

● STATE HUMAN RIGHTS LAW

STATUTORY CITATION: Alaska Stat. §§ 18.80.010 – 18.80.300

GENERAL SUMMARY: Alaska's health, safety and housing statutes include provisions which prohibit discrimination in employment on the basis of race, religion, color, national origin, physical or mental disability, sex, age, marital status, changes in marital status, pregnancy or parenthood, and declare it a civil right to obtain employment without such discrimination. Among other illegal employment practices, employers may not refuse to hire and may not discriminate against a person in pay or other conditions of employment on the above-mentioned grounds when the reasonable demands of the job do not require distinction on the basis of age, physical or mental disability, sex, marital status, changes in marital status, pregnancy or parenthood.

The law also makes it unlawful to print or circulate job announcements, advertisements or applications which express any sort of limitation, specification or discrimination as to sex, physical or mental disability, marital status, changes in marital status, pregnancy, parenthood, age, race, creed, color or national origin, unless based on a bona fide occupational qualification.

It is illegal to employ a female at a salary or wage rate less than that paid to a male employee for work of comparable character, or work in the same occupation, business or type of work in the same locality.

Employers and others subject to these provisions are required to maintain records on age, sex and race necessary for enforcement of the anti-discrimination laws.

PROVISIONS APPLICABLE TO AGRICULTURE: Like most other classes of employers in Alaska, farm operators and other agricultural establishments with one or more employees in the state must observe the proscriptions against discrimination in employment.

SPECIAL NOTES OR ADVISORIES

RETALIATION — An employer may not discharge, discipline or discriminate in any manner against a person because the person has opposed a discriminatory practice or has filed a complaint or participated in a proceeding under these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Alaska State Commission for Human Rights, Anchorage, Alaska 99501 (800-478-4692)*. Any person subjected to or alleging employment discrimination may file a complaint with the Commission, which is obligated to investigate such allegations promptly and impartially. The agency's staff must first try to resolve confirmed cases of discrimination by conference, conciliation and persuasion. Cases that cannot be resolved by Commission staff may be presented to the Commission, which may issue formal compliance orders, including the award of back pay. Any such order may be enforced by the state courts upon the filing of a complaint by the Commission. Penalties for willful violations include a fine, jail sentence, or both.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — The state human rights law authorizes municipalities to establish local human rights commissions and to grant such bodies powers and duties similar to those exercised by the state commission.

PRIVATE CIVIL ACTION — As an alternative to filing an administrative complaint, a worker aggrieved by an apparent act of illegal employment discrimination may take legal action against the employer directly, using a private attorney or a public legal service provider.