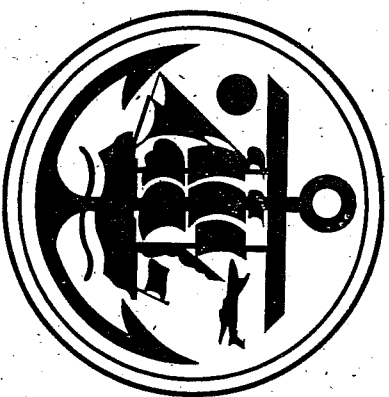
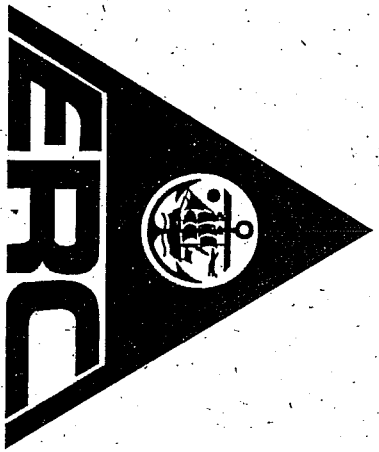
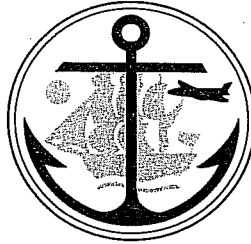


Anchorage Equal Rights Commission
(AERC)
1998 Annual Report



Municipality of Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-4342
FAX: (907) 276-4630
TTY: (907) 343-4894

Rick Mystrom, Mayor

EQUAL RIGHTS COMMISSION
620 East 10th Avenue, Suite 204
Anchorage, Alaska 99501

May 5, 1999

The Honorable Rick Mystrom, Mayor of Anchorage
The Honorable George Wuerch, Chair of the Anchorage Assembly

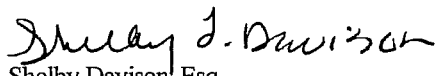
Dear Mayor Mystrom and Assemblyman Wuerch:

On behalf of the Commission, I respectfully submit the 1998 Annual Report of the Anchorage Equal Rights Commission (AERC). Established in the Anchorage Charter in 1977, the AERC's purpose is to eliminate and prevent illegal discrimination within the geographic boundaries of the Municipality of Anchorage. Title V of the Anchorage Municipal Code provides protection from discrimination as to race, color, sex, religion, national origin, marital status, age, or physical or mental disability and covers the areas of employment, housing, public accommodations, education, financing practices, and services provided by the Municipality.

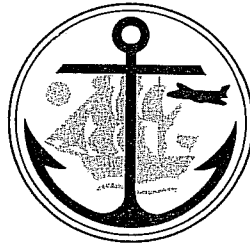
1998 was a year of transition for the AERC. Steven Holt and Bridget Thompson, two outstanding executives, retired from the Commission staff in 1998. In addition, four commissioners resigned from the AERC to pursue other opportunities: Sharon Mitchell, Bill Fowler, Lisa Murkowski and David Levy. I am pleased to report that former commissioner David Levy was selected by the Commission as its new executive director. Conni Livsey (current AERC Commission Attorney) served as acting staff attorney until a replacement was found in early 1999. Also, Julie Eaton was appointed by Mayor Mystrom in November 1999 to fill a vacancy on the Commission. In 1999, Barbara Jones was selected by the Commission to serve as the staff attorney and Valorie Moore and Julie Alfred Troiano were selected to fill the vacancies on the commission. I would especially like to recognize the outstanding efforts of Sam Cornell in filling in as Acting Executive Director during our transition. His efforts and abilities made it a very smooth transition.

This is the first time in several years that the AERC has attempted to develop and present a comprehensive report on AERC activities. The AERC appreciates the support you have provided to the agency in the past and looks forward to working with you in the future. If you have any additional questions or concerns, please feel free to call me at the AERC office at 343-4342 or call Mr. Levy directly at 343-4340.

Sincerely,


Shelby Davison, Esq.
Chair, Anchorage Equal Rights Commission

Municipality of Anchorage



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Anchorage, Alaska 99519-6650
Telephone: (907) 343-4342
FAX: (907) 276-4630
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Rick Mystrom, Mayor

EQUAL RIGHTS COMMISSION
620 East 10th Avenue, Suite 204
Anchorage, Alaska 99501

May 5, 1999

Dear Residents of Anchorage:

On behalf of the staff of the Anchorage Equal Rights Commission (AERC), I welcome your interest in the AERC's 1998 Annual Report. Created over 20 years ago, the mission of the AERC is to assure the effective enforcement of Title 5 of the Anchorage Municipal Code. I have listed below some highlights from the 1998 report.

Inquiries:

In 1998, the Anchorage Equal Rights Commission responded to 670 inquiry complaints on discrimination. This included inquiries regarding discrimination in employment, housing, public accommodation, education and financial institutions and unlawful practices by the Municipality of Anchorage. A majority of the inquiries were filed by African-Americans, followed by Alaska Natives/American Indian, Hispanics, White/Non-Hispanics and Asians. (Please see 1998 AERC inquiries for information).

Filings:

The Anchorage Equal Rights Commission opened 80 cases in 1998. Sixty-five cases or 81% of the cases filed were employment-related cases. Case Filings are broken down in the following manner: (Please see 1998 Case Filings Statistics for additional information.)

By Race - 37 or 46%

By Disability - 9 or 11%

By Age - 1 or 1%

Total - 80

By Gender - 26 or 33%

By Retaliation - 3 or 4%

By Other - 4 or 5%

Education and Outreach:

In 1998, the AERC made it a commission priority to conduct outreach and other educational activities for the Anchorage community. Since the appointment of a new director in October of 1998, AERC information has been provided to local non-profit groups (United Way of Anchorage Director's Association), minority groups (Minority Community Police Relations Task Force) and to the business community (Anchorage Chamber of Commerce Small Business Committee). Activities planned for 1999 include continuing to work with community groups in Anchorage as well as working with the Alaska Bar Association on joint training opportunities. We appreciate the support that the Anchorage community has shown to the AERC in 1998. We are hoping for the continued support of the community in making Anchorage free of discrimination.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Levy". The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

David M. Levy
Executive Director

1998 AERC Annual Report: 1999 Commissioners

- ✓ Shelby Davison Chairperson
- ✓ Terry Bryan Vice Chairperson
- ✓ Dave Cavitt Secretary
- ✓ Geri Simon Commissioner
- ✓ Bonnie Carroll Commissioner
- ✓ Julie Eaton Commissioner
- ✓ Julie Alfred Troiano Commissioner
- ✓ Valorie Moore Commissioner



1998 AERC Annual Report: 1999 AERC Staff

- ✓ David M. Levy
Executive Director
- ✓ Barbara A. Jones
Staff Attorney
- ✓ Lynda H. Richards
Administrative Assistant
- ✓ Paul R. Swetzof
AERC Investigator
- ✓ Deborah R. Wing
AERC Investigator
- ✓ Daniel L. Nix
AERC Investigator



1998 AERC Annual Report: AERC Statement of Purpose

✓ The purpose of the Anchorage Equal Rights Commission (AERC) under Title 5 of the Anchorage Municipal Code (AMC) is to eliminate and prevent discrimination within the geographic boundaries of the Municipality of Anchorage. The enforcement provisions cover employment, housing, public accommodations, education and financial practices, and unlawful practices of the Municipality. Complaints can be filed in regards to race, color, sex, religion, national origin, marital status, age, or physical or mental disability.

✓ The AERC is governed by a nine (9) member commission whose members are appointed by the Mayor and confirmed by the Anchorage Assembly.



1998 AERC Annual Report:

Commission Duties and Responsibilities

- ✓ **The duties and responsibilities of the commission:**
- ✓ Hold public hearings and issue orders concerning discrimination under sections 5.30.030 and 5.30.050.
- ✓ Administer oaths and affirmations, certify its official acts and issue subpoenas, subpoenas duces tecum and other legal processes to compel the attendance of witnesses and the production of testimony, books, records, papers, accounts, documents or things in any inquiry, investigation, hearing or proceeding before the commission; the commission may petition the superior court of the state having jurisdiction to enforce its subpoenas, subpoenas duces tecum, and other legal processes.
- ✓ Intervene in any court proceeding brought under this title.
- ✓ Enter into agreements with counterpart agencies at all governmental levels to promote effective and efficient enforcement of the law.
- ✓ Grant relief as described in section 5.30.050:
- ✓ Develop programs designed to bring about the prevention and elimination of discrimination.
- ✓ Hire, subject to approval of the mayor, an executive director who shall serve at the pleasure of the commission.
- ✓ Delegate to the executive director all powers and duties given it by this title, except the power to hold hearings, issue orders and hire the executive director; and
- ✓ Adopt procedural and evidentiary rules necessary to fulfill the intent of this title.

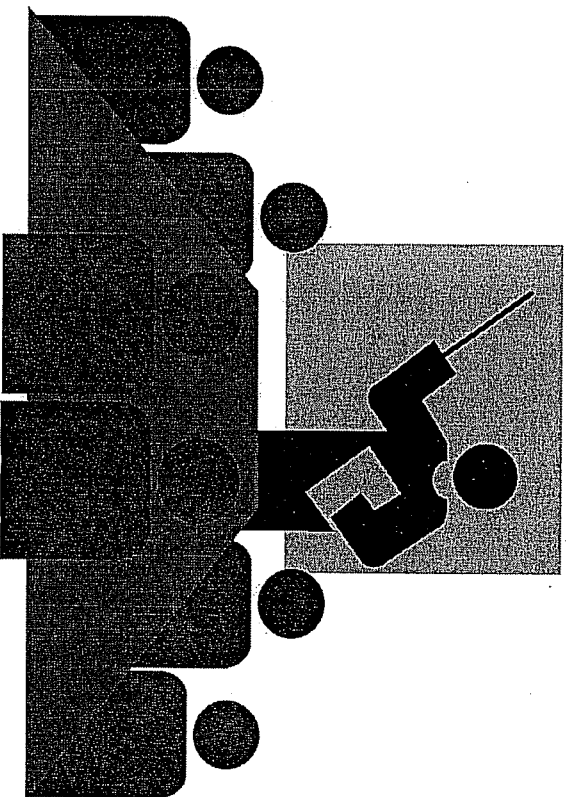
1998 AERC Annual Report: The Complaint Process

✓ A person who believes they are aggrieved by any discriminatory conduct prohibited by Title 5 may file a written complaint with the AERC within 120 days from the date of the alleged discriminatory conduct, stating the name and address of the person alleged to have engaged in discriminatory conduct, and the particulars of the act. The executive director may file a complaint when an alleged discriminatory act against an individual or groups of individuals comes to his attention. If the AERC has jurisdiction in this matter, the individual is asked to complete an intake questionnaire form. A complaint is drafted and endorsed by the individual(s) alleging discrimination.

✓ All complaints are treated in a confidential manner. The investigation is conducted by an impartial staff investigator who collects information from those involved in the complaint.

✓ At any time in the process the complaint may be resolved or withdrawn. If the investigation determines the complaint is not supported by substantial evidence, the complaint will be dismissed. If the investigation determines substantial evidence exists to support the allegations of illegal discrimination, the investigator attempts to resolve the matter through conciliation.

✓ If conciliation efforts are unsuccessful, the complaint will be set for hearing before a panel of AERC Commissioners or a hearing officer and a legal and binding decision will be issued.



1998 AERC Annual Report: Unlawful Employment Practices

✓ It is unlawful for:

✓ An employer to refuse employment to a person or to bar them from employment, or to discriminate against them in compensation or in a term, condition or privilege of employment or to discharge, expel, reduce, suspend or demote them because of their race, religion, age, sex, color, national origin, marital status, or physical or mental disability unless the reason for the discrimination is a bona fide occupation. A labor organization because of the person's race, religion, age, sex, color, national origin, marital status or physical or mental disability to exclude or to expel him from its membership or to discriminate against one of its members or an employer or employee.

✓ A person, employer or employment agency to broadcast, publish, print, circulate or cause to be broadcasted, published, printed or circulated a statement or advertisement in connection with prospective employment or to use a form of application for employment which expresses, directly or indirectly, a limitation, specification, preference or discrimination as to race, religion, age, sex, national origin, marital status or physical or mental disability.

✓ A person to discriminate in the payment of wages as between sexes, or to employ a person of one sex in an occupation at a salary or wage rate less than that paid to a person of another sex for work of comparable character or work in the same operation, business or type of work in the same locality.

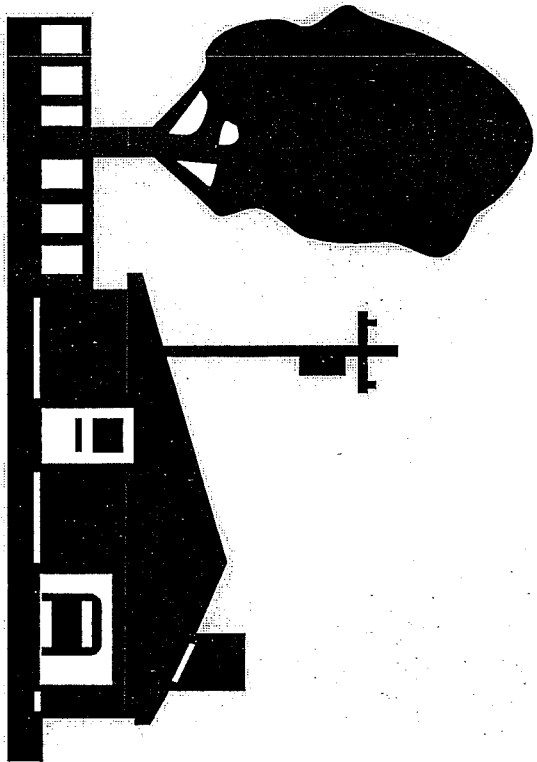
✓ An employer, labor organization or employment agency to discharge, expel, retaliate or to otherwise discriminate against a person because the person has opposed any practice forbidden under section 5.20.010 through 5.20.070, or because he has filed a complaint, testified or assisted in a proceeding under the title.



1998 AERC Annual Report: Unlawful Housing Practices

✓ It is unlawful for the owner, lessor, manager, agent or other person having the right to sell, lease, rent or advertise real property to:

- ✓ Refuse to sell, lease, or rent the real property to a person because of race, religion, age, sex, color, national origin, marital status, or physical or mental disability.
 - ✓ Discriminate against a person because of race, religion, age, sex, color, national origin, marital status, or physical or mental disability in the term, condition, or privilege relating to the use, sale, lease, or rental of real property.
 - ✓ Make a written or oral inquiry or record of the race, religion, age, sex, color, national origin, marital status, or physical or mental disability of a person seeking to buy, lease or rent real property.
 - ✓ Offer, solicit, accept, use, or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or sources in connection therewith, because of a person's race, religion, age, sex, color, national origin, marital status or physical or mental disability.
 - ✓ Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is available, or refuse a person the right to inspect real property, because of the race, religion, age, sex, color, national origin, marital status or physical or mental disability.
 - ✓ Engage in blockbusting.
- It is not illegal in the individual home wherein the renter or lessee would share common living areas with the owner, lessor, manager, agent or other person



1998 AERC Annual Report: Unlawful Public Accommodation Practices

✓ **It is unlawful** for a person, whether the owner, operator or agent or employee of an owner or operator of a public accommodation, to:

- ✓ Refuse, withhold from or deny to a person any of its accommodations, advantages, facilities, benefits, privileges, services or goods, of that place on account of race, religion, age, sex, color, national origin, marital status or physical or mental disability.
- ✓ Publish, circulate, issue, display, post or mail a written or printed communication, notice, or advertisement which states or implies that:
 - Any of the services, good, facilities, benefits, accommodations, advantages or privileges of the public accommodation will be refused, withheld from or denied to a person of a certain race because of religion, age, sex, color, national origin, marital status or physical or mental disability; or
 - The patronage or presence of a person belonging to a particular race, religion, age, sex, color, national origin, marital status or physical or mental disability is unwelcome, not desired, solicited, objectionable or unacceptable.
- ✓ Make a written or oral inquiry concerning the race, religion, age, sex, color, national origin, marital status or physical or mental disability of an individual in connection with the solicitation, reservation, booking, sale, or dispensing of any accommodation, advantage, facility, benefit, privilege, service or goods.



1998 AERC Annual Report: Unlawful Educational Practices

✓ **It is unlawful** for a person operating or assisting in the operation of an educational institution to:

- ✓ Refuse to admit or otherwise to discriminate against an individual with respect to the terms, conditions, accommodations, advantages, facilities, benefits, privileges or services of that institution on account of race, religion, age, sex, color, national origin, marital status or physical or mental disability.
- ✓ Make or use a written or oral inquiry or form of application for admission that elicits information concerning the race, religion, age, sex, color, national origin, marital status, or physical or mental disability of an applicant for admission.
- ✓ Require a photograph of an applicant with an application for admission.
- ✓ Publish, circulate or display, or cause to be published, circulated or displayed, a written, printed, oral or visual communication, advertisement or catalog, or any other form of publicity relating to admission that expresses or indicates a preference, limitation, specification or discrimination on account of the race, religion, age, sex, color, national origin, marital status or physical or mental disability.
- ✓ Establish, announce or follow a policy of denial or limitation of educational opportunities for members of a group on account of race, religion, age, sex, color, national origin, marital status, or physical or mental disability.
- ✓ Use in the recruitment of potential applicants for admission, a service or agency that discriminates against individuals on account of race, religion, age, sex, color, national origin, marital status or physical or mental stability.



1998 AERC Annual Report: Unlawful Financial Practices

✓ It is unlawful for an insurance

company, a financial institution or other commercial institution extending secured or unsecured credit, upon receiving an application for financial assistance or credit for the acquisition, construction, rehabilitation, repair or maintenance of a housing accommodation or other property, or services, or the acquisition or improvement of unimproved property, or upon receiving an application for any sort of loan of money, or upon receiving an application for insurance, to permit one of its officials or employees during the execution of their duties:

- Discriminate against the applicant because of race, religion, age, sex, color, national origin, marital status, or physical or mental disability in a term, condition, or privilege relating to the obtaining or use of the institution's financial assistance, insurance or credit, except to the extent of a federal statute or regulation applicable to a transaction of the same character.
- Make or cause to be made a written or oral inquiry or record of the race, religion, age, sex, color, national origin, marital status, or physical or mental disability of a person seeking the institution's financial assistance, insurance or credit, unless the inquiry is for the purpose of ascertaining the applicant's credit worthiness or insurability.
- Refuse to extend credit, issue a credit card, insure or make a loan to a single, divorced, pregnant or married person who is otherwise creditworthy, if so requested by the person.
- Refuse to insure or to issue a credit card to a married person in that person's name, if so requested by the person, provided, however, that the person so requesting a card may be required to open an account in that name if so requested by that person.

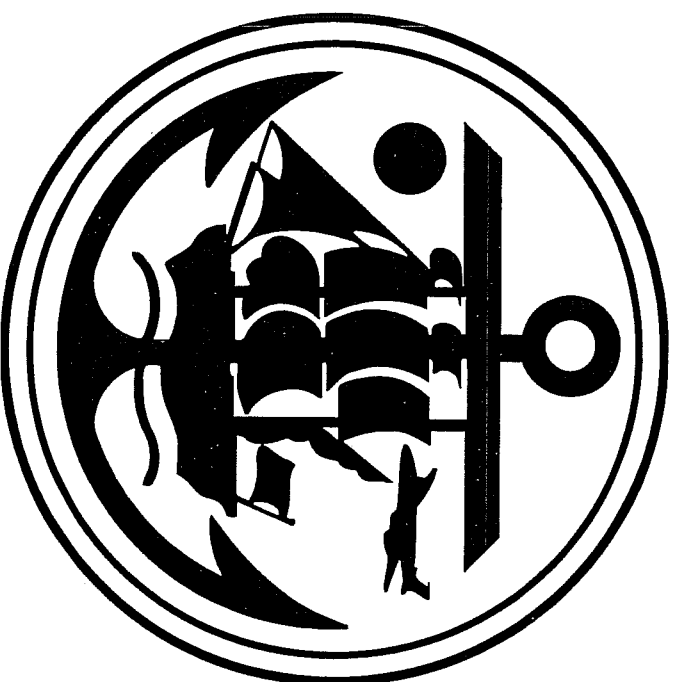


1998 AERC Annual Report: Unlawful MOA Practices

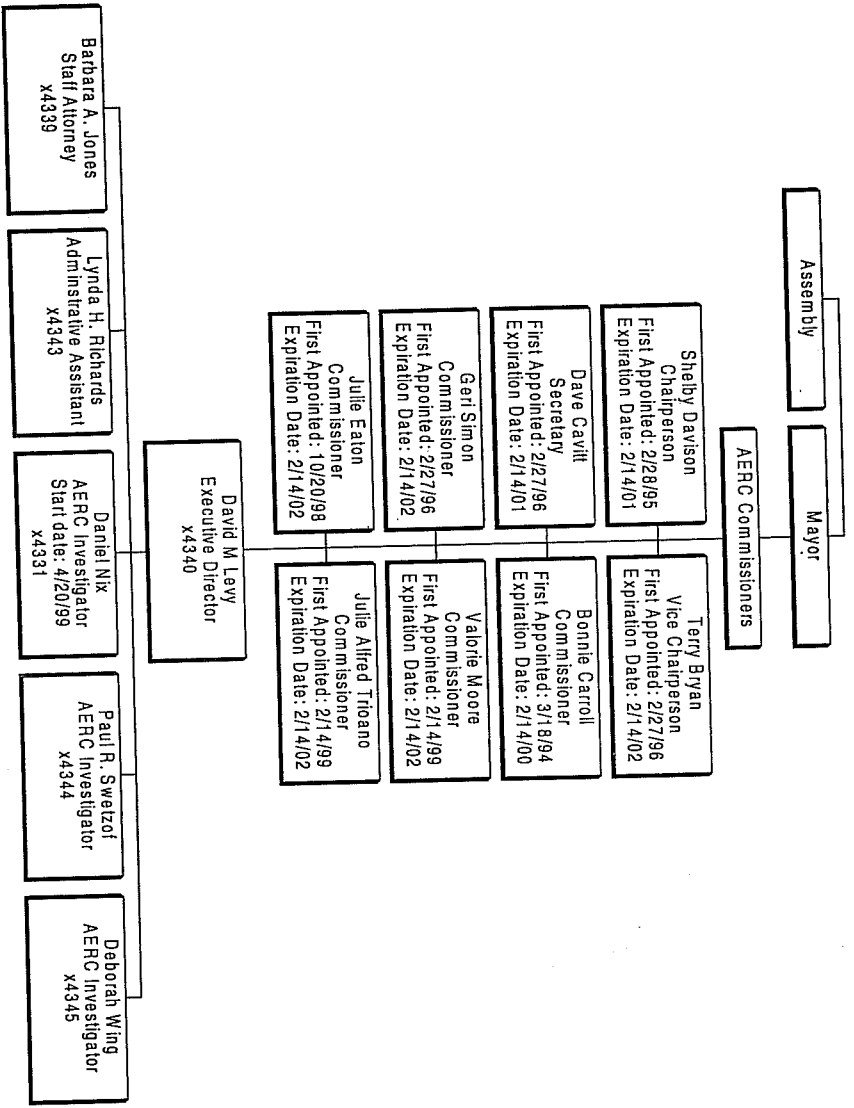
✓ **It is unlawful** for the municipality
or any public agency thereof to :

✓ Refuse, withhold from or deny to a person any local, state or federal funds, services, goods, facilities, advantages or privileges because of race, religion, age, sex, color, national origin, marital status, or physical or mental disability.

✓ Publish, circulate, issue, display, post or mail a written or printed communication, notice or advertisement which states or implies that any local, state, or federal funds, services, goods, facilities, advantages, or privileges of the office or agency will be refused, withheld from or denied to a person of a certain race, religion, age, sex, color, national origin, marital status, or physical or mental disability or that the patronage of a person belonging to a particular race, religion, age, sex, color, national origin, marital status, or physical or mental disability is unwelcome, not desired or solicited.



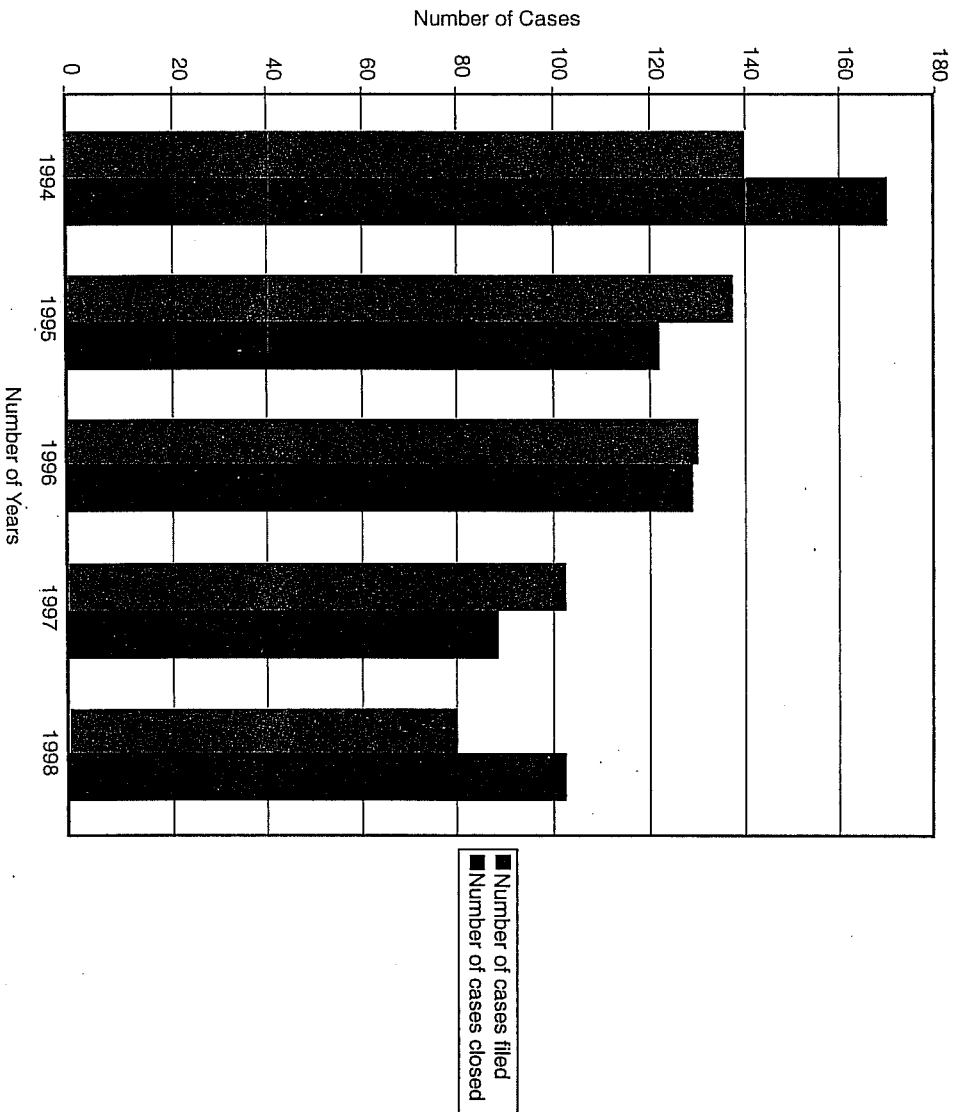
1998 AERC Annual Report: Organizational Chart



1998 AERC Annual Report: Summary of Annual Report

- ✓ In 1998, the Anchorage Equal Rights Commission (AERC) opened 80 cases of discrimination. This is a decrease of 20% compared to 1997 (102). It is a decrease of 37% compared to 1996 (129).
- ✓ In 1998, the AERC responded to 670 inquiries of discrimination. This is an increase of two compared to 1997 and a decrease of 170 since 1996 (843).
- ✓ In 1998, the AERC took one case to public hearing: Lewis v. Alaska Airlines.

AERC 1998 Annual Report: Filings and Closures (1994 - 1998)



1998 AERC Annual Report: 1998 Case Filings

Case Filings: 1998

	Employment	Housing	Public Accommodations	MOA Practices	Financial Institution	Educational Institution	Other	Total
Race	24	1	1	2	0	0	2	30
Sex <i>gender</i>	27	0	0	0	0	0	0	27
National Origin	5	0	0	0	0	0	0	5
Age	1	0	0	0	0	1	0	1
Retaliation	3	0	0	0	0	0	0	3
Color	0	0	0	0	0	0	0	0
Marital Status	0	0	0	0	0	0	0	0
Physical Disability	5	1	4	0	0	0	0	10
Mental Disability	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
Other/Info only	4	0	0	0	0	0	0	4
Total	68	2	5	2	0	1	2	80

1998 AERC Annual Report: 1998 Inquiries

1998 Inquiry Record

	Employment	Housing	Public Accommodations	MOA Practices	Financial Institution	Educational Institution	Other
1st Quarter	166	13	5	2	0	4	3
2nd Quarter	143	16	4	3	0	0	4
3rd Quarter	119	22	7	3	1	2	6
4th Quarter	107	25	5	5	0	0	5
Total	535	76	21	13	1	6	18

