

# Commission on Human Rights

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## **KY Human Rights Commission issues January 2014 rulings on discrimination complaints**

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Thursday, Jan. 16, 2014, Louisville, Kentucky USA – The Kentucky Commission on Human Rights Board of Commissioners met today at Louisville, Ky., headquarters to rule on discrimination complaints for the Commonwealth of Kentucky.

The commission ruled to approve one conciliation agreement, six case withdrawals resolved with private settlements, 16 case withdrawals giving complainants the right to file private suits, and dismiss 15 complaints with findings of no probable cause to evidence that discrimination occurred.

Conciliations are similar to settlement agreements and are negotiated by the commission agency. Respondents participating in the agreements deny any allegations of unlawful discrimination and violations of civil rights law. Following is a summary of the conciliation agreement approved in today's meeting:

Barry Baugh v the Most Awesome Flea Market in the World LLC, in Shepherdsville, Ky.: Barry Baugh complained to the commission in June 2011 that he was discriminated against in April 2011 by the Most Awesome Flea Market in the World, based on disability in the area of public accommodations. This would be a violation of the U.S. Civil Rights Act and the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter, 344 Section 120). Baugh claimed he was unable to park in marked disabled parking spaces at the flea market because vehicles that were not tagged with disability approval permits were parked in the spaces. He claimed he was then unable to travel in his wheelchair to the market area because the ramp was too steep. He said he spoke to the owner of the flea market, Steve Gasser, about the issues, and claimed that the owner was uncooperative. Therefore, Baugh said he believed he was denied the full enjoyment of services offered by a Kentucky public accommodations provider. The flea market company denied any violation of the law. Before the investigation was complete, the parties chose to conciliate the matter for a full resolution of the complaint. The company agreed to compensate Baugh in the amount of \$1,500 and to undergo civil rights law compliance monitoring for three years by the commission.

The Kentucky Civil Rights Act makes it illegal to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited based on race, color, religion, national origin, gender, and disability. In employment, discrimination is further prohibited on the basis of age (40-years and over) and tobacco-smoking status. In housing, discrimination is further prohibited based on familial status, which protects people with children in the household under the age of 18-years old and protects women who are pregnant.

For more information, contact the commission at 1.800.292.5566. For details about civil rights and commission activities, visit the website at [kchr.ky.gov](http://kchr.ky.gov). For news about civil rights and information pertaining to protected classes, visit the Kentucky Commission on Human Rights Facebook and Twitter sites.