

Commission on Human Rights

Kentucky Human Rights Commission rules on Kentucky Discrimination Complaints

Press Release Date: Saturday, March 17, 2012

Revision Date: Wednesday, March 21, 2012

Contact Information: Victoria Stephens
502.641.0760

The Kentucky Commission on Human Rights Board of Commissioners at its monthly meeting this week at its Louisville, Ky. headquarters ruled on a number of discrimination complaints for the Commonwealth of Kentucky.

The commission approved two conciliation agreements, dismissed 12 discrimination complaints with findings of no probable cause to evidence that discrimination occurred. The board accepted two case withdrawals where the parties had reached private settlements, and accepted seven case withdrawals giving complainants the right to file private suits.

Conciliations are reached through negotiations of commission staff and are similar to settlements.

Conciliation Agreements:

Complaint Number 7089, Becky Judson v. the Kentucky Transportation Cabinet, in Frankfort, Ky.: Judson alleged her employer, the Kentucky Transportation Cabinet, discriminated against her on the basis of a perceived disability in the area of employment. This would be a violation of the Kentucky Civil Rights Act (KRS Chapter 344.040) and the U.S. Civil Rights Act. Judson claimed her employer placed her on agency-directed sick leave for a three-month period and that she did not have a medical condition that required leave and she had not requested leave. As a result, she said, she was unable to apply for and use donated sick time to provide income. A hearing officer granted a motion for partial summary judgment, finding that the respondent was liable for discrimination. However, prior to conducting a final hearing on the remaining issues to be determined, the parties agreed to conciliation. The cabinet affirms that it has not and will not discriminate against any individual based on a protected class. The cabinet [agreed to provide three months of back pay](#) and all corresponding benefits to Judson, including service credit for retirement purposes, for the time the cabinet placed her on agency-directed sick leave and all additional back retirement pay to which she is entitled pursuant to the service credit. The cabinet agreed to undergo civil rights compliance training and to compliance monitoring by the commission for three years.

Complaint Number 1574-H, Lydia Bird v. the Housing Authority of Bardstown, Ky.: Bird alleged the Housing Authority of Bardstown discriminated against her based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (344.360) and the U.S. Fair Housing Act and the U.S. Americans with Disabilities Act. Bird claimed the Bardstown Housing Authority failed to provide a ramp for her during nearby construction, thereby limiting her ability to enter and exit her home. The respondent denied all allegations of violation of law. After a full investigation by commission staff, the agency prepared to issue a probable cause finding to believe that discrimination occurred. Before the finding was issued, the parties agreed to resolve the matter in conciliation. The Bardstown Housing Authority agreed to perform the repairs necessary at the property, which were set forth in the results of an inspection and estimate totaling \$26,070. The respondent agreed to perform these repairs by June 30, 2012. The respondent agreed to pay Bird \$12,500 in exchange for mutual releases among the parties and the commission. The respondent agreed to undergo fair housing compliance training and compliance monitoring by the commission for three years.

The Kentucky Commission on Human Rights is the state government agency that enforces the Kentucky Civil Rights Act and the U.S. Civil Rights Act. The Kentucky Civil Rights Act prohibits discrimination based on the protected classes of race, color, religion, sex, national origin and disability in the areas of public accommodations, employment, housing and financial transactions. The law further protects people on the basis of family status for people with children under age 18 in the area of housing and on the bases of age and tobacco-smoking status in the area of employment.

For help with discrimination or for more information, contact the Kentucky Commission on Human Rights at 1.800.292.5566. Visit the website at www.kchr.ky.gov. From there follow the links to the commission Face Book and Twitter pages to read civil rights and protected class-related news and announcements.