



Commonwealth of Kentucky

Matthew G. Bevin, Governor

Kentucky Commission on Human Rights

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Press Release

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For help with discrimination, contact commission headquarters: 1.800.292.5566

Commission issues June 2016 Discrimination Complaint Rulings

LOUISVILLE – The Kentucky Commission on Human Rights Board of Commissioners at its regular meeting on Thursday, June 16, ruled on discrimination complaints for the people of the Commonwealth of Kentucky. The public state government meeting was held at commission headquarters in the Heyburn Building, 332 W. Broadway, in Downtown Louisville, Ky.

The commission published a ruling that found respondent, Supreme Hibachi Buffet, in Lexington, Ky., guilty of discrimination in the area of employment based on sex, in this instance, against an employee who was pregnant.

The commission also ruled to approve two conciliation agreements. The agreements are similar to settlements and are negotiated by commission investigators and attorneys. The commission also approved two private settlements, and it accepted the withdrawal of three discrimination complaint cases, giving the complainants the right to file private suits. The commission dismissed 15 complaints with findings of no probable cause to evidence discrimination may have occurred.

Final Order

In Ashley N. Hollis v. Supreme Hibachi Buffet in Lexington, the commission ruled to adopt the Hearing Officer's recommendations and found Supreme Hibachi Buffet in violation of the Kentucky and U.S. Civil Rights acts by harassing Hollis for her perceived appearance as a pregnant employee and by ultimately ending her employment because she was pregnant. The Kentucky Commission on Human Rights Board of Commissioners ordered Supreme Hibachi Buffet to cease and desist from the unlawful practice of employment discrimination on the basis of sex, including pregnancy and to compensate Hollis in the amount of \$23,425.62 for back pay and the injury of humiliation and embarrassment caused by the unlawful practices. The order became effective on May 19, 2016. Commission rulings have the authority of a court of law. Respondents have the right to appeal to a circuit court.

Conciliation Agreements

Stacie Wise v. McQueary Realty and Auction Services LLC and Darrell McQueary, in Russell Springs, Ky.: In October 2015, Stacie Wise alleged to the commission that she was discriminated against based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344) and the U.S. Fair Housing Act. Wise claimed the landlord of East 80 Apartments in Russell County, Ky., denied her the reasonable accommodation of having a service animal for a disability and refused to rent an apartment to her because of a disability that requires her to utilize a service animal. She claimed the landlord said the property had a 'no-pets' policy. The respondents denied all allegations of unlawful discrimination and asserted that Wise failed to provide documents to substantiate her need for the reasonable accommodation of having a service animal reside with her. The commission investigation revealed that respondent McQueary Realty and Auction Services LLC was the incorrect respondent. The complaint was amended to add Darrell McQueary to the complaint as the proper respondent. Prior to a determination by the commission, the parties chose to resolve the complaint with a conciliation agreement. Respondent McQueary Realty and Auction Services LLC was dismissed from the complaint. Respondent Darrell McQueary will receive fair housing training and will submit to commission compliance monitoring. The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims. The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

Trent Tucker v. Robert A. and Mary G. Thomason, in Owensboro, Ky.: In December 2015, Trent Tucker alleged to the commission that landlords Robert and Mary Thomason discriminated against him based on disability in the area of housing. This would be a violation of the Kentucky Civil Rights Act (Ky. Revised Statutes Chapter 344) and the U.S. Fair Housing Act. He claimed he made a request for a reasonable accommodation for a disability and that he was told the landlords did not allow pets. The respondents denied all allegations of unlawful discrimination and asserted that the complainant was in violation of their 'no pets' policy. They denied any knowledge of a disability. Prior to a determination, the parties chose to resolve the complaint with a conciliation agreement. The respondents compensated Tucker in the amount of \$50 to reimburse the pet fees they had charged him. They agreed to permit his reasonable accommodation request. They agreed to undergo fair housing law compliance training and submit to commission law compliance monitoring. The conciliation agreement does not constitute an admission of liability or wrongdoing, including but not limited to, any violation of the Kentucky Civil Rights Act, KRS Chapter 344 et. seq. or Federal Fair Housing act as amended, 42 USC 3601 et seq., all of which are specifically denied. The parties acknowledge that the conciliation is a compromise of disputed claims. The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Equal Employment Opportunity Commission and the U.S. Dept. of Housing and Urban Development, enforces federal civil rights laws.

The Kentucky Civil Rights Act makes it unlawful to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited in the aforementioned areas 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 on the basis of 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 it protects women who are pregnant. It is also a violation of the law to retaliate against a person for complaining of discrimination to the commission.

For help with discrimination or ask the commission to file a discrimination complaint for you, contact the commission at 1.800.292.5566. For information about the commission and civil rights, visit the website at www.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. Directly link to the sites from the commission website address listed above.