

Kansas Human Rights Commission



Annual Report FY 2003

KANSAS HUMAN RIGHTS COMMISSION

2003 ANNUAL REPORT

* * * * *

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.

TABLE OF CONTENTS

Table of Contents	2
Commissioners	3
Staff	5
History of the Commission	6
Introduction	7
Fiscal Allocations	7
Compliance and Enforcement Activities	8
Complaint Process	9
Third-Party Mediation Program	10
Office of Administrative Hearings	10
Public Information Program	11

Statistical Data

Complaints Filed	13
Resolved Cases	14
Monetary Recovery	15
Allegations of Unlawful Employment Practices	16
Allegations of Unlawful Housing Practices	19
Allegations of Unlawful Public Accommodation Cases	21
Basis of Complaint by Area	23
Distribution of Complaints by City	24

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 representing 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.

Contact Information

Topeka-Main Office

Landon State Office Building
900 SW Jackson - 568 South
Topeka KS 66612-1258
(785) 296-3206
Fax: (785) 296-0589
TTY: (785) 296-0245
Toll Free (888) 793-6874

Wichita

130 S Market, Suite 7050
Wichita, KS 67202-3827
(316) 337-6270
Fax: (316) 337-7376
TTY: (316) 337-6272

Dodge City

Military Plaza Offices, Suite 200
100 Military Plaza
Dodge City, KS 67801-4945
(620) 225-4804
Fax: (620) 225-4986

Independence

Independence Corporate Office, Inc.
200 Arco Place, Suite 311
Independence, KS 67301-5353
(620) 331-7083
Fax: (620) 331-7135

The Internet

<http://www.khrc.net>

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
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
Jerry Ryan	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 KHRC

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 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 Commissioners.

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 administrative 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 2003 total budget was \$1,760,354 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	\$ 1,303,836
Fee Funds	\$ 6,597
Federal Funds	\$ 424,789
KSIP	\$ 25,132
<hr/> Totals	<hr/> \$ 1,760,354

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 2003, for the twelfth 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 2003 KHRC closed 966 cases and recovered \$741,810 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 2003 this backlog was reduced to 548 open cases.

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

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.

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, verified 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 5000 inquiries to KHRC's intake department and over 500 other inquiries during FY 2003. 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. 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.

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 2003, a total of 727 cases were referred to mediation. Of that number, 150 mediations were completed, with another 39 under consideration by the parties involved or pending. At the end of the FY 2003 another 20 mediations were scheduled, but not completed. A total of 80 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.

At the beginning of Fiscal Year (FY) 2003, two (2) cases were pending in the Office of Administrative Hearings. Thereafter, during FY 2003, three (3) additional cases were forwarded to the Office of Administrative Hearings for commencement of public hearing proceedings. A Pro-tem Hearing Examiner was assigned in all three (3) cases. In FY 2003, there were no public hearings, other conference/hearing or administrative closures.

During FY 2003, the Office of Administrative Hearings conducted pre-hearing conference in four (4) cases, and issued seventeen (17) other orders addressing such matters as pre-hearing procedural issues, potential dispositive matters, and discovery issues.

A public hearing was not required in one case and settlement proceedings are currently pending and awaiting finalization.

In summary, during FY 2003, no cases closed in public hearing, and five (5) cases are still 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 2003, 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 2003, 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*. On March 25, Governor Kathleen Sebelius proclaimed April 2003 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 KHRC is holding its 9th Annual Employment Law Seminar in October of 2003. Employers from the around the state are expected to attend.

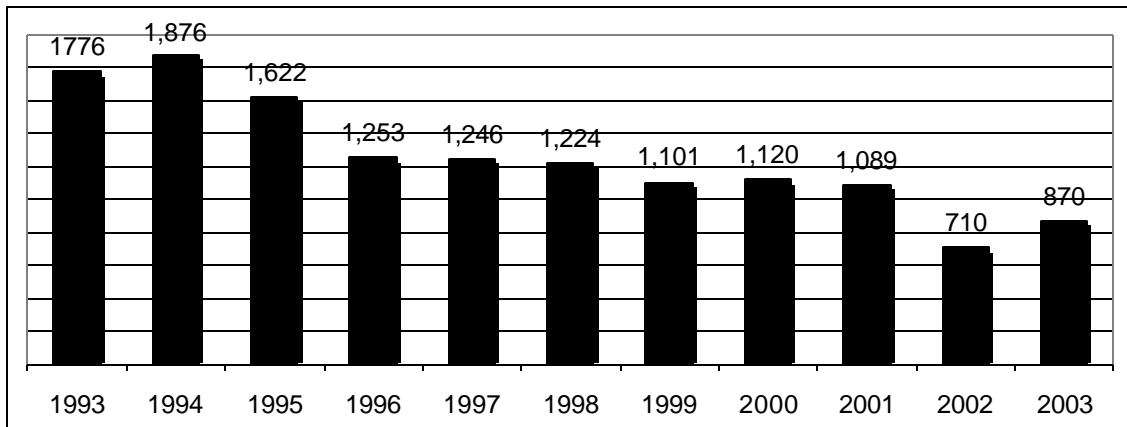
During FY 2003, the Commission continued to update and improve its informational web site. The site not only provides information on the Kansas Human Rights Commission, its Commissioners and the law it is empowered to enforce, but it has links to other state human rights organizations and various civil rights related web sites. The web page address is www.khrc.net

STATISTICAL DATA

COMPLAINTS FILED FY 2003

AREA	COMPLAINTS
EMPLOYMENT	832
HOUSING	5
PUBLIC ACCOMMODATION	33
TOTAL CHARGES FILED	870

COMPLAINTS FILED YEAR TO YEAR 1993 - 2003



ALLEGATIONS FILED FY 2003

Category	Number
EMPLOYMENT	1149
HOUSING	7
PUBLIC ACCOMMODATION	36
TOTAL ALLEGATIONS FILED	1192

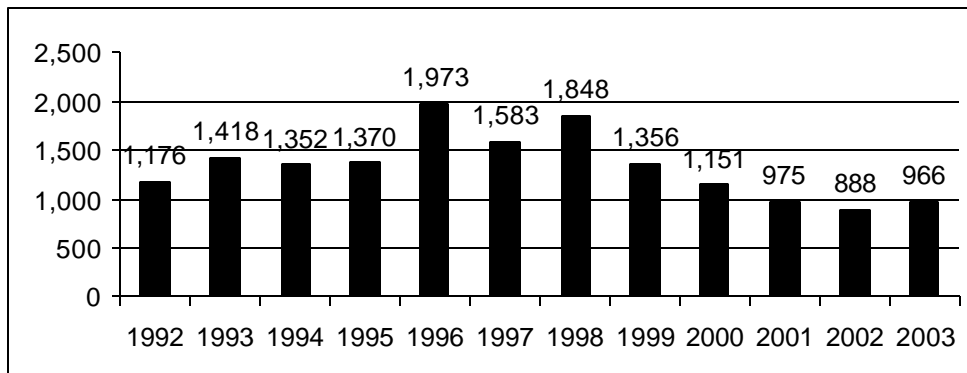
CASES RESOLVED FY 2003

Category	Number
Employment	917
Housing	7
Public Accommodation	42
Total Cases Closed	966

In FY 2003 the Commission resolved 966 cases and recovered a total of \$741,810 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.

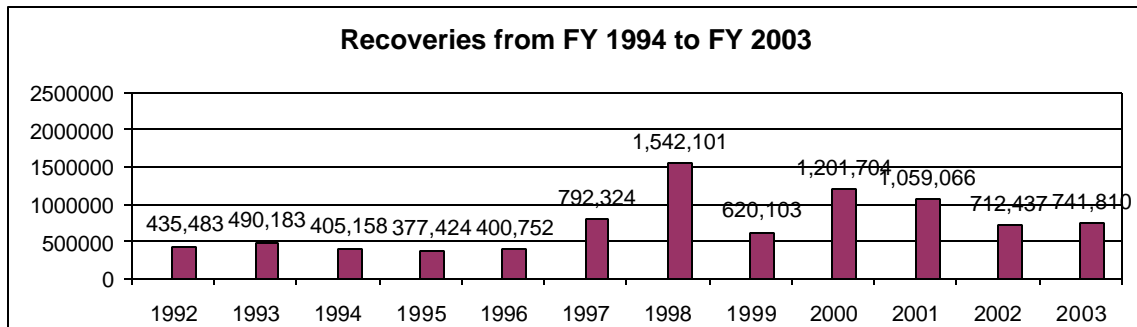
RESOLVED CASES FY 2003	TOTALS
RESOLVED CASES WITH RECOVERY:	
Satisfactory adjustment-mediation	80
Satisfactory adjustment-settlement	76
Satisfactory adjustment-conciliation	16
Pre-hearing settlement	0
CASES WITHDRAWN BY COMPLAINANT WITH BENEFITS	18
CASES CLOSED WITHOUT RECOVERY:	
Unsuccessful Conciliation	0
No probable cause determined by KHRC	536
Hearing determination of no violation	0
ADMINISTRATIVE CLOSURES AND WITHDRAWALS	147
TOTAL CASES RESOLVED	966

CASES RESOLVED YEAR TO YEAR



RESOLVED CASES AND MONETARY RECOVERY

2003	966	\$ 741,810.00
2002	888	\$ 712,437.00
2001	975	\$1,059,066.00
2000	1151	\$1,201,704.00
1999	1356	\$ 620,103.00
1998	1848	\$1,542,101.00
1997	1583	\$ 773,824.00
1996	1,973	\$ 400,752.00
1995	1,370	\$ 358,556.00
1994	1,352	\$ 405,158.00
1993	1,418	\$ 490,183.00
1992	1,176	\$ 435,483.37
1991	1,115	\$ 307,900.00
1990	1,206	\$ 285,171.16
1989	1,107	\$ 199,014.18
1988	1,083	\$ 253,955.93
1987	1,367	\$ 171,549.16
1986	1,177	\$ 192,000.89
1985	1,119	\$ 303,383.00
1984	1,035	\$ 182,714.14
1983	1,278	\$ 86,969.67
1982	1,351	\$ 201,959.21
1981	849	\$ 160,715.62
1980	570	\$ 67,588.00
1979	570	\$ 71,174.00
1978	588	\$ 87,178.00
1977	697	\$ 55,332.89
1976	903	\$ 59,966.67



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 832, approximately 95.6% of all complaints filed with the agency.

BASIS	NUMBER OF ALLEGATIONS
Sex	266
Race	203
Disability	147
Age	156
Retaliation	262
National Origin	77
Religion	22
Color	16
Genetic Testing	0
*Totals	1149

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

**DISTRIBUTION OF ALLEGATIONS OF
UNLAWFUL EMPLOYMENT PRACTICES FY 2003**

Benefits	17
Constructive Discharge	84
Demotion	37
Discharge	491
Discipline	91
Harassment	158
Hiring	36
Layoff	27
Maternity	22
Promotion	36
Reasonable Accommodation	35
Recall	1
Reference Unfavorable	6
Reinstatement	9
Retirement- Involuntary	2
Sexual Harassment	85
Suspension	22
Terms & Conditions	136
Training	4
Union Representation	5
Wages	28
*Total	1333

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

RESPONDENTS IN EMPLOYMENT CASES FY 2003

Private Employers	755
Governmental	31
Educational	34
Unions	7
Total	827

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

	2003	2002	2001	2000	1999	1998	1997	1996
Apprenticeship	0	0	0	0	0	0	0	0
Assignment	0	0	0	0	0	0	1	0
Benefits	17	7	37	55	19	51	66	37
Constructive Discharge	84	59	102	201	163	243	183	135
Demotion	37	20	0	61	41	66	54	49
Discharge	491	392	492	766	630	864	924	870
Discipline	91	90	88	158	96	159	200	174
Exclusion	0	0	0	0	2	0	0	4
Harassment	158	93	156	543	197	357	247	243
Hiring	36	29	60	81	105	144	105	116
Intimidation	0	0	0	0	1	0	3	1
Involuntary Retirement	0	0	0	7	14	6	0	16
Layoff	27	23	27	72	37	29	61	49
Maternity	22	29	19	12	12	52	35	53
Promotion	36	36	82	129	109	130	137	123
Reason Accommodation	35	27	56	171	168	155	141	133
Recall	1	3	2	8	13	21	33	45
Reference Unfavorable	6	4	2	7	0	16	1	2
Reinstatement	9	2	4	1	12	22	16	12
Retirement-Involuntary	2	0	0	0	0	0	0	0
Sexual Harassment	85	96	144	300	230	317	242	275
Suspension	22	33	27	94	82	97	10	76
Terms & Conditions	136	71	326	498	427	799	877	771
Training	4	3	6	54	17	50	33	12
Union Representation	5	1	5	14	21	23	9	8
Wages	28	27	24	191	100	149	153	105
Other	0	1	1	66	136	0	126	0

ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES

Housing discrimination complaints totaled 5, less than 1% of all complaints filed with the agency in FY 02.

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

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

DISTRIBUTION OF ALLEGATIONS OF UNLAWFUL HOUSING PRACTICES FY 2003

Eviction	1
Refusal to Rent	0
Terms & Conditions	1
Harassment	2
Sexual Harassment	0
Denied Loan	0
*Totals	4

UNLAWFUL HOUSING PRACTICES (YEAR-TO-YEAR COMPARISON)

	2003	2002	2001	2000	1999	1998	1997
Terms & Conditions	1	4	5	10	3	3	13
Refusal to Rent or Sell	1	3	2	2	3	10	6
Brokerage/Finance	0	1	0	6	0	0	0
Accommodations	0	0	0	0	2	0	2
Eviction	1	3	8	8	3	17	6
Unfavorable References	0	0	0	0	0	0	0
Design/Construction	0	0	0	0	0	0	0
Retaliation/Coercion	1	0	0	4	0	2	1
Harassment	2	4	4	0	0	0	0
Sexual Harassment	0	1	0	1	1	1	0
Other	0	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 33, approximately 4% of all complaints filed with the agency during FY 2002.

BASIS OF COMPLAINT:	PUBLIC ACCOMMODATIONS
Race	23
Disability	8
Sex	4
Ancestry	0
Color	0
National Origin	1
Retaliation	0
*Totals	36

*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	11
Denial of Service	15
Denied Accessible Parking	5
Harassment	14
*Total	45

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

Category	2003	2002	2001	2000	1999	1998	1997	1996
Unequal Service	11	8	15	27	42	35	17	26
Denial of Service	15	23	18	14	15	13	20	15
Denied Accessible Parking	5	0	1	0	0	0	0	0
Harassment	14	19	15	0	0	0	0	0
*Totals	45	50	49	41	57	48	37	41

RESPONDENT IN PUBLIC ACCOMMODATION CASES

TYPE OF RESPONDENT	Number
Retail	11
Eating Establishment	10
Finance	2
Hotel Industry	1
Amusement	1
Services	8
*Total	33

*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	266	0	4
RACE	203	1	23
DISABILITY	147	0	8
RETALIATION	262	0	0
AGE	156	-	-
GENETIC TESTS	0	-	-
NATL ORIGIN	77	4	1
RELIGION	22	2	0
COLOR	16	0	0
FAMILIAL STATUS	-	0	0
*TOTAL	1149	7	36

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

DISTRIBUTION OF CASES BY CITY FY 2003

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Abilene	3			Hays	6		
Andover	2			Haysville	3		
Arkansas City	1			Herington	1		
Atchison	3			Hesston	1		
Augusta	2			Holcomb	1		
Baldwin City	1			Holton	1		
Bonner Springs	1			Horton	1		
Burlington	2			Hugoton	1		
Caney	1			Humboldt	1		
Chanute	2			Hutchinson	17		
Cheney	1			Independence	9		
Cherryvale	1			Iola	4		
Clay Center	3			Jetmore	1		
Coffeyville	3			Junction City	10		
Columbus	6			Kansas City	58	2	
Council Grove	1			LaCrosse	1		
De Soto	1			Lakin	1		
Derby	2			Lansing	1		
Dodge City	26		1	Larned	1		
Easton	1			Lawrence	22	2	
Edwardsville	2			Leavenworth	5	1	
El Dorado	4	1		Leawood	6		
Elkart	1			Lenexa	29	2	
Ellsworth	1			Liberal	7		1
Ellwood	2			Louisburg	1		
Emporia	6			Manhattan	4		
Erie	1			Marion	1		
Eudora	1			McPherson	10		
Fairview	1			Merriam	6	2	
Fort Dodge	1			Moundridge	1		
Fort Riley	2			Mulvane	1		
Garden City	10			Neodesha	2		
Goddard	1			Ness City	1		
Goodland	1			New Century	3		
Grandview Plaza	1			Newton	5		
Great Bend	4			Norton	1		

DISTRIBUTION OF CASES BY CITY FY 2003

CITY	EMP	PA	HSG	CITY	EMP	PA	HSG
Olathe	17	3		Salina	11		
Onaga	2			Shawnee	6		1
Osawatomie	1			Shawnee Mission	10		1
Ottawa	5			South Haven	1		
Overland Park	76	3		South Hutchinson	2		
Paola	1			Stilwell	1		
Parsons	6			Topeka	119	2	1
Phillipsburg	1			Valley Center	1		
Pittsburg	4			Wamego	1		
Prairie Village	2	1		Waterville	1		
Rantoul	1			Wellington	2		
Rossville	1			Wichita	207	14	
St. Mary's	1						