

# Know New Antidiscrimination Law?

## WANNA BE?

Do you want to be a surveyor?

Registration for the new, two-year Surveying Technology program at Anchorage Community College will be held from 8 a.m. to 5 p.m. on Aug. 21 - 25 on the ACC campus at Providence Avenue and Lake Otis Road.

Anyone interested in enrolling should speak with Stanley Sears, coordinator-instructor in Room 105 of the Harlieb Building (Bldg. D).

"There is still a big demand for trained surveyors in Alaska," he said. Classes begin on Monday, Sept. 11.

**ANCHORAGE** - The Alaska State Commission for Human Rights announced from Anchorage that the State has a new antidiscrimination law that has been in effect since September 1970 that the public may not be aware of as no cases have yet been filed in the courts.

The new statute specifically provides that the Superior Courts of Alaska shall have jurisdiction over causes of action arising under the Alaska discrimination laws, including collateral issues which are a part of the discriminatory conduct complained of.

Robert Willard, the Agency's Executive Director, explained that under the new law, an aggrieved party who feels he has been discriminated against may file a lawsuit in a Superior Court of competent jurisdiction as his first cause of action.

Having filed the suit, a copy of the court complaint is served on the Human Rights Commission, which agency may intervene in the suit as a party; or it may inform the Court that it is already acting on the discriminatory act giving rise to the lawsuit.

In the case of the latter, the Court will defer action on the suit until the Commission has determined the issues before it. A limitation of forty-five days is included to ensure prompt settlement of these issues.

The Act empowers the Court to enter a preliminary injunction pending the Commission's action. The decision of the Commission is binding to all parties

in the lawsuit.

It further provides that the action brought before the Court would include a pattern of discrimination which might not otherwise be cured if the issues were limited to specific discriminatory acts.

Willard gave this as an example: An individual instituting an action against a company to redress racial discrimination can maintain a class action and obtain relief as to all members of his class, including those in other departments.

Willard said the new statute serves three basic functions:

(1) An individual will be free to pursue his own remedies rather than rely upon Commission action in cases where the Commission is unable to give his problem prompt attention;

(2) Class actions directed at patterns or practices will be permitted, rather than requiring enforcement to focus on individual or isolated acts; and

(3) The Commission's enforcement powers will be strengthened by the power to intervene in broad scale attacks upon discrimination.

The State Commission exercised jurisdiction over all violations of existing State anti-discrimination laws. Specifically, its jurisdiction relates to discrimination in employment, whether by employer, labor organization or employment agency; places of public accommodation; housing; financial practices and State operations.

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# New Law...

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Prior to the implementation of the new law, prime enforcement responsibility was vested in the State Commission.

The Commission, upon receipt of a complaint from an aggrieved individual or upon its own motion, would initiate informal proceedings to achieve conciliation and, if appropriate, issue a cease and desist order against the individual or firm.

In such proceedings the Commission, and not the complainant, would exercise control of the presentation. The complainant or the respondent had the right to seek judicial review as to the Commission's action.

The enforcement of the ceased and desist order may be judicially obtained, but only at the instance of the Commission.

In addition, enforcement had to be through criminal prosecution of a person who engaged in action prohibited by the substantive provisions of the anti-discrimination law.

"Now, with the new law," Willard said, "It speeds the process of resolving a complaint of discriminatory conduct and ensures that it never occurs to other minorities after the case is settled."

He said that further information on this or other related statutes should be brought to the attention of the Alaska State Commission for Human Rights, 338 Denali Street, 520 MacKay Building, Anchorage 99501.