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EXECUTIVE DIRECTOR RETIRING

By Caryl Hines

On September 30, 1997, the Kansas Human Rights Commission will bid farewell to its Executive Director, Robert G. Lay. Mr. Lay is retiring after eighteen years of faithful service with the Commission and the state of Kansas, from 1979 to 1997. His tenure with the agency began in 1979 as an Investigator I; he was soon promoted to Investigator II, then Field Supervisor, Assistant Director, and in 1995, Executive Director.

Bob is a retired veteran of the U.S. Marine Corps, having served twenty-two years, including two tours of duty in Viet Nam. It was during his military career that

he first became involved in human rights issues, working at command level on solutions to race relations problems prevalent in the military during the Viet Nam conflict. After his retirement from the marines he earned both his Bachelor's and Master's degrees from Pittsburg State University.

Bob has been married to wife, Delores, for 37 years, and they have five children and seven grandchildren.

Speaking of his pending retirement, Bob said, "I've worked hard my entire life. There are other more personal things I want to do now, and I want to spend more
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COMMISSION OPENS SATELLITE OFFICES

By Maureen Carroll

For the first time since the opening of the Wichita Branch Office in 1971, individuals will have the opportunity to file discrimination complaints with KHRC at two additional sites within the state. The Commission hopes that the opening of these new offices, one in Dodge City, the second in Independence, will increase public awareness of Commission goals and objectives to eliminate discrimination within Kansas.

Both satellite offices are staffed by trained civil rights investigators, Sue Celaya in Independence, and Dora Luchini-Lucero in the Dodge City office. Additionally, each satellite office is equipped with educational and informational materials on unlawful employment, housing, and public accommodations discrimination. Addresses and phone numbers for the new offices are listed on page 2 of this publication.

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SUITE 7050
WICHITA, KS 67202
Voice (316)337-6270
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DODGE CITY OFFICE:

MILITARY PLAZA OFFICES
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DODGE CITY, KS 67801
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INDEPENDENCE OFFICE:

INDEPENDENCE CORPORATE OFFICES INC
200 ARCO PLACE
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(316)331-7083

KHRC COMMISSIONERS:

Robert A. Wesley, Chairman
Real Estate, Independence

Corbin R. Benham
Labor, Mulvane

James E. Butler
At-large, Manhattan

Onofre Astorga
Industry, Dodge City

Phillip DeLaTorre
Law, Lawrence

Brenda C. Jones
Labor, Kansas City

Carol Earls-Franklin
Industry, Topeka

Commission Meeting

The Kansas Human Rights Commission meets monthly at various locations throughout the state. Commission meetings are open to the public and individuals interested in attending may obtain more information by contacting the Commission's main office.

The *SPECTRUM* is a publication of the Kansas Human Rights Commission. The *SPECTRUM* was created to inform individuals within the state of current civil rights issues and keep interested persons up-to-date on issues pertinent to KHRC. Topics to be addressed in this and future issues of the *Spectrum* include current legal decisions, commentaries, upcoming events of interest, educational updates on issues such as age discrimination, sexual harassment, wage discrimination, unfair housing practices, and more.

Free subscriptions are available. If you would like to be placed on our mailing list, please contact our main office at the above address. All comments, suggestions, and submissions are appreciated, and should be addressed to the editor, Maureen Carroll, at the main office in Topeka: (785)296-3206.



Robert G. Lay

**EXECUTIVE DIRECTOR RETIRING,
Cont. from page 1**

time with my family.” We at the Commission know his hard work and dedication to the cause of human rights and the elimination of discrimination. In the last two years the Commission has claimed some remarkable accomplishments - reduction of the backlog by 45%, record monetary recoveries for discrimination victims, and the opening of two satellite offices in southeastern and southwestern Kansas.

Robert G. Lay is a true gentleman in every sense of the word. We will miss his calm, considerate, and professional demeanor. Farewell, Bob, we wish you God’s richest blessings as you travel down the road of retirement, and many years of happiness to come.



**KHRC’S PIC UNIT MEDIATION
AS AN ALTERNATIVE**

By Maureen Carroll

KHRC’s Preliminary Investigative Conference Unit is an alternative offered to complainants and respondents in order to resolve issues of discrimination without complete full investigation of a complaint.

KHRC has successfully used the PIC Unit to mediate and resolve complaints of unlawful discrimination since 1981.

During FY 97 KHRC’s PIC Unit resolved a total of 622 cases, with settlements totaling over \$792,324.00 in monetary awards recovered for complainants.

The success of the PIC Unit may be due to several factors. Heading the list is the diligence and skill of the current PIC investigators: Mary Ann Barber, Wichita; Margaret Rayburn-Good in Topeka, Jane Neave in Wichita, Vamba Nzwilli in Topeka, and Kathryn Sterling in Topeka.

Mediation is a confidential procedure which encourages open communication and problem solving between parties and can be an aid in resolving complaints in several ways. Neutral mediation that is provided quickly after a complaint is filed can be more effective in getting at the facts surrounding the incident(s), as they are still clear to everyone involved. Differences resolved without the necessity of complete investigation create less disruption and difficulty for everyone involved, and at this initial stage monetary liability is lower.

In addition to the in-house mediation offered by KHRC’s PIC Unit, the Commission in conjunction with Kansas Legal Services also offers a third-party mediation program. For more information about mediation as an alternative, contact the nearest KHRC office.



KHRC RESOLVES AGE DISCRIMINATION COMPLAINT

By Glenn Grayson

Age discrimination is one type of discrimination which the Commission has authority to do its best to eliminate. The Commission is charged with enforcing the Kansas Age discrimination In Employment Act, which was enacted in 1983. Among other things, the Act provides that it is unlawful for an employer to take any action to adversely affect an employee or job applicant if the action is based on that person's age and the person is age 18 or more.

The Commission recently completed a settlement in an age discrimination case which exposed a stereotype that some people have towards older workers. A teacher, who was 56 years old, filed a complaint with the Commission alleging that

she was monitored more closely than other teachers. The Board of Education had received complaints from the community, and the teacher had heard that some people in the community wanted to get rid of all the older teachers. Based on the complaints, which were never communicated to the teacher, the school evaluated her before her next scheduled evaluation, and she received a satisfactory evaluation. However, she was told that she would receive another special evaluation for the next year. Again she received a satisfactory evaluation. It was very stressful for this teacher to be singled out and put under a microscope in two consecutive years just because some people believe that older teachers

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KEEPING CURRENT:

AGE DISCRIMINATION IN EMPLOYMENT

By Maureen Carroll



The current year, 1997, marks the 30th anniversary of the Federal Age Discrimination in Employment Act, (ADEA). Since 1967, when age discrimination in employment (for workers over age 40) was prohibited by Congress, age discrimination complaints have steadily risen.

Following the enactment of the ADEA, Congress outlawed mandatory retirement at age 65 and the practice of denying pension credits and health insurance benefits to employees who chose to remain on the job past age 65. Further legislation created to prevent age discrimination included requiring employers to provide severance pay to laid-off workers eligible for pensions.

The Kansas Age Discrimination in Employment Act, (KADEA), closely mirrors the Federal ADEA, prohibiting discrimination on the basis of age, (18 and up), in the area of employment. Statewide, the number of unlawful discrimination complaints filed with the KHRC on the basis of age has doubled over the last decade. In FY 1986 there were 119 complaints filed with KHRC on the basis of age in employment compared to a total of 233 during FY 1996.

The reasons for the rise in age discrimination complaints are varied and may include:

- Demographics - the baby-boom generation has reached middle age
- Changing attitudes about aging - people want to work longer.
- Downsizing often has a greater impact on the older worker.
- Technology - rapidly changing technology can leave the older worker without competitive skills.

The increase in age discrimination complaints requires that we look at new means of prevention. Examining stereotypes to increase knowledge and understanding may be one way to help prevent age discrimination.

Test your knowledge of age discrimination on

Discrimination Complaint Settled Continued from page 4

are less competent than younger teachers.

Through the efforts of the Commission staff, the parties settled the case. The school apologized to the teacher and agreed to evaluate the teacher according to the legal and contractual requirements of all teacher evaluations. The school promised to provide the teacher with any information provided by students or parents which may be used in her evaluation. The school also paid the teacher the full amount allowed by law for pain, suffering and humiliation.

BACKPAGES

What Is Your Aging I.Q.?

NATIONAL INSTITUTE ON AGING

Answer True or False:

1. Everyone becomes "senile" sooner or later, if s/he lives long enough.
2. American families have by and large abandoned their older members.
3. Depression is a serious problem for older people.
4. The numbers of older people are growing.
5. The vast majority of older people are self-sufficient.
6. Mental confusion is an inevitable, incurable consequence of old age.
7. Intelligence declines with age.
8. Sexual urges and activity normally cease around age 55-60.
9. If a person has been smoking for 30 or 40 years, it does no good to quit.
10. Older people should stop exercising and rest.

KHRC Honors Employees

The Kansas Human Rights Commission honored two longtime Commission employees, William Minner and Karen McDaneld, with a reception on August 13, 1997. The honors were in recognition of each employee's 25 years of service with the agency. We congratulate Bill and Karen on their dedication to the Commission and its mission to prevent and eliminate discrimination.

ANSWERS:

1. False. Even among those who live to be 80 or older, only 20-25% develop Alzheimer's disease or some other incurable form of brain disease.
2. False. The American family is still the number-one caretaker of older Americans. Most older people live close to their children and see them often; many live with their spouses.
3. True. Depression, loss of self-esteem, loneliness, and anxiety can become more common as older people face retirement, the deaths of relatives and friends, and other such crises—often at the same time. Fortunately, depression is treatable.
4. True. Today, 12% of the U.S. population are 65 or older. By the year 2030, one in five people will be over 65 years of age.
5. True. Only 5% of the older population live in nursing homes; the rest are basically healthy and self-sufficient.
6. False. Mental confusion and serious forgetfulness in old age can be caused by some 100 problems other than Alzheimer's, all of which are treatable.
7. False. Intelligence per se does not decline without reason.
8. False. Most older people can lead an active, satisfying sex life.
9. False. Stopping smoking at any age reduces the risk of cancer and heart disease.
10. False. Exercise at any age helps strengthen the heart and lungs, and lower blood pressure.

UPCOMING EVENTS:

KHRC'S ANNUAL EMPLOYMENT
DISCRIMINATION CONFERENCE

September 22, 1997
Topeka Expo Centre
Contact KHRC: (785)296-3206

FIFTH KANSAS DISABILITY CAUCUS

October 1, 2, & 3, 1997
Topeka Holiday Inn
Contact Registration Coordinator: (316)942-6300

UMKC 1997 HEARTLAND LABOR AND
EMPLOYMENT INSTITUTE

October 23 & 24
Kansas City Harrah's Hotel
Contact UMKC: (816)235-1648

HISPANIC AMERICAN HERITAGE MONTH

September 15 through October 15
Contact KACHA about scheduled events:
(785)296-3465

Eternal vigilance is the price of freedom!

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