

BEFORE THE ALASKA STATE COMMISSION FOR HUMAN RIGHTS ON REFERRAL TO THE OFFICE OF ADMINISTRATIVE HEARINGS

ALASKA STATE COMMISSION FOR HUMAN RIGHTS, ROBERT W. CORBISIER, EXECUTIVE DIRECTOR, ex rel., RACHELLE MORROW, Complainant, v. ALASKA RAILROAD CORPORATION. Respondent.

OAH No.

ASCHR No. J-24-135

ACCUSATION

Robert W. Corbisier, Executive Director of the Alaska State Commission for Human Rights, ex rel. Rachele Morrow, hereby alleges the following against Respondent, Alaska Railroad Corporation:

Personal Jurisdiction

- 1. Alaska State Commission for Human Rights ("ASCHR") is a state agency tasked with enforcing AS 18.80 which prohibits discrimination within the State of Alaska.
2. Rachele Morrow ("Ms. Morrow") is a resident of the State of Alaska.
3. Alaska Railroad Corporation ("Respondent") is a public corporation established by the Alaska Legislature pursuant to AS 42.40.010.

Subject Matter Jurisdiction

- 4. Under Alaska Statute 18.80.220(1), it is unlawful for an employer to refuse employment to a person, or to bar a person from employment, or to discriminate against a person in compensation or in a term, condition, or privilege of employment because of the person's race, religion, color, or national origin, or because of the person's age, physical or mental disability, sex, marital status, changes in marital status, pregnancy, or parenthood when the reasonable demands

ACCUSATION

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of the position do not require distinction on the basis of age, physical or mental disability, sex, marital status, changes in marital status, pregnancy, or parenthood.

CAUSE OF ACTION
ALASKA RAILROAD CORPORATION
DISCRIMINATION BASED UPON SEX
A VIOLATION OF AS 18.80.220(1)

- 5. Ms. Morrow is female.
- 6. Respondent employs Ms. Morrow as an Administrative Assistant for Heavy Equipment.
- 7. On July 25, 2024, Respondent internally posted the position of Planner/Scheduler for the Mechanical Department.
- 8. Respondent’s hiring policy states: “Supervisors and managers shall give special consideration to current employees’ qualifications, skills, and training needs when filling vacancies.”
- 9. Human Resources posts the positions, receives the applications, and reviews the applications.
- 10. Human Resources determines whether applicants are qualified or not qualified for the position.
- 11. Human Resources sends the qualified applications to the hiring manager and the hiring manager’s supervisor to conduct interviews.
- 12. If Human Resources determines that there are no qualified internal applicants, Human Resources posts the position externally.
- 13. The Chief Mechanical Officer is not part of the hiring process for nonsupervisory positions.
- 14. The hiring process for nonsupervisory positions involves the hiring manager, who for all relevant time periods related to this Accusation was Nathaniel Crawford and his supervisor, who for all relevant time periods related to this Accusation, was Bryan Cothren.

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- 15. After Human Resources sends qualified applicants to the hiring manager and the hiring manager’s supervisor, they conduct interviews and choose who to hire.
- 16. The Chief Mechanical Officer does not determine who is a qualified applicant for nonsupervisory positions.
- 17. Human Resources does not send qualified applicants to the Chief Mechanical Officer for nonsupervisory positions.
- 18. The Chief Mechanical Officer does not interview applicants or choose which applicant to hire for nonsupervisory positions.
- 19. On August 5, 2024, Ms. Morrow applied for the position of Planner/Scheduler in the Mechanical Department.
- 20. The Planner/Scheduler is a nonsupervisory position.
- 21. Ms. Morrow was employed in the Mechanical Department at the time.
- 22. Ms. Morrow performed the duties of the Planner/Scheduler in the Heavy Equipment Department weekly.
- 23. Ms. Morrow also performed some of the duties of the Planner/Scheduler in the Mechanical Department.
- 24. At the time, Sean Mesloh was Respondent’s Chief Mechanical Officer (CMO).
- 25. The CMO oversees the Mechanical Department.
- 26. The CMO is not in charge of Human Resources or hiring within Human Resources.
- 27. On July 31, 2024, Human Resources informed Sean Mesloh that “You have 3 candidates from your job announcement that closed recently; see attached. You have 0 members disqualified in the screening.”
- 28. Ms. Morrow was one of the applicants that were not disqualified by Human Resources.
- 29. Upon information and belief, Sean Mesloh did not inform Nathaniel Crawford or Bryan Cothren that Ms. Morrow applied for the position of Planner/Scheduler in the Mechanical Department.

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- 30. Nathaniel Crawford, the supervisor hiring manager for the position, and Bryan Cothren, Locomotive Operations Director, would have received this notification but for Sean Mesloh’s actions.
- 31. Human Resources did not inform Nathaniel Crawford or Bryan Cothern that Ms. Morrow had applied for the job.
- 32. Human Resources did not inform Nathaniel Crawford or Bryan Cothern that Ms. Morrow had qualified for the job.
- 33. Because Nathaniel Crawford and Bryan Cothren, who were the actual hiring team did not know Ms. Morrow had applied or that her application had been approved, they did not review her application or interview her.
- 34. On August 29, 2024, Sean Mesloh informed Ms. Morrow in person that she was not qualified for the position.
- 35. Sean Mesloh did not inform Nathaniel Crawford or Bryan Cothern that he had informed Ms. Morrow that she was not qualified for the position.
- 36. Sean Mesloh did not follow Respondent’s policy of telling Ms. Morrow in writing that she did not qualify for the position.
- 37. Human Resources did not inform Nathaniel Crawford or Bryan Cothern that Sean Mesloh had informed Ms. Morrow that she was not qualified for the position.
- 38. On August 30, 2024, Sean Mesloh instructed Human Resources to post the position externally with different position qualifications.
- 39. On August 31, 2024, Human Resources posted the position externally with different qualifications.
- 40. Sean Mesloh did not inform Nathaniel Crawford or Bryan Cothern that Sean Mesloh had instructed Human Resources to post the position externally with different qualification requirements.
- 41. Human Resources did not inform Nathaniel Crawford or Bryan Cothern that Sean Mesloh had instructed Human Resources to post the position externally with different qualification requirements.

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- 42. Ms. Morrow’s application was not considered in the external posting of the position.
- 43. Ms. Morrow was not given an opportunity to interview for the vacant position.
- 44. Respondent hired a male for the position who did not have experience as a planner/scheduler in railroad operations.
- 45. After the male was hired for the position, Ms. Morrow trained and assisted him in learning the job.
- 46. Nathaniel Crawford, the supervisor hiring manager for the position, stated that if he had received Ms. Morrow’s application, he would have interviewed her.
- 47. Nathaniel Crawford stated that he would have “hands down” hired her over the male because she was already doing the duties of Planner/Scheduler.
- 48. Bryan Cothren, the hiring director for the position, stated that if he had received Ms. Morrow’s application, he would have interviewed her.
- 49. Bryan Cothren stated that he would have hired Ms. Morrow over the other internal and external applicants.
- 50. Prior to August of 2023 Human Resources for Respondent received complaints about Sean Mesloh’s comments about women.
- 51. Comments reported to Respondent’s Human Resources (HR) include: (1) Sean Mesloh advising an employee not to hire a female applicant, especially an applicant who is pregnant; (2) Sean Mesloh advising an employee not to hire a female laborer because it is a man’s job; (3) Sean Mesloh advising an employee not to hire military reservists; (4) Sean Mesloh advising an employee that if you do not hire females, there will not be sexual harassment; and (5) Sean Mesloh stating to an employee that Sean Mesloh should screen out undesirable applicants.
- 52. In August of 2023, Alaska Railroad conducted interviews of managers within the organization regarding Sean Mesloh’s comments about women.
- 53. In March of 2024, Alaska Railroad conducted a second round of interviews of managers regarding Sean Mesloh’s comments about women.

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54. Human Resources did not interview non-management employees.

55. Respondent took no corrective action regarding Sean Mesloh.

56. Respondent’s Board of Directors was specifically advised of Sean Mesloh’s discriminatory issues with female employees in a letter written by Bryan Cothren which he gave to Board Director, TJ Dinsmore.

57. Respondent’s Board of Directors took no corrective action regarding Sean Mesloh.

58. Paragraphs 1 through 57 constitute unlawful discriminatory conduct in employment based on sex which is a violation of AS 18.80.220(1).

PRAYER FOR RELIEF

Wherefore, the Executive Director asks for the following relief:

1. An order declaring Respondent, Alaska Railroad Corporation, violated Alaska Stat. 18.80.220(1) by discriminating against Ms. Morrow because of her sex.
2. Order Respondent to award Ms. Morrow the position that she applied for as the best qualified applicant.
3. Order Respondent to provide back pay to Ms. Morrow from July 29, 2024, until the date of hearing.
4. Order Respondent to provide front pay from the date of hearing until the mechanical department planner/scheduler position becomes open again.
5. Order Respondent to give Ms. Morrow first right of refusal for the planner/scheduler position if it becomes available before posting it internally or externally.
6. Order Respondent to create an anti-discrimination policy.
7. Order Respondent to create anti-discrimination procedures.
8. Order ASCHR to review and approve Respondent’s anti-discrimination policy and procedures.

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- 9. Order Respondent to create a discrimination complaint and investigation process.
- 10. Order ASCHR to review and approve Respondent’s discrimination and complaint process.
- 11. Order Respondent to disseminate said policy and procedures to all employees upon approval by ASCHR.
- 12. Order Respondent to provide proof of dissemination and review by all employees of said policy and procedures to ASCHR.
- 13. Order Respondent to distribute and post instructions on how employees can report complaints of discrimination.
- 14. Order Respondent to provide the Board of Directors with two hours of in-person, live, anti-discrimination training with a neutral third-party trainer approved by ASCHR.
- 15. Order Respondent to provide management with four hours of in-person, live, anti-discrimination training with a neutral third-party trainer approved by ASCHR.
- 16. Order Respondent to provide non-management employees with three hours of in-person, live, anti-discrimination training of employees with a neutral third-party trainer approved by ASCHR.

Dated at Anchorage, Alaska 9/25/2025.

ALASKA STATE COMMISSION
FOR HUMAN RIGHTS

DocuSigned by:
Keoki Kim

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Keoki J. Kim
Human Rights Attorney
Alaska Bar No. 9505010

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CERTIFICATE OF SERVICE

I hereby certify that on 9/25/2025, true and correct copies of the foregoing **Accusation** and accompanying **Referral of Complain to Hearing** and **Entry of Appearance** were served via Certified Mail on:

Rachelle Morrow
337 E 4th Avenue, #137
Anchorage, AK 99501

William Evans, Esq.
Sedor Wendlandt Evans Filippi
500 L Street, Suite 500
Anchorage, AK 99501

and that the original filing was submitted on the same date to:

Dorene Lorenz, Chairperson
Alaska State Commission for Human Rights
1901 Bragaw Street, Suite 300
Anchorage, AK 99508

Signed by:

7A86AB18489E4C8
Kathryn DuFresne, Law Office Assistant

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