BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS

| ALASKA STATE COMMISSION FOR HUMAN RIGHTS, MARTI BUSCAGLIA, EXECUTIVE DIRECTOR, ex rel., AMERICA SULLIVAN, |) | |
|--|-------------|--------------------|
| Complainant, |) | |
| v. |) | ASCHR No. J-16-062 |
| PERSONNEL PLUS EMPLOYMENT AGENCY, A CORPORATION, |) | |
| Respondent. |))) | |

ACCUSATION

Marti Buscaglia, Executive Director of the Alaska State Commission for Human Rights, *ex rel.*, America Sullivan, hereby alleges the following against Respondent Personnel Plus Employment Agency, A Corporation (hereinafter "Personnel Plus"):

- Respondent Personnel Plus is an Alaska corporation doing busines as an employment agency in Anchorage and Fairbanks.
 - 2. Cynthia Schebler is the owner of Personnel Plus.
- America Sullivan was employed by Personnel Plus at its Anchorage
 location as a recruiter from September 15, 2014, to November 2014. In November 2014,
 Ms. Sullivan became the manager of the Personnel Plus Anchorage location.
- Ms. Sullivan performed well in her job as the manager of the Personnel
 Plus Anchorage location and received recognition from Ms. Schebler for her work.
 - 5. In June 2015, Ms. Sullivan became pregnant.

| 6. | On or about July 2015, Ms. Schebler learned that Ms. Sullivan was |
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| pregnant. | |

- 7. Upon learning of Ms. Sullivan's pregnancy, Ms. Schebler began to criticize Ms. Sullivan's job performance, even though there was no fair basis for the criticism.
- On September 15, 2015, Ms. Schebler terminated Ms. Sullivan's employment with Personnel Plus.

FIRST CAUSE OF ACTION DISCRIMINATION BECAUSE OF PREGNANCY A VIOLATION OF AS 18.80.220(a)

- 9. Paragraphs 1 to 8 above are re-alleged and incorporated herein.
- 10. America Sullivan was employed by Personnel Plus from September 15,2014, to September 15, 2015.
 - 11. Ms. Sullivan was pregnant when she was employed by Personnel Plus.
- Ms. Sullivan performed her job satisfactorily while employed by Personnel Plus.
- On September 15, 2015, Personnel Plus terminated Ms. Sullivan's employment because Ms. Sullivan was pregnant.
- 14. Personnel Plus's termination of Ms. Sullivan's employment constitutes a violation of AS 18.80.220(a).
- As a result of Personnel Plus's termination of her employment, Ms.
 Sullivan has suffered harm in the form of lost wages, benefits, and other remuneration.

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PRAYER FOR RELIEF

Wherefore, the Executive Director asks for the following relief:

- 1. That the Commission issue an order declaring that Respondent Personnel Plus violated AS 18.220(a)(1) by terminating America Sullivan's employment because of her pregnancy.
- 2. That the Commission order Personnel Plus to adopt and disseminate a policy of nondiscrimination in accordance with the Alaska Human Rights Law, AS 18.80.
- 3. That the Commission order Personnel Plus to obtain in-person training, by a neutral, third-party trainer, of at least three (3) hours in length for its managers and supervisors on the provisions of the Alaska Human Rights Law that prohibit discrimination in employment, and that such order specifiy that the trainer and training curriculum be approved by the Executive Director prior to the training being conducted.
- 4. That the Commission order Personnel Plus to eliminate from Ms. Sullivan's personnel records all documents and entries relating to the facts and circumstances that led to Ms. Sullivan's filing of the above-captioned charge and any of the related events occurring thereafter.
- 5. That the Commission order Personnel Plus to refrain from penalizing Ms. Sullivan in any way in future considerations for employment and, if rehired, for transfers,

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promotions, or upgrading because Ms. Sullivan complained about discrimination or because she filed a complaint with the Commission.

- That the Commission order Personnel Plus to refrain from advising or 6. informing any other employer or potential employer of Ms. Sullivan of the facts or circumstances involved in this case.
- 7. That the Commission order Personnel Plus to pay back pay, including any lost benefits or remuneration, to Ms. Sullivan, plus interest at the applicable legal rate, the exact amount of which will be proven at hearing.
- 8. That the Commission order Personnel Plus to pay front pay to Ms. Sullivan to the full extent permitted by law.

Dated this utb of July 2017 at Anchorage, Alaska.

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

REDACTED

By:

Stephen Koteff Human Rights Advocate Alaska Bar No. 9407070

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