

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

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

Meeting of Panel B
October 21, 2015
11:30 A.M.

MINUTES

PRESENT:

Commissioners: Robert A. Cantone (Panel Chair)
Hamilton Chang
Steve Kim

Staff: Donyelle L. Gray
Evelio Mora
Byron M. Wardlaw
Christine Welninski

Members of Public: Cynthia Grandfield
Arijana Keserovic

I. Call to Order

A meeting of the Illinois Human Rights Commission Panel B was called to order on Wednesday, October 21, 2015 at 11:38 a.m. by Panel Chair Robert A. Cantone.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*, and 775 ILCS 5/8-103 of the Illinois Human Rights Act, it was determined that:

- 1) Three Commissioners were physically present at the meeting.

II. Minutes

Commissioner Cantone noted a correction in the July 22, 2015 Minutes. Specifically, with respect to the matter of *Rocky Ali (Minor) by Haniyyah Ali (Parent) v. Board of Education of the City of Chicago*, Charge No.: 2011CP2565; ALS No.: 12-0273, Commissioner Chang motioned to sustain the dismissal of the charge for Lack of Substantial Evidence, seconded by Commissioner Cantone.

The minutes of the meeting of July 22, 2015 were approved as amended. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

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III. Contested Matters

A. Scott A. Reuter v. SBC Global Services, Inc.

Charge No.: 2006CN0887

ALS No.: 07-124

Panel B declined review of Complainant's Exceptions to the Recommended Order and Decision, thereby making the Recommended Order and Decision dated January 22, 2013 the final Order of the Commission. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

B. Charles Hughes v. Andresen's Cafe

Charge No.: 2009SN0926

ALS No.: 10-0571

Panel B declined review of Respondent's Exceptions to the Recommended Order and Decision, thereby making the Recommended Order and Decision dated November 6, 2014 the final Order of the Commission. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

IV. Requests for Review

A. Benny Eberhardt and Martinia Eberhardt v. 607 West Buckingham Place Condominium Association

Charge No.: 2011CH1614

ALS No.: 12-0309

Panel B voted to sustain the dismissal of the above referenced matter for Lack of Substantial evidence. Motion made by Commissioner Chang; seconded by Commissioner Kim. Motion carried 3-0.

B. Barbara Davis v. Colfax Corporation

Charge No.: 2011CA2889

ALS No.: 12-0315

Panel B voted to sustain the dismissal of the above referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Chang; seconded by Commissioner Kim. Motion carried 3-0.

C. Frany Espino v. Ratner d/b/a Hair Cuttery

Charge No.: 2009CF3471

ALS No.: 12-0316

Panel B voted to sustain the dismissal of Counts A and D, and vacate and remand Count C to the Illinois Department of Human Rights for further investigation. Motion made by Commissioner Cantone; seconded by Commissioner Chang. Motion carried 3-0.

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D. Dr. John W. Jones v. State of Illinois, Department of Human Services
Charge No.: 2012CA0798 ALS No.: 12-0317

Panel B voted to sustain the dismissal of the above referenced charge for Lack of Jurisdiction. Motion made by Commissioner Chang; seconded by Commissioner Cantone. Motion carried 3-0.

E. Joanne Cucci v. Unisource Worldwide, Inc.
Charge No.: 2011CF3287 ALS No.: 12-0319

Panel B voted to vacate Counts A and B of the above referenced charge and to remand the charge back to the Illinois Department of Human Rights for entry of a finding of Substantial Evidence. Motion made by Commissioner Kim; seconded by Commissioner Chang. Motion carried 3-0.

F. Kevin E. Scott v. West Cook Young Men's Christian Association
Charge No.: 2011CP1285 ALS No.: 12-0321

Panel B voted to sustain the dismissal of the above reference charge for Lack of Substantial Evidence. Motion made by Commissioner Cantone; seconded by Commissioner Chang. Motion carried 3-0.

V. Notices of Attorney Withdrawal

A. Robert Groharing v. The Village of Thomson
Charge No.: 2006CF1590 ALS No.: 07-867

Panel B voted to grant Attorney Jolanta A. Zinevich's Motion to Withdraw. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

B. Andrew Schott v. The Village of Thomson
Charge No.: 2006CF1589 ALS No.: 07-868

Panel B voted to grant Attorney Jolanta A. Zinevich's Motion to Withdraw. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

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VI. Motion to Voluntarily Dismiss a Request for Review

- A. *Kathy Harts v. Illinois Department of Health and Family Services*
Charge No.: 2015CR0907 ALS No.: 15-0243

Panel B voted to grant the Complainant's Motion to Voluntarily Dismiss a Request to Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

VII. Motions for Extension of Time to File a Request for Review

- A. *Nathan E. Doss v. Kenco Logistics Services*
Charge No.: 2014CF3161 ALS No.: 15-0371

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

- B. *Anastasia Sandness v. Kenco Logistics Services*
Charge NO.: 2015CF0515 ALS No.: 15-0372

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

- C. *Vernon Henry v. Kenco Logistics Services*
Charge No.: 2015CF0034 ALS No.: 15-0373

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

- D. *Anastasia Sandness v. Kenco Logistics Services*
Charge No.: 2015CN0516 ALS No.: 15-0374

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date

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of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

E. Nathan E. Doss v. Kenco Logistics Services

Charge No.: 2015CF0822

ALS No.: 15-0375

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

F. Nathan E. Doss v. Kenco Logistics Services

Charge No.: 2015CF0310

ALS No.: 15-0376

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

G. Maria Campos v. HMS Host Corporation

Charge No.: 2014CF2837

ALS No.: 15-0377

Panel B voted to grant the Complainant's Motion for Extension of Time to File a Request for Review, and granted the Complainant an additional sixty (60) days from the date of service of the order, to file a Request for Review. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

VIII. Motion for Reconsideration to the Motion for Extension of Time to File Reply

A. Valerie Hemingway v. Crawford Estates Condo Association and MC Property Management

Charge No.: 2015CH0718

ALS No.: 15-0241

Panel B voted to deny the Complainant's Motion for Reconsideration to the Motion for Extension of Time to File Reply. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

IX. Motion for Voluntary Dismissal

A. Rafael Garcia v. Pacific Coast Feather Co.

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Charge No.: 2014CA0859

ALS No.: 13-0531

Panel A voted to grant the Complainant's Motion for Voluntary Dismissal. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

X. Petition to Enforce Subpoena against Isabella Delgadillo Pursuant to §5300.210(c) of the Illinois Administrative Code

A. Ted Kolin/Mark Steinhagen v. The Town of Cicero

Charge No.: 2013CA0044/2013CA0045 ALS No.: 13-0526C

Panel B voted to deny the Complainant's Petition to Enforce Subpoena against Isabella Delgadillo Pursuant to §5300.210(c) of the Illinois Administrative Code. Motion made by Commissioner Cantone; seconded by Commissioner Kim. Motion carried 3-0.

XI. Adjournment

The October 21, 2015 meeting of Panel B adjourned at 12:45 p.m. Motion made by Commissioner Chang; seconded by Commissioner Kim.

Respectfully submitted,

Donyelle L. Gray
General Counsel
Illinois Human Rights Commission