

ALASKA STATE LEGISLATURE

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REPRESENTATIVE ANDY JOSEPHSON

HB23: Applicability, Alaska State Commission on Human Rights

Sponsor Statement

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 workers at Alaska's many nonprofit organizations. HB23 would modify the definition of "employer" in the ASCHR statutes to include these workers.

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.

Alaska's 5,620 non-profit companies provide roughly 54,900 jobs equating to 20% of our state's private sector employment. Non-profits located in Alaska span a broad array of fields and include large numbers of workers in health care (16,091 jobs), social assistance (6,567 jobs), financial services (2,133 jobs), utilities (1,415 jobs), and more.

The commissioners on the Alaska State Commission on Human Rights (ASCHR) support this legislation. One of the ASCHR 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. Additionally, EEOC has the power to designate cases to ASCHR, and to compensate the state \$800 per case.

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