

6 AAC 30.310 is amended to read:

(a) The commission's staff may convene a conference between the complainant and the respondent to define the issues of the complaint, receive information relevant to the investigation and, if possible, to negotiate a resolution of the complaint.

(b) The complainant **and respondent** shall attend a resolution conference unless excused by the commission's staff for good cause shown. **The commission may use its subpoena authority to compel a party to appear at the resolution conference and to produce information, records, papers, accounts, and documents sought in the investigation.**

[RESPONDENT'S ATTENDANCE AT A RESOLUTION CONFERENCE IS VOLUNTARY. THE COMMISSION STAFF WILL MAKE NO ADVERSE INFERENCE CONCERNING THE MERITS OF THE COMPLAINT AGAINST A RESPONDENT WHO FAILS TO ATTEND A RESOLUTION CONFERENCE.]

(c) The commission's staff will advise complainant and respondent in writing of the conference date, the procedures to be followed, and what information should be brought to the conference to assist with the investigation and resolution.

(d) The commission's staff will informally and impartially conduct a resolution conference to inquire into facts relevant to the complaint and, at the request of the parties, will assist the complainant and respondent to negotiate a resolution of the complaint.

(e) No person may make a transcript or tape recording of the resolution conference. The commission staff will take investigative notes and will accept written evidence from the parties. Evidence received by the staff at this conference may be admissible as evidence in any subsequent hearing before the commission.

(f) The commission's staff may not disclose offers and counter offers of settlement, or evidence of the communication, evaluation, or discussion of any offer or counter offer of settlement, made during the conference. This subsection does not prevent the disclosure of any evidence otherwise discoverable merely because it is presented in the course of the conference.

(g) The commission's staff member will adjourn the conference when a party fails to cooperate with the commission's staff, acts in bad faith, or in a way which unreasonably annoys, embarrasses or oppresses a participant

(Eff. 3/12/81, Register 77; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 18.80.050 AS 18.80.060(b) AS 18.80.110

**AS 18.80.115**

6 AAC 30.860 is amended to read:

The commission will study employment practices periodically to discover potential violations of AS 18.80 and will request access to records kept under 6 AAC 30.810 – 6 AAC 30.830. These requests are an "inquiry" ["INQUIRIES"] as specified in AS 18.80.060(c) [AS 18.80.060(b)(4)] and are subject to the compulsory process in that subsection. The commission may publish the results of its study in a form that [WHICH] does not disclose the identity of a reporting entity.

(Eff. 3/12/81, Register 77; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 18.80.050 AS 18.80.060 AS 18.80.220(b)