

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

Meeting of Panel C
January 26, 2011
11:00 a.m.

James R. Thompson Center
Murdock Room - IDHS
100 W. Randolph Street, Suite 5-300
Chicago, Illinois 60601

MINUTES

Present: Commissioners

Sakhawat Hussain, M.D. (Panel Chair)
Diane M. Viverito
Spencer Leak, Sr.

Staff

Harriet Parker
Donyelle L. Gray
Evelio Mora
Christine Welninski
Carol Comrie (Coles Fellow)
Alexia N. Whitaker (Coles Fellow)

I. Call to Order.

A meeting of Human Rights Commission Panel C was called to order on January 26, 2011, at 12:05 p.m. by Panel Chair Sakhawat Hussain, M.D. The start of Panel C was delayed due to the length of the Commission's January 26, 2011, *En Banc* meeting.

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 without the physical presence of Commissioner Leak.
- 2) Prior to the meeting, Commissioner Leak 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 he would be unable to be physically

present for the January 26, 2011, meeting. Commissioner Leak requested to participate via telephone.

3) The Commissioners voted to allow Commissioner Leak to participate via telephone for the January 26, 2011 meeting. Motion made by Commissioner Viverito, seconded by Commissioner Hussain. Motion carried 2-0.

II. Consideration of Minutes.

The minutes of the meeting of October 27, 2010, were approved as submitted by staff. Motion made by Commissioner Viverito, seconded by Commissioner Hussain. Motion carried 3-0.

III. Requests for Review

A) *Theresa Ann Johnson v. American Drug Stores, LLC, d/b/a Jewel-Osco Pharmacies*

ALS No.: 10-0219 Charge No.: 2009CP3672

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

B) *Chiquita Tally-Almo v. City of Chicago Water Dept.*

ALS No.: 10-0228 Charge No.: 2009CA4222

The Panel vacated the dismissal in the above-referenced matter. The Panel concluded the Department of Human Rights had jurisdiction to investigate the charge because the charge was filed within 180 days of the alleged civil rights violation. The matter was remanded to the Department for further investigation. Motion made by Commissioner Viverito, seconded by Commissioner Hussain. Motion carried 3-0.

C) *Dinicha Rice v. Wal-Mart Stores, Inc.*

ALS No.: 10-0255 Charge No.: 2009CF2181

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

D) *Berwin Williams v. State of Illinois Student Assistant Commission*

ALS No.: 10-0257 Charge No.: 2009CF0972

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

E) *Liliya Hernandez v. Advocate Health Care*
ALS No.: 10-0258 Charge No.: 2008CE4015

The Panel sustained the dismissal in the above-referenced matter for Expiration of Time to Investigate the Charge. Motion made by Commissioner Hussain, seconded by Commissioner Viverito. Motion carried 3-0.

F) *Liliya Hernandez v. Advocate Health Care*
ALS No.: 10-0259 Charge No.: 2008CE4016

The Panel sustained the dismissal in the above-referenced matter for Expiration of Time to Investigate the Charge. Motion made by Commissioner Viverito, seconded by Commissioner Hussain. Motion carried 3-0.

IV. Adjournment.

The meeting was adjourned at 12:55 p.m. Motion made by Commissioner Viverito, seconded by Commissioner Hussain. Motion carried 3-0.

Respectfully submitted,

Harriet Parker
General Counsel