

# SB 117: Applicability of Human Rights Commission

# Alaska State Commission on Human Rights

- State agency that enforces the Alaska civil rights law in [AS 18.80](#)
- [Seven commissioners](#) appointed by the Governor and confirmed by the Legislature
- Small staff and office in Anchorage
- Statewide powers to accept and investigate [complaints](#) from individuals across all regions of the state

## **Mission Statement:**

To eliminate and prevent discrimination for all Alaskans

## **In Alaska, it is illegal 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:**

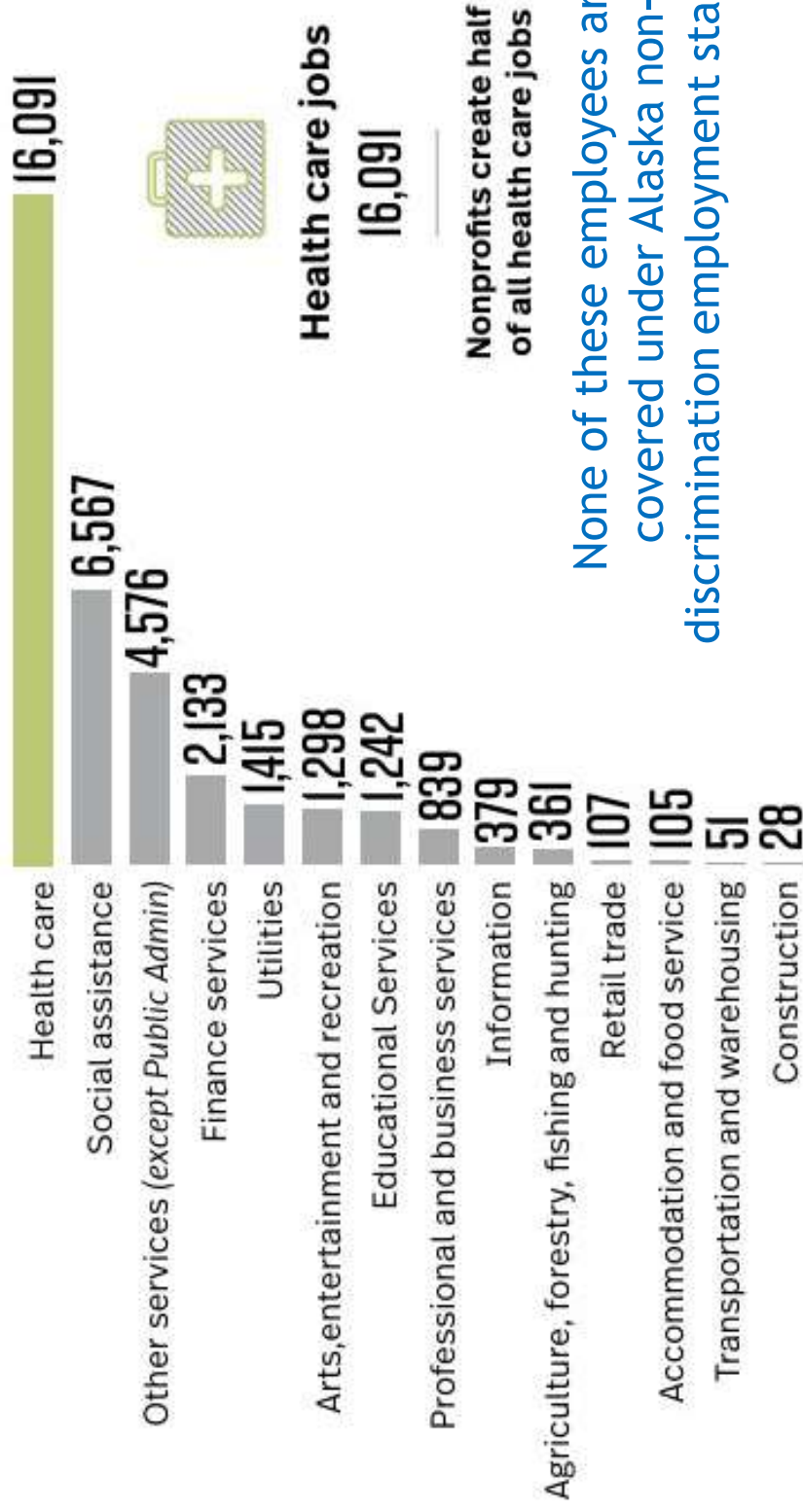
- Race
- Color
- Religion
- Sex
- National Origin <sup>2</sup>
- Disability

# Background: Current Jurisdiction

- ▶ U.S. Equal Employment Opportunity Commission (EEOC) protects non-profit employees from discrimination if the employer has at least 15 employees
- ▶ Municipal commissions, like the Anchorage Equal Rights Commission (AERC) and the Juneau Human Rights Commission (JHRC), cover non-profit employees in those communities
- ▶ The State commission has no jurisdiction to accept or pursue discrimination cases brought to them by non-profit employees
  - ▶ (This is due to language in the definition of “employer” in the ASHRC statutes, AS 18.80.300(5))

# Nonprofit Workforce and Coverage

- 5,688 non-profits in Alaska
- 35,302 direct jobs, about 12% of state workforce



Source: Foraker Group

# ASCHR: Annual Report

For at least the past five years, the Alaska State Commission for Human Rights (ASCHR) has stated that one of their main legislative priorities is to:

*“Work with the State Legislature to add non-profits to ASCHR’s jurisdiction in an effort to include protections for 44,000 currently unprotected workers”*



#### MISSION

To eliminate and prevent discrimination for all Alaskans

#### VISION

An Alaska free of discrimination

#### GUIDING PRINCIPLES

- Integrity in all we do
- An organization built on mutual respect
- Data-driven and accountable
- Promoters of equality for all Alaskans
- Meaningful application of resources
- Continuous improvement

Respectful representation of the constituents we serve

- Enforcement as a tool, not a goal
- Integrate education into all aspects of our work

#### PURPOSE STATEMENT

"Discrimination not only threatens the rights and privileges of the inhabitants of the state, but also menaces the institutions of the state and threatens peace, order, health, safety, and general welfare of the state and its inhabitants. Therefore, it is the policy of the state and the purpose of this chapter to eliminate and prevent discrimination. It is also the policy of the state to encourage and enable physically and mentally disabled persons to participate fully in the social and economic life of the state and to engage in remunerative employment." AS 18.80

#### GOAL 1

Conduct timely investigations that strengthen Alaska anti-discrimination laws and procedures

- Implement case collaboration procedures that introduce staff lawyers into the case early in the process to aid in identifying the legal theories prior to developing the investigation plan.
- Identify impediments to closing cases at 180 days from assignment and implement solutions.
- Develop reporting structures that access relevant data in the case

#### GOAL 2

Continue and expand outreach efforts for elimination and prevention of discrimination

- Develop and implement plan for statewide outreach with educational, training and public service components.
- Conduct systemic investigations and prepare white papers with findings to share with leadership and other organizations
- Create and prepare materials to reach a through

#### GOAL 3

Recognizing that people are our greatest asset where staff feels appreciated and valued

- Develop an employee succession plan.
- Create opportunities for advancement.
- Provide training & professional development opportunities.
- Increase Staff/Commission interaction.

# What does the bill do?

1. Changes definition of “employer” to include non-profit organizations
  - The change in HB23 only applies to the State Commission for Human Rights [AS 18.80.300(5)]
  - Retains exceptions for social and fraternal organizations, and employees of religious organizations hired for a religious purpose
2. Change name of the commission to the Alaska State Commission for Civil Rights
3. New statute saying that the governor can only remove a commissioner for cause (incompetence, neglect, misconduct, etc.)
4. Change the timing of their annual report to November 15, and allow for it to be provided electronically

# Questions?