Alaska State Commission for Human Rights

2000 Annual Report

The Honorable Tony Knowles, Governor of Alaska
The Honorable Rick Halford, President, Alaska Senate
The Honorable Brian Porter, Speaker, Alaska House of Representatives

On behalf of the Alaska State Commission for Human Rights, I respectfully submit the Commission's 2000 Annual Report. This report includes information about the Commission's work in enforcing Alaska's Human Rights Law.

In 2000, Commission staff heard from over 4,000 Alaskans with concerns and questions. While cases filed with the agency based on race and sex rose slightly, those claiming discriminatory harassment more than doubled.

I am pleased to report that the Commission continued to reduce its inventory of cases in 2000. The Commission's ability to provide prompter service to those who believe that the law has been violated and those who respond to the complaints would not have been possible without your support and the hard work of a talented and dedicated staff.

The Commission also enjoyed continued success with its mediation program. While the program had a 73% settlement rate, even when the process did not result in a settlement, those choosing mediation continued to sing its praises with comments such as "I applaud the wisdom of offering alternatives" and "We are encouraged by this approach to resolving complaints."

As requests from businesses for training on sexual harassment and other areas of Alaska's Human Rights Law rose the Commission responded by conducting 68 trainings in 2000. Staff provided educational presentations to financial and educational institutions, tribal organizations, businesses and the general public.

The Commission launched its fair housing education and outreach project with presentations in Bethel and Fairbanks in 2000. These workshops have been approved by several professional organizations so that realtors, contractors, and attorneys may earn continuing education credits when they attend. The workshops are funded in part by the Department of Housing and Urban Development and will enhance staff's ability to reach and educate Alaskans throughout the state about their rights and responsibilities under the law.

The Commission will continue its commitment to meet the challenge of enforcing Alaska's human rights laws. We ask for your continued support of our efforts to prevent and eliminate discrimination in Alaska.

Kathy K. Wisthoff
Chairperson

COMMISSIONERS

RUTH G. BENSON, Fairbanks

JAMES H. CHASE, Anchorage

LISA FITZPATRICK, Anchorage

MARTHA L. GORE, Anchorage

AARON T. ISAACS, JR., Klawock

ROY H. MADSEN, Kodiak

KATHY K. WISTHOFF, Anchorage

COMMISSION STAFF

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M. Anne Keene, Docket Officer

Amy Otto, Legal Secretary

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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.

FAIR HOUSING EDUCATION AND OUTREACH

In 2000, the Commission began an 18-month program to conduct a fair housing education and outreach program throughout Alaska. The Commission's project is designed to inform housing recipients, their



advocates, and the agencies that serve them, as well as housing providers including realtors, landlords, and property managers of their respective rights and obligations under the Federal Fair Housing Act and the Human Rights Law. The project will also facilitate the sharing of information between the Commission and housing providers and advocates in various and diverse areas of the State.

The Commission's workshops focus on the types of discrimination that can be encountered in the housing and rental market and how discriminatory practices can be avoided and prevented. A key aspect of the program is to educate housing providers about the requirements found in both the Federal and State laws. The workshops include topics such as the denial of housing or housing services because of race, national origin, disability, pregnancy, and familial status, as well as illegal financing practices such as redlining and predatory lending. The workshops also include a presentation on specific accessibility and accommodation requirements for persons with disabilities. Eligible participants in the workshops may receive continuing education credit through the Alaska Bar Association and the Real Estate Commission, and for contractors, through the Alaska Division of Occupational Licensing.

The Commission's project is designed to reach communities throughout the State. The Commission began its presentations in 2000 with visits to Bethel and Fairbanks, and is scheduled to hold additional workshops in Anchorage, Palmer, Kenai, Juneau, Sitka, Ketchikan, Craig, Kodiak, Dutch Harbor, St. Paul, and Barrow in 2001. The Commission is also conducting outreach visits in each city or town with housing providers and advocacy groups to discuss specific concerns and issues regarding fair housing and access in their communities. While in outlying communities, the Commission will also offer educational presentations on employment discrimination issues.

TOO QUICK TO JUDGE

A delivery driver alleged his employer terminated him for a perceived disability. The driver alleged that after telling his manager he needed surgery for a head tumor, the manager terminated him. The driver alleged that the manager did not think the driver would be able to keep up with his work. The mediation program facilitated a settlement between the parties in which the employer agreed to pay the driver \$2,800 for severance pay and reimbursement of COBRA medical insurance premiums.

IT'S ABOUT TIME

A Black female warehouse worker alleged that her supervisor treated her differently and terminated her on the basis of her race and sex. The worker alleged that her supervisor had previously made a racially/sexually derogatory comment about her, then later terminated her for falsification of her timecard after she hand-wrote the time on some of her time cards. She alleged other workers also wrote in the time on their timecards but were not terminated. The mediation program facilitated a settlement between the parties in which the employer agreed to pay the worker \$7,056 for backpay and attorney's fees, and revise her personnel record to show resignation rather than termination.

As part of the fair housing program, the Commission is distributing fair housing materials published by the Commission and the U.S. Department of Housing and Urban Development (HUD). The Commission's materials were developed in 1991 under an earlier HUD grant. These materials include a fair housing poster and brochures printed in Inupiat, Yupik, Tagalog, Spanish, and English. The Commission's materials provide the agency's toll free telephone numbers, making it easier for all Alaskans to contact the agency with questions on housing discrimination.

This Fair Housing Education and Outreach project is funded under HUD's Fair Housing Initiatives Program. The Commission received a grant of \$59,246 from HUD to cover costs of the project, and was one of 62 grant recipients chosen from 220 applicants.

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 Acuna v. North Slope Borough, complainant alleged that she was discriminated against on the basis of her race, Asian, and national origin, Filipino, when she applied for a position as a payroll specialist with the North Slope Borough. Complainant alleged that the Borough refused to hire her in accordance with its ordinance which requires employment preferences for Native Americans. Commission staff found substantial evidence that the Borough's employment preference violates the Human Rights Law. A public hearing scheduled to begin on June 13, 2000 was continued pending the Ninth Circuit's decision in Malabed v. North Slope Borough, which involves a challenge to the ordinance brought in federal court.

TEMPEST AT SEA

A Black steward with diabetes alleged that his seafood industry employer failed to rehire him based on his race. While investigation did not find substantial evidence to support the racial allegations, staff found substantial evidence of disability discrimination, as the employer did not consider a person with diabetes suitable for "seagoing duty." In a Conciliation Agreement the employer agreed to: pay the steward \$15,000 in backpay, train employees in the requirements of anti-discrimination laws, and distribute to all employees a statement of policy against discrimination.

PENALTY REVERSED

A female cashier filed a complaint alleging that after she complained about sexual harassment, her employer retaliated against her by moving her to a different shift. Staff investigated the complaint and found that the employer responded to the cashier's complaint by removing her from a higher paying shift and giving the male worker a written Staff found substantial warning. evidence that the employer had penalized the employee for reporting sexual harassment. In a Conciliation Agreement, the employer agreed to give the cashier the shift differential pay and provide training to the company's managers and supervisors in the laws prohibiting discrimination and sexual harassment in the workplace.

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. A public hearing scheduled to begin April 6, 1999 was continued due to the sale of respondent's company. Complainant later asked to withdraw her complaint, and the Commission issued a final order dismissing the case on June 8, 2000.

In Beegan v. McLean Electric, complainant alleged that he was discriminated against on the basis of his age and race, Caucasian, when respondent refused to hire him as an electrician. The Commission staff found no substantial evidence to support complainant's allegations of race discrimination, but did find substantial evidence to support the allegation of discrimination based on age. The Commission scheduled a public hearing for October 11, 1999. On October 13, 1999, the Hearing Examiner issued an entry of default against respondent based on respondent's failure to attend or participate in any of the Commission's proceedings. The Commission issued a final default order on June 29, 2000, requiring respondent to pay \$80,167 in back pay to complainant.

In *Black v. Nye Frontier Ford, Inc.*, complainant alleged that respondent discriminated against him on the basis of his physical disability, a herniated inter-vertebral disc at L4/L5 and pinched nerve bundle. The Commission staff found substantial evidence that respondent terminated complainant's employment as a mechanic because it perceived him to be disabled. As of December 31, 2000, a public hearing had not yet been scheduled.

In Campos v. Johnson's Tire Service, Carela v. Johnson's Tire Service, J. De La Cruz v. Johnson's Tire Service, U. De La Cruz v. Johnson's Tire Service, and Nolberto v. Johnson's Tire Service, complainants alleged that respondent discriminated against them on the basis of their race, Hispanic, and national origin, Dominican, and in retaliation for opposing unlawful discrimination when it terminated their employment. As of December 31, 2000, a public hearing had not yet been scheduled.

SERVICE ANIMALS WELCOME

A visually impaired man alleged that he was denied access to a restaurant because his service animal was with The restaurant management responded that a licensing agency prohibits animals from entering eating establishments and requires restaurants to post signs saying "No Animals Another civil rights Allowed." enforcement agency closed the case based on a Predetermination Settlement Agreement between the parties. When Commission staff reviewed the case, it contacted the licensing agency with concerns about the wording of its required signage. The licensing agency agreed that service animals are exempted from it's regulations and modified its signage to read "No animals allowed Except Authorized Service Animals." As a result the parties entered into a settlement agreement and the Commission closed the case.

In Clark v. Lake and Peninsula School District, complainant alleged that respondent discriminated against him on the basis of his physical disability, anterior cruciate ligament surgery and recovery limitations, when it failed to accommodate him in the performance of his duties as a teacher. As of December 31, 2000, a public hearing had not yet been scheduled.

In Coleman v. Alaska Airlines, complainant alleged that respondent discriminated against her on the basis of her disability, Hepatitis C, when it removed her from one of its aircraft. Complainant alleged that respondent required her to obtain a medical certificate before she was allowed to re-board respondent's aircraft despite having previously been cleared to fly. A public hearing scheduled for November 20, 2000 was continued pending a settlement agreement.

In Cox v. Alaska Women's Club, complainant alleged that respondent discriminated against him on the basis of his sex when respondent denied complainant membership in and access to its health club. A public hearing scheduled to begin April 12, 2000 was continued pending attempts by the parties to resolve the case without a hearing. The parties thereafter stipulated to a dismissal based on a change in the law. The Commission issued a final order dismissing the case on June 27, 2000.

In *Davis v. Nye Frontier Ford*, complainant alleged that respondent discriminated against him on the basis of his sex when it discharged him after learning that he was involved in a relationship with his female supervisor. Complainant alleged that his supervisor was not disciplined despite a company policy prohibiting fraternization between employees. The parties reached a settlement in which respondent agreed to pay \$2,000 in back pay to complainant. The agreement was approved by the Commission on December 22, 2000.

In *Dorsey v. Office Products Services*, complainant alleged that respondent discriminated against her on the basis of her sex and in retaliation for complaining of sex discrimination when it terminated her employment as a salesperson. As of December 31, 2000, a public hearing had not yet been scheduled.

FOR THE RECORD

A man claimed that an airline refused to consider him for its pilot training class because of his national origin, Brazilian. Commission staff found no substantial evidence of national origin discrimination as the chief pilot responsible for the airline's pilot training class did not know that the man was from Brazil and selected other Hispanics for the class. However, investigation revealed that after selecting applicants, the chief pilot discarded the applications. Staff found that there was substantial evidence that the airline violated the statute and regulations requiring employers, subject to the Alaska Human Rights Law, to make and keep for two years records of the race, age, and sex of its employees and applicants for employment. The employer entered into a Conciliation Agreement whereby it agreed to develop a procedure for maintaining records as required by AS 18.80.220(b) and 6 AAC 30.810(a).

In *Duke v. The Andrews Group*, complainant alleged that respondent demoted him from his position as laundry supervisor to a truck driver and subsequently terminated him on the basis of his race, Caucasian, when respondent was awarded a contract to provide laundry and dry cleaning services to two military bases in Anchorage. The parties reached a settlement in which respondent agreed to pay \$1,213 to complainant. The agreement was approved by the Commission on October 25, 2000.

In *Dunlap v. General Communications Inc.*, complainant alleged that respondent discriminated against her on the basis of her sex when it failed to pay her at a rate comparable to her male coworker. The parties reached a settlement in which respondent agreed to pay \$3,258 to complainant. The Commission approved the settlement agreement on January 31, 2000.

In Eylar v. Western Geophysical, Inc., complainant alleged that respondent discriminated against her on the basis of a perceived disability, back impairment, when it refused to hire her for the position of cook. Complainant alleged that she had previously worked as a cook for respondent and had successfully performed all of the required job duties. The parties reached a settlement in which respondent agreed to pay \$12,000 in back pay to complainant. The agreement was approved by the Commission on July 26, 2000.

In Freppon v. Price/AHTNA, JV, complainant alleged that respondent discriminated against her on the basis of her sex, marital status (married), and age (49) when it failed to hire her in June and August 1996 for the position of safety engineer. Commission staff found that complainant's allegations of sex discrimination were supported by substantial evidence. The parties reached a settlement in which respondent agreed to pay \$20,000 in back pay to complainant. The agreement was approved by the Commission on June 21, 2000.

In Gates v. Tuffy's Painting & Decorating Services, complainant alleged that respondent discriminated against her on the basis of her sex when it terminated her from her position as a painter's helper. The parties reached a settlement in which respondent agreed to pay \$100 in back pay to complainant. The Commission approved the agreement on April 27, 2000.

WHOSE COMPLAINT?

An assistant store manager filed a complaint alleging that his new manager fired him because of his race, Black. The employer said it was due to two complaints by customers. Staff conducted interviews with witnesses and reviewed documents. The former manager stated that he had never received any customer complaints about the assistant manager. A performance evaluation prepared by this manager included a comment that the assistant manager demonstrated a "high degree of courtesy with customers at all times." The store's policy is to terminate an employee after three customer complaints and there was no record of three customers complaining about the assistant manager. Staff issued a determination that there was substantial evidence to support the complaint. In a Conciliation Agreement, the employer agreed to disseminate a nondiscrimination policy, remove all documents relating to the discrimination complaint from the assistant manager's personnel files, and to pay him \$9,210 in back wages.

In *Hodson v. Nye Frontier Ford*, complainant alleged that respondent discriminated against her on the basis of her sex and her pregnancy when it terminated her employment as a salesperson. Commission staff found substantial evidence to support complainant's allegations, and that respondent maintained a sexually charged work environment. As of December 31, 2000, a public hearing had not yet been scheduled.

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. A public hearing was held July 14-16, 1999. A recommendation for dismissal was issued by the Hearing Examiner on October 6, 1999. The Commission issued a final order dismissing the case on February 22, 2000.

In Luck v. North Slope Borough, complainant alleged that respondent discriminated against her on the basis of her race, Asian, and national origin, Filipino, when she was subjected to harassment and hostile treatment. A public hearing was held on February 22-25, 2000. A recommendation to dismiss complainant's claims was issued by the Hearing Examiner on September 27, 2000. As of December 31, 2000, a final order by the Commission was pending.

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. In September 1998 the Hearing Examiner stayed the case based on respondent's owners' representations that they had filed personal bankruptcy actions. Complainant petitioned the U.S. Bankruptcy Court for an order lifting the stay. On April 20, 2000, the Bankruptcy Court granted the motion. A public hearing was held on November 7-9, 2000. The parties reached a settlement before the close of the hearing in which respondent agreed to pay \$2,000 to Mr. Lynch. The agreement was approved by the Commission on December 14, 2000.

FAIR PLAY FOR ALL

A father filed a complaint on behalf of his 11-year-old Alaska Native son with physical and mental disabilities, alleging that an educational institution failed to properly investigate incidents involving his son and failed to prevent or punish offensive name-calling and physical mistreatment of his son based on his race and physical and mental disabilities. During investigation, the parties agreed to settle the case. The institution agreed to: train its staff in a program designed to teach social skills to all children, provide staff with annual training to prevent harassment and discrimination, and to review and increase playground supervision.

NAVIGATING HARASSMENT

A Black male deckhand filed a complaint alleging that his employer subjected him to a hostile work environment and differential treatment based on his race. The worker alleged that he was subjected to racial comments and that the employer failed to take any corrective action after he reported the comments. The worker further alleged that the employer's first mate refused to work with him because of his race, that he was forced to resign as a result of the continued harassment and differential treatment. During the investigation, the parties settled for \$21,500.

In Magness v. Doyon/Universal Ogden Services, complainant alleged that respondent discriminated against her on the basis of her sex when it refused to hire her as a kitchen helper. Commission staff found substantial evidence that respondent failed to hire complainant because complainant would have been assigned to work at a remote camp without sufficient accommodations for female workers. A public hearing scheduled to begin on September 28, 1999 was postponed, pending a possible settlement between the parties. The parties reached a settlement in which respondent agreed to pay \$13,000 in back pay to complainant and insure that future work sites contained sufficient accommodations for both sexes. The agreement was approved by the Commission on January 25, 2000.

In Olson v. Chevron Pipeline Company and Olson v. 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 settlement agreement in which Chevron Pipeline Company agreed to pay complainant \$30,000, was approved by the Commission on May 3, 1999. A separate settlement agreement with J & L Oilfield Maintenance providing for training in disability law was approved by the Commission on July 25, 2000.

In *Olwin v. Pizza Hut*, complainant alleged that respondent discriminated against him on the basis of his disability, leg impairment. Complainant alleged that he uses a walker for mobility and that he was unable to use respondent's restroom because the door frame was too narrow. A public hearing scheduled to be held September 13-14, 2000 was continued pending a settlement between the parties.

In Owens v. D & C Appliance, complainant alleged that respondent discriminated against him on the basis of his disability, paraplegia, because respondent's facility is not accessible to persons who use wheelchairs for mobility. The parties submitted a Stipulation for Dismissal to the Hearing Examiner on December 14, 2000, based on respondent's representation that it is no longer a place of public accommodation. Based on the stipulation of the parties, the Hearing Examiner issued an Order on December 29, 2000, recommending that the Commission dismiss the case. As of December 31, 2000, a final order by the Commission was pending.

AGE OLD OUESTION

A 49-year-old man alleged that a physical fitness facility refused to hire him for one of several seasonal camp counselor positions because of his age. He claimed the job application required him to identify his approximate age, that the employer asked him to disclose his age during his interview, and that the employer hired significantly younger and less qualified applicants for the positions. The employer denied the and asserted allegations complainant requested a higher wage. Staff determined that respondent hired only significantly younger individuals, some of whom had no previous experience working with children, which was one of the minimum qualifications for the job. Complainant had this experience. Investigation also showed that the wage requested by applicants was not a factor in respondent's hiring decisions. At conciliation the employer agreed to: provide backpay, develop an anti-discrimination policy and train all management employees on Alaska Human Rights Law.

In *Polk v. Wal-Mart Stores, Inc.*, complainant alleged that respondent discriminated against him on the basis of his race, Black. Complainant alleged that he was subjected to derogatory racial comments by his coworkers, that he reported this racial harassment to respondent, but that respondent did not take appropriate corrective action. Complainant also alleged that respondent retaliated against him by criticizing his work performance and terminating him on January 25, 1998. As of December 31, 2000, a public hearing had not yet been scheduled.

In Raad v. Fairbanks North Star Borough School District, complainant alleged that respondent failed to hire her for numerous teaching positions because of her national origin, Lebanese, and religion, Muslim, and in retaliation for filing a prior complaint of discrimination. Complainant alleged that although she was well qualified as a science and math teacher, she was not hired for 31 separate positions that were available over a three-year period. The Commission held a public hearing November 29 through December 10, 1999. The Hearing Examiner recommended that the case be dismissed on October 4, 2000. As of December 31, 2000, a final order from the Commission was pending.

In Russell v. Norcon Inc., complainant alleged that respondent refused to hire him as a journeyman wireman because of his physical disability. Commission staff found substantial evidence of discrimination and that respondent illegally required job applicants to complete pre-employment medical questionnaires. The Commission held a public hearing on January 26-29, 1999. On March 2, 2000, the Hearing Examiner issued a recommendation that the Commission dismiss complainant's claims. Complainant filed objections to the recommendation. As of December 31, 2000, a final order from the Commission was pending.

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 scheduled to begin on February 10, 1999 was continued pending the outcome of Thomas v. Anchorage Equal Rights Commission in the Ninth Circuit Court of Appeals. On August 4, 2000, the Ninth Circuit dismissed Thomas. A public hearing was then scheduled for December 12, 2000, but was continued pending a settlement between the parties.

THE COST OF RETALIATION

A Black hotel maintenance worker initially filed a complaint alleging that his supervisor treated him differently than other workers. He later claimed that his employer retaliated against him for filing the discrimination complaint by reprimanding him for tardiness and terminating him. Staff did not find substantial evidence to support the worker's allegations of different treatment based on race. However, staff found substantial evidence that the worker had been reprimanded and terminated from his job because of his race and in retaliation for filing a complaint of discrimination. In a Conciliation Agreement, the employer agreed to adopt a non-discrimination policy, train the hotel's managers and supervisors in the laws against discrimination on the job, and pay the worker \$30,414 in back wages.

NO ROOM FOR WOMEN

A female applicant filed a complaint alleging that a company failed to hire her for a laborer position because of her sex. Complainant alleged that the company superintendent told her that there was no position available for her because it did not want to arrange housing for only one female on an otherwise all-male crew. During the investigation, the parties agreed to settle the case for \$2,000.

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

In Smith v. Bergmann Hotel, complainant alleged that respondent discriminated against her on the basis of her sex and terminated her in retaliation for opposing sexual harassment in the workplace. The Commission held a public hearing on November 1-4, 1999. On August 9, 2000, the Hearing Examiner issued a recommendation finding in favor of complainant and ordering respondent to pay \$17,877 in back pay. The Commission issued a final order adopting the recommendation on September 1, 2000.

LITIGATION

In Awosika v. Alaska State Commission for Human Rights and Safeway, Inc., complainant alleged that the respondent discriminated against her on the basis of her national origin, when it subjected her to differential treatment and a hostile work



environment. On November 30, 1999, staff found that her allegations were not supported by substantial evidence. On April 8, 2000 complainant appealed to superior court. The appeal was withdrawn on June 19, 2000 when complainant filed suit in federal court against the Respondent.

In Beegan v. State of Alaska, Department of Transportation and the Alaska State Commission for Human Rights, complainant alleged that respondent subjected him to different terms and conditions of employment and failed to hire him on the basis of his age. On November 30, 1999, staff found that his allegations were not supported by substantial evidence. The complainant's reconsideration request was denied and on May 18, 2000, complainant appealed to superior court.

In Hardy v. State of Alaska, Department of Transportation and the Alaska State Commission for Human Rights, complainant filed a complaint alleging discrimination on the basis of her race. Staff investigated and issued a finding of not substantial evidence of discrimination. When complainant's request for

RED FLAG

A 52-year-old Italian man alleged that a construction company failed to hire him for one of several flagger/traffic maintenance positions because of his age and national origin. The man asserted that one of the hiring managers told him that his English was poor and he would be unable to communicate clearly over the radio. The company responded that complainant was initially not hired due to his lack of experience. The company further asserted that he was subsequently hired as a standby flagger, but never worked due to work schedules and layoffs. Investigation revealed that complainant's English was easily understandable, that not all flaggers used radios, and that the company hired several inexperienced In a Conciliation applicants. Agreement, the company agreed to pay complainant \$2,480, provide the Commission with a copy of its policy against discrimination and to insure that every employee received the policy.

reconsideration was denied because the request was made untimely, complainant filed an action in the U.S. District Court. On May 24, 2000, the complainant agreed to dismiss her case.

In Jenkins v. Alaska State Commission for Human Rights, complainant alleged discrimination on the basis of her sex when Natchiq, Inc. failed to hire her for a laborer's position on the North Slope. Staff issued a determination of not substantial evidence of discrimination. Complainant appealed the finding to the superior court, which affirmed the Commission's decision on November 17, 1999. Complainant's appeal to the Alaska Supreme Court was dismissed on August 24, 2000.

In Jenkins-Welch v. Alaska State Commission for Human Rights, the staff closed the complainant's case when it was discovered that she had filed and settled a similar action in court. The complainant has appealed the closing order to superior court.

In LeSueur v. Alaska Regional Hospital, complainant filed a complaint with the Anchorage Equal Rights Commission (AERC) alleging that respondent subjected her to sexual harassment. Under the worksharing agreement with the AERC, the complaint was co-filed with the Alaska State Commission for Human Rights. Commission staff found that during the AERC's investigation, respondent offered to settle the case for substantially full relief under the law, which complainant refused. Complainant's Alaska State Commission for Human Rights case was closed due to that refusal to accept substantially full relief. Complainant has appealed to the superior court. The parties have filed their briefs and are awaiting a decision by the superior court.

In Thomas v. Anchorage Equal Rights Commission, 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, to prevent her 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

A ROAD PAVED WITH DISCRIMINATION

A female bus driver filed a complaint alleging that her employer denied her higher paying bus driving opportunities based on her sex and age, 56. Staff found that on some assignments, the employer's president replaced complainant with a significantly younger male driver with less experience and seniority as he did not believe that complainant was capable of lifting luggage because of her age and sex. At conciliation, the employer agreed to develop and disseminate a corporate policy reflecting respondent's nondiscriminatory posture, to provide training regarding its obligations under the Alaska Human Rights Law, and to provide the bus driver with backpay.

MAKING THINGS BETTER

A male Alaska Native mechanic filed a complaint alleging that his employer treated him differently than non-Alaska Native employees. The parties entered into a settlement when the employer offered to provide its staff training in the laws prohibiting discrimination in employment with particular emphasis on race discrimination, and to not retaliate against complainant for filing a complaint nor discriminate against complainant in the future.

apartments to unmarried couples. U.S. 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 a three-judge panel of the Ninth Circuit Court of Appeals. On January 14, 1999, a divided panel of the Ninth Circuit Court of Appeals upheld the District Court's decision. A Petition for Rehearing En Banc was granted on October 19, 1999. On August 4, 2000, the Ninth Circuit En Banc court issued an opinion dismissing the case for lack of ripeness. Plaintiffs filed a Petition for Writ of Certiorari with the U.S. Supreme Court on October 4, 2000.

In Wynne v. Alaska State Commission for Human Rights, complainant alleged that respondent discriminated against her when it failed to place her on light duty after she injured her back on the job and when it terminated her from her position as a nurse because of her back injury. On December 11, 1998, staff found that her allegations were not supported by substantial evidence. Complainant's reconsideration request was denied on January 24, 2000. Complainant has appealed to superior court.

TOWING THE LINE

A woman with a hearing impairment alleged that a towing company owner refused to communicate with her through interpreters, including Relay Alaska, when she tried to recover her towed vehicle. The woman alleged that as a result, the owner charged her towing and storage fees that would have been unnecessary had the owner communicated with her. Commission staff found that the owner refused to communicate through interpreters and Relay Alaska. In a Conciliation Agreement, the towing company owner agreed to make his services accessible to persons with hearing impairments by using the services of interpreters, Relay Alaska and other communication devices. The owner also agreed to develop and post in conspicuous locations at its offices and work sites a non-discrimination policy, and to provide training for himself and his employees in the laws prohibiting discrimination in places of public accommodations. The owner also agreed to reimburse the woman the additional storage and telephone charges.

BRIDGING THE COMMUNICATION GAP

A female communications technician filed a complaint alleging that her employer treated her differently because of her sex and transferred her when she reported the discriminatory treatment. The employee alleged that her employer spoke to her in a derogatory manner, supervised her more closely, and failed to provide her a work vehicle. During the investigation, the parties reached a settlement. The employer agreed to: expunge negative information from complainant's personnel file, to place a performance appraisal summary in her file, pay her for five days lost time, and to provide complainant skills training for an amount not to exceed \$5,000.

DIGGING OUT FROM UNDER HARASSMENT

A male Alaska Native mine worker filed a complaint alleging that he was subjected to racial harassment and that after he reported the harassment, no corrective action was taken by his employer. The worker further alleged that he was forced to resign his position due to continued racial harassment. During the investigation, the parties reached a settlement. The employer agreed to pay complainant \$8,373 in exchange for complainant's withdrawal of his discrimination complaint.

2000 CASE PROCESSING STATISTICS

ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

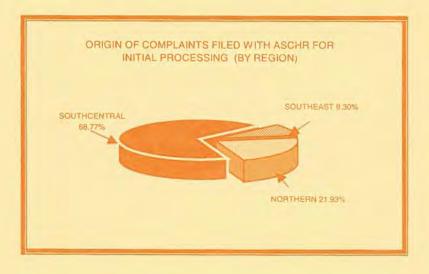
Female	209
Male	138
Total Filings	347

ANALYSIS OF FILINGS BY COMPLAINANT'S RACE

Caucasian	185
Black	52
Alaska Native	32
Hispanic	27
Unknown	24
Asian	16
American Indian	6
Other	5
Total Filings	347

ANALYSIS OF FILINGS By Type

Employment	306
Government Practices	17
Public Accommodation	12
Housing	11
Multiple	1
Total Filings	347



LOCATION OF OPEN CASES AT YEAR END INCLUDING FILINGS UNDER WORKSHARING AGREEMENTS ASCHR Hearing Unit 14.86% ASCHR Hearing 17.6.47% AERC 11% EEOC 7.67%

ANALYSIS OF FILINGS BY BASIS

Basis	Single Basis Complaint	Multiple Basis Complaint
Race/Color	68	64
Sex	57	73
Physical Disability	44	26
Age	16	31
Retaliation for Filing	13	7
National Origin	7	15
Pregnancy	7	8
Retaliation	5	42
Religion	4	8
Mental Disability	2	10
Marital Status	1	3
Parenthood	0	5
Multiple Bases	123	
Total Filings	347	292

ANALYSIS OF FILINGS BY ISSUE

Issue	Single Issue Complaint	Multiple Issue Complaint
Discharge	63	114
Failure to Hire	53	11
Terms & Conditions	35	108
Other	11	10
Harassment	7	43
Failure to Promote	7	11
Sexual Harassment	6	40
Denied Service	4	1
Demotion	3	6
Pay Equity	1	10
Eviction	1	3
Failure to Dispatch	0	1
Multiple Issue	156	-
Total Filings	347	358

ANALYSIS OF 2000 CLOSURES

REASON FOR CLOSURE	Number of Closures	PERCENTAGE OF TOTAL
MEDIATION:	31	6.81%
Mediation - Successful Settlement	18	3.95%
Mediation - Complaint Withdrawn with Successful Settlement	1	.22%
Mediation - Complaint Withdrawn	3	.66%
Mediation - Predetermination Settlement (PDS)	9	1.98%
ADMINISTRATIVE:	80	17.58%
Complaint Withdrawn	32	7.03%
Complaint Not Timely	3	.66%
Lack of Jurisdiction	12	2.63%
Complainant Not Available	3	.66%
Failure of Complainant to Proceed	8	1.76%
Complainant to Court	8	1.76%
Administrative Dismissal	10	2.20%
Tribal Sovereign Immunity	4	.88%
NOT SUBSTANTIAL EVIDENCE	242	53.19%
CONCILIATION/SETTLEMENT:	87	19.12%
Complaint Withdrawn with Successful Settlement	20	4.40%
Predetermination Settlement (PDS)	23	5.05%
Substantial Evidence/ Conciliation Agreement	42	9.23%
Substantial Evidence/ Complainant Rejected Full Relief	2	.44%
HEARING:	15	3.30%
Decision for Complainant	2	.44%
Decision for Respondent	1	.22%
Decision - Other	2	.44%
Pre-Hearing Settlement	10	2.20%
TOTAL 2000 CLOSURES	455	100%

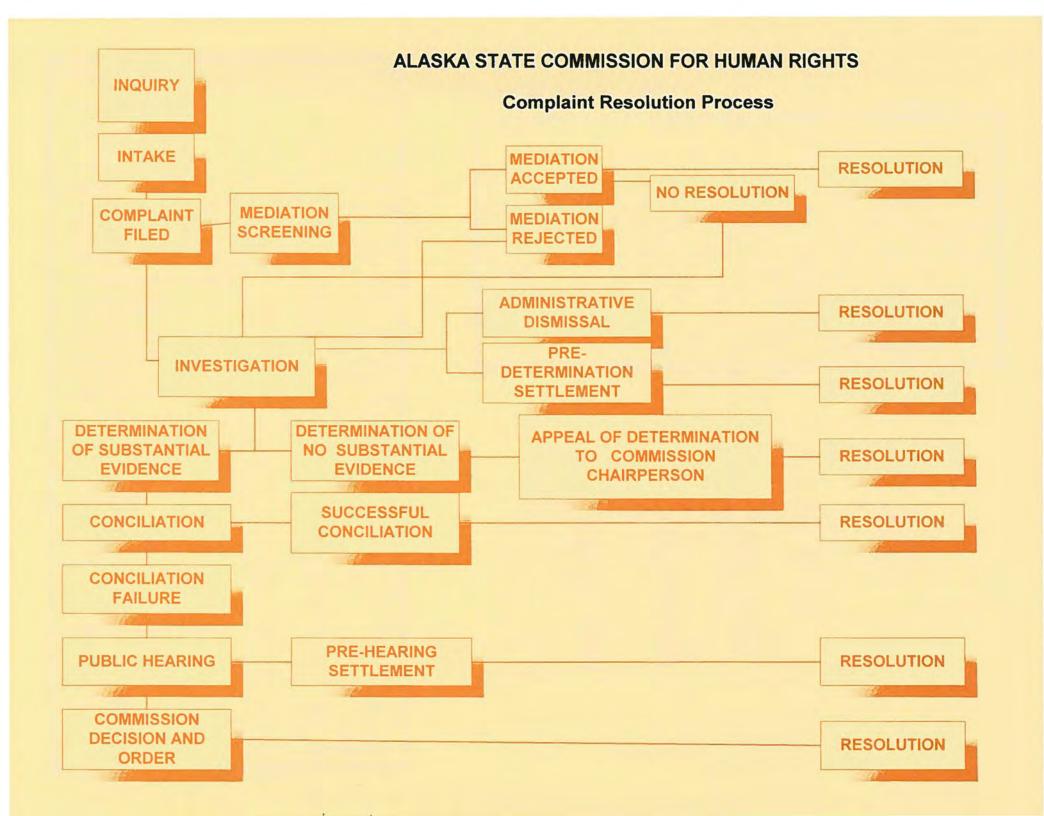
FILINGS, CLOSURES, AND YEAR END INVENTORY OF CASES PROCESSED BY ASCHR



SUMMARY OF CLOSURES

	1998		1999		Detail of 2000 Closures									
	No.	. %					ASCHR		ASCHR		EEOC		AERC	
CATEGORY OF CLOSURE			No.	%	No.	%	No.	%	No.	%				
Mediation	not ave	ailable	15	2.8	28	8.1	3	7.9						
Administrative	96	15.8	84	15.4	43	12.5	8	21.0	29	39.7				
Not Substantial Evidence	417	68.8	370	68.0	204	59.3	21	55.3	17	23.3				
Conciliation/Settlement	69	11.4	60	11.0	54	15.7	6	15.8	27	37.0				
Hearing	24	4.0	15	2.8	15	4.4	0	0	0	0				
					3441		38		73					
TOTAL CLOSURES	606 544		455											

¹This number does not include completed investigations of 40 cases which are still in conciliation or were transferred to the Hearing Unit in 2000.



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