

ALASKA STATE LEGISLATURE

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REPRESENTATIVE ANDY JOSEPHSON

HB23: Applicability, Alaska State Commission on Human Rights

Sponsor Statement for CSHB23(L&C)\I

House Bill 23 closes an important gap in coverage that prevents over 50,000 working Alaskans from being covered by the Alaska State Commission on Human Rights (ASCHR, or Commission).

The Commission consists of seven commissioners appointed by the governor. Their mandate is to adopt and enforce regulations related to employment discrimination because of physical and mental disabilities. A person aggrieved by an alleged discriminatory practice may file a complaint with the Commission. The Commission may investigate, hold hearings, and potentially order appropriate relief. However, in current law this protection does not extend to employees of Alaska's many nonprofit organizations. According to the Foraker group, this includes over 35,000 direct jobs. HB23 would modify the definition of "employer" in the ASCHR statutes to include these workers.

The House Labor and Commerce Committee made additional changes to the governance of the commission. These include renaming the commission to the Alaska State Commission for Civil Rights, requiring that commissioners can only be removed for cause, and changing the date and method of delivery for the commission's annual report. The Commission supports this legislation; one of their strategic planning goals expressed since 2018 has been to add non-profits to ASCHR's jurisdiction. In 2022, ASCHR estimated at least 50 cases could not be addressed due to the non-profit exclusion.

Some municipalities have their own entities to hear discrimination complaints, for example the Anchorage Equal Rights Commission. The federal Equal Employment Opportunity Commission (EEOC) covers non-profit employers with 15 or more employees. A gap exists, however, for a non-profit employer who has fewer than 15 employees and is located outside the jurisdiction of a municipal human rights commission.

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