him as a brakeman because of his race. The Commission held a public hearing on April 7, 1998. The Hearing Examiner issued a proposed decision in favor of respondent on September 15, 1998. The Commission adopted the proposed decision on December 23, 1998.

STATUS TAKEN LIGHTLY

A worker filed a complaint alleging that his employer refused to return him to work following a work-related accident because of his race, Black. The worker claimed that his employer required him to provide clarification from his physician of his "light duty" status. Staff investigated the complaint and found that a Caucasian employee was not required to obtain clarification of his "light duty" status when he returned to work after an on-the-job injury. Staff issued a determination of substantial evidence of discrimination and successfully conciliated the case. In a Conciliation Agreement, the employer agreed to restore one day of leave to the worker's leave bank and re-issue its policy against discrimination.

UNION BLUES

A union member filed a complaint alleging that his union failed to fairly represent him in a grievance against his employer. The worker claimed that the employer had fired him from his job because of his physical disabilities, a back impairment, and a history of epilepsy. He asserted that in response to his request to file a grievance, his business agent remarked "Why did you tell them you have a disability?" and "In the future, keep your problems to yourself." The union denied the worker's allegations, asserting that he never filed a formal grievance and that he should not have taken a job call that he was unable to perform. Staff investigated the complaint and found substantial evidence to support the union member's allegations. In a Conciliation Agreement, the union agreed to provide training to its managers and staff in the laws prohibiting discrimination based on disability.

LITIGATION

In Thomas v. Anchorage Equal Rights Commission, the plaintiffs sued the Municipality of Anchorage, Anchorage Equal Rights Commission and Paula Haley, in her capacity as Executive Director of the Alaska State Commission for Human Rights, to prevent enforcement of the provisions of the Human Rights Law which prohibit marital status discrimination in housing. The plaintiffs claimed that their right to freedom of religion would be violated if they were required to rent apartments to unmarried couples. United States District Court Judge Russell Holland ruled in favor of the plaintiffs in a decision contrary to the Alaska Supreme Court's opinion in Swanner v. AERC, 874 P.2d 274 (Alaska 1994). The decision was appealed to the Ninth Circuit Court of Appeals, which heard oral arguments in the case in July 1998.

In McLeod v. Alaska State Commission for Human Rights, complainant appealed the Commission staff's determination that her claims were not supported by substantial evidence. Complainant had alleged that the Anchorage Department of Health and Human Services discriminated against her on the bases of her race and gender when she applied for a license to operate a fast food cart. The Alaska Superior Court affirmed the Commission's decision. Complainant has appealed the Superior Court's ruling to the Alaska Supreme Court.

In Vaughn v. Alaska State Commission for Human Rights and Keen v. Alaska State Commission for Human Rights, complainants appealed two separate determinations by the Commission staff that their complaints were not supported by substantial evidence. A decision by the Alaska Superior Court is expected upon the completion of briefing.

In Alaska State Commission for Human Rights v. SOA, Division of Family and Youth Services, the Commission filed an action in Alaska Superior Court to enforce a subpoena which was issued to compel the statement of a witness necessary to a Commission investigation. The Court ordered the witness, a DFYS employee, to provide the statement to the Commission. In a second case, filed under seal to maintain the confidentiality of the parties, the Commission filed an action in Superior Court to enforce a subpoena issued to compel the production of documents needed in an investigation. A decision by the court is pending.

RETAIL RELIGION

A retail clerk filed a complaint alleging that her employer and coworkers made fun of and made derogatory comments about her religion, Jehovah's Witness. She alleged that, on a daily basis, they made remarks such as "That customer smells, he must be a Jehovah's Witness"; "Hitler killed members of the Jehovah's Witness church because they knocked on Hitler's door": "If you would stop going to Jehovah's Witness meetings, you would come to work with half a brain." The clerk asserted that the work environment became so intolerable that she was forced to quit her job. Shortly after receiving notice that Commission staff was commencing its investigation, the employer offered to settle the complaint. In a Predetermination Settlement, the employer agreed to pay the clerk \$1,000 and train its staff in the laws prohibiting discrimination and workplace harassment. The parties signed the agreement and the Commission dismissed the case.

BABY BLUES

A registered nurse alleged that her employer demoted her because of her pregnancy. The nurse alleged that her employer believed the demotion necessary because she was under too much stress from her pregnancy. She also alleged that she was required to take early maternity The employer denied the leave. allegations and asserted that the nurse was demoted due to her performance. Shortly after the investigation began the parties entered into a Predetermination Settlement wherein the employer agreed to pay the nurse \$2,588 in backpay.

1998 CASE PROCESSING STATISTICS

ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

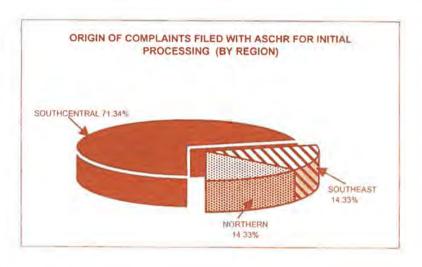
Female	252
Male	189
Total Filings	441

ANALYSIS OF FILINGS BY COMPLAINANT'S RACE

Caucasian	217
Black	79
Alaska Native	48
Asian	29
Unknown	26
Hispanic	24
American Indian	14
Other	4
Total Filings	441

ANALYSIS OF FILINGS By Type

DITTLE	-
Employment	393
Public Accommodation	26
Housing	11
Government Practices	9
Finance	0
Coercion	0
Multiple	2
Total Filings	441



ASCHR Investigative Unit 83 46% ASCHR Hearing 4 79% Unit 3 77%

ANALYSIS OF FILINGS BY BASIS

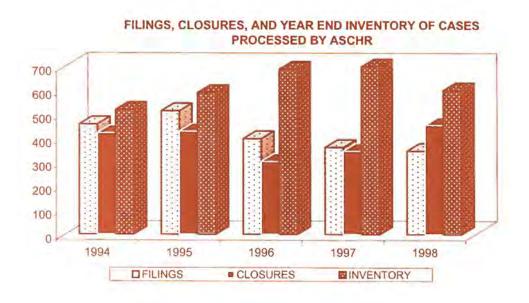
Basis	Single Basis Complaint	Multiple Basis Complaint		
Race/Color	81	72		
Age	66	31		
Sex	62	61		
Physical Disability	37	20		
National Origin	21	24		
Retaliation for Filing	16	10		
Mental Disability	9	6		
Religion	8	4		
Pregnancy	6	1		
Retaliation	3	45		
Parenthood	2	9		
Marital Status	0	3		
Multiple Bases	130			
Total Filings	441	286		

ANALYSIS OF FILINGS BY ISSUE

Issue	Single Issue Complaint	Multiple Issue Complaint		
Failure to Hire	85	9		
Discharge	68	155		
Terms & Conditions	56	130		
Denied Service	16	4		
Failure to Promote	8	11		
Sexual Harassment	7	35		
Failure to Rent	6	0		
Other	5	5		
Harassment	3	31		
Demotion	2	11		
Pay Equity	2	4		
Eviction	2	1		
Failure to Dispatch	1	1		
Multiple Issue	180			
Total Filings	441	397		

ANALYSIS OF 1998 CLOSURES

REASON FOR CLOSURE	NUMBER OF CLOSURES	PERCENTAGE OF TOTAL		
ADMINISTRATIVE:	96	15.84%		
Complaint Withdrawn	35	5.78%		
Lack of Jurisdiction	5	.82%		
Complainant Not Available	15	2.48%		
Failure of Complainant to Proceed	20	3.30%		
Complainant to Court	9	1.48%		
Administrative Dismissal	12	1.98%		
NOT SUBSTANTIAL EVIDENCE	417	68.81%		
CONCILIATION/SETTLEMENT:	69	11.39%		
Complaint Withdrawn with Successful Settlement	9	1.48%		
Predetermination Settlement (PDS)	42	6.93%		
Substantial Evidence/ Conciliation Agreement	15	2.48%		
Substantial Evidence/ Complainant Rejected Full Relief	3	.50%		
HEARING:	24	3.96%		
Decision for Complainant	2	.33%		
Decision for Respondent	7	1.16%		
Decision - Other	8			
Pre-Hearing Settlement	7	1.16%		
TOTAL 1998 CLOSURES	606	100%		



SUMMARY OF CLOSURES

CATEGORY OF CLOSURE	1996		1997		Detail of 1998 Closures						
		%	No.	%	ASCHR		EEOC		AERC		
	No.				No.	%	No.	%	No.	%	
Administrative	91	21.4	104	22.2	68	11.2	8	1.3	20	3.3	
Not Substantial Evidence	261	61.3	293	62.6	327	54.0	43	7.1	47	7.7	
Conciliation/Settlement	61	14.3	58	12.4	38	6.3	4	.7	27	4.4	
Hearing	13	3.0	13	2.8	24	4.0	0	0	0	0	
					457*		55			94	
TOTAL CLOSURES	4	426 468		68	606						

^{*}This total does not include completed investigations of 26 cases which are still in conciliation or have been transferred to the Hearing Unit.

This publication was released by the Office of the Governor, Alaska State Commission for Human Rights, as required by AS 18.80.150. This publication was printed at a cost of \$1.33 each. Alaska State Commission for Human Rights 800 A Street, Suite 204 Anchorage, AK 99501-3669