



*Alaska State Commission for Human Rights*

*2005 Annual Report*



April 7, 2006

STATE OF ALASKA  
**HUMAN RIGHTS COMMISSION**

The Honorable Frank Murkowski, Governor of Alaska  
The Honorable Ben Stevens, President, Alaska Senate  
The Honorable John Harris, Speaker, Alaska House of Representatives

On behalf of the Commission, I respectfully submit the 2005 Annual Report of the Alaska State Commission for Human Rights. This report includes information about Commission activities, as well as a review of the State's progress toward equal employment opportunity. The Commission is required by statute to make this assessment of State government and include it in its annual report at least once every three years.

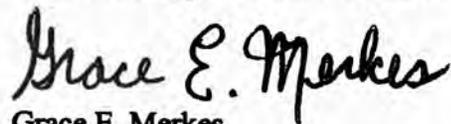
In 2005 nearly 3,000 Alaskans contacted the Commission with concerns and questions. Forty-eight percent more Alaskans filed complaints of discrimination with the Commission than in the prior year. The agency saw ten percent more complaints alleging discrimination based on disability.

The Commission's voluntary mediation program continued to receive high marks from Alaskans bringing claims of discrimination and businesses responding to these claims. Since its 1998 inception seventy-one percent of those who agreed to participate in the voluntary program reached a settlement. Participants consistently express appreciation for the opportunity to address their concerns through mediation.

Although the Commission would like to meet the demands of the business community to provide more education, outreach, and prevention programs, budgetary constraints demand that staff focus their attention on investigations. Nevertheless, last year the Commission did provide several presentations to businesses, human resource managers, and private groups such as the Society for Human Resource Managers, University of Alaska Southeast, and the National Education Association, as well as to Alaska Native groups and the general public.

The Commissioners continue to be concerned about the agency's ability to process complaints promptly. In recent years the Commission lost twenty-four percent of its staff due to reduced resources. Despite changes to regulations and improvements in procedures, Alaskans still must wait a significant time before the Commission assigns complaints for investigation. The Commissioners are pleased that the Governor's proposed budget for fiscal year 2007 recognizes these challenges and proposes an increment to restore investigative staff and address the agency's case backlog.

The Commission will continue its commitment to fair enforcement of Alaska's human rights law. The Commissioners ask for your continued support so that we can serve Alaskans in preventing and eliminating discrimination.



Grace E. Merkes  
Chairperson

## COMMISSIONERS

**RANDALL H. ELEDGE**, Anchorage

**M. CHRIS HAYES**, Fairbanks

**LESTER C. LUNCEFORD**, Whittier

**GRACE E. MERKES**, Sterling

**BARBARA (TAMIE) J. MILLER**, Wasilla

**ROBERT B. SAWYER, JR.**, Fairbanks

**KATHY K. WISTHOFF**, Anchorage

## COMMISSION STAFF

**Paula M. Haley**, Executive Director

**Stephen Koteff**, Chief of Enforcement

**Kelly Fisher**, Human Rights Advocate

**Whitney Glover**, Human Rights Attorney

**M. Anne Keene**, Administrative Manager

**Lucinda G. Bay**, Administrative Clerk

**Rebecca L. Geist**, Law Office Assistant

**Corazon C. Manaos**, Docket Officer

**Margaret A. Taylor**, Commission Secretary

**Evelyn P. Abello**, Investigations Director

**Erin Collins**, Investigator

**Kathryn Curry**, Investigator

**Robert Eddy**, Investigator

**Nanette Gay**, Investigator

**Donald Miller**, Investigator

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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 *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 requiring employment preferences for Native Americans. Commission staff found substantial evidence that the Borough's employment preference violated the Human Rights Law. The Commission case was stayed pending a decision by the Ninth Circuit Court of Appeals in *Malabed v. North Slope Borough*, which involved a challenge to the ordinance brought in federal court. On July 8, 2003, the Ninth Circuit ruled that the ordinance was invalid under state law. The parties then entered into settlement discussions, and on May 25, 2005, the Commission approved a settlement agreement that provided Ms. Acuna with make whole relief in the amount of \$33,936.

In *Baldwin v. Alaska Breakfast Club/Lily's Family Restaurant*, complainant alleged that respondent discriminated against her when it failed to hire her as a waitress because of her age, fifty-eight. As of December 31, 2005, a public hearing had not yet been scheduled.

In *Beegan v. State of Alaska, Department of Transportation & Public Facilities, Anchorage International Airport*, complainant filed five separate complaints alleging that respondent failed to hire him as an electrician because of his age, fifty-eight, and in retaliation for having filed complaints of age discrimination. After a public hearing, the hearing examiner recommended that the Commission dismiss Mr. Beegan's claims. On January 26, 2005, the Commission rejected the hearing examiner's recommendation and found that respondent retaliated against Mr. Beegan, but determined that Mr. Beegan failed to adequately mitigate his damages and awarded him no relief.

### **WIRED FOR RESOLUTION**

An electrician alleged that he was discriminated against because of his race, Black, after his employer laid him off and a less senior, less qualified Caucasian electrician was kept on the job. Before staff completed the investigation, the electrician and his employer entered into a settlement agreement in which the electrician received \$5,000 in back pay. The electrician then withdrew this complaint with the Commission.

### **THE MEAT OF THE MATTER**

A butcher filed a complaint alleging that his employer discriminated against him on the basis of his age, fifty-eight, and race, Black, when it passed him over for a promotion in favor of a younger, less experienced Caucasian employee. Commission staff's investigation showed that the complainant had over thirty years experience in the meat cutting industry, had worked for this particular employer for six years, was the most senior person in the meat department where he worked, and that his performance evaluations met or exceeded his employer's expectations. Staff also found that the younger Caucasian employee had only six years of experience and had been with this employer for only four months when he was promoted. The Commission found substantial evidence to support complainant's allegations. Complainant declined conciliation, and instead filed a separate action in federal district court, and the Commission closed the case.

In *Behre v. The Hertz Corporation*, complainant alleged that respondent failed to accommodate his known mental disability and terminated his employment as a vehicle service attendant because of his disability and in retaliation for supporting a coworker's complaint about discrimination. Commission staff found that substantial evidence supported complainant's allegation that respondent discriminated against him because of his mental disability. After a public hearing held May 24–25, 2004, the hearing examiner recommended the complaint be dismissed. On October 20, 2005, the Commission adopted the hearing examiner's recommendation and dismissed the case.

In *Bell v. Wal-Mart*, complainant alleged that respondent discriminated against her on the basis of her age, fifty, by improperly demoting her for behavior identical to that of a younger employee who was not demoted. On September 7, 2005, the parties reached a settlement in which the respondent agreed to remove from complainant's personnel records any documentation of disciplinary actions related to her complaint and to award her \$8,000 in make whole relief. The Commission approved the agreement on September 16, 2005.

In *Bell v. Fraternal Order of Eagles*, complainant alleged that respondent discriminated against her son on the basis of his race, African American, when it refused to serve him dinner at a public function on respondent's premises. On December 30, 2005, the parties reached a settlement in which respondent agreed to develop and disseminate a policy reflecting its nondiscriminatory posture and to train its managers and supervisors on the provisions of the Human Rights Law. The Commission approved the agreement on December 30, 2005.

In *Eaton v. Northwest Airlines*, complainant alleged that respondent discriminated against her on the basis of her physical disability, quadriplegia, when respondent refused to provide her with bulkhead seating on a cross-country flight, causing her severe pain due to the restrictions of her assigned seat. On January 24, 2005, the parties reached a settlement in which respondent agreed to pay Ms. Eaton \$1,000 and to follow the appropriate procedures for allocation of disability seating on its aircraft. On May 25, 2005, the Commission approved the agreement.

#### ***SERVICE, NOT SLURS***

*A complainant alleged that a city clerk discriminated against him on the basis of his national origin, Tlingit, when he visited the clerk's office to inquire about rental property available in the city. The Commission staff's investigation found substantial evidence that the city clerk swore at the complainant, used racial epithets to refer to him, and refused to provide him services. The complainant, respondent, and Commission entered into a conciliation agreement in which the city agreed to develop a policy regarding its nondiscriminatory posture and provide training to its managers, supervisors, and employees in the laws prohibiting discrimination.*

#### ***COVERAGE COVER UP***

*A pregnant woman alleged that her employer cancelled her health insurance coverage because retaining her on the policy would increase its insurance premiums. Although the employer asserted that it cancelled insurance coverage for all of its employees who were covered under their spouses' plans, the Commission's investigation revealed that the change in coverage was directed at the complainant alone. The parties entered into a predetermination settlement in which the employer agreed to pay the complainant \$5,908 for the medical expenses she incurred as a result of the cancelled insurance coverage.*

In *Faria v. Federal Express Corporation*, complainant alleged that respondent subjected him to different terms and conditions and terminated his employment as a technology services manager because of his race, Pacific Islander, and national origin, Hawaiian. The Office of Administrative Hearings held a public hearing September 12–15, 2005. As of December 31, 2005, the administrative law judge had not yet issued a recommended decision.

In *Graham v. Jacobs Engineering Group, Inc.*, complainant alleged that respondent retaliated against her for filing a prior complaint of discrimination with the Commission when it terminated her employment as a project manager. On January 25, 2005, the parties reached a settlement in which respondent agreed to train its managers and supervisors on the provisions of the Human Rights Law, expunge documents from complainant's personnel file related to her complaint of retaliation, and provide Ms. Graham with back pay in the amount of \$50,000. The Commission approved the agreement on January 26, 2005.

In *Huff v. University of Alaska, Anchorage*, complainant alleged that respondent discriminated against him on the basis of his age, sixty-five, when it failed to interview him for an entry-level teaching position because he had too much prior teaching experience. A public hearing scheduled for December 13, 2005, was continued and, as of December 31, 2005, had not yet been rescheduled.

In *Krieger v. Bayview Commercial Building, LLC*, complainant alleged that respondent discriminated against her based on her sex and retaliated against her for complaining about sexual harassment when it terminated her employment as a janitor. As of December 31, 2005, a public hearing had not yet been scheduled.

In *Meraz v. Bering Air*, complainant alleged that respondent discriminated against him on the basis of his race, Hispanic, and retaliated against him when it terminated his employment as a cargo handler after he lodged a complaint with his supervisors regarding a hostile work environment. A public hearing scheduled for January 3-10, 2005, was continued pending negotiation of a settlement agreement.

#### **ABILITY, NOT AGE**

*A fifty-five year-old man alleged that he was not hired for a temporary position as a photo copy operator because of his age. The employer asserted that although it interviewed the complainant for the job, it had already hired another person for the position. The employer admitted that the complainant was asked about his age during the interview. The Commission's investigation revealed that when the complainant disclosed his age, the employer ended the conversation. The Commission also found that the employer told a Department of Labor representative that he preferred not to hire someone as old as the complainant. Commission staff found substantial evidence of discrimination. The parties and the Commission entered into a conciliation agreement in which the employer agreed to pay the complainant \$1,280 in back pay and refrain from any further discriminatory hiring practices.*

#### **DON'T TOUCH**

*A female cook alleged that she was sexually harassed by a male coworker who looked down her shirt, touched her buttocks, and made sexually explicit comments about female employees. She also alleged that her employer retaliated against her by attempting to transfer her to a position that paid less and by reducing her work hours when she refused the transfer. The parties reached a mediated settlement in which the employer agreed to pay the complainant \$2,248 and give her a mutually agreeable reference letter. The employer also expanded its sexual harassment policy.*

In *Owens v. The Estelle Group*, complainant alleged that respondent discriminated against him on the basis of his disability, paraplegia, because a retail store owned by respondent was not accessible to persons who use wheelchairs for mobility. Respondent has complied with the terms of a proposed settlement agreement and installed a ramp for access to its facility. At the end of 2005, a settlement remained pending.

In *Perkins v. Doyon Universal Services, Inc.*, complainant alleged that respondent failed to hire him as a kennel technician because of his race, Black. Complainant alleged that, despite his prior experience, respondent hired someone who was less qualified for the position. Complainant filed a lawsuit in superior court on January 30, 2003, which contained the same claims set forth in his Commission complaint. The Commission ordered the case held in abeyance on March 30, 2004, pending resolution of complainant's court action.

In *Raad v. Fairbanks North Star Borough School District*, complainant alleged that respondent discriminated against her because of her national origin, Lebanese, and religion, Muslim, when it failed to hire her for thirty-one different teaching positions. Complainant further alleged that respondent refused to hire her in retaliation for filing a prior discrimination complaint. After a public hearing, the Commission issued an order dismissing complainant's case. Complainant appealed the Commission order. On January 9, 2004, the Alaska Supreme Court remanded the case for further findings on whether the reasons for not hiring complainant were pretextual. On December 22, 2005, the case was assigned to an administrative law judge, and, as of December 31, 2005, the issue had not yet been re-litigated.

In *Ridges v. Fred Meyer, Inc.*, complainant, who worked as a stocker, alleged that respondent failed to promote him because of his race, Black. Complainant filed a lawsuit in superior court on a related claim of retaliation. The Commission's case was continued pending resolution of complainant's superior court case, which was settled on July 1, 2005. As of December 31, 2005, a public hearing had not yet been scheduled.

#### ***TIMING IS EVERYTHING***

*An applicant for a truck driver position at a fish processing company alleged that the company offered him the job but rescinded its offer after a physical examination showed he had diabetes. Commission staff investigated the allegations and determined that the company acted in accordance with state regulations that disqualify as commercial truck drivers people who have a history of diabetes requiring insulin for control. Commission staff also found that the company had legally conducted the post-offer physical examination, but that it violated the law by requiring applicants to complete health questionnaires prior to making them offers of employment. The company and the Commission conciliated the case, and the company agreed to instruct and counsel its employees to refrain from requesting medical information from applicants before offers of employment are made.*

#### ***SERVE UP FAIR WAGES***

*A grocery store deli server alleged that her employer discriminated against her because of her religion when the store manager paid a less qualified, less senior deli server at a higher rate of pay because he attended the store manager's church. The server also alleged that the employer terminated her after she complained about the discrimination. Staff investigated the complaint and found substantial evidence to support her claim. The parties and the Commission conciliated the case, and the employer agreed to pay the server \$1,800 in back pay.*

In *Taheri v. Evergreen International Aviation, Inc.*, complainant filed two complaints alleging that respondent subjected him to different terms and conditions, failed to promote him, and ultimately terminated him because of his race, Asian, his national origin, Iranian, his religion, Muslim, and his age, forty-eight. Commission staff found substantial evidence that respondent discriminated against complainant when it failed to promote him and that it retaliated against him for filing a complaint of discrimination when it terminated his employment. On September 28, 2005, the Commission closed complainant's case because complainant was pursuing the same claims in a similar action in federal district court.

## LITIGATION



In *Billingham v. Alaska State Commission for Human Rights*, complainant filed a complaint with the Equal Employment Opportunity Commission (EEOC) alleging that her employer, the State of Alaska, treated her differently in the terms and conditions of her employment because of her age and sex and in retaliation for filing an earlier complaint. The complaint was co-filed with the Human Rights Commission. The EEOC dismissed complainant's case, and on November 2, 2004, Commission staff agreed with EEOC's finding that the allegations were not supported by substantial evidence. Complainant appealed the Commission's decision to superior court on December 2, 2004. At the end of 2005, briefing had been completed and the parties were waiting for a decision from the court.

In *Crowley v. State of Alaska, Department of Transportation and Public Facilities*, complainant alleged that he was terminated from his position as a procurement specialist because of his race, Black. On November 7, 2003, Commission staff found complainant's allegations were not supported by substantial evidence. Complainant appealed the Commission staff's decision to superior court. On April 5, 2005, the court affirmed the Commission's finding and dismissed the appeal.

### **REMEDY, DON'T RETALIATE**

*A department store cashier alleged that she was sexually harassed by a male coworker and that her employer failed to take appropriate action after she reported the coworker's behavior. The cashier also alleged that she was fired in retaliation for complaining about the harassment. Commission staff found that after the coworker made explicit sexual comments to the cashier, the cashier and coworker engaged in a heated confrontation. Despite evidence that the coworker had engaged in similar and, in some cases, more egregious conduct with other female employees, the employer terminated both employees for unprofessional conduct. Staff found substantial evidence that the employer discriminated against the cashier by treating her the same as the employee who sexually harassed her and others. In conciliation, the employer agreed to pay the cashier \$5,000 in back wages and train its employees in the laws prohibiting discrimination.*

### **OPPORTUNITY FACILITATED**

*An applicant for a supermarket cashier position alleged that she was not hired because of her race, Alaska Native. In her complaint, the applicant also alleged that she had prior retail experience and had applied for the job several times, but that the supermarket hired only Caucasian cashiers. The Commission's mediation program facilitated a settlement between the parties, and the supermarket agreed to hire the complainant as a part-time cashier.*

In **Dallas v. Kiewit Companies**, complainant alleged that, while working as a truck driver for respondent, she was subjected to sexual harassment by her coworkers. The Commission staff found that the allegations were not supported by substantial evidence, and complainant appealed the decision on March 14, 2005. The superior court dismissed the case on September 28, 2005, based on complainant's failure to prosecute the appeal.

In **John-Baptiste v. Alaska State Commission for Human Rights**, complainant alleged that respondent, Carrs Quality Centers, discriminated against him because of his race, Black, when he was terminated from his position as a produce clerk. On September 29, 2004, staff found complainant's allegations were not supported by substantial evidence. Complainant appealed the staff's decision to superior court. On July 14, 2005, the court affirmed the Commission's decision and dismissed the case.

In **Le-Sueur v. Columbia Regional Hospital**, complainant alleged that she was sexually harassed by her supervisor and retaliated against for complaining about harassment when she was given additional work assignments and denied the opportunity to work light duty in her job as an environmental services aide. Staff found that complainant's allegations were not supported by substantial evidence, and complainant appealed to superior court. On July 1, 2005, the court issued an oral order remanding the case to the Commission. As of December 31, 2005, the court had not yet issued a final written judgment.

In **Musgrove v. Alaska State Commission for Human Rights**, complainant alleged that her employer, Pinkerton Security Services, treated her differently in the terms and conditions of her employment, and then terminated her, because of her sex. On February 9, 2004, staff found that complainant's allegations were not supported by substantial evidence. Complainant appealed the decision to superior court. The case was dismissed by the court on February 1, 2005, because of complainant's failure to file an appellate brief.

#### ***SOLD ON SETTLEMENT***

*A Black salesperson alleged that his employer refused to promote him to a management position and instead promoted a less qualified Caucasian coworker. The salesperson also alleged that the employer terminated him after he complained about his manager's abusive conduct but did not terminate a Caucasian coworker who made a similar complaint. After the Commission offered to mediate the case, the employer rehired the salesperson who then withdrew his complaint.*

#### ***IT FIGURES***

*A female automobile sales representative filed a complaint alleging that her employer discriminated against her based on her pregnancy when it terminated her employment. The employer asserted that the sales representative had been terminated for low production and attendance issues. Investigation by Commission staff found that other, non-pregnant employees had similar attendance issues and sales figures lower than the sales representative's. These employees were not terminated or otherwise disciplined. Commission staff found substantial evidence supported the sales representative's claim of pregnancy discrimination. In a conciliation agreement, the employer agreed to pay the sales representative \$5,000 in back wages and to develop and disseminate a corporate policy reflecting the employer's nondiscriminatory posture and opposition to retaliatory practices.*

In **Tiernan v. Pyramid Printing**, complainant alleged that she was sexually harassed and forced to quit her job because respondent's manager subjected her to a hostile work environment. Commission staff found that complainant's claims were supported by substantial evidence. On October 1, 2003, after a public hearing, the Commission issued a decision in favor of complainant and ordered respondent to pay complainant the sum of \$50,972, plus interest, and to train its managers regarding the requirements of the Human Rights Law. On October 27, 2003, respondent appealed the Commission's final order to superior court. The superior court affirmed the Commission's order in all respects on August 1, 2005. Respondent then appealed the decision to the Alaska Supreme Court. At the end of 2005, briefing had not yet been completed.

In **Trice v. Williams Alaska Petroleum Co.**, complainant alleged that respondent failed to accommodate her physical disability when it refused to allow her to work a reduced schedule and terminated her employment. Commission staff found that the allegations were not supported by substantial evidence, and complainant appealed the decision to superior court on November 2, 2005. At the end of 2005, the parties had not yet filed briefs in the case.

In **Villaflores v. Alaska State Commission for Human Rights**, complainant alleged that the Anchorage Water and Wastewater Utility refused to hire him as a personnel analyst because of his age, forty-five, and race, Asian. Commission staff found that the allegations were not supported by substantial evidence and closed the case on April 6, 2005. Complainant appealed the Commission's decision to superior court. The parties completed briefing, but the court had not yet issued a decision at the end of 2005.

In **Villaflores v. Alaska State Commission for Human Rights**, complainant alleged that ConocoPhillips refused to hire him as a human resources representative because of his age, forty-five, and race, Asian. Commission staff found that the allegations were not supported by substantial evidence and closed the case on September 21, 2005. Complainant appealed the Commission's decision to superior court. At the end of 2005, the parties had not yet filed briefs in the case.

#### ***WORK WHERE?***

*An Hispanic restaurant host filed a complaint alleging that his employer terminated him because of his race after telling him to go work in a Mexican restaurant. The complainant also alleged that while his employer fired him because of coworker complaints, his coworkers denied ever complaining about him. The parties agreed to mediation and reached a settlement. The employer agreed to rehire the complainant, treat him the same as his coworkers, and not retaliate against him.*

#### ***NO NOVICE TO WHAT'S FAIR***

*A female apprentice electrician filed a complaint alleging that her employer paid her less than it paid male employees who performed the same job. Commission staff investigated the complaint and found that the employer paid male electrician apprentices more than the complainant without objective basis for the differences. Commission staff found substantial evidence supported complainant's allegations. In a conciliation agreement, the employer agreed to pay complainant an additional two dollars per hour for the hours she worked.*

# 2005 CASE PROCESSING STATISTICS

## ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

Female	185
Male	106
<b>Total Filings</b>	<b>291</b>

## ANALYSIS OF FILINGS BY COMPLAINANT'S RACE

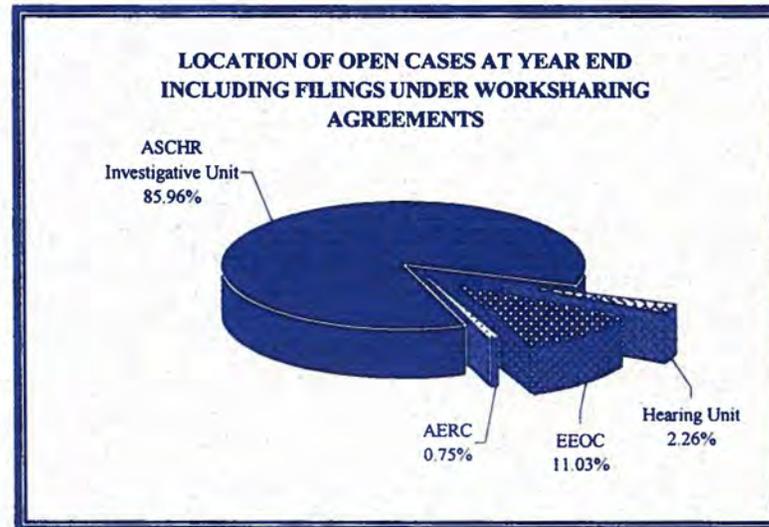
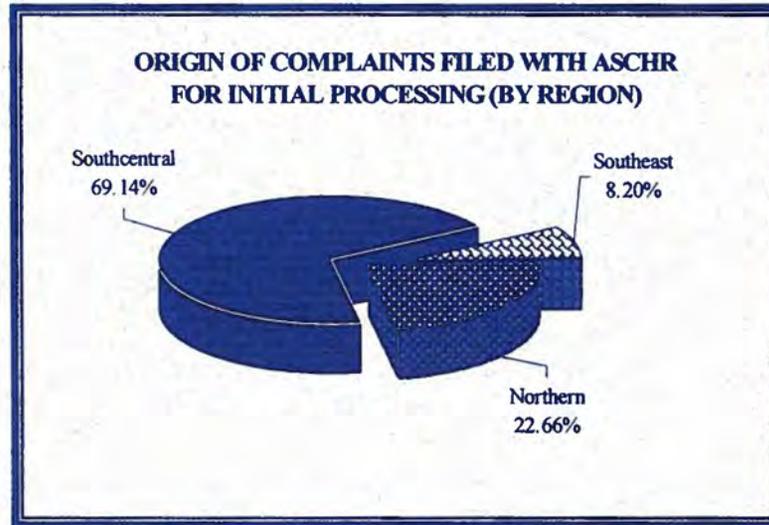
Caucasian	130
Black	51
Alaska Native	44
Unknown	19
Asian	18
Hispanic	13
American Indian	9
Other	7
<b>Total Filings</b>	<b>291</b>

## ANALYSIS OF FILINGS BY COMPLAINANT'S AGE

20 years and under	16
21 – 40 years	100
41 – 60 years	160
61 years and over	11
Unknown	4
<b>Total Filings</b>	<b>291</b>

## ANALYSIS OF FILINGS BY TYPE

Employment	265
Government Practices	10
Public Accommodation	9
Housing	7
<b>Total Filings</b>	<b>291</b>



## ANALYSIS OF FILINGS BY BASIS

Basis	Single Basis Complaint	Multiple Basis Complaint
Race/Color	67	25
Sex	40	44
Physical Disability	40	12
Age	25	19
Retaliation	11	36
Retaliation for Filing	11	6
National Origin	7	8
Religion	6	5
Mental Disability	6	3
Pregnancy	4	4
Parenthood	2	1
Marital Status	0	1
Multiple Bases	72	---
<b>Total Filings</b>	<b>291</b>	<b>164</b>

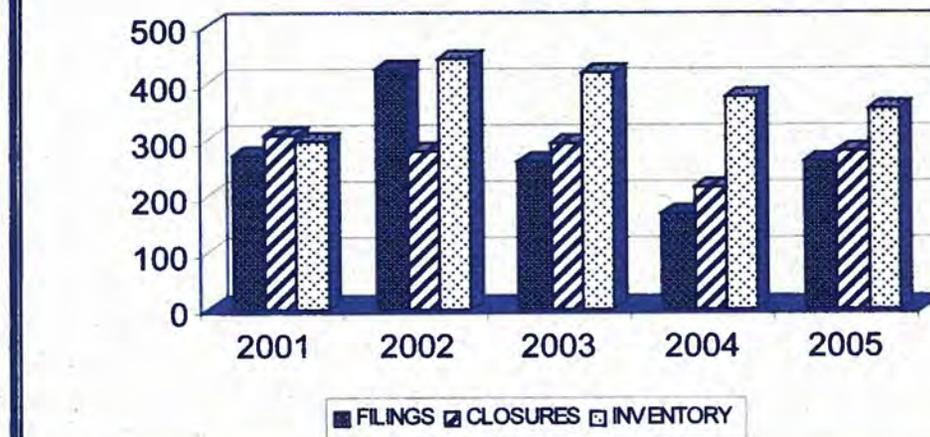
## ANALYSIS OF FILINGS BY ISSUE

Issue	Single Issue Complaint	Multiple Issue Complaint
Discharge	84	65
Failure to Hire	43	3
Terms & Conditions	40	49
Failure to Promote	10	8
Denied Service	9	0
Sexual Harassment	6	34
Other	4	1
Demotion	3	5
Harassment	3	5
Eviction	3	0
Pay Equity	2	5
Multiple Issue	84	---
<b>Total Filings</b>	<b>291</b>	<b>175</b>

**ANALYSIS OF 2005 CLOSURES**

REASON FOR CLOSURE	NUMBER OF CLOSURES	PERCENTAGE OF TOTAL
<b>MEDIATION:</b>	<b>23<sup>1</sup></b>	<b>7.59%</b>
Mediation – Successful Settlement	13	4.29%
Mediation - Complaint Withdrawn with Successful Settlement	4	1.32%
Mediation - Complaint Withdrawn	1	0.33%
Mediation – Predetermination Settlement (PDS)	5	1.65%
<b>ADMINISTRATIVE:</b>	<b>52</b>	<b>17.16%</b>
Complaint Withdrawn	5	1.65%
Lack of Jurisdiction	4	1.32%
Complainant Not Available	15	4.95%
Failure of Complainant to Proceed	10	3.30%
Complainant to Court	13	4.29%
Administrative Dismissal	2	0.66%
Tribal Sovereign Immunity	3	0.99%
<b>NOT SUBSTANTIAL EVIDENCE</b>	<b>195</b>	<b>64.36%</b>
<b>CONCILIATION/SETTLEMENT:</b>	<b>20</b>	<b>6.60%</b>
Complaint Withdrawn with Successful Settlement	8	2.64%
Predetermination Settlement (PDS)	1	0.33%
Substantial Evidence/ Conciliation Agreement	10	3.30%
Substantial Evidence/ Complainant Rejected Full Relief	1	0.33%
<b>HEARING:</b>	<b>13</b>	<b>4.29%</b>
Decision for Complainant	5	1.65%
Decision for Respondent	1	0.33%
Pre-Hearing Settlement	5	1.65%
Hearing Unit - Other	2	0.66%
<b>TOTAL 2005 CLOSURES</b>	<b>303</b>	<b>100%</b>

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



**SUMMARY OF CLOSURES**

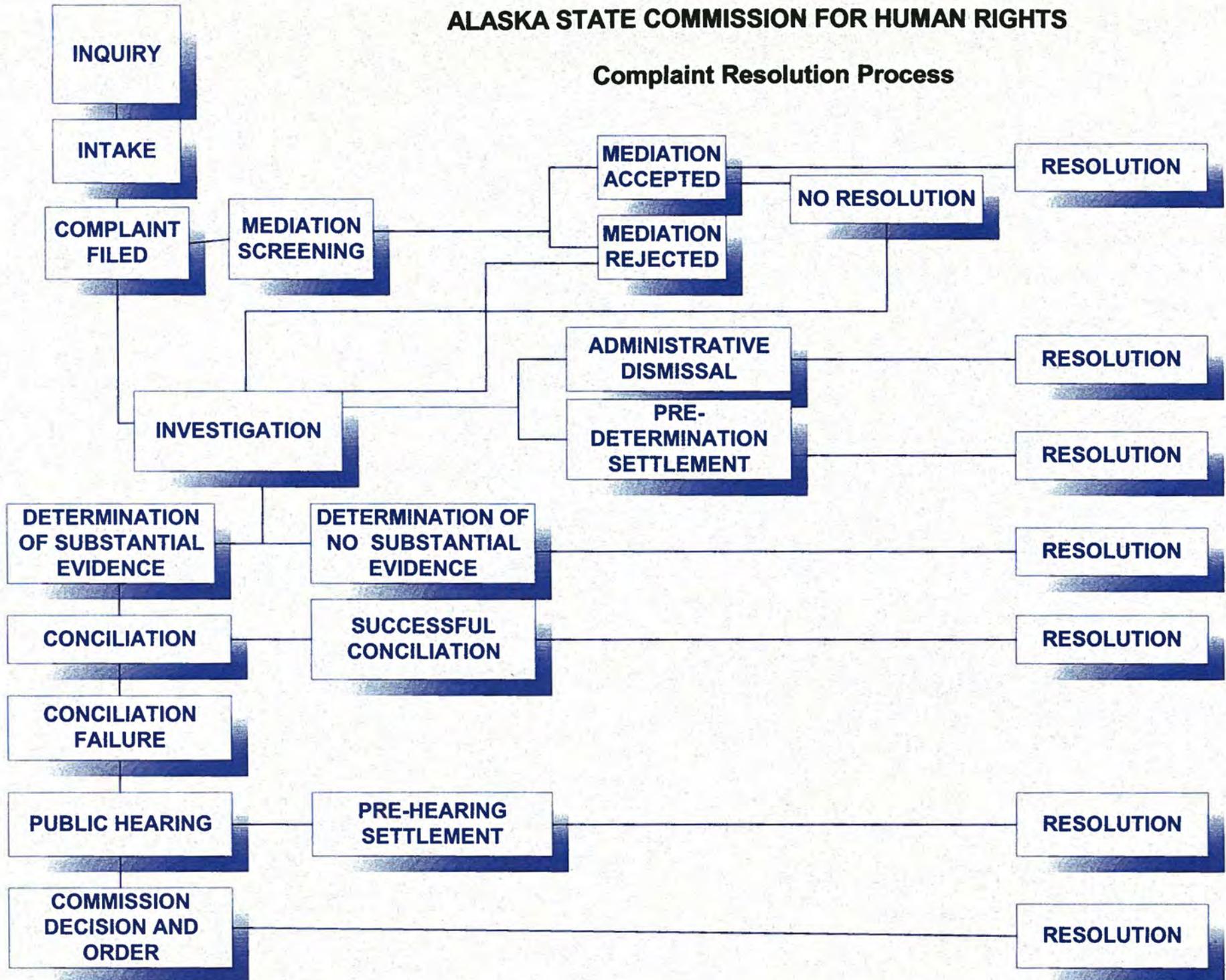
CATEGORY OF CLOSURE	2003		2004		Detail of 2005 Closures					
	No.	%	No.	%	ASCHR		EEOC		AERC	
					No.	%	No.	%	No.	%
Mediation	39	11.1	23	8.8	22	7.3	1	0.3	--	--
Administrative	36	10.2	29	11.0	48	15.8	4	1.3	--	--
Not Substantial Evidence	244	69.3	176	67.2	182	60.1	13	4.3	--	--
Conciliation/Settlement	27	7.7	26	9.9	15	5.0	5	1.6	--	--
Hearing	6	1.7	8	3.1	13	4.3	0	0	--	--
<b>TOTAL CLOSURES</b>	<b>352</b>		<b>262</b>		<b>280<sup>2</sup></b>		<b>23</b>		<b>0</b>	
					<b>303</b>					

<sup>2</sup> This number does not include completed investigations of 7 cases which are still in conciliation or were transferred to the Hearing Unit in 2005.

<sup>1</sup>This number does not include 2 settlements negotiated in 2005 which closed in early 2006.

# ALASKA STATE COMMISSION FOR HUMAN RIGHTS

## Complaint Resolution Process



## **EEO PROGRESS IN STATE GOVERNMENT**

Alaska Statute 18.80.060(6) requires the Commission to "make an overall assessment, at least every three years, of the progress made toward equal employment opportunity by every department of State government; results of the assessment shall be included in the annual report." To obtain relevant data for this assessment, the Commission's staff requested statistics from the Department of Administration, Division of Personnel, the agency charged with administering and overseeing the state's equal employment opportunity (EEO) program. After review and analysis of these statistics, the Commission's Investigations Director interviewed selected commissioners, deputy commissioners, special assistants to commissioners, and administrative service directors about the progress, or lack thereof, made toward equal employment opportunity within their departments.

In this assessment, the Commission looks at statistics for minorities and women in State government, reviews the role of the Division of Personnel in the State's EEO program, and profiles selected departments to provide examples of how the State's EEO program is implemented. Overall, the data show that from 2002 to 2005 there were no significant changes in the State's EEO profile. During this time the Division of Personnel was responsible for administering the EEO program as a result of the Governor's reassignment of these responsibilities in 2002. As in the past, some departments saw greater changes than others. Three departments showed increases in both minority and female participation, while others demonstrated some losses. The transfer of some divisions between departments caused some departments to lose sizable numbers of their minority and female employees while boosting the numbers of the receiving departments.

### **MINORITIES AND WOMEN IN STATE GOVERNMENT**

In this report, the Commission provides statistics for three calendar years ending in 2005. The charts shown in this report parallel those used in the Commission's equal employment opportunity assessments as reported in the agency's 1993, 1996, 1999, and 2002 Annual Reports. The data show that in 2005, minorities comprised 18.7 percent of the State's permanent, full-time work force. This is a 0.4 percent gain over 2002. During the same three-year period, the percentage of females in State government rose from 48.5 to 49.3. Officials of departments that showed gains in their minority and female profiles were unable to point to any specific Statewide programs or initiatives that they consciously promoted or implemented to increase minority and female participation in their departments. Some commissioners and deputy commissioners attributed the progress evident in their departments to regular communications and reminders with division directors about the commissioners' strong commitment to EEO and policies to have a culturally diverse staff who are sensitive and responsive to the needs of communities being served. Officials of the Division of Personnel attribute the slight increase in minority and female employment to the Division's vigorous training program. They indicated that training is a strong component of the State's EEO program and that by formalizing its training curriculum and conducting training sessions regularly, the State has begun to make inroads into changing the way managers, supervisors, and employees think about EEO and diversity issues. Officials of departments that showed losses in their minority and female workforces cited normal attrition, retirement of career employees, the difficulty of filling

highly specialized professional positions, and the transfer of traditionally minority- and female-dominated divisions out of their departments as factors that contributed to the decline.

### **THE ROLE OF THE DIVISION OF PERSONNEL**

Since December 2002, the Division of Personnel has been administering and overseeing the State's EEO program. Personnel's EEO staff in the agency's Employee Services Section is charged with this responsibility. The EEO staff provides departments in the executive branch with Quarterly Workforce Demographic Reports and under-utilization data on Workplace Alaska. They also investigate informal EEO complaints filed internally within the departments and coordinate with state and federal civil rights enforcement agencies in the processing of formal complaints filed externally.

As noted above, at the close of 2005, 18.7 percent of the State's 13,176 permanent, full-time workers were minorities. This is an increase of 0.4 percent over 2002. The State arrived at these numbers without a target or a projected goal of where it wanted to be in its EEO profile by the end of the three-year assessment period. Department officials interviewed for this report were unaware of any targets that their departments were to work towards achieving. Personnel's Director and EEO Program Manager explained that without an updated Affirmative Action Plan, the State was unable to work towards targeted goals.

The last revision of the State's Affirmative Action Plan occurred in 1998. At the beginning of 2002, the former Acting Director of the Division of Personnel identified revision of this document as one of the Division's goals once the State's EEO regulations were updated and approved. The current Director stated that the Office of the Governor has reviewed the draft regulations and recently returned them to the Division. The regulations will undergo further review and revision and then be forwarded to the Department of Law for final review and approval. The Director stated that after the Governor signs the regulations, the Division would begin work on revising the State's Affirmative Action Plan based on data from the 2000 U.S. Census. Once an updated Affirmative Action Plan is in place, the Division will work with the State's various departments on strategies to implement the plan.

The Director and EEO Program Manager indicated that during the last three years, Personnel has implemented the State's Integration Plan, which centralized all human resource functions in the Division's Management Services Section. Human resource managers were moved out of individual departments and relocated within the Division of Personnel. The Director stated that under this plan, the State's personnel, employee relations, and human resource services are standardized, training and coaching of supervisors are consistent, and the competency of the delivery of information and services is assured. Department officials expressed mixed feelings about the loss of human resource managers from their departments. On the one hand, officials indicated that they see the merit of standardizing human resource functions and that consultants from the Division of Personnel's Management and Employee Services sections are helpful and responsive. On the other hand, program managers and supervisors feel they have lost human resource managers who had a strong sense of their agencies' missions and the expertise and institutional knowledge about the department's internal processes.

The Personnel Director also stated that the Division has been focusing on making training available to the departments. Departments may request training either under open enrollment or as specialized training that is tailored to the departments' needs. She indicated that most of the training provided by the Division's Training and Development Section incorporates EEO components. In 2005 alone, the Division's Training and Development Section staff conducted a total of 1,825 training sessions on EEO and diversity related topics throughout the State. This is a marked increase from the number of EEO and diversity related training sessions that were being conducted at the end of 2002.

The Director stated that the Division is also focusing on workforce planning with the State's various departments to analyze staffing and fill staffing needs. The Director reported that to meet the needs of departments for filling specialized positions, the Division has hired a professional recruiter whose focus is on recruiting applicants for hard to fill positions. She indicated that with the anticipated retirement of many career professionals from State service in the next few years, the need for finding qualified applicants to replace them becomes greater. Department officials also recognized this need and called on Personnel to work on marketing the State as a good place to work to attract more applicants and create a base of culturally diverse workers in entry-level positions. Once trained and committed to State service, these workers could move up to higher-level positions as promotional opportunities arise. They noted that as the State competes with the private sector in attracting qualified workers, it is all the more important for Personnel to embark on a more aggressive marketing campaign.

#### **WORKPLACE ALASKA AND USE OF EXPANDED ASSESSMENT UNDER-UTILIZATION REPORTS**

The Division of Personnel provides quarterly workforce under-utilization reports to the fifteen departments within the executive branch. These reports, now referred to as "Quarterly Workforce Demographic Reports," are posted on the Division's web site on a quarterly basis and provide information to division managers and supervisors about job groups within their departments where minorities and/or females are under-utilized. Department officials indicated that they have confidence that the statistics in these quarterly reports are reliable and accurate, a positive change from views expressed three years ago. Departments in the executive branch rely on Workplace Alaska, the State's on-line recruitment system, to fill position vacancies and to identify applicants in under-utilized job classes. A member of the Division of Personnel's EEO staff is responsible for maintaining and updating the State's database from which the Workforce Demographic Reports are generated. The same database generates information for Workplace Alaska to automatically notify hiring managers and supervisors about applicants that have been identified as under-utilized in particular job classes. This database pulls information from "AKPay," the State's payroll system, which contains current data on State employees from initial hire to termination. EEO and veteran status data are collected from applicants who voluntarily self-report such information in the "Applicant Profile" portion of the on-line application. When applicants who did not volunteer EEO information are hired, they are asked to provide the data when completing their new-hire paperwork. The Division of Personnel's EEO staff explained that when the Workforce Demographic Report is generated, the database's computer program counts the number of minorities and women in a job group within State government and

compares that number with those in the same job group in Alaska's civilian labor force. If the State's civilian labor force data show a higher number of minorities and women in the specified job group, under-utilization is identified. The EEO program staff member further explained that the Workplace Alaska system is programmed to generate under-utilization data by job groups. When recruitment occurs, the system automatically retrieves the under-utilization information symbolized by a pair of eyeglasses beside an applicant's name. Pursuant to State policy, hiring managers and supervisors are required to consider these applicants during the recruitment process. In instances when Workplace Alaska fails to generate a sufficient pool of applicants with qualifications for specialized positions, officials of some departments stated that they supplement their recruitment needs by advertising in newspapers and trade or professional journals. Officials of departments that saw increases in their minority and female participation during the last three years indicated that while Workplace Alaska provides a helpful tool for giving under-utilized applicants opportunities for consideration, the gains achieved in their departments were not attributable to Workplace Alaska alone. While expressing overall confidence in the statistics they received, some department officials said that it would be more helpful if Personnel could provide the Quarterly Workforce Demographic Reports that flag positions in their departments where minorities and women are under-utilized. They also stated that Personnel could better assist them in their EEO efforts if they were provided with periodic status reports about the number of minorities and women in their workforces and what their target goals should be.

### **SELECTED DEPARTMENT PROFILES**

The **Department of Education and Early Development** had the highest gains in both minority and female employment among all fifteen departments in the executive branch during the past three years. In 2005, minorities comprised 20.1 percent of the Department's permanent, full-time employees as compared to 15.0 percent in 2002. The number of women rose from 65.2 to 70.1 percent during this same period. The Department achieved these gains despite a reduction in its total number of permanent, full-time employees—from 448 to 288, a 35.7 percent loss—when the Alaska Vocational Technical Education Center was transferred to the Department of Labor and Workforce Development in 2003, and when the Alyeska Central School became part of Yukon-Koyukuk School District in 2004. The Department's Deputy Commissioner attributes the increase in minority participation to her agency's proactive outreach efforts in minority communities when filling positions for superintendents, education specialists, and other administrative jobs. She indicated that the Department works with employees to retain them and fills vacancies by promoting from within. Additionally, the Department's Deputy Commissioner stated that the Department invests valuable time to provide training for its staff and contractors through courses provided by the Division of Personnel, such as "A Respectful Workplace" and "Valuing Diversity," and training on other EEO issues. The Deputy Commissioner indicated that, because of its small size, the Department often finds it a challenge to carve out time for its staff to attend training sessions. She added that the Department recognizes the value of training as a tool to meet its EEO objectives and makes every effort to provide training for its staff.

The **Department of Health and Social Services** showed the second highest percentage gain in both minority and female participation, and employed more minority workers than any other executive branch department during this assessment period. In 2005, minorities comprised 26.4 percent of the Department's 2,840 permanent, full-time employees, up from 22.3 percent in 2002. The number of women increased 3.6 percentage points, to 69.3 percent, in the same three-year period. These increases occurred in part because of the transfer into the Department of two divisions that employ a relatively high number of minorities and women in health care-related positions. (The Alaska Pioneer Homes and the Division of Senior Services were transferred from the Department of Administration to the Department of Health and Social Services during this time period.) The Department's Commissioner and Assistant Commissioner also attributed this increase to the Department's recruitment efforts to achieve a culturally diverse staff. They indicated that the Department's goal is to have a staff that is sensitive and responsive to the diverse cultures of the communities that the Department serves. They cited as examples the Office of Children's Services and the Division of Juvenile Justice as agencies whose clientele are Alaskans from all across the state and of different cultural backgrounds. This goal is regularly conveyed to hiring managers and supervisors, who focus their recruitment efforts in the local communities where the vacancies occur. The Commissioner stated that her goal is to support the Department's division directors and program managers in their efforts to recruit, hire, and retain a culturally diverse staff by reminding them of the value and importance of providing service that is relevant to their clientele.

The **Department of Military and Veterans Affairs** also posted gains in both minority and female participation during the last three years. Minorities increased from 14.0 to 17.9 percent, and women increased from 28.1 to 29.4 percent. The Department's Commissioner and Deputy Commissioner stated that they were pleased to see an improvement in the Department's EEO profile. They expressed their belief that a strong, united, and consistent leadership emphasizing the value and importance of diversity contributed to the higher numbers. They also attributed the gains to the increase in the Department's budget for the Military Youth Academy program, which added twenty permanent, full-time employees to the Department's workforce. The Commissioner and Deputy Commissioner regularly and consistently convey to division managers and supervisors at senior leadership meetings the Department's philosophy and position on EEO and diversity. The Commissioner stated that,

Race	Female	Male	Total
African American	257	226	483
Alaska Native	368	306	674
American Indian	98	80	178
Asian	498	326	824
Caucasian	5096	5589	10685
Hispanic	167	140	307
Unknown	9	16	25
<b>Total</b>	<b>6493</b>	<b>6683</b>	<b>13176</b>

Race	Female	Male	Total
African American	2	1	3
Alaska Native	11	2	13
American Indian	1		1
Asian	15	4	19
Caucasian	75	13	88
Hispanic	4		4
Unknown			
<b>Total</b>	<b>108</b>	<b>20</b>	<b>128</b>

as the leader of the Department, he sees it as his responsibility to make his Department mirror the cultural diversity of Alaska. The Commissioner stated that he and his Deputy Commissioner have worked together as a team to communicate his vision by regularly reminding directors and managers that their effectiveness on the job is being judged by how well they improve the EEO profiles in their respective divisions. They indicated that they challenge managers to think more broadly about job candidates by requiring the managers to focus on the applicants' qualifications and capabilities and, after selecting an applicant, explaining why they were chosen. The Commissioner and Deputy Commissioner stated that their goal is to change managers' and supervisors' mind sets and attitudes about what people can do regardless of their cultural backgrounds. The Department assigned a high-ranking officer to the position of recruiter with the goal of increasing Alaska Native participation in the National Guard. The Department also enlisted the assistance of the Alaska Federation of Natives, which agreed to cosponsor a summit of Alaska Native elders and leaders in different rural communities. At the summit, Department officials listened to the elders' and leaders' ideas and suggestions on ways to encourage Alaska Natives to join the Guard. With the Governor's decision to expand the Military Youth Academy program by opening academies in the interior and southeastern parts of the State, the Department sees an opportunity to further increase minority and female employment in the coming years.

Race	Female	Male	Total
African American	5	8	13
Alaska Native	40	82	122
American Indian	10	7	17
Asian	12	17	29
Caucasian	366	814	1180
Hispanic	9	12	21
Unknown	1	4	5
<b>Total</b>	<b>443</b>	<b>944</b>	<b>1387</b>

The Department of Natural Resources reversed a trend of losses shown in two previous assessments by posting increases in both minority and female employment. In 2005, minorities comprised 10.4 percent of the Department's 651 workers and women 49.2 percent, as compared to 8.7 percent minorities and 46.5 percent females in 2002, a gain of 1.7 percent in minority and 2.7 percent in female participation. The Department's Administrative Services Director noted that the gains likely resulted from the former Commissioner's efforts to increase minority and female employment by regularly communicating his commitment to EEO with division directors. The Administrative Services Director also cited the transfer of two divisions from another department as having contributed to the gains. He pointed out that the minority and female employment would be higher than what the statistics show if temporary and seasonal employment were factored in. The Administrative Services Director stated that minorities and females comprise approximately forty to fifty percent of the Department's temporary and seasonal workforce.

Year	Minorities	Percentage	Females	Percentage
1996	2086	15.3	6242.0	45.7
1997	2191	16.4	6152.0	45.9
1998	2274	16.8	6301.0	46.4
1999	2320	17.1	6367.0	46.8
2000	2405	17.4	6584.0	47.5
2001	2551	17.8	6784.0	47.4
2002	2624	18.0	6964.0	47.7
2003	2664	18.3	6902.0	47.4
2004	2630	18.2	6852.0	47.5
2005	2708	18.4	7044.0	47.9

He also stated that the Department continues to struggle with filling highly specialized positions such as foresters, natural resources specialists, and geologists. He said the Department finds it necessary to recruit from outside Alaska to fill vacancies because the applicant pool for specialized positions within the State is small.

For the first time in many years, the **Department of Administration** saw losses in both minority and female participation during this assessment. In 2005, minorities comprised 18.9 percent and females 64.5 percent of the Department's 898 permanent, full-time employees, as compared to 27.7 percent minorities and 68.7 percent females of its 1,292 permanent, full-time workers in 2002. The Department's Deputy Commissioner indicated that he was pleased that the drop in numbers was not larger in light of staff losses resulting from the transfer of two divisions out of the Department. These divisions, the Alaska Pioneer Homes and the Division of Senior Services, employ a high number of women and minorities. The Deputy Commissioner and the Director of the Division of Personnel indicated that while the Department had no specific programs targeted to increase minority and female employment, it has emphasized the training of managers, supervisors, and employees on EEO and diversity issues. They stated that the Department has implemented sound and legally defensible hiring procedures such as requiring hiring managers and supervisors to conduct interviews in teams or panels as a way to reduce bias during the recruitment process. As goals for the coming years, the Deputy Commissioner and Personnel Director stated that the Department will continue to emphasize training in EEO and diversity and to encourage division managers and supervisors to make valuing diversity a part of their workforce planning initiatives. They noted that with the anticipated retirement of a number of career employees, it is all the more important for the division managers to strategically plan for a workforce that reflects Alaska's cultural diversity.

During this three-year assessment period, the **Department of Public Safety** showed slight losses in both minority and female employment. In 2005, minorities comprised 17.2 percent of the Department's permanent, full-time employees, as compared to 18.9 percent in 2002, a loss of 1.7 percent. Female participation fell from 35.8 percent to 34.0 percent. The Department's Commissioner stated that these statistics gave him an opportunity to reflect on where the Department is and what it needs to do to improve its EEO profile. The Commissioner attributed the losses in minority and female participation to employee

Alaska Native/Native Americans Employed by the State of Alaska Permanent Full-time, Permanent Part-time and Permanent Seasonal 1996-2005		
Year	Number Employed	Percentage of Workforce
1996	782	5.7
1997	866	6.5
1998	910	6.7
1999	924	6.8
2000	920	6.6
2001	971	6.8
2002	1014	6.9
2003	1011	6.9
2004	1001	6.9
2005	1005	6.8

African Americans Employed by the State of Alaska Permanent Full-time, Permanent Part-time and Permanent Seasonal 1996 - 2005		
Year	Number Employed	Percentage of Workforce
1996	439	3.2
1997	445	3.3
1998	457	3.4
1999	455	3.3
2000	482	3.5
2001	510	3.6
2002	505	3.5
2003	504	3.5
2004	486	3.4
2005	499	3.4

retirement, the difficulty of filling trooper and other highly specialized positions, such as scientists and DNA specialists, and the closure of the Department's dispatch center. To fill specialized and trooper positions, the Department conducted nationwide searches. The Commissioner stated that the closure of the Department's dispatch center in favor of contracting dispatch services with the Wasilla Police Department resulted in the loss of staff, many of whom were women and some of whom were minorities. In spite of these small losses, the Commissioner stated that the Department has had some success in filling responsible positions with minorities and women. For example, the Department hired its first female Director for the Division of State Troopers, hired an Alaska Native for the position next in command to the Director, hired a man from India for a DNA specialist position in the crime lab, and promoted a female into a position as fire prevention training specialist. He believes that these hiring decisions send a powerful message to a Department that was historically staffed by men and non-minorities. The Commissioner stated that he regularly communicates to division directors and program managers his vision of an inclusive Department and his basic philosophy of retaining employees who do their jobs well. He indicated that he believes in providing opportunities for upward mobility for employees and in having a culturally diverse staff at the entry-level positions who can be trained to develop expertise to be promoted to higher-level positions within the Department. The Commissioner explained that to help address the problems with filling trooper vacancies, the Department hired a commander whose main focus is recruitment. The Department also modified some of its requirements by allowing qualified and experienced police officers from city police departments to become State Troopers without having to attend the trooper academy. To attract troopers who will accept assignments to remote rural communities, the Department has begun a program of providing subsidized housing. The Commissioner stated that the Department's focus in the coming years is on hiring Alaska Natives to make the Department more sensitive and responsive to the cultural needs of these areas.

Hispanics Employed by the State of Alaska Permanent Full-time, Permanent Part-time and Permanent Seasonal 1996-2005		
Year	Number Employed	Percentage of Workforce
1996	285	2.1
1997	279	2.1
1998	281	2.1
1999	296	2.2
2000	307	2.2
2001	333	2.3
2002	333	2.3
2003	331	2.3
2004	323	2.2
2005	332	2.3

Asian/Pacific Islanders Employed by the State of Alaska Permanent Full-time, Permanent Part-time and Permanent Seasonal 1996-2005		
Year	Number Employed	Percentage of Workforce
1996	580	4.3
1997	601	4.5
1998	626	4.6
1999	645	4.7
2000	696	5.0
2001	737	5.1
2002	772	5.3
2003	818	5.6
2004	820	5.7
2005	872	5.9

The Department of Revenue showed a slight decline in its EEO profile during this assessment period. However, despite the decrease, the Department continues to rank higher than most other departments in both minority and female participation: third in minority and sixth in female employment. In 2005, minority employment was down 0.8 percent from 2002, and women dropped 1.9 percent. Nevertheless, minorities still comprised 21.9

percent and females 63.7 percent of the Department's 443 permanent, full-time employees. The Department's Commissioner and Deputy Commissioner stated that the Department saw a nineteen percent turnover in its staff during the last three years due to the retirement of employees and normal attrition. They indicated that if statistics for this assessment were pulled in mid-January 2006 rather than the end of December 2005, the numbers would have shown that the Department had gains rather than losses in minority and female workers. The Commissioner and Deputy Commissioner indicated that they do not see the slight decline as a cause for concern when placed in the context of civilian labor force statistics for Alaska. The Department did not see a need to implement programs or initiatives to increase minority or female participation. Instead, the Commissioner and Deputy Commissioner indicated that the challenge for the Department has been in filling vacant positions that require specialized skills and qualifications. They cited tax specialists, economists, and auditors as examples of positions that do not generate sufficient applicant pools when recruiting through Workplace Alaska. Therefore, the Department conducts targeted recruitment nationally to fill these vacancies and contacts national tax organizations to advertise the positions. The Commissioner and Deputy Commissioner stated that they are committed to EEO and are proactive in providing training in EEO and diversity issues for its managers, supervisors, and employees.

Year	Number Employed	Percentage of Workforce
1996	642	4.7
1997	644	4.8
1998	684	5.0
1999	703	5.2
2000	702	5.1
2001	758	5.3
2002	794	5.4
2003	808	5.6
2004	798	5.5
2005	809	5.5

Salary Group	All Employees in Salary Range	Percentage of All Employees in Salary Range	Total Minority Employees in Salary Range	Percentage of Minorities in Salary Range
>6999	832	6.3	66	7.9
6000-6999	1013	7.7	103	10.2
5000-5999	1965	14.9	237	12.1
4000-4999	3092	23.5	446	14.4
3000-3999	2907	22.1	627	21.6
2000-2999	2196	16.7	687	31.3
<2000	1171	8.9	300	25.6
Total	13176	100.0	2466	18.7

Salary Group	All Employees in Salary Range	Percentage of All Employees in Salary Range	Total Female Employees in Salary Range	Percentage of Females in Salary Range
>6999	832	6.3	169	20.3
6000-6999	1013	7.7	265	26.2
5000-5999	1965	14.9	641	32.6
4000-4999	3092	23.5	1285	41.6
3000-3999	2907	22.1	1730	59.5
2000-2999	2196	16.7	1666	75.9
<2000	1171	8.9	737	62.9
Total	13176	100.0	6493	49.3

**MINORITIES EMPLOYED IN THE EXECUTIVE BRANCH  
OF ALASKA STATE GOVERNMENT  
PERMANENT FULL-TIME  
2002 AND 2005**

Department	2002			2005			Minority Percentage Increase/ Decrease
	Total Employees	Minorities	Percentage	Total Employees	Minorities	Percentage	
Administration	1292	358	27.7	898	170	18.9	-8.8
Commerce, Community, and Economic Development	435	86	19.8	418	92	22.0	2.2
Corrections	1354	273	20.2	1279	273	21.3	1.1
Education and Early Development	448	67	15.0	288	58	20.1	5.1
Environmental Conservation	442	52	11.8	425	57	13.4	1.6
Fish and Game	814	49	6.0	780	48	6.2	0.2
Governor's Office	127	14	11.0	131	15	11.5	0.5
Health and Social Services	2233	499	22.3	2840	749	26.4	4.1
Labor and Workforce Development	792	153	19.3	841	159	18.9	-0.4
Law	420	51	12.1	463	62	13.4	1.3
Military and Veterans Affairs	242	34	14.0	262	47	17.9	3.9
Natural Resources	538	47	8.7	651	68	10.4	1.7
Public Safety	702	133	18.9	717	123	17.2	-1.7
Revenue	453	103	22.7	443	97	21.9	-0.8
Transportation and Public Facilities	2829	484	17.1	2740	448	16.4	-0.7
<b>Totals</b>	<b>13121</b>	<b>2403</b>	<b>18.3</b>	<b>13176</b>	<b>2466</b>	<b>18.7</b>	<b>0.4</b>

**RANKING DEPARTMENTS  
BY PERCENTAGE OF  
MINORITIES**

Department	2005 Totals
Health and Social Services	26.4
Commerce, Community, and Economic Development	22.0
Revenue	21.9
Corrections	21.3
Education and Early Development	20.1
Administration	18.9
Labor and Workforce Development	18.9
Military and Veterans Affairs	17.9
Public Safety	17.2
Transportation and Public Facilities	16.4
Environmental Conservation	13.4
Law	13.4
Governor's Office	11.5
Natural Resources	10.4
Fish and Game	6.2

**FEMALES EMPLOYED IN THE EXECUTIVE BRANCH  
OF ALASKA STATE GOVERNMENT  
PERMANENT FULL-TIME  
2002 AND 2005**

Department	2002			2005			Female Percentage Increase/ Decrease
	Total Employees	Females	Percentage	Total Employees	Females	Percentage	
Administration	1292	887	68.7	898	579	64.5	-4.2
Commerce, Community, and Economic Development	435	256	58.9	418	244	58.4	-0.5
Corrections	1354	460	34.0	1279	446	34.9	0.9
Education and Early Development	448	292	65.2	288	202	70.1	4.9
Environmental Conservation	442	221	50.0	425	215	50.6	0.6
Fish and Game	814	336	41.3	780	308	39.5	-1.8
Governor's Office	127	96	75.6	131	98	74.8	-0.8
Health and Social Services	2233	1467	65.7	2840	1969	69.3	3.6
Labor and Workforce Development	792	483	61.0	841	525	62.4	1.4
Law	420	273	65.0	463	302	65.2	0.2
Military and Veterans Affairs	242	68	28.1	262	77	29.4	1.3
Natural Resources	538	250	46.5	651	320	49.2	2.7
Public Safety	702	251	35.8	717	244	34.0	-1.8
Revenue	453	297	65.6	443	282	63.7	-1.9
Transportation and Public Facilities	2829	724	25.6	2740	682	24.9	-0.7
<b>Totals</b>	<b>13121</b>	<b>6381</b>	<b>48.5</b>	<b>13176</b>	<b>6493</b>	<b>49.3</b>	<b>0.8</b>

**RANKING DEPARTMENTS  
BY PERCENTAGE OF  
FEMALES**

Department	2005 Totals
Governor's Office	74.8
Education and Early Development	70.1
Health and Social Services	69.3
Law	65.2
Administration	64.5
Revenue	63.7
Labor and Workforce Development	62.4
Commerce, Community, and Economic Development	58.4
Environmental Conservation	50.6
Natural Resources	49.2
Fish and Game	39.5
Corrections	34.9
Public Safety	34.0
Military and Veterans Affairs	29.4
Transportation and Public Facilities	24.9

## ALASKA HUMAN RIGHTS LAW

The Alaska Human Rights Law is codified as Alaska Statutes 18.80.010 – 18.80.300. The Human Rights Law makes it unlawful to

### DISCRIMINATE IN

- ❖ EMPLOYMENT
- ❖ PLACES OF PUBLIC ACCOMMODATION
- ❖ SALE OR RENTAL OF REAL PROPERTY
- ❖ FINANCING AND CREDIT
- ❖ PRACTICES BY THE STATE OR ITS POLITICAL SUBDIVISIONS

### BECAUSE OF

- ❖ RACE
- ❖ RELIGION
- ❖ COLOR
- ❖ NATIONAL ORIGIN
- ❖ SEX
- ❖ PHYSICAL/MENTAL DISABILITY

### AND IN SOME INSTANCES BECAUSE OF

- ❖ AGE
- ❖ MARITAL STATUS
- ❖ CHANGES IN MARITAL STATUS
- ❖ PREGNANCY
- ❖ PARENTHOOD

## WHAT IS THE HUMAN RIGHTS COMMISSION?

The Alaska State Commission for Human Rights is the State agency that enforces the Alaska Human Rights Law. The Commission consists of seven members appointed by the Governor and confirmed by the Legislature. The Commission employs a staff and maintains an office in Anchorage. The Commission has statewide jurisdiction and accepts complaints from all regions of the state.

## WHAT DOES THE HUMAN RIGHTS COMMISSION DO?

### The Commissioners

**Establish** policy and adopt regulations necessary to implement the Human Rights Law;

**Hold** public hearings to consider cases where conciliation efforts have failed;

**Issue** decisions applying the Human Rights Law to individual or class action cases;

**Order** back pay, reinstatement, or other appropriate relief to complainants;

**Order** the elimination of discriminatory practices; and

**Enforce** Commission decisions and orders in the Alaska courts.

### The Commission staff

**Accepts** complaints of discrimination from persons alleging violations of the Alaska Human Rights Law;

**Investigates** complaints in a fair and impartial manner;

**Attempts** early settlement of complaints whenever possible;

**Dismisses** complaints when no violation of the Alaska Human Rights Law has occurred;

**Conciliates** complaints when the Alaska Human Rights Law has been violated;

**Provides** technical assistance and advice on the Alaska Human Rights Law; and

**Conducts** workshops and training for employers, unions, landlords, businesses, and others who must comply with the Alaska Human Rights Law.

## HOW CAN THE COMMISSION HELP YOU?

If you believe that you have experienced discrimination, you may contact the Commission. The Commission may assist you in filing a complaint.

If you need advice about your responsibilities under the Alaska Human Rights Law, the Commission staff can provide information.

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