



RESOLUTION 2022-4

TITLE: Employment Jurisdiction over Non-Profit Organizations

PURPOSE: To request the Alaska Legislature to change the definition of employer in AS 18.80 to exclude only non-profit organizations that are not social welfare clubs 501(C)4 or social and recreation clubs 501(C)7.

WHEREAS, the Alaska Human Rights Law, AS 18.80, drives the Alaska State Commission for Human Rights' ("ASCHR" or "the Commission") mission to eliminate and prevent discrimination in Alaska; and,

WHEREAS, "employer" is defined in the Alaska Human Rights Law, AS 18.80.300(5) as "a person, including the state and a political subdivision of the state, who has one or more employees in the state but does not include a club that is exclusively social, or a fraternal, charitable, educational, or religious association or corporation, if the club, association or corporation is not organized for private profit;" and,

WHEREAS, an exemption for religious organizations is already provided for in 6 AAC 30.985 which reads, "[a]ny organization operated for charitable or educational purposes and supervised or controlled by or in connection with a religious organization is not prohibited from limiting admission to or giving preference to persons of the same religion or denomination or otherwise making a hiring decision that will promote the religious principles for which it is established or maintained;" and,

WHEREAS, the Alaska Human Rights Law, AS.18.80, does not currently take into account that as of 2018 there were 5,765 non-profits in the State of Alaska with 44,000 employees generating \$3.89 billion in total annual income; and,

WHEREAS, the majority of these employees are non-jurisdictional under the current law and are not afforded the same protections as other Alaskans; and

WHEREAS, the Alaska State Commission for Human Rights cannot eliminate and prevent discrimination to all of Alaska's citizens under current law.

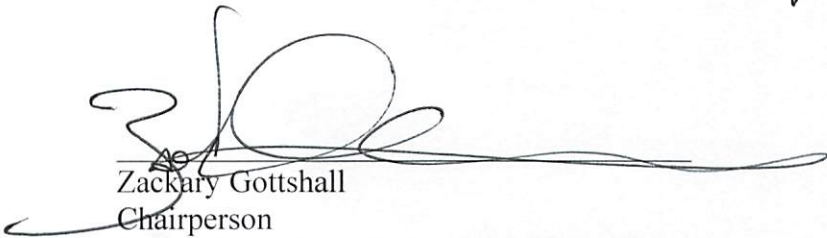
NOW, THEREFORE, BE IT RESOLVED, that the Alaska State Commission for Human Rights:

1. Calls on the Alaska State Legislature to revise the Alaska Human Rights Law, specifically AS 18.80.300(5), so that employer is defined as follows for the purposes of AS 18.80:

“employer means a person, including the state and a political subdivision of the state, who has one or more employees in the state but does not include an organization or club that is exclusively social or fraternal and is not organized for private profit;”

Copies of this resolution shall be forwarded to the Office of the Governor and all members of the Alaska State Legislature.


ADOPTED at Anchorage, Alaska, this 11 day of July, 2022



Zackary Gottshall
Chairperson

Alaska State Commission for Human Rights

I hereby certify that the foregoing Resolution
2022-2 is a true and accurate copy of the
language adopted by the Commission on
July 11, 2022.



Stephanie Guerrero
Acting Secretary

Alaska State Commission for Human Rights