

ANCHORAGE EQUAL RIGHTS COMMISSION



2022 ANNUAL REPORT

Anchorage Equal Rights Commission

Preventing and Eliminating Discrimination



Artwork created by Erika Travis, ASD Sixth Grade

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2022 COMMISSION MEMBERS

Lea McKenna, Chair
Joshua Vo, Vice Chair
Eric Talbert, Secretary
Heather Barbour, Member
Kathleen Obi Obasi, Member
Darrel Hess, Member
Erica Johnson, Member

2021 STAFF MEMBERS

Mitzi Bolaños Anderson, Executive Director (January-April 2022)
Keoki Kim, Executive Director (August-December 2022)
Stephanie M. Jedlicka, Senior Investigator
Marie Husa, Investigator
Gita Franklin, Investigator
Megan N. Moffitt, Investigator/ Intake & Outreach Coordinator
Natalie K. Day, Executive Assistant

CONTACT INFORMATION

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Website: www.muni.org/aerc
Facebook: www.facebook.com/AnchorageEqualRightsCommission
Twitter: www.twitter.com/AnchorageERC

MEETING DATES AND LOCATION INFORMATION

The Commissioners regularly meet at 6:00 p.m. on the third Thursday of odd months in the Agency Conference Room and via Microsoft Teams. Meeting information is posted on the MOA Public Notices website, the agency website, and under Upcoming Events on the MOA Boards and Commissions website.



II. A MESSAGE FROM THE CHAIR AND EXECUTIVE DIRECTOR

To Mayor Dave Bronson, the Anchorage Assembly, and the Community of Anchorage:

On behalf of the Anchorage Equal Rights Commission, we are pleased to present the 2022 Annual Report. The report reflects the work of the Anchorage Equal Rights Commission throughout the year in furtherance of our mission to eliminate discrimination within the Municipality of Anchorage by enforcing Title 5 and working with the community to understand municipal, state and federal anti-discrimination laws.

This year was one of great transition. The former Executive Director, Mitzi Anderson left in April. The current Executive Director, Keoki Kim, started on August 18, 2022. Mr. Kim's focus has been on addressing the performance of the agency. He has done an in-depth overhaul of the policies and procedures with a focus on bringing the agency in line with national investigation standards so that there is appropriate supervision and accountability which will eliminate unnecessary delays and ensure that the agency does not have a backlog of cases in the future. Mr. Kim has worked with other Executive Directors of Human Rights Agencies around the country as well as Federal EEOC directors to incorporate the best practices of other agencies rather than recreate the wheel.

Mr. Kim has also restarted outreach efforts to local community organizations, businesses and individuals now that Covid restrictions have been eased. To promote efficiency and conserve funds, Mr. Kim is working with other Human Rights Agencies that are larger and better funded to utilize their knowledge and materials for Anchorage outreach programs. Mr. Kim has met with Senator Murkowski's staff, Senator Sullivan's staff and Representative Peltola's staff regarding our mission and how we can assist their Anchorage constituents. Mr. Kim has reached out to the Anchorage Assembly Members for the same purpose. Mr. Kim has reached out to the Alaska State Commission for Human Rights, the EEOC, HUD and the International Association of Human Rights Agencies for assistance for Anchorage residents as well.

The Anchorage Equal Rights Commission processed 363 inquiries during 2022. Of those inquiries, 73 discrimination complaints were filed. 60 were co-filed with the EEOC. 71 cases were closed by settlement, investigation, or conciliation in 2022.

Sincerely,

Darrel Hess

Darrel Hess, Chair

Keoki Kim

Keoki Kim, Executive Director



III. FUNCTIONS OF THE ANCHORAGE EQUAL RIGHTS COMMISSION

What is the Anchorage Equal Rights Commission?

The Anchorage Equal Rights Commission enforces Title 5 of the Anchorage Municipal Code. It was established in the Anchorage Charter in 1975 to prevent unlawful discrimination. It also enforces the Americans with Disabilities Act of 1990 and Title VII of the Civil Rights Act of 1964 through a work-share agreement with the federal Equal Employment Opportunity Commission.

How does the Anchorage Equal Rights Commission enforce the law?

The AERC and its staff enforce the law by impartially investigating complaints alleging illegal discrimination or harassment based on:

- Race
- Color
- Religion
- National Origin
- Age
- Sex (Pregnancy and Parenthood)
- Sexual Orientation
- Gender Identity
- Marital Status
- Physical Disability
- Mental Disability
- Retaliation

In the areas of:

- Employment
- Housing
- Public Accommodations
- Educational Institutions
- Financial Institutions
- Practices of the Municipality of Anchorage

What constitutes discrimination?

Discrimination means any direct or indirect act or practice of exclusion, distinction, restriction, segregation, limitation, refusal or denial or any other act or practice of differentiation or preference in the treatment of a person because of race, color, religion, national origin, age, sex, sexual orientation, gender identity, marital status, or physical or mental disability, or the aiding, abetting, inciting, coercing, or compelling thereof.

AMC 5.20.010

Discrimination also includes retaliating against someone for engaging in a protected activity, such as complaining of discrimination or requesting a reasonable accommodation.

What is the Anchorage Equal Rights Commission complaint process?

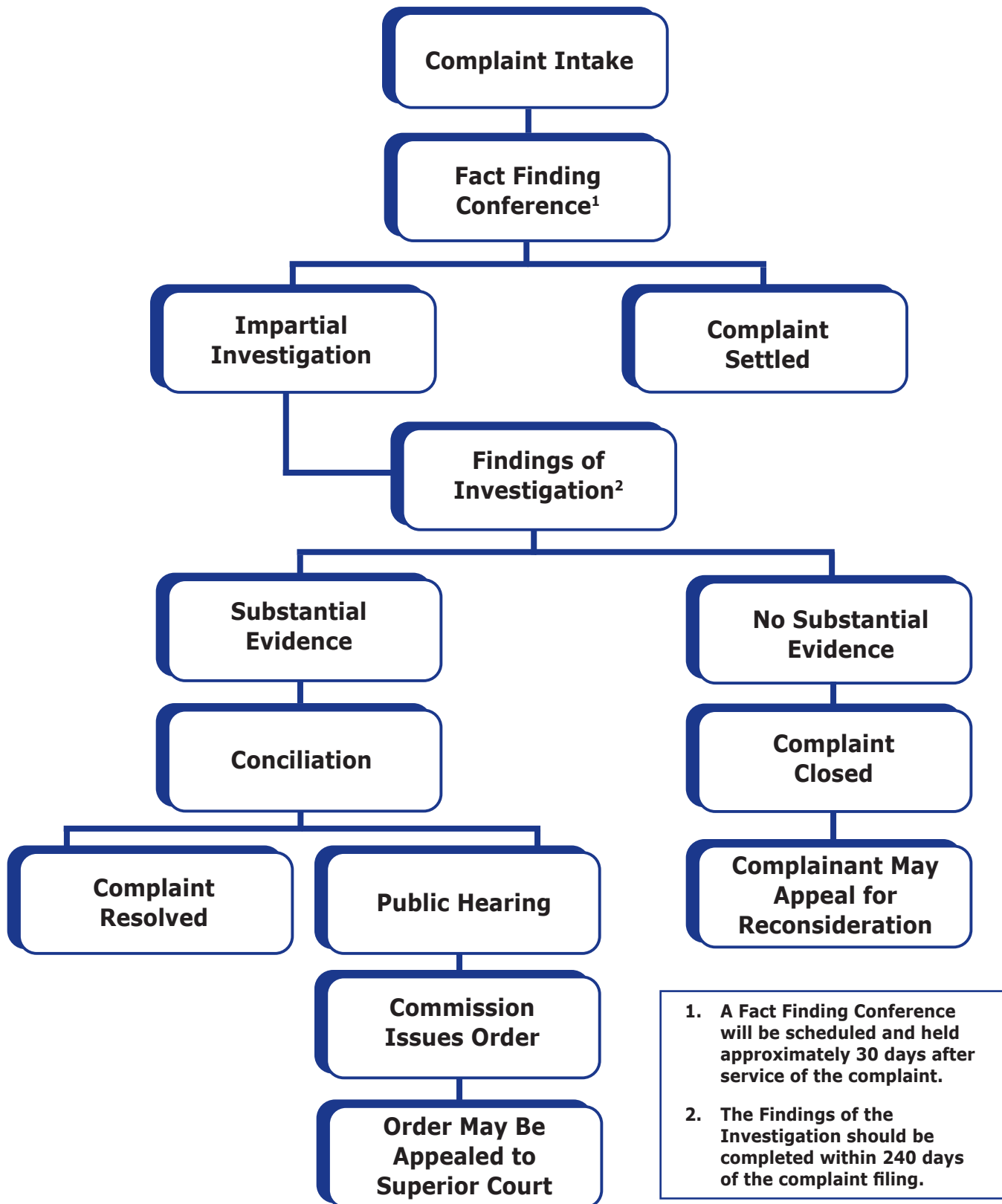
Anyone who believes they have been discriminated against, contacts the staff and fills out an intake questionnaire. The staff will review the questionnaire within 24 hours. Staff will draft a complaint if there is jurisdiction.

If there is not jurisdiction, staff will refer the person to the appropriate agency.



III. FUNCTIONS OF THE ANCHORAGE EQUAL RIGHTS COMMISSION (CONTINUED)

AERC COMPLAINT PROCESS FLOW CHART





AERC STRATEGIC PLAN 2020 - 2025

Document Control

Prepared by

Commission Members

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Diane Heaney-Mead, Vice Chair
Joshua Vo, Secretary
Lea McDermid McKenna
Gabriela Olmos
Minoo Minaei
Darrel Hess
Heather R. Barbour
Eric Talbert

Staff

Mitzi Bolaños Anderson, Executive Director
Stephanie M. Jedlicka, Investigator
Gita Franklin, Investigator
Marie C. Husa, Investigator
Joshua S. Blalock, Investigator
Natalie K. Day, Senior Office Associate

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Document Location

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632 W. Sixth Avenue, City Hall
Suite 110
Anchorage, Alaska 99501

Mission

The Anchorage Equal Rights Commission enforces municipal and other anti-discrimination laws on behalf of all residents and visitors to Anchorage. The Commission also educates the public about anti-discrimination laws and seeks to increase voluntary compliance with such laws and to uphold the vision of equal opportunity for all.

Vision

To support and maintain a community in which each person values the rights of others to live, work and play in peace and dignity, and all persons have equal opportunity to realize their full potential both as individuals and as members of society.



IV. STRATEGIC PLAN (CONTINUED)

Commission Goals

Goal One

Continue to develop our outreach and marketing plan to improve ways to inform the community about the Commission's services via collaboration and technology.

Goal Two

Review Title 5 annually and recommend revisions, if necessary, to ensure code is accurate, facilitates staff work, and is responsive to the community.

Goal Three

Develop and maintain Commission Development and Orientation Committee to ensure qualified Commission members are timely appointed and trained.

Staff Goals

Goal One

Respond to inquiries in a timely manner.

Goal Two

Timely investigate allegations of discrimination.

Goal Three

Eliminate and prevent discriminatory practices by providing outreach and education to our community.

Goal Four

Advance staff professionalism by creating and implementing individualized professional development plans.

The Principles & Values that Guide Our Work

Honesty and Integrity

Respect for Everyone

Commitment to Fairness and Impartiality

Teamwork is How We Do Business



V. REPORT ON OUTREACH ACTIVITIES AND EDUCATION PROGRAMS

In 2022, the health and safety protocols instituted as a result of COVID-19 began changing such that in-person outreach opportunities became available. However, because the Agency did not have an Executive Director from April when Mitzi Anderson left until August 18 when Keoki Kim started, outreach was limited.

Some of the outreach that Staff and Commission members participated in are listed below. Executive Director Kim immediately began outreach by building relationships with other agencies, businesses, community organizations and individuals shortly after he started.

Staff Training Highlights:

- Welcoming Anchorage.
- Access Alaska's "Tea Talk" to discuss civil rights and hate crimes, specifically against individuals who experience disabilities.
- "A conversation with the Alaska Bar Associate Diversity Commission, hosted by the Anchorage Association of Women Lawyers.
- EEOC's Annual Investigator Conference.
- LGBTQIA+ Cultural Competency in the Workplace webinar, organized by the EEOC.
- "Moving the Needles Toward a Human Right Framework, webinar presented by the International Association of Official Human Rights Agencies.
- A roundtable discussion on "Labor Trafficking in the Agriculture Industry" facilitated by the U.S. Department of Labor.

Community Trainings:

- Community Council Meeting: staff attended numerous Community Council meetings and gave presentations about our services.
- Zender Group: staff partnered with ASCHR to lead a virtual presentation about hostile work environment, disability, and retaliation.

Municipal Engagement:

- Coaching, Counseling, and the Disciplinary process, hosted by the Municipality's Supervisor Training Academy.

EEOC: staff committed significant time and expertise in testing and providing valuable feedback to the EEOC for their new Agency Records Center. Staff was instrumental in ensuring that FEPAs had the same level of access and features within the EEOC recordkeeping system.



VI. ENFORCEMENT ACTIONS AND STATISTICS

Inquiries and New Complaints

	2018	2019	2020	2021	2022
Inquiries	498	516	408	385	363
New Complaints	119	130	82	72	73
% of Perfected Complaints and Inquiries	23.9%	25.2%	20.09%	18.70%	20.11%

Complaint Filings by Area of Discrimination

	2018	2019	2020	2021	2022
Employment	106	116	68	57	60
Housing	5	6	7	7	4
Public Accommodations	6	4	6	7	5
Financing	0	0	0	0	0
Educational Institutions	0	0	1	0	3
Practices of the MOA	3	4	0	1	1
TOTALS:	119	130	82	72	73

Complaint Filings by Basis*

	2018	2019	2020	2021	2022
Race/Color	45	38	32	22	22
Retaliation	31	37	29	19	22
Physical or Mental Disability	43	50	28	30	25
Sex (includes pregnancy and parenthood)	33	28	25	11	18
Age	17	23	13	4	5
National Origin	6	11	7	8	8
Religion	1	4	2	2	5
Sexual Orientation	8	3	2	1	2
Gender Identity	2	1	2	0	1
Marital Status	2	1	2	3	2

*Complaints can be filed with more than one basis.



VI. ENFORCEMENT ACTIONS AND STATISTICS

Case Age

		80 or less	81-190	191-240	241-320	321-400	401 or more	Total Cases	Total # and % Over 240
2018	# of Cases	11	33	9	7	7	4	71	18
	% of Cases	15.49%	46.48%	12.68%	9.86%	9.86%	5.63%	100%	25.35%
2019	# of Cases	28	28	18	12	3	6	95	21
	% of Cases	29.47%	29.47%	18.95%	12.63%	3.16%	6.32%	100%	22.18%
2020	# of Cases	12	19	8	8	12	36	95	56
	% of Cases	12.63%	20.0%	8.42%	8.42%	12.63%	37.89%	100%	58.94%
2021	# of Cases	14	12	6	9	7	22	70	38
	% of Cases	20.00%	17.14%	8.57%	12.86%	10.00%	31.43%	100%	54.28%
2022	# of Cases	12	15	6	9	4	25	71	38
	% of Cases	16.90%	21.13%	8.45%	12.68%	5.63%	35.21	100%	53.52%

Resolutions Providing for Elimination of Discriminatory Practices

	2018	2019	2020	2021	2022
Total Predetermination Settlements, Conciliations or Settlements that include remedial measures provided by Title 5	41/41	33/33	23/23	21/21	17/17
Total Dollars in Settlements	\$195,644	\$161,481	\$55,476	\$106,707	\$62,778

2022 Post-Determination Cases as of 12/31/2022

Number of cases in Conciliation status: 0 Number of cases Appealed to State Court: 1

Determinations and Case Closures

	2018	2019	2020	2021	2022
Total Determinations and other Case Closures	126	108	83	97	53



VI. ENFORCEMENT ACTIONS AND STATISTICS (CONTINUED)

Case Age

		80 or less	81-190	191-240	241-320	321-400	401 or more	Total Cases	Total # and % Over 240
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Community

Inclusion

Access

Opportunity

Anchorage Equal Rights Commission

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