

**K**ansas

**H**uman

**R**ights

**C**ommission



***Annual Report FY 2002***

# KANSAS HUMAN RIGHTS COMMISSION

## 2002 ANNUAL REPORT

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### OUR MISSION AND PHILOSOPHY

*The mission of the Kansas Human Rights Commission is to prevent and eliminate discrimination and assure equal opportunities in all employment relations, to eliminate and prevent discrimination, segregation or separation, and assure equal opportunities in all places of public accommodations and in housing.*

*The agency philosophy in accomplishing its mission is to act in accordance with the highest standards of professional conduct, ethics, efficiency, and accountability. Realizing that the principles of equality and the protection of basic human rights are the most noble of human efforts, we dedicate our activities toward that purpose, believing that eternal vigilance is the price of freedom.*

***Eternal vigilance is the price of freedom.***

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# THE COMMISSIONERS

**James E. Butler**

**Chairman**

*At Large, Manhattan*

**David A. Hanson**

**Vice Chair**

*Law, Topeka*

**Brenda C. Jones**

*Labor, Kansas City*

**Beth Bradrick, Ph.D.**

*Labor, Pittsburg*

**Deborah Wheeler**

*Industry, Emporia*

**Errol Williams**

*Industry, Topeka*

**Lou Ann Thoms**

*Real Estate, Topeka*

The Kansas Human Rights Commission enforces both the Kansas Act Against Discrimination and the Kansas Age Discrimination in Employment Act. The Kansas Act Against Discrimination provides for a seven member Commission to be appointed by the Governor subject to approval of the Senate; two representing industry, two representing labor, one who is authorized to practice law in this state, one from real estate, and one appointed at large. The Governor designates one Commissioner to serve as Chairperson. The term of office of each member of the Commission shall be four years or until a successor is confirmed. Commissioners may, at the will of the Governor and Senate's discretion, be appointed for an additional term(s) upon completion of the initial term. The Act also requires that no more than four of the Commissioners are from the same political Party.

## KHRC STAFF

William V. Minner	Executive Director
Robert M. Hollar	Assistant Director
Brandon L. Myers	Chief Legal Counsel
Judy Fowler	Senior Staff Attorney - Wichita
Barbara Scott Girard	Staff Attorney
Jane Neave	Office Supervisor - Wichita
Jerry Ryan	Compliance Supervisor
Bill Wright	Housing/Intake Supervisor
Jeremy R. Hall	Public Information Officer
Karen McDanel	Office Manager
Orie Kirksey	Intake Manager
Kelly McKinley	Intake Specialist
Deborah Rhodd	Intake Specialist
Barbara Combs	Investigator - Wichita
Heidi Thaw	Investigator - Wichita
Cindy Nelson	Investigator - Wichita
Diane Roberson	Investigator - Wichita
Vamba Nzwilli	Investigator - Topeka
Kathy Prochazka	Investigator - Topeka
Bryant Barton	Investigator - Topeka
Christopher Barnes	Investigator - Topeka
Paul Forese	Investigator - Topeka
Doreen Vargas	Investigator - Dodge City
Linda Dennett	Investigator - Independence
Caryl Hines	Secretary - Topeka
Carol Radcliffe	Secretary - Wichita
Linda Wenger	Secretary - Topeka
Marilyn Seeger	Secretary - Admin. Hearing Office
Sharon Williams	Secretary - Topeka
Etta James	Office Specialist - Topeka
Mary Mitchell	Office Assistant - Wichita
Sabrina Thompson	Receptionist - Topeka

## HISTORY OF THE COMMISSION

The Kansas Act Against Discrimination was passed in 1953 making Kansas the twelfth state in the U.S. to have a law against discrimination. At that time the agency was called the Kansas Anti-Discrimination Commission. The Act was limited to employment practices and had no enforcement provisions.

The Act was amended in 1961 to become an enforceable law prohibiting discriminatory employment practices because of race, religion, color, national origin, or ancestry and the name of the agency was changed to the Kansas Commission on Civil Rights.

In 1963 the Act was amended to prohibit discrimination by hotels, motels, cabin camps and restaurants. In 1965 the legislature broadened the Act's coverage of employment practices and places of public accommodations. In 1967 the Commission was given the power to initiate complaints of discrimination and the power of subpoena.

Housing discrimination was prohibited by an act of the 1970 Kansas Legislature, which also increased the size of the Commission to its present seven members and gave it power to conduct investigations without the filing of a formal complaint.

The 1972 Kansas Legislature further amended the Act in three ways. The Commission was given authority to investigate complaints of sex discrimination, initiate a contract compliance program, and use hearing examiners for public hearings.

In 1974 the Legislature prohibited discrimination in employment and public accommodations because of physical handicap but limited remedies for discrimination. The law has been changed since that time to include persons with physical and mental disabilities.

In 1983 age discrimination in employment was prohibited which made it illegal to discriminate against persons between the ages of 40-70. The Kansas Age Discrimination in Employment Act was again amended in 1988 to protect persons of the age of 18 or more years against age discrimination.

The Act was amended in 1991 so as to prohibit discrimination in employment, public accommodations and housing on the basis of disability, and to also prohibit housing discrimination on the basis of familial status. The Act was also amended to change the name of the Kansas Commission on Civil Rights to the Kansas Human Rights Commission.

In 1995 two separate legislative bills amended the Act. The changes removed the statutory requirement that the Commission employ at least one full-time hearing examiner. Instead, the legislature authorized the Commission to employ or contract for the services of hearing examiners or pro tem hearing examiners to preside over public hearings, and amended the provisions of the statute regarding the terms, appointments and confirmation of the Commissioner.

In 1995, the Kansas Legislature further amended the Act to provide that: a

complaint may be dismissed, under certain circumstances, after pending before the Commission for at least 300 days without a finding or disposition by the Commission. That dismissal would constitute an exhaustion of administrative remedies sufficient to allow a complainant to file the matter in court.

In 1999, the Kansas Legislature amended the act to prohibit the use of genetic testing and genetic information in employment decisions.

## INTRODUCTION

A professional staff under the supervision of the Executive Director conducts the daily operations of the Kansas Human Rights Commission. Staff includes an Assistant Director, fourteen investigators, four investigative supervisors, one public information officer, three attorneys, one intake manager, two intake workers, an office manager, and nine clerical workers. Pro tem law judges conduct public hearings.

The Commission is mandated by the Kansas Legislature to prevent and eliminate unlawful discrimination, and is responsible for enforcing both the Kansas Act Against Discrimination (KAAD) and the Kansas Age Discrimination in Employment Act (KADEA). The KAAD protects persons from discrimination in employment, housing and public accommodations. Charges of alleged discrimination may be filed on the basis of race, religion, color, sex, disability, national origin, ancestry or use of genetic information in employment decisions. In addition, charges of discrimination on the basis of familial status may be filed in

housing cases. The KADEA protects any individual 18 or over from discrimination in employment on the basis of age. Both laws protect those who have filed a complaint, participated in the investigation of a complaint, or opposed actions believed to be in violation of the Act(s) from retaliation for such actions. Anyone claiming to be aggrieved by an alleged unlawful practice, and who can articulate a prima facie case pursuant to a recognized legal theory of discrimination, has the right to file a complaint charging discrimination under the laws of Kansas with the KHRC

## FISCAL ALLOCATIONS

The Commission's FY 2002 total budget was \$1,786,793 with funds coming from the Kansas general fund, as appropriated by the Legislature, various fee funds, from contracts with the EEOC, and from the Kansas Savings Incentive Program (KSIP). The comparative portions and dollar appropriations are as follows:

General Funds	\$ 1,399,724
Fee Funds	\$ 6,409
Federal Funds	\$ 356,793
KSIP	\$ 23,867
<b>Totals</b>	<b>\$ 1,786,793</b>

## COMPLIANCE AND ENFORCEMENT ACTIVITIES

Civil rights law, at both the state and federal level, has become increasingly complex in its nature and application. This is principally due to the enactment of major state and federal legislation in the past decade, which has expanded the role

of the Kansas Human Rights Commission and other human rights agencies.

In 2002, for the eleventh year in a row, sex discrimination was the number one basis of complaints filed. Sex, race, disability, and age continued as the basis given for most complaints filed with this agency.

During FY 2002 KHRC closed 888 cases and recovered \$712,437 for complainants. This figure does not include the value of positions or jobs, which may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.

KHRC had an open inventory of 2,768 cases in March of 1995, a record high for the agency. At the end of FY 2002 this backlog was reduced to 593 open cases.

This impressive reduction has been attributed to a combination of statutory, procedural and organizational changes implemented over the last six fiscal years, and the addition of innovative programs such as the Kansas Legal Services mediation project, investigator accountability, streamlining administrative procedures and Kansas Quality Management.

During the fiscal year the agency also reduced the average processing time for cases filed with the Commission from approximately 22 months in FY 1995 to approximately 6 months currently.

Due to several external constraints, the possibility of an increase in pending cases and average processing time for FY 2002 is a real concern. The agency will endeavor to limit or keep any increases to a minimum amount.

## **MONITORING COMPLIANCE**

The Commission is a party to written agreements, which resolve complaints of alleged discrimination filed with the agency. A Commission representative is assigned to monitor the terms and conditions of these agreements, as well as Commission orders.

## **CONTRACT COMPLIANCE**

The Commission is empowered to review equal employment opportunity data of companies throughout the state who have entered into a contract with the State of Kansas, a Kansas municipality or other political subdivision in the state. A contractor and its subcontractors are obligated to observe the provisions of the Kansas Act Against Discrimination.

The Commission is empowered to investigate these state contractors to insure that entities receiving money from contracts with the state have equitable work forces and employment practices.

## **THE COMPLAINT PROCESS**

Kansas law provides that any person who claims to be aggrieved by an unlawful practice in the areas of employment, housing, or public accommodations, and can articulate a prima facie case pursuant to a recognized legal theory of discrimination (based on race, religion, color, sex, disability, ancestry, national origin, age and use of genetic information in the area of employment only, familial status in the area of housing only, and retaliation) may file a complaint with the KHRC.

Employment and public accommodation complaints must be filed

within six (6) months from the last alleged discriminatory act. Housing complaints must be filed within one year of the last date of incident.

KHRC's intake department is located in the Topeka office and is responsible for drafting complaints filed with the agency. Staffed by an intake manager and two intake specialists. The intake department also provides inquirers with referrals to other agencies (for issues outside of KHRC's jurisdiction), and answers questions regarding KHRC's compliance and enforcement policies.

A complaint may be filed personally or by attorney. An individual may write, telephone or come in to one of the Kansas Human Rights Commission's offices to begin the filing process. If the complaint falls within the Commission's jurisdiction, a formal complaint may be submitted. The Intake workers are available to assist in drafting a complaint based on information provided by the complainant. The complaint must be signed and notarized before it can be officially filed with the Commission. Forms and information about filing a complaint of discrimination may be obtained at any area office or the Commission web page.

There were over approximately 4882 inquiries to KHRC's intake department and over 500 other inquiries during FY 2002. Many inquiries were outside of KHRC's jurisdiction or beyond the six month timely filing limit and were referred to the Equal Employment Opportunity Commission or other agencies. The Commission offers a third-party mediation program statewide

through Kansas Legal Services, as well as an in-house mediation program, the Preliminary Investigative Conference. Mediation services offer a possible alternative to complete investigation.

When mediation services are not selected by one of the parties, or when mediation services fail, a complaint may be sent for full investigation.

The Commission is responsible for investigating all complaints filed. It is also responsible for conciliation of cases where the investigating commissioner has indicated there is probable cause to credit allegations of the complaints.

During a full investigation a field investigator will interview the complainant, review relevant documents, conduct interviews with witnesses, and summarize the case for the investigating commissioner. The investigator's role is that of a fact finder. The investigator does not determine the outcome of the case, but rather gathers and presents the facts to a commissioner for determination. All information discovered throughout the course of the investigation is confidential and is gathered in an objective and impartial manner.

Depending upon the information obtained during the investigative process, the investigating commissioner makes a determination of either "Probable Cause" or "No Probable Cause". If the Commission finds "Probable Cause", then an attempt will be made to reach a written settlement between complainant and respondent. If conciliation efforts fail, the case may be scheduled for a public hearing.

## **PRELIMINARY INVESTIGATION CONFERENCE**

The Preliminary Investigation Conference (PIC) is an in-house mediation/investigation process that was established during fiscal year 1981. Every Investigator has been trained to conduct a PIC if all parties agree. The purpose of a PIC is to attempt to resolve complaints to the satisfaction of all parties.

All complaints, except complaints first filed with the Equal Employment Opportunity Commission (EEOC), have the opportunity to resolve the complaint through the third-party mediation project with Kansas Legal Services. If mediation is unsuccessful, the case is assigned to Investigators who may use the Preliminary Investigation Conference to bring the parties together and begin gathering information. If a complaint is not resolved at the PIC stage, it then undergoes a full field investigation. The PIC is an optional and voluntary process.

## **THIRD-PARTY MEDIATION PROGRAM**

Under this program KHRC contracts with Kansas Legal Services to offer a voluntary procedure in which the parties to discrimination complaints filed with KHRC may attempt to mediate and resolve their controversies short of having KHRC investigate and process the complaint.

This program was begun on a limited basis in FY 96. Beginning FY 97, the program was expanded to offer mediation services statewide. Twenty-five

percent of the program costs are funded with private funds.

KHRC's third-party mediation procedure has been an effective means of resolving complaints to date. In FY 2002, a total of 723 cases were referred to mediation. Of that number, 219 mediations were completed, with another 31 under consideration by the parties involved or pending. At the end of the FY 2002 another 7 mediations were scheduled, but not completed. A total of 99 mediations resulted in case settlements.

## **OFFICE OF ADMINISTRATIVE HEARINGS**

The Office of Administrative Hearings (formerly Office of Administrative Law Judge) performs the adjudicatory functions of the KHRC. By statute, public hearing proceedings (administrative trial proceedings) are commenced pursuant to the provisions of the Kansas Administrative Procedure Act. The Kansas Human Rights Commission Pro Tem Hearing Examiners preside over public hearing proceedings.

To ensure due process and to preserve the professional and ethical integrity of public hearing proceedings, the Commissioners of the KHRC established the Office of Hearing Examiner as an operationally and physically separate office. On June 18, 1994, in accordance with Stage 3 of the Comprehensive Classification and Job Rate Study, the statutory position of Hearing Examiner was reclassified to the position and title of "Administrative Law Judge." Effective January 1, 1997, the position of Administrative Law Judge was abolished.

Also in 1997, the office name was changed to "Office of Administrative Hearings."

At the beginning of Fiscal Year (FY) 2002, three (3) cases were pending in the Office of Administrative Hearings. Thereafter, during FY 2002, no additional cases were forwarded to the Office of Administrative Hearings for commencement of public hearing proceedings. In all three (3) cases a Pro-tem Hearing Examiner was assigned. In FY 2002, there were no public hearings held. There was one (1) other conference/hearing held. One (1) administrative closure was held in FY 2002.

During FY 2002, the Office of Administrative Hearings conducted pre-hearing conference in three (3) cases, and issued twelve (12) other orders addressing such matters as pre-hearing procedural issues, potential dispositive matters, and discovery issues.

During FY 2002, there were no cases settled during the public hearing proceedings.

With respect to the one (1) completed case, a public hearing was not required to be held.

In summary, during FY 2002, action was completed on one (1) public hearing case. At the end of FY 2002, two (2) cases are pending in the Office of Administrative Hearing.

## **PUBLIC INFORMATION PROGRAM**

In addition to its enforcement and compliance activities, the Commission is also required by law (KAAD) to inform the

public about civil rights laws, what constitutes discrimination and how acts of discrimination can be avoided.

The Kansas Human Rights Commission's public information program sponsors, develops, and conducts a vast amount of training across the State. This is done through seminars and conferences that are open to the public, on-site training and presentations for private businesses, municipalities, and college-level classes, and the constant development of its web site.

During fiscal year 2002, the agency conducted seminar and training sessions throughout the State, training public and private organizations, civic groups, neighborhood organizations, realtors, landlords and schools.

KHRC's information services are provided free of charge to individuals across the state. Civil rights topics most often requested included issues relating to sexual harassment, disability, fair housing, and the investigative process.

In addition to information and training, the Agency creates and maintains Commission publications. During FY 2002, the agency distributed thousands of posters, brochures, and pamphlets and fielded hundreds of telephone inquiries. Publications of the Kansas Human Rights Commission include its Annual Report, its Rules & Regulations, the Kansas Act Against Discrimination and Kansas Age Discrimination in Employment Act (KAAD/KADEA) booklet, and brochures on Employment, Discrimination in Hiring, Fair Housing, and the publication of the Commission's quarterly newsletter, *Spectrum*. In addition, this year a Public

Information Program and Public Accommodations brochures were designed and published. On March 14, Governor Bill Graves proclaimed April 2002 as Kansas Fair Housing Month. The proclamation was presented to the Fair Housing Project Team, which consists of representatives from various organizations, including KHRC staff.

The agency held its 8th annual employment law seminar in Topeka on August 28, 2002. Employers from around the state sent individuals to this conference.

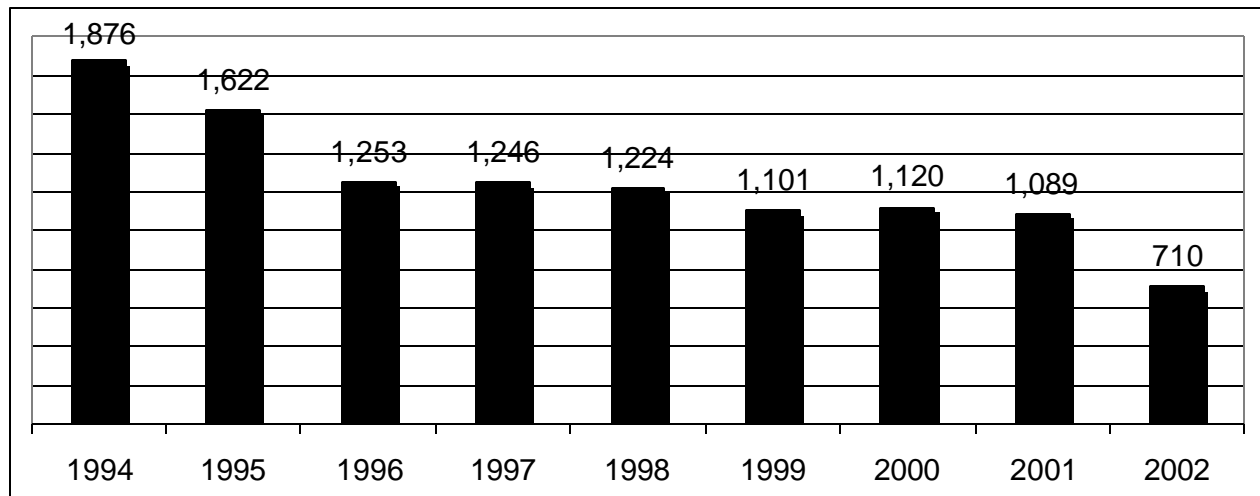
During FY 2002, the Commission continued to update and improve its informational web site. The site not only provides information on the Kansas Human Rights Commission, its Commissioners and the law it is empowered to enforce, but it has links to other state human rights organizations and various civil rights related web sites. The web page address is [www.khrc.net](http://www.khrc.net).

# STATISTICAL DATA

## COMPLAINTS FILED FY 2002

AREA	COMPLAINTS
EMPLOYMENT	<b>663</b>
HOUSING	<b>11</b>
PUBLIC ACCOMMODATION	<b>36</b>
TOTAL CHARGES FILED	<b>710</b>

## COMPLAINTS FILED YEAR TO YEAR 1994 - 2002



## ALLEGATIONS FILED FY 2002

Category	Number
EMPLOYMENT	<b>893</b>
HOUSING	<b>14</b>
PUBLIC ACCOMMODATION	<b>43</b>
TOTAL ALLEGATIONS FILED	<b>950</b>

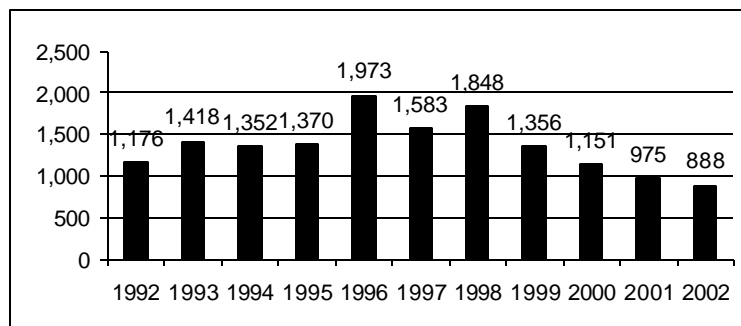
## CASES RESOLVED FY 2002

Category	Number
Employment	831
Housing	14
Public Accommodation	43
Total Cases Closed	888

*In FY 2002 the Commission resolved 888 cases and recovered a total of \$712,437 for complainants. This figure does not include the value of positions or jobs that may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.*

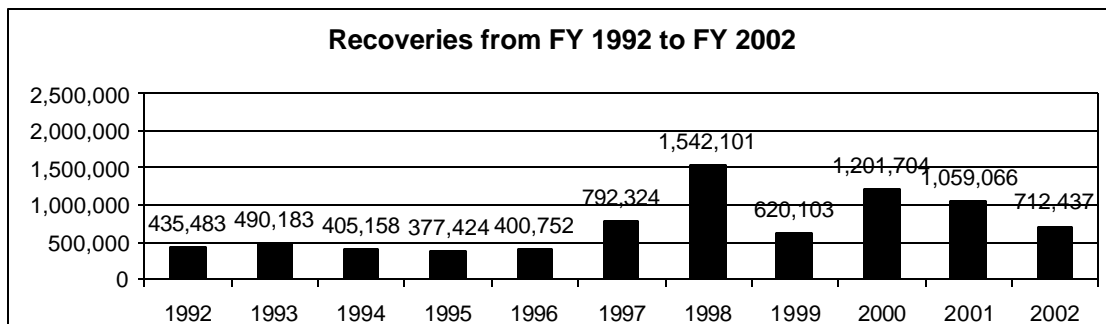
RESOLVED CASES FY 2002	TOTALS
<b>RESOLVED CASES WITH RECOVERY:</b>	
Satisfactory adjustment-mediation	99
Satisfactory adjustment-settlement	26
Satisfactory adjustment-conciliation	12
Pre-hearing settlement	0
<b>CASES WITHDRAWN BY COMPLAINANT WITH BENEFITS</b>	
	15
<b>CASES CLOSED WITHOUT RECOVERY:</b>	
Unsuccessful Conciliation	1
No probable cause determined by KHRC	582
Hearing determination of no violation	0
<b>ADMINISTRATIVE CLOSURES AND WITHDRAWALS</b>	164
<b>TOTAL CASES RESOLVED</b>	<b>888</b>

## CASES RESOLVED YEAR TO YEAR



## RESOLVED CASES AND MONETARY RECOVERY

2002	<b>888</b>	<b>\$ 712,437.00</b>
2001	<b>975</b>	<b>\$1,059,066.00</b>
2000	<b>1151</b>	<b>\$1,201,704.00</b>
1999	<b>1356</b>	<b>\$ 620,103.00</b>
1998	<b>1848</b>	<b>\$1,542,101.00</b>
1997	<b>1583</b>	<b>\$ 773,824.00</b>
1996	<b>1,973</b>	<b>\$ 400,752.00</b>
1995	<b>1,370</b>	<b>\$ 358,556.00</b>
1994	<b>1,352</b>	<b>\$ 405,158.00</b>
1993	<b>1,418</b>	<b>\$ 490,183.00</b>
1992	<b>1,176</b>	<b>\$ 435,483.37</b>
1991	<b>1,115</b>	<b>\$ 307,900.00</b>
1990	<b>1,206</b>	<b>\$ 285,171.16</b>
1989	<b>1,107</b>	<b>\$ 199,014.18</b>
1988	<b>1,083</b>	<b>\$ 253,955.93</b>
1987	<b>1,367</b>	<b>\$ 171,549.16</b>
1986	<b>1,177</b>	<b>\$ 192,000.89</b>
1985	<b>1,119</b>	<b>\$ 303,383.00</b>
1984	<b>1,035</b>	<b>\$ 182,714.14</b>
1983	<b>1,278</b>	<b>\$ 86,969.67</b>
1982	<b>1,351</b>	<b>\$ 201,959.21</b>
1981	<b>849</b>	<b>\$ 160,715.62</b>
1980	<b>570</b>	<b>\$ 67,588.00</b>
1979	<b>570</b>	<b>\$ 71,174.00</b>
1978	<b>588</b>	<b>\$ 87,178.00</b>
1977	<b>697</b>	<b>\$ 55,332.89</b>
1976	<b>903</b>	<b>\$ 59,966.67</b>



The figures above do not include the value of positions that may have been obtained by the Commission for complainants, nor does it include other non-monetary remedies.

## ALLEGATIONS OF UNLAWFUL EMPLOYMENT PRACTICES

*Employment discrimination complaints totaled 893, approximately 94% of all complaints filed.*

<b>BASIS</b>	<b>NUMBER OF ALLEGATIONS</b>
Sex	256
Race	157
Disability	102
Age	116
Retaliation	164
National Origin	74
Religion	16
Color	8
Genetic Testing	0
*Totals	893

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

**DISTRIBUTION OF ALLEGATIONS OF  
UNLAWFUL EMPLOYMENT PRACTICES FY 2002**

Benefits	7
Constructive Discharge	59
Demotion	20
Discharge	392
Discipline	90
Harassment	93
Hiring	29
Layoff	23
Maternity	29
Promotion	36
Reasonable Accommodation	27
Recall	3
Reference Unfavorable	4
Reinstatement	2
Retirement- Involuntary	1
Sexual Harassment	96
Suspension	33
Terms & Conditions	71
Training	3
Union Representation	1
Wages	27
*Total	<b>1,046</b>

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

**RESPONDENTS IN EMPLOYMENT CASES FY 2002**

<b>Private Employers</b>	<b>587</b>
<b>Governmental</b>	<b>53</b>
<b>Educational</b>	<b>19</b>
<b>Unions</b>	<b>4</b>
<b>Total</b>	<b>663</b>

**DISTRIBUTION OF ALLEGATIONS OF UNLAWFUL  
EMPLOYMENT PRACTICES  
(Year to Year Comparison)**

	<b>2002</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>	<b>1998</b>	<b>1997</b>	<b>1996</b>
Apprenticeship	0	0	0	0	0	0	0
Assignment	0	0	0	0	0	1	0
Benefits	7	37	55	19	51	66	37
Constructive Discharge	59	102	201	163	243	183	135
Demotion	20	0	61	41	66	54	49
Discharge	392	492	766	630	864	924	870
Discipline	90	88	158	96	159	200	174
Exclusion	0	0	0	2	0	0	4
Harassment	93	156	543	197	357	247	243
Hiring	29	60	81	105	144	105	116
Intimidation	0	0	0	1	0	3	1
Involuntary Retirement	0	0	7	14	6	0	16
Layoff	23	27	72	37	29	61	49
Maternity	29	19	12	12	52	35	53
Promotion	36	82	129	109	130	137	123
Reason Accommodation	27	56	171	168	155	141	133
Recall	3	2	8	13	21	33	45
Reference Unfavorable	4	2	7	0	16	1	2
Reinstatement	2	4	1	12	22	16	12
Sexual Harassment	96	144	300	230	317	242	275
Suspension	33	27	94	82	97	10	76
Terms & Conditions	71	326	498	427	799	877	771
Training	3	6	54	17	50	33	12
Union Representation	1	5	14	21	23	9	8
Wages	27	24	191	100	149	153	105
Other	1	1	66	136	0	126	0

## ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES

*Housing discrimination complaints totaled 14, less than 2% of all complaints filed with the agency in FY 02. Race continued as the number one basis of discrimination, with disability and sex following. Issues involving terms and conditions were most common in housing complaints during the year. Fair housing information and outreach activities during FY 02 included; informational seminars and workshops on fair housing presented to various groups and organizations statewide, participation in the Fair Housing Task Force, sponsored by the Kansas Dept. of Commerce and Housing, to analyze impediments to fair housing choice and develop a fair housing action plan through the year 2003, and development of various fair housing brochures and informational displays.*

BASIS OF COMPLAINT:	HOUSING
Race	<b>7</b>
Disability	<b>4</b>
Familial Status	<b>0</b>
Sex	<b>2</b>
Retaliation	<b>0</b>
Ancestry	<b>0</b>
Religion	<b>0</b>
National Origin	<b>1</b>
Color	<b>0</b>
*Totals	<b>14</b>

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

## DISTRIBUTION OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES FY 2002

Eviction	<b>3</b>
Refusal to Rent	<b>3</b>
Terms & Conditions	<b>4</b>
Harassment	<b>4</b>
Sexual Harassment	<b>1</b>
Denied Loan	<b>1</b>
*Totals	<b>16</b>

## UNLAWFUL HOUSING PRACTICES (YEAR-TO-YEAR COMPARISON)

	2002	2001	2000	1999	1998	1997
Terms & Conditions	4	5	10	3	3	13
Refusal to Rent or Sell	3	2	2	3	10	6
Brokerage/Finance	1	0	6	0	0	0
Accommodations	0	0	0	2	0	2
Eviction	3	8	8	3	17	6
Unfavorable References	0	0	0	0	0	0
Design/Construction	0	0	0	0	0	0
Retaliation/Coercion	0	0	4	0	2	1
Harassment	4	4	0	0	0	0
Sexual Harassment	1	0	1	1	1	0
Other	0	0	0	3	0	0

\*Totals may exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

## ALLEGATIONS OF UNLAWFUL DISCRIMINATION IN PUBLIC ACCOMMODATIONS

Public accommodation complaints totaled 43, approximately 4.5% of all complaints filed with the agency during FY 2002.

BASIS OF COMPLAINT:	PUBLIC ACCOMMODATIONS
Race	20
Disability	8
Sex	2
Ancestry	0
Color	4
National Origin	6
Retaliation	3
*Totals	43

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

## TYPES OF UNLAWFUL PUBLIC ACCOMMODATION CASES

CATEGORY	Number
Unequal Service	8
Denial of Service	23
Denied Accessible Parking	0
Harassment	19
*Total	50

**TYPES OF UNLAWFUL PUBLIC ACCOMMODATION CASES  
(YEAR-TO-YEAR COMPARISON)**

Category	2002	2001	2000	1999	1998	1997	1996
Unequal Service	<b>8</b>	<b>15</b>	<b>27</b>	<b>42</b>	<b>35</b>	<b>17</b>	<b>26</b>
Denial of Service	<b>23</b>	<b>18</b>	<b>14</b>	<b>15</b>	<b>13</b>	<b>20</b>	<b>15</b>
Denied Accessible Parking	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Harassment	<b>19</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
*Totals	<b>50</b>	<b>49</b>	<b>41</b>	<b>57</b>	<b>48</b>	<b>37</b>	<b>41</b>

**RESPONDENT IN PUBLIC ACCOMMODATION CASES**

TYPE OF RESPONDENT	Number
Retail	<b>15</b>
Eating Establishment	<b>4</b>
Finance	<b>3</b>
Hotel Industry	<b>1</b>
Amusement	<b>2</b>
Services	<b>11</b>
*Total	<b>36</b>

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple allegations.

**BASIS OF COMPLAINT *versus* AREA IN WHICH COMPLAINT WAS ALLEGED**

BASIS	EMPLOYMENT	HOUSING	PUBLIC ACCOM.
SEX	<b>256</b>	<b>2</b>	<b>2</b>
RACE	<b>157</b>	<b>7</b>	<b>20</b>
DISABILITY	<b>102</b>	<b>4</b>	<b>8</b>
RETALIATION	<b>164</b>	<b>0</b>	<b>3</b>
AGE	<b>116</b>	<b>-</b>	<b>-</b>
GENETIC TESTS	<b>0</b>	<b>-</b>	<b>-</b>
NATL ORIGIN	<b>74</b>	<b>1</b>	<b>6</b>
RELIGION	<b>16</b>	<b>0</b>	<b>0</b>
COLOR	<b>8</b>	<b>0</b>	<b>4</b>
FAMILIAL STAT	<b>0</b>	<b>0</b>	<b>0</b>
*TOTAL	<b>893</b>	<b>14</b>	<b>43</b>

\*Totals exceed the actual number of complaint documents filed since many complaints contain multiple charges.

## DISTRIBUTION OF CASES BY CITY FY 2002

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Abilene	1			Hays	7		
Alma	1			Haysville	1		
Attamont	1			Hesston	1		
Andover	1			Hoisington	1		
Arkansas City	6			Holcomb	2		
Atchison	2			Holton	2		
Atwood	1			Horton	1		
Baldwin City	1			Hugoton	1		
Burlington	4			Humboldt	1		
Clearwater	1			Hutchinson	15		
Coffeyville	5			Independence	3		2
Coldwater	1			Iola	1		
Caney	1			Junction City	12		2
Columbus	4			Kansas City	42		2
Colwich	1			Kingman	1		
De Soto	1			Lansing	3		
Deerfield	2			Larned	2		
Derby	4			Lawrence	28	1	4
Dodge City	23	1	2	Leavenworth	8		
Edwardsville	1			Leawood	5		1
El Dorado	1			Lenexa	21		
Elkart	1			Leoti	1		
Ellsworth	2			Liberal	8		
Emporia	10			Lincoln	1		
Erie	1			Manhattan	12		1
Eudora	1		1	Maple Hill			1
Eureka	1			McPherson	4		
Fort Riley	1			Meriden	1		
Fort Scott	2			Merriam	3		
Fredonia	1			Mission	3		
Frontenac	1			Muncie	1		
Garden City	11	1		Neodesha	1		
Gardner	3			New Century	1		
Goddard	2			Newton	3		
Great Bend	3			Olathe	20		1
Greensburg	1			Oskaloosa	1		
Halstead	1			Oswego	1		

## DISTRIBUTION OF CASES BY CITY FY 2002

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Ottawa	3			Scott City	1		
Overland Park	61	1	2	Shawnee	7		
Paola	5			Shawnee Mission	5	1	1
Parsons	4			South Haven	1		
Peabody	1		1	South Hutchinson	1		
Perry	1			Spring Hill	1		
Pittsburg	8		1	Summerfield	1		
Plainville	1			Syracuse	1		
Prairie Village	4			Tecumseh	1		
Pratt	1			Topeka	119	3	3
Roeland Park	1			Ulysses	2		
Rolla	1			Walton	1		
Rossville	3			Wellington	4		
Sabetha	2			Westwood	5		
Saint John	1			Wichita	184	2	9
Saint Paul	1			Winfield	6		
Salina	14						