

# Commission on Human Rights

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## **Kentucky Commission on Human Rights issues June 2012 rulings on discrimination complaints and holds fair housing conference in Danville**

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June 21, 2012 – Danville, KY – The Kentucky Commission on Human Rights Board of Commissioners met today in Danville, Ky., to rule on discrimination complaints on behalf of the people of the Commonwealth of Kentucky.

The board routinely meets at its headquarters in Louisville, Ky. As budget allows, the commission meets in other regions of the state to give constituents the opportunity to learn about their civil rights and about the work of their state human rights commission that enforces law prohibiting discrimination.

Today's public meeting was held at Centre College in the Student Center in Danville. The meeting was followed by a public conference to discuss the legal right to live free from housing discrimination and to discuss housing discrimination issues faced by people who are lesbian, gay, bisexual, transgender (LGBT), and their families. There is no civil rights protection in the U.S. or Kentucky Civil Rights acts that provide discrimination protection based on sexual orientation or sexual identity. At the conference, officials also explained a new ruling by the U.S. Dept. of Housing and Urban Development (HUD) that does now provide housing discrimination protections to LGBT individuals and their families when applying for HUD housing and financing and when residing in HUD-program housing. The conference in Danville was made possible through a fair housing education partnership with the Kentucky Commission on Human Rights and HUD.

At the commission meeting to rule on discrimination complaints, the board ruled to accept two conciliation agreements. The commissioners ruled to dismiss three cases without prejudice, six complaints with findings of no probable cause to evidence that discrimination had occurred, and accept one case withdrawal giving the complainant the right to file a private suit. Since the beginning of the state fiscal year on July 1, 2011, the commission has successfully mediated 23 complaints. Mediation is an option offered to any interested complainant in order to seek a quick resolution to a discrimination complaint. The commission provides a neutral mediator to assist the complainant and respondent in face-to-face negotiations to resolve a complaint. Conciliation agreements are similar to settlements and are negotiated by the commission.

Conciliation agreements:

Belinda Dobson v. Jewish Hospital, in Louisville, Ky.: Belinda Dobson alleged that Jewish Hospital discriminated against her based on the protected class of disability in the area of public accommodations, a violation of the Kentucky and U.S. Civil Rights acts. Dobson claimed that although she asked the hospital to provide an American Sign Language interpreter for her, the hospital did not provide her with an interpreter while she was under its care. Jewish Hospital asserted it did not discriminate against Dobson and denied all allegations of violation of the law. During the course of the commission investigation, the parties chose to resolve the matter with a conciliation agreement. Jewish Hospital affirmed that it does not and shall not illegally discriminate against any person. As part of the agreement, the hospital will require disability civil rights compliance training for employees and their supervisors who interact with patients in clinic settings and who schedule surgery. The hospital will undergo compliance monitoring for three years by the commission. The complainant agreed that no monetary payment would be part of the conciliation and requested only that the terms and conditions of the conciliation be followed by the hospital.

DeShaun Pettway v. Affiliated Computer Services Inc., in Lexington, Ky.: DeShaun Pettway alleged Affiliated Computer Services discriminated against him based on the protected class of race in the area of employment, a violation of the Kentucky and U.S. Civil Rights acts. Pettway claimed the company denied him his paid time-off wages upon leaving his position with the company. Based on its investigation, the commission issued notice to the parties that probable cause existed to believe discrimination had occurred. Before the commission held a final hearing in the case, the parties chose to resolve the matter with a conciliation agreement. The company denied all allegations of violation of the law. It affirmed that it does and shall comply with civil rights law in its employment practices. As part of the agreement, Affiliated Computer Services will compensate Pettway in the amount of \$3,500, of which \$774 will be subject to payroll withholdings. The company will undergo employer civil rights compliance training and submit to compliance monitoring for one year by the commission.

The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act. As an affiliate of federal government entities such as the U.S. Dept. of Housing and Urban Development and the U.S. Equal Employment Opportunity Commission, the Kentucky Commission on Human Rights enforces federal civil rights laws such as the U.S. Civil Rights Act, the U.S. Fair Housing Act, the U.S. Americans with Disabilities Act, and the U.S. Equal Employment Opportunity Act.

The Kentucky Civil Rights Act, Kentucky Revised Statutes Chapter 344, prohibits discrimination in the areas of housing, employment, public accommodations, and financial transactions. Protected classes include race, color, religion, national origin, disability, sex, age (40 years-old and over in employment), tobacco-smoking status in employment, and familial status, which protects pregnant women and families with children under 18 years-old in the area of housing. It is illegal to retaliate against any person who has made a discrimination complaint to the Kentucky Commission on Human Rights.

For help with discrimination or to ask for free literature about civil rights, contact the Kentucky Commission on Human Rights at 1.800.292.5566. Or, visit the website at [www.kchr.ky.gov](http://www.kchr.ky.gov).

From there, also visit the commission Face Book and Twitter pages for news and announcements regarding protected classes and commission activities.