

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

Meeting of Panel A
June 23, 2010
9:00 a.m.

Illinois Department of Transportation
1100 E. Port Plaza
Room 101
Collinsville, IL 62234

and

James R. Thompson Center
Pollution Control Board
100 W. Randolph Street, Suite 11-512
Chicago, Illinois 60601

MINUTES

Present: Commissioners

Marti Baricevic (Panel Chair) (via telephone)
Robert S. Enriquez
Gregory G. Simoncini

Staff

Harriet Parker
Donyelle L. Gray
Evelio Mora
N. Keith Chambers
Christine M. Welninski
Sun Hee Choi (Coles Fellow)
Casey E. Fundarek (Coles Fellow)
Edward C. Young (Coles Fellow)
Rashidat Ogbara (Coles Fellow)

I. Call to Order.

A meeting of Human Rights Commission Panel A was called to order on June 23, 2010, at 9:16 a.m. by Panel Chair, Commissioner Baricevic.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting.
- 2) Prior to the meeting, Commissioner Baricevic gave *notice (and good cause as defined by the Illinois Open Meetings Act)* to the General Counsel and Secretary of the Public Body, Harriet Parker, that as she would be unable to be physically present for the June 23, 2010, meeting, she planned to participate via the telephone.

- 3) The Commission voted to allow Commissioner Baricevic to participate via telephone. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

II. Consideration of Minutes.

The minutes of the meeting of May 26, 2010, were approved as submitted by staff. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

III. Requests for Review

- A. *Warren Corprew v. 1. Slate Creek Apartments, 2. Professional Advantage, Inc., d/b/a Remax Key, 3. Ann Davis*

ALS No.: 09-0706 Charge No.: 2010SH0239

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

- B. *Ioannis Angelopoulos v. COUNSUL General of Greece*

ALS No.: 09-0709 Charge No.: 2009CN1465

The Panel vacated the dismissal of the charge in the above-referenced matter. The Panel concluded that the Illinois Human Rights Act is not preempted by the Foreign Sovereign Immunities Act. The Charge is remanded to the Illinois Department of Human Rights for further investigation. Motion made by Commissioner Simoncini, seconded by Commissioner Baricevic. Motion carried 2-1.

- C. *John E. Schmidt v. Dixon-Meyers Transportation*

ALS No.: 09-0723 Charge No.: 2009CA1420

The Panel vacated the dismissal of Counts A, B, and C of the charge in the above-referenced matter. A finding of Substantial Evidence was made as to Counts A and C. Count B of the charge is remanded to the Department of Human Rights for further investigation. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

- D. *John E. Schmidt v. Dixon-Meyers Transportation*

ALS No.: 10-0233 Charge No.: 2009CA3848

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

- E. *David W. Smith v. Illinois American Water Company*

ALS No.: 09-0722 Charge No.: 2009SF1763

The Panel sustained the dismissal in the above-referenced matter for Lack of Jurisdiction. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

F. Franshon Gaston v. Aunt Martha's Youth Service

ALS No.: 09-0721 Charge No.: 2008CF2428

The Panel sustained the dismissal in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 2-0. Commissioner Enriquez recused himself in the above-referenced matter.

IV. Petitions for Hearing to Determine Complainant's Damages

A. Tatiana C. Matthews v. Harold's Chicken Shack #45

ALS No.: 10-0425 Charge No.: 2009SF2959

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

B. Crystal Spivey v. Michael Sergent

ALS No.: 10-0429 Charge No.: 2009CN3272

The Panel voted to grant the motion. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

V. Request for Extension of Time to File Exceptions to the Recommended Order and Decision

Sharen Calvin v. City of Chicago Department of Police

ALS No.: 07-214 Charge No.: 2006CF2259

The Panel voted to grant the motion. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 3-0.

VI. Adjournment.

The meeting was adjourned at 9:55 a.m. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 3-0.

Respectfully submitted,

Harriet Parker
General Counsel