

Alaska State Commission for Human Rights

2009 Annual Report

Alaska State Commission for Human Rights
800 A Street, Suite 204
Anchorage, AK 99501-3669

STATE OF ALASKA
HUMAN RIGHTS COMMISSION

March 2, 2010

The Honorable Sean Parnell, Governor of Alaska
The Honorable Gary Stevens, President, Alaska Senate
The Honorable Mike Chenault, Speaker, Alaska House of Representatives

On behalf of the Commission, I respectfully submit the 2009 Annual Report of the Alaska State Commission for Human Rights. The Commission is entering its 47th year as Alaska's civil rights enforcement agency.

In 2009, thousands of Alaskans contacted the Commission staff with questions and requests for assistance. The number of Alaskans filing complaints increased slightly. The nature of the complaints filed was much the same as in the prior year with a couple of small differences. Retaliation cases rose about five percent and a higher percentage of those filing complaints were under the age of forty.

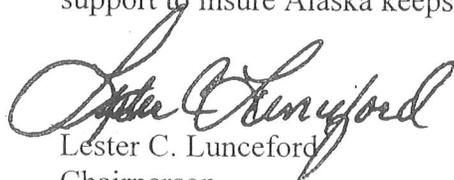
The Commission staff resolved nine percent more complaints than in 2008 and reduced its overall inventory of cases by eight percent. These accomplishments were all the more significant as the agency had twenty-five percent of its investigative positions vacant during this period. The efforts and hard work of staff are appreciated. Yet with high caseloads and limited resources the Commission remains concerned that resolution of cases will continue to take too long, which frustrates both Alaskans who believe that they have experienced discrimination and the businesses against whom the claims are brought.

The Commission's voluntary mediation program continues to be very successful. Both businesses against whom complaints of discrimination were filed and the Alaskans bringing the claims appreciate the opportunity to informally resolve their concerns. Seventy-one percent of cases that went through mediation in 2009 settled.

Of note this past year staff focused as many resources as possible on finalizing determinations where investigation indicated that there was evidence of discrimination. In 2009 staff issued forty-five determinations finding that the allegations of discrimination were supported by substantial evidence. At year's end a number of those cases were still in conciliation and others had been forwarded to the hearing unit.

While the Commission would like to meet the needs of the business community for more education, outreach, and prevention programs with limited resources staff's primary focus is investigating complaints, and outreach in 2009 was minimal. Commission staff met with several organizations in Anchorage and Fairbanks to talk about the agency's services. The staff also provided several trainings on sexual harassment and general compliance with the Human Rights Law.

The Commission will continue its commitment to fair enforcement of Alaska's Human Rights Law. The Commissioners ask for your support to insure Alaska keeps its pledge to prevent and eliminate discrimination.


Lester C. Lunceford
Chairperson

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Randi Olson, Investigator

Patricia Watts, Investigator

Mary Southard, Mediator

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

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STATE-WIDE TTY/TDD TOLL-FREE COMPLAINT LINE
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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



In the following cases, unless otherwise noted, the Commission staff found that substantial evidence existed to support the complainants' allegations. Informal conciliation efforts were unsuccessful, and the staff forwarded the cases to the Commission for public hearing.

In *Vilma Anderson v. Anchorage School District*, complainant alleged that respondent discriminated against her on the basis of her physical disability, retinitis pigmentosa, which causes her tunnel vision and blindness. Complainant alleged that respondent terminated her employment as a substitute teacher because it wrongly believed she could not safely and effectively do her job. Complainant also alleged that respondent refused to accommodate her by not allowing her to bring her service dog to work. A public hearing was held before an administrative law judge (ALJ) at the Office of Administrative Hearings on December 2-4, 2009. As of December 31, 2009, the recommended decision of the ALJ was pending.

In *Robin Block v. Charlie Parello d/b/a Pulse Publications*, complainant, an above-knee amputee, alleged that respondent discriminated against her because of her disability. Complainant asserted that respondent refused to reasonably accommodate her by allowing her to have a designated parking space next to respondent's business. Complainant also alleged that respondent terminated her employment after she complained about the lack of accommodation. After a hearing held on March 18, 2008, an administrative law judge (ALJ) found that respondent violated the Human Rights Law when it terminated Ms. Block. On November 24, 2009, the Commission adopted the ALJ's findings and awarded Ms. Block \$2,279 in back pay.

In *Nazary J. Buterin Jr. v. Anchorage Plumbing & Heating*, complainant alleged that respondent discriminated against him because of his race, Alaska Native, when it subjected him to different terms and conditions of employment. Complainant also alleged that a coworker made disparaging comments about Alaska Natives, and that after he complained about the coworker's comments respondent retaliated against him by terminating his employment. A public hearing before the Office of Administrative Hearings was scheduled for February 8-10, 2010.

DON'T GAMBLE WITH HARASSMENT

A caller at a bingo parlor alleged that her manager subjected her to offensive sexual comments, ridicule, and different terms and conditions of employment because of her sex. She also alleged that her manager reduced her hours and assigned her to a less desirable shift after she complained about the manager's actions, and that her working conditions became so intolerable that she was forced to resign. The Commission investigated the case and found that the caller's allegations were supported by substantial evidence. The parties entered into a conciliation agreement in which the bingo parlor agreed to pay the caller \$5,780 in back pay and to train its managers, supervisors, and employees on the laws prohibiting discrimination in employment.

NOT GOING TO TAKE IT ANYMORE

A forty-eight-year-old woman who worked as a project administrator for a technical services company alleged that she was discriminated against because of her age after her manager told her she was not up to the challenge of her position and referred to her as a "den mother." When the manager demoted her and told her she was being replaced by a younger, less experienced employee, she felt she had no choice but to resign her position. The mediation program facilitated a settlement between the parties in which the employer agreed to pay the administrator \$7,500.

In *Juana Contreras-Mendoza v. Red Dog Inn*, complainant, who worked for respondent as a waitress and cook, alleged that her coworkers and one of respondent's customers subjected her to sexually offensive comments. Complainant further alleged that respondent's other cook made unwelcome sexual advances towards her, and that after she complained to her supervisor about the harassing behavior, respondent terminated her employment. A public hearing was scheduled for February 1-5, 2010, before the Office of Administrative Hearings.

In *Bridgette Craig v. Nye Frontier Ford*, complainant alleged that respondent terminated her employment as an internet consultant because she was pregnant. The Commission's investigation found substantial evidence that complainant was terminated for exceeding her allowable family and medical leave. The investigation found, however, that respondent had positions for which complainant remained qualified and subsequently applied, but respondent refused to rehire complainant until after her pregnancy. The parties entered into a settlement agreement in which respondent agreed to pay complainant \$6,200 in damages.

In *Larry Flakes v. Alaska Sales and Service*, complainant alleged that respondent refused to promote him from his position of sales representative to one of several available team leader positions because of his race, Black. Evidence at a five-day public hearing showed that complainant and another Black applicant were told by one of respondent's managers that they were not promoted because of the color of their skin, and that successful applicants for the positions had the same attendance problems that respondent claimed made complainant ineligible. The administrative law judge (ALJ) found respondent liable for discriminating against complainant. On November 13, 2009, the Commission adopted the ALJ's recommendation and awarded Mr. Flakes \$118,375 in damages.

In *Michael Hansen v. New Printer's Workshop*, complainant filed two complaints, alleging that respondent discriminated against him because of his sex, and that respondent terminated his employment because he filed a discrimination complaint with the Commission. Commission staff found that complainant's sex discrimination allegations were not supported by substantial evidence, but that there was substantial evidence that respondent fired complainant after he filed his complaint. The Office of Administrative Hearings held a public hearing on November 4-5, 2009. As of December 31, 2009, the parties had not completed post-hearing briefing.

DOLLARS FOR DIRTY JOBS

A Micronesian laborer who worked for a construction company alleged that he was treated differently than other employees and harassed by his coworkers because of his race and national origin. He alleged that his coworkers made offensive comments about his race and national origin and forced him to do dirty jobs while they watched or ran personal errands, and that his working conditions became so intolerable that he was forced to resign. The parties mediated the case and reached a settlement in which the employer agreed to pay the laborer \$30,000 and give him a positive reference.

RUSH TO JUDGMENT

An Alaska Native customer complained that a restaurant refused to serve her because of her race and her physical disability. The customer had suffered a stroke, which caused her to walk crookedly, and she alleged that a waiter refused to serve her because he thought she was intoxicated. She further alleged that even after she explained her impairment to him, he continued to refuse her service, saying he did not care about her condition. The parties agreed to mediation and reached a settlement in which the restaurant's server and operations manager apologized to the customer and agreed to treat her the same as other customers in future visits.

In *Sue-Lynn Hight v. State of Alaska, Department of Labor and Workforce Development, Division of Labor Standards and Safety*, complainant alleged that respondent subjected her to different terms and conditions of employment because of her sex. Complainant also alleged that after she complained about discrimination respondent retaliated against her by suspending her and terminating her employment. Commission staff found substantial evidence that complainant's suspension was retaliatory. The parties reached a settlement wherein respondent agreed to pay Ms. Hight \$2,349 in back pay and to obtain training for its managers, supervisors, and employees on the provisions of the Human Rights Law.

In *Lester Hubbard v. Alaska Computer Essentials, Inc.*, complainant alleged that respondent discriminated against him on the basis of his disability, paraplegia. Complainant alleged that as a student in respondent's computer class he was unable to use the restroom because respondent's business lacked facilities that were accessible to persons who use wheelchairs for mobility. On June 29, 2009, an administrative law judge (ALJ) issued a preliminary default judgment based on respondent's repeated failure to respond to motions or discovery requests, and found that respondent had violated the Human Rights Law. On October 29, 2009, the Commission adopted the ALJ's recommendation and issued an order directing respondent to make its facilities accessible or to provide its services at an alternative accessible location.

In *Caroline Kocean v. Families First Dental Care*, complainant alleged that respondent discriminated against her because of her sex when one of respondent's dentists and an office manager subjected her to unwelcome sexually offensive comments. Complainant also alleged that the dentist repeatedly showed or attempted to show her and another employee sexually explicit computer images and photographs. A hearing scheduled before the Office of Administrative Hearings was continued based on the parties efforts to settle the case. As of December 31, 2009, a final settlement was pending.

In *Sarah Love v. Shane Crowson, f/d/b/a Alaska Heavy Haul Transport*, complainant alleged that respondent's owner subjected her to unwelcome sexual advances, requests for sexual favors, and verbal conduct of a sexual nature throughout her employment. Complainant alleged that this behavior made her working conditions so intolerable she was forced to resign from her position as a pilot car driver. A public hearing was held on October 28, 2009, during which respondent agreed to stipulate to a judgment that he violated the Human Rights Law and ordering him to pay complainant \$1,500 in back pay. As of December 31, 2009, a final decision of the Commission was pending.

GET YOUR HOUSE IN ORDER

A motel housekeeper alleged that when she complained of sexual harassment by a coworker the hotel took no corrective action and then reduced her hours and terminated her employment. The housekeeper asserted that she informed her supervisors—once verbally and once in writing—that her coworker had grabbed her buttocks and breasts and made other sexual advances toward her. The motel admitted that the housekeeper complained about sexual harassment and acknowledged that it had no record of having taken corrective action. The evidence also showed that the motel had disciplined the housekeeper's coworker for an earlier incident of sexual harassment of another female employee. The motel denied, however, that it reduced the housekeeper's hours and asserted that it terminated her employment because she stopped reporting for work. The Commission staff found that the housekeeper stopped reporting for work because of the employer's failure to act on her complaint and because she feared working with her coworker. The housekeeper was able to mitigate her damages by finding alternative employment soon after her termination, and the parties entered into a conciliation agreement in which the motel agreed to pay the housekeeper \$752 in back pay. The motel also agreed to train its managers and supervisors for its Alaska locations on the laws prohibiting discrimination in employment, with an emphasis on preventing and remedying sexual harassment and the prohibition on retaliation.

In *Edward L. Owens v. Municipality of Anchorage, Anchorage Community Development Authority*, complainant alleged that respondent discriminated against him because of his physical disability, back impairment. Complainant worked for respondent for thirteen years as a maintenance technician but was unable to continue performing the essential functions of the position after becoming disabled from an on-the-job injury. Although respondent reassigned complainant to a new position, complainant alleged that respondent refused to consider an accommodation that would have allowed him to accept the position and instead terminated his employment. On July 24, 2009, the parties entered into a settlement agreement in which respondent agreed to hire complainant into a new position that did not require an accommodation.

In *Dennis Phillips v. Tew's Excavation, Inc.*, complainant alleged that respondent discriminated against him because of his sex when respondent's owner subjected him to unwelcome, degrading comments and offensive conduct of a sexual nature. Complainant alleged that the owner's behavior made his working conditions so intolerable he was forced to resign from his position as a shop mechanic. The Office of Administrative Hearings held a public hearing on December 9-11, 2009. As of December 31, 2009, a recommended decision was pending.

In *Harry Ross v. Alaska Railroad Corporation*, complainant alleged that respondent failed to promote him from his position of conductor to a trainmaster position because of his race, Black. Commission staff found complainant's allegations were not supported by substantial evidence and complainant appealed the decision to superior court. The superior court reversed the Commission's decision and found substantial evidence of discrimination. A hearing was held before the Office of Administrative Hearings on January 20, 2009. On July 15, 2009, an administrative law judge found that respondent did not discriminate against complainant and recommended that the case be dismissed. As of December 31, 2009, a final decision of the Commission was pending.

In *Christine Smith v. Industrial Electric Contracting, Inc.*, complainant alleged that respondent refused to hire her for a bookkeeper position on the basis of her physical disability. Complainant asserted that respondent said it could not accommodate her even though she did not need an accommodation. The parties reached a settlement wherein respondent agreed to pay Ms. Smith \$2,500 and provide training for its managers, supervisors, and hiring personnel in the laws prohibiting discrimination in employment.

WRONG MOVE x TWO

A hotel clerk filed a complaint alleging that her employer discriminated against her because of her pregnancy when it refused to provide her with full-time benefits and reduced her hours. After she filed the complaint she was terminated, and she filed a second complaint alleging that her termination was in retaliation for filing the first complaint with the Commission. The Commission staff investigated and found substantial evidence that the clerk's hours were reduced because she was pregnant and that she was fired for filing a complaint of discrimination. In a conciliation agreement, the hotel agreed to pay the clerk \$25,038 in back pay, develop and disseminate to its employees a nondiscrimination policy, and provide training to its managers, supervisors, and employees on the laws prohibiting discrimination in employment.

THIS CUSTOMER WAS RIGHT

A Black restaurant customer alleged that she was humiliated and offended by the restaurant bartender's use of racial slurs in her presence, and that the restaurant manager refused to believe her when she complained about the incident and took no action in response to the bartender's comments. Commission staff investigated and found substantial evidence to support the customer's allegations. The respondent agreed to conciliate the case and to provide training to its staff on the laws prohibiting discrimination in places of public accommodation.

In *Judy Voorhis v. State of Alaska, Department of Health and Social Services, Division of Public Assistance*, complainant alleged that respondent discriminated against her on the basis of her physical and mental disabilities and retaliated against her for filing a discrimination complaint with the Commission. Commission staff found substantial evidence to support complainant's allegations of retaliation. The parties entered into a settlement agreement in which respondent agreed to provide training to its managers and supervisors on the laws prohibiting discrimination in employment.

In *Kelly Wilkins v. Dolphin Tours*, complainant alleged that respondent's owner subjected her to offensive comments and conduct of a sexual nature and made her working conditions so intolerable that she was forced to resign from her position as a dock representative. The parties entered into a settlement wherein respondent agreed to obtain training for its managers, supervisors, and employees on the laws prohibiting discrimination in employment with an emphasis on sexual harassment.

In *Tanya Ziegler v. Sam's, Inc. d/b/a Ahnco Office Solution*, complainant alleged that respondent discriminated against her because of her sex when respondent's manager subjected her to unwelcome touching and sexually offensive comments. Complainant further alleged that after she complained to her supervisor about the manager's behavior, respondent took no corrective action and terminated her employment. The parties reached a settlement in which respondent agreed to provide complainant with make whole relief in the amount of \$10,000 and to provide training to all of its employees on the laws prohibiting discrimination in employment with an emphasis on sexual harassment.

LITIGATION

In *Gregg Conitz v. Alaska State Commission for Human Rights*, complainant alleged that Teck Cominco Alaska, Inc., discriminated against him because of his race, Caucasian, when it selected Alaska Natives he alleged were less qualified for the supervisory positions for which he applied. Commission staff found that complainant's allegations were not supported by substantial evidence and complainant appealed the decision to superior court. At the end of 2009 briefing in the case had not been completed.

ADAPT

An apartment building tenant who had been disabled as the result of a stroke alleged that the apartment's owner refused to provide him a reasonable accommodation for his disability. He asserted that although his doctor had advised him to have his daughter reside with him to provide him care, the apartment owner refused to allow her to stay. Commission staff investigated and found complainant's allegations were supported by substantial evidence. The respondent agreed to conciliate the case and provide training to its managers and supervisors on the laws prohibiting housing discrimination.

CURRENCY CAPER

A restaurant patron from Canada alleged that he was discriminated against because of his national origin when the restaurant required him to pay a fifteen percent gratuity that American customers were not required to pay. The restaurant admitted that it had a separate policy for non-Americans that was adopted to help them "understand" how to tip. The Commission staff found substantial evidence of discrimination and the parties agreed to conciliate the case. The restaurant agreed to refrain from charging foreign customers additional fees because of their national origins, and to adopt a nondiscrimination policy that it disseminated to all of its employees.



In *Joe Cunningham v. Alaska State Commission for Human Rights*, complainant alleged that PenAir discriminated against him because of his age, forty-six, when it did not hire him for a mechanic position. Commission staff found that complainant's allegations were not supported by substantial evidence and complainant appealed the decision to superior court. On December 3, 2009, the court gave notice of its intent to dismiss the case because of appellant's failure to file a brief. At the end of 2009 no briefing had been submitted.

In *Sue Grundberg v. Alaska State Commission for Human Rights*, complainant alleged that the State of Alaska, Department of Transportation and Public Facilities, discriminated against her because of her sex, age, fifty-eight, and race, Asian, when it promoted a younger, less qualified male to an Engineer II position for which she applied. Commission staff found that complainant's allegations were not supported by substantial evidence and complainant appealed the decision to superior court. The court's decision was pending at the end of 2009.

In *Michael Hansen v. Alaska State Commission for Human Rights*, complainant alleged that the New Printer's Workshop discriminated against him because of his sex when it subjected him to different terms and conditions than those of his female coworker. Commission staff found that complainant's allegations were not supported by substantial evidence and complainant appealed the decision to superior court. On September 17, 2009, the superior court dismissed the case for appellant's failure to prosecute.

In *Willie Johnson v. Alaska State Commission for Human Rights*, complainant alleged that the Anchorage School District discriminated against him because of his sex, race, African American, and his disability, deep vein thrombosis, when it gave him a negative performance evaluation and refused to renew his contract. Commission staff found that complainant's allegations were not supported by substantial evidence. Complainant appealed to superior court. On May 15, 2009, the court affirmed the decision and dismissed the case.

OLD ENOUGH TO CARE

The mother of a sixteen-year-old girl filed a complaint alleging that a pet supply store refused to consider hiring her daughter because of her age. During the course of the investigation the store reversed its decision and allowed complainant's daughter to apply for a job. The store denied it refused to hire anyone because of their age; however, Commission staff found that the store had an arbitrary policy not to employ anyone under eighteen, and that the store's hiring staff applied the policy unevenly. The store agreed to conciliate the case by changing its policy to fairly consider all applicants who are of a legal age to work.

DISCRIMINATION STINKS

A woman working as a seafood processor alleged that her coworkers subjected her to derogatory comments on the basis of her race, Black, and national origin, American. She stated that after she submitted a written complaint to her employer about these comments, the company manager ripped up her statement and told her to return to work. She further alleged that she was retaliated against when her belongings were stolen and her employer placed her on a performance improvement plan, even though her work remained satisfactory. The parties mediated the case and reached a settlement in which the company agreed to pay the processor \$2,500.

In *Theresa Obermeyer v. Alaska State Commission for Human Rights*, complainant alleged that the Anchorage School District refused to hire her as a teacher because of her age, sixty-two. Commission staff found that the allegations were not supported by substantial evidence. Complainant appealed the Commission's decision to superior court. On August 4, 2009, the superior court granted the appellant's motion for a voluntary dismissal.

In *Charles Parello d/b/a Pulse Publications v. Alaska State Commission for Human Rights*, the respondent appealed to superior court a hearing decision by the Commission that found respondent discriminated against an employee when it refused to reasonably accommodate her by allowing her to have a designated parking space next to respondent's business and when it terminated her employment after she complained about the lack of accommodation. At the end of 2009, the court had not yet set a briefing schedule.

In *Yvonne Perkins-Williams v. Alaska State Commission for Human Rights*, complainant alleged that Alaska Communication Systems discriminated against her because of her age, forty-eight, race, African American, and her disability, carpal tunnel syndrome when respondent failed to accommodate her disability and terminated her employment. Commission staff did not find substantial evidence to support complainant's allegations and complainant appealed to superior court. The court's decision was pending at the end of 2009.

In *William Toliver v. Alaska State Commission for Human Rights*, complainant alleged that Brown Jug Inc., discriminated against him when it refused to sell him alcohol because of his race, African American. Commission staff did not find substantial evidence to support complainant's allegations. Complainant appealed to superior court. At the end of 2009 briefing in the case had not been completed.

BLING BUST

A father filed a complaint alleging that his minor son was fired from the restaurant where he worked because of his race, Black. He alleged that his son was told his appearance was unacceptable because he wore an earring and necklace, even after he agreed to remove the jewelry, and that a white employee with a similar necklace was allowed to keep his job. The mediation program facilitated a settlement between the parties in which the employer paid the complainant's son \$800.

TEACHING MOMENT

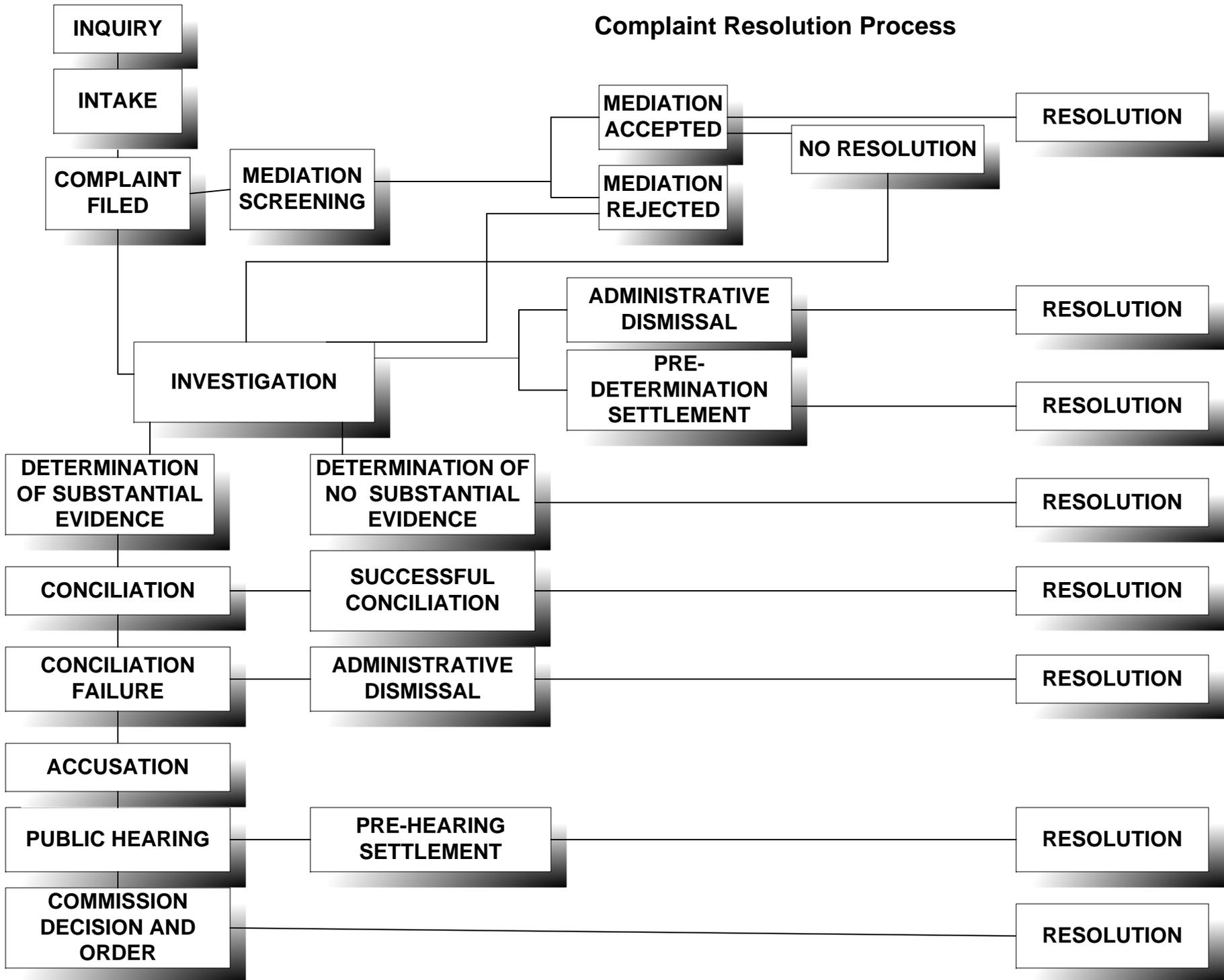
A woman with a mental disability filed a complaint alleging that a school district refused to hire her as a program manager because of her disability. She alleged that even though she had previously satisfactorily performed the same job for the school district for four years, the district hired someone who was so much less qualified that they required a waiver of the job's minimum qualifications to be hired. The Commission's mediation unit facilitated a settlement in which the employer agreed to pay the complainant \$16,939, provide her with a written apology, and expunge any information regarding her complaint and the settlement from her personnel file.

RIGHTING RETALIATION

A personal care attendant coordinator at a home health care company alleged that she was discriminated against because of her race, Alaska Native, when she was harassed by her coworkers. She further alleged that the company terminated her employment after she complained about the discrimination. During the course of the investigation, the company reinstated the coordinator to her position. The Commission's investigation later found substantial evidence to support the coordinator's allegations, and the parties entered into a conciliation agreement in which the company agreed to pay the coordinator \$4,606 in back pay and to obtain training in the laws prohibiting discrimination in employment.

ALASKA STATE COMMISSION FOR HUMAN RIGHTS

Complaint Resolution Process



2009 CASE PROCESSING STATISTICS

ANALYSIS OF FILINGS BY COMPLAINANT'S SEX

Female	183
Male	161
Total Filings	344

ANALYSIS OF FILINGS BY COMPLAINANT'S RACE

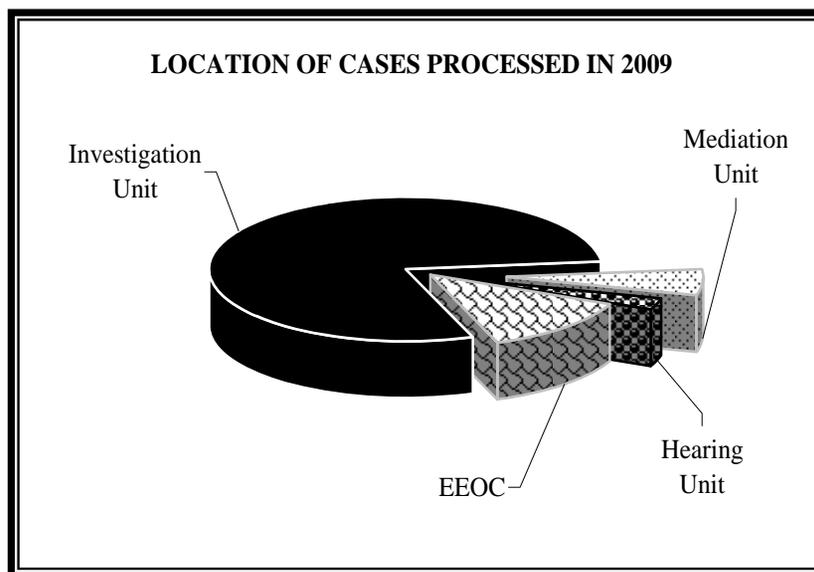
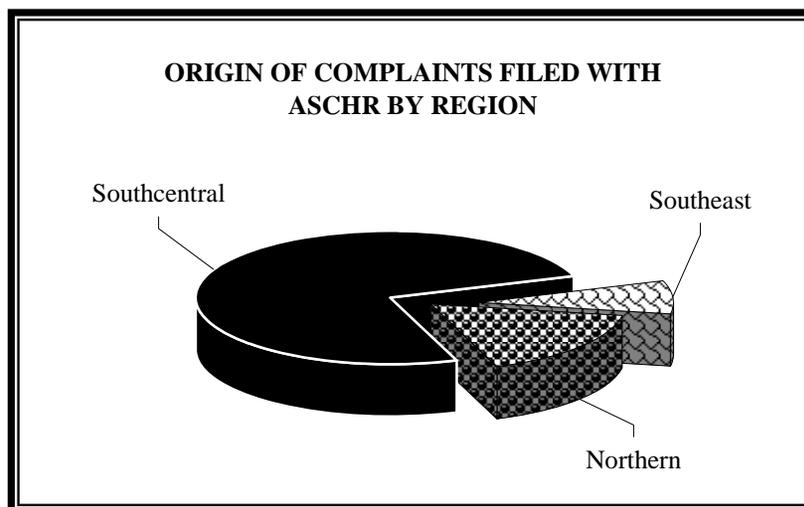
Caucasian	162
Black	52
Alaska Native	43
Unknown	28
Other	23
Asian	15
Hispanic	15
American Indian	6
Total Filings	344

ANALYSIS OF FILINGS BY COMPLAINANT'S AGE

20 years and under	2
21 – 40 years	128
41 – 60 years	182
61 years and over	27
Unknown	5
Total Filings	344

ANALYSIS OF FILINGS BY TYPE

Employment	307
Government Practices	17
Housing	11
Public Accommodation	7
Multiple	2
Total Filings	344



ANALYSIS OF FILINGS BY BASIS

Basis	Single Basis Complaint	Multiple Basis Complaint
Race/Color	53	54
Physical Disability	41	26
Age	36	32
Sex	27	48
Retaliation for Filing	17	14
Religion	12	10
Retaliation	11	43
Mental Disability	11	11
Pregnancy	8	4
National Origin	6	24
Marital Status	1	1
Multiple Basis*	121	---
Total Filings	344	

ANALYSIS OF FILINGS BY ISSUE

Issue	Single Issue Complaint	Multiple Issue Complaint
Discharge	66	119
Terms & Conditions	38	115
Failure to Hire	30	7
Other	12	37
Harassment	5	42
Sexual Harassment	5	25
Denied Service	5	7
Demotion	5	4
Failure to Promote	3	8
Eviction	2	3
Pay Equity	1	6
Failure to Rent	1	2
Failure to Dispatch	0	2
Denied Credit	0	1
Multiple Issue*	171	---
Total Filings	344	

*Some complaints alleged more than one basis and/or issue.

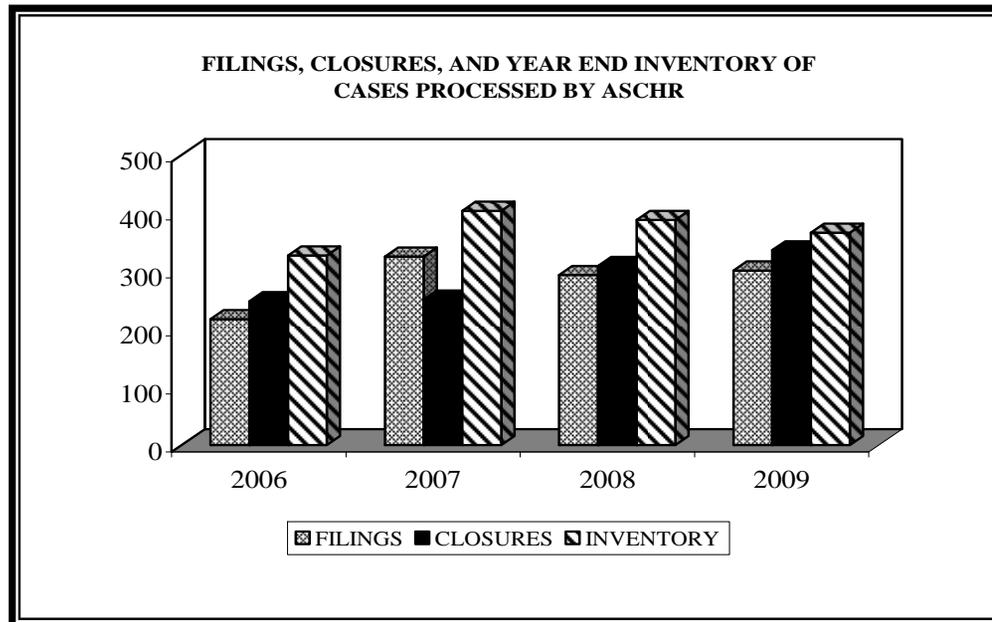
ANALYSIS OF 2009 CLOSURES

REASON FOR CLOSURE	NUMBER OF CLOSURES
MEDIATION:	24
Mediation – Successfully Settled	20
Mediation – Complaint Withdrawn	3
Mediation – Complainant to Court	1
ADMINISTRATIVE:	32
Complaint Withdrawn	6
Complaint Untimely or Lack of Jurisdiction	8
Complainant Not Available	11
Complainant to Court	1
Administrative Dismissal	4
Tribal Sovereign Immunity	2
NOT SUBSTANTIAL EVIDENCE	295
CONCILIATION AND SETTLEMENT:	24
Pre-Determination Settlement (PDS)	9
Substantial Evidence / Conciliation Agreement	15
HEARING:	10
Decision for Complainant	3
Pre-Hearing Settlement	6
Administrative Dismissal	1
TOTAL 2009 CLOSURES	385

DETERMINATIONS FINDING SUBSTANTIAL EVIDENCE OF DISCRIMINATION

SUBSTANTIAL EVIDENCE FINDINGS:	45
Successfully Conciliated	11
Conciliation Failed	12
Pending	22

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



SUMMARY OF CLOSURES

CATEGORY OF CLOSURE	2007	2008	Detail of 2009 Closures	
			ASCHR	EEOC
Mediation	28	30	22	2
Administrative	39	45	30	2
Not Substantial Evidence	190	252	252	43
Conciliation and Settlement	21	23	22	2
Hearing	14	7	10	0
			336¹	49
TOTAL CLOSURES	292	357	385	

¹This number does not include completed investigations of 34 cases which are still in conciliation or were transferred to the Hearing Unit in 2009.

This publication was released by the Office of the Governor, Alaska State Commission for Human Rights, as required by AS 18.80.150. This publication was printed in Anchorage, Alaska at a cost of \$3.82 each.