

Bond Case Briefs

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EMPLOYMENT - ALASKA

Mills v. Hankla

Supreme Court of Alaska - March 22, 2013 - P.3d - 2013 WL 1165508

Supreme Court of Alaska finds that genuine issue of material fact exists as to whether police chief was a “supervisor” of employees during alleged acts of sexual harassment, precluding summary judgment.

In 2008, city promoted a police officer to police chief. The city’s hiring determination and the officer’s subsequent conduct led four police department employees to sue the police chief and the city. The employees asserted several claims including wrongful termination, sexual harassment, and negligent hiring.

The Supreme Court of Alaska held that:

- Evidence supported finding that employer did not engage in spoliation of evidence;
- Genuine issue of material fact as to whether employee was constructively discharged precluded summary judgment on wrongful termination claim;
- Genuine issue of material fact as to whether police chief was a “supervisor” of employees during alleged acts of sexual harassment precluded summary judgment on sexual harassment action;
- State Human Rights Act does not provide for individual liability of employees for hostile work environment sexual discrimination or hostile work environment sexual harassment; and
- Employer’s hiring decision in hiring of police chief was discretionary, and thus official immunity applied to decision.