



Louisville Metro Human Relations Commission

Spring Newsletter
2013



From the Desk of the Director...

On May 15, 1963, one of my esteemed predecessors J. Mansir Tydings, then the Executive Director of the Human Relations Commission, was quoted in The Louisville Times regarding the passage of the Public Accommodations Ordinance. He said he was delighted by the action. "I guess tomorrow I'll have to give out cigars."

May 2013 marks the 50th Anniversary of the passage of the Ordinance and it is important that we take the time to recognize and commemorate the event. Clearly, all of us that came behind those individuals that fought and made sure this ordinance was enacted need to say *THANK YOU*.

We have come a long way; however, we must acknowledge that there have been problems with a few major national restaurant chains in the 1990's and 2000's and those companies paid out millions because of their discriminatory practices. HRC continues to enforce the local ordinance and to educate the community regarding the law.

The HRC is especially interested in the youth and young adults understanding the importance of this event and its history. We are co-sponsoring an essay contest in which students are encouraged to participate. All essay submissions are due by 5pm on May 8, 2013. The HRC is also a co-sponsor of the commemorative event that will take place at the Brown Theater on May 13, 2013 from 7-9 pm. Lastly, on May 14th, 2013, the University of Louisville College of Arts and Sciences and Metro Government, will dedicate a marker at 4th and Guthrie Streets at 3:30 pm to commemorate the anniversary of the sit-in held in downtown Louisville which led to the passing of the Public Accommodations Ordinance.

Events

Commemorating the Passage of Louisville's Public Accommodation Ordinance...

May 8, 2013—Essay submission deadline for the 2013 Student Essay Contest commemorating the ordinance

May 13, 2013—City Wide Meeting Celebrating the 50th Year Anniversary of the Passage of the Ordinance that Ended Segregation in Public Accommodations in Louisville. Brown Theatre, 315 West Broadway, Louisville, KY 40202, 7:00 p.m.

May 14, 2013— The Unveiling Ceremony of the Fourth Street Sit-In Demonstration Site Marker at 4th and Guthrie Streets at 3:30 pm

House Bill 279



Late in the legislative session of the Kentucky General Assembly session we saw the introduction of House Bill 279. As drafted, House Bill 279 creates the unnecessary risk that existing civil rights protections would be subject to a patchwork of exemptions and legal challenges. This law

undermine those protections, if not render them practically unenforceable.

We commend state Representative Darryl Owens who proposed a modest amendment to ensure the bill struck the proper balance between individuals' religious freedom and others' civil rights protections. The legislation which has now passed both chambers of the General Assembly was rushed through without a guarantee of such protections.

Was this an attempt to evade not only the current Fairness laws that extend protection to many GLBT people in the state or a

general repudiation of all civil rights in the state? Sadly it seems to be both. Kentucky has a legacy of taking a half step forward and four steps back. I would like to remind many Kentuckians that in 1964 it was a joint effort in the General Assembly and the signature of a Republican Governor that ratified the 1964 Civil rights act. My, how the Commonwealth has fallen.

House Bill 279 legislation could be used by an individual or entity under the guise of a "sincerely held religious belief" to violate the constitutional and civil rights of other persons or organizations. In other words, it could make discrimination legal if the discrimination perpetrated is claimed to be due to "a sincerely held religious belief."

In House Bill 279, we see the return of Jim Crow's son, James Crow, Jr., in that this bill does not explicitly make clear that existing civil rights protections are both necessary and appropriate. Therefore, elected judges throughout Kentucky's 120 counties will be forced to decide that question on a case-by-case basis. A religious individual could claim an exemption from *any* law or policy that prohibits discrimination—leaving racial minorities, women,

LGBT people, and others without adequate protections. These civil rights protections are too important, and the risk of inconsistent decisions too great, to leave it unaddressed by House Bill 279.

This is the new face of discrimination in the digital age and it is just as prevalent and repugnant today as it ever was. The damage that this bill could do to the economy of the state is incalculable. Businesses will not set up in an area that allows for discrimination of any kind. Specifically, discrimination against employees negatively impacts the economic performance of businesses. The negative perception prevents the hiring of talented labor and the retention of this labor. Without a strong labor force, productivity suffers and profits lag resulting in less revenue for the state and the cities as a whole. Discrimination is destructive. Not only is it costly in terms of labor supply but also in terms of consumer demand and image as well. No business will relocate to the state if discrimination is allowed to go unchecked in the workplace and public places. If this law passes, businesses will react by actively choosing to do

business elsewhere and that would be detrimental to the state as a whole.

As we can see, the overall impact of this bill far outweighs the so called benefits. I'm glad that the Human Relations/ Rights Commissions along with the Governor, many Mayors and other groups stood to repudiate House Bill 279.

Commissioner Dawn Wilson
LMHRC Education Chair

Recent Settlements

Note: many cases that resolve do so with a settlement agreement prior to the conclusion of the investigation, and do not represent a finding of an unlawful practice having occurred.

Employment

Case Name	Basis	Terms
Howard Smith vs. J. Alexander's	Age	Termination \$10,000.00
Ira Ryan vs. Riav Ventures LLC dba Great Clip	Race and Sex	Termination \$800.00
Courtney Conklin vs. Papa John's Inc.	Sex	Termination \$6,000.00

Housing

Case Name	Basis	Terms
Abbas Jasim vs. Fountain Square Apartments LLC & Martin L. Adams & Sons	Religion and National Origin	Terms, conditions, or privileges of rental-cancellation agreement-waive all balances and compensate Complainant \$1,000.00
Jessica Delap vs. Robert Adleberg; Four Dogs, LLC; Robert Adleberg Insurance Agency, Inc.; and The Nance Realty Company	Familial Status	Conciliation Agreement-Fair Housing Training and compensate Complainant \$9,500.00

Metro Vendor All Stars

The follow are vendors whose contracts exceeded \$10,000, have been prequalified with HRC (per Metro Code of Ordinance §37.27), and are fully utilizing minorities and women in their workforce:



HNTB CORP