

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

Meeting of the Commission  
October 27, 2010  
10:00 a.m.

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

and

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

MINUTES

PRESENT:

Commissioners

In Chicago

Chairman Martin R. Castro  
Sakhawat Hussain, M.D.  
David Chang  
Charles E. Box (via telephone)  
Nabi Fakroddin, P.E., S.E.  
Marylee V. Freeman  
Spencer Leak, Sr.  
Munir Muhammad (arrived after approval of minutes)  
Rozanne Ronen  
Gregory Simoncini (via telephone)  
Diane M. Viverito

Absent

Marti Baricevic  
Robert Enriquez

Staff

N. Keith Chambers  
Reva Bauch  
Dr. Ewa I. Ewa  
Michael J. Evans

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Harriet Parker  
Donyelle L. Gray  
Evelio Mora  
Christine Welninski

Members of Public:           None

**NOTICE:**

Public meetings and closed meetings of the Illinois Human Rights Commission are audio recorded.

**I. Call to Order**

On October 27, 2010, at 10:00 a.m., Chairman Martin R. Castro called to order a meeting of the Illinois Human Rights Commission.

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 Commissioners Baricevic, Box, Enriquez, and Simoncini.
- 2) Prior to the meeting, Commissioners Baricevic and Enriquez 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 they would be unable to attend the October 27, 2010, meeting.
- 3) Prior to the meeting, Commissioners Box and Simoncini 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 they would be unable to be physically present for the October 27, 2010, meeting. The Commission voted to allow Commissioner Box and Commissioner Simoncini to participate via telephone. Motion made by Commissioner Freeman, seconded by Commissioner Nabi. Motion carried 8-0.
- 4) Commissioner Muhammad joined the meeting at approximately 10:07 a.m.

**II. Consideration of Minutes**

September 22, 2010

The Commission voted to approve the minutes subject to an amendment of the minutes at *Old Business, Item A, Community Outreach*, 1<sup>st</sup> line, to read as follows: "Chairman Castro contacted State Representative Lisa Hernandez regarding the HRC's participation in a community outreach meeting in her district." Motion to approve the minutes as amended made by Commissioner Freeman and seconded by Commissioner Nabi. Motion carried 10-0.

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**III. Staff Reports**

A. N. Keith Chambers, Executive Director

Mr. Chambers reported on the October 25, 2010, meeting of Illinois Torture Inquiry and Relief Commission (“ITIRC”). During that meeting the ITIRC interviewed three candidates for the Executive Director position. Mr. Chambers reported that an e-par has been sent to the Office of the Governor to fill the vacancy of Ian Fritz, the Commission’s former front desk receptionist. Mr. Chambers reported he plans to attend a diversity program at Moraine Valley College, and he updated the Commissioners on plans for the Commission’s Diversity Dinner.

Mr. Chambers congratulated Commissioner Leak on receiving a Lifetime Achievement Award from Chicago State University, to be awarded Friday, October 29, 2010.

B. Dr. Ewa I. Ewa, Chief Fiscal Officer

Dr. Ewa is currently assisting the ITIRC in structuring its budget. Dr. Ewa reported that for the first quarter of the fiscal year, the Commission has spent \$75,000 above budget. The Commission will be requesting supplemental funding from the GOMB in the amount of \$100,000. This amount will cover current and future shortfalls.

C. Michael J. Evans, Chief Administrative Law Judge

Chief ALJ Evans reported that for September 2010, sixteen cases were filed and twenty-five cases were disposed. Mr. Chambers raised a concern as to the possible increase in window cases due to the shortage of staff in the Illinois Department of Human Rights (“IDHR”). The number of window cases will continue to be monitored by Commission staff.

Dr. Ewa stated there is possibly up to \$100,000 available to the Commission from the IDHR for Commission work performed on fair housing related matters. Dr. Ewa recommended the Commission submit a voucher for these funds. Mr. Chambers reiterated the funds may only be claimed for work performed in conjunction with fair housing matters. Chief ALJ Evans will assist Dr. Ewa in identifying Commission fair housing cases in order to determine the amount of funds the Commission may be eligible to claim from the IDHR. Chairman Castro stated he plans to discuss the matter with the State Comptroller’s Office.

D. Harriet J. Parker, General Counsel

General Counsel Parker stated that the excellent October 14<sup>th</sup> Lilly Ledbetter Equal Pay for Equal Work event, which the Commission co-sponsored, was well-represented by the Commission. In addition to Ms. Parker, Deputy General Counsel Donyelle Gray, Assistant General Counsel Evelio Mora, Commissioner Ronen and Commissioner Viverito attended the October 14<sup>th</sup> program. The previous evening Commissioner Chang and Ms. Parker attended a dinner at the Union League Club in honor of Lilly Ledbetter.

Ms. Parker advised that the Commission’s decision in *Joseph Warzecha v. Wisconsin Tools and Stamping Co.* has been affirmed by the Illinois Appellate Court.

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Ms. Parker reviewed the Request for Review (“RFR”) statistics for September 2010, and noted the RFR cases continue to increase. Ms. Parker acknowledged the fine and hard work of Bricia Herrera in her administration of the Request for Review files.

**IV. Old Business**

A. HRC Legislative Initiatives

Commissioner David Chang, the chair of the Commission’s legislative committee, reported that the legislative committee had met on October 12, 2010. Commissioner Chang reported that the legislative committee decided not to advance legislative changes to the Illinois Human Rights Act (“Act”) for the 97<sup>th</sup> Session of the Illinois General Assembly.

Ms. Parker advised the Commissioners that she is working on amendments to the Commission’s Administrative Rules in order to make the Commission’s Rules consistent with recent amendments to the Illinois Human Rights Act.

B. Community Outreach

Chairman Castro informed the Commission that he is actively working with State Representative Lisa Hernandez to coordinate a town hall meeting in Ms. Hernandez’s district, which is planned to take place in January 2011.

C. Torture Commission Updates

The ITIRC was previously discussed in Mr. Chambers’ report and in Dr. Ewa’s report.

D. FY2010 Annual Report

Drafts of the FY2010 Annual Report were distributed to the Commissioners. The Commissioners offered suggested corrections and edits which Ms. Parker noted will be included in the next draft of the FY 2010 Annual Report.

**V. New Business**

A. Chairman Castro announced that he has established “open office” hours at the Commission, at which Commission staff are welcome to sit and meet with him. During his first open office day, various Commission staff members stopped by to speak with Chairman Castro. Some ALJs gave Chairman Castro feedback on recent trends they had noticed in Commission cases. Chairman Castro said this feedback will be helpful in identifying where to focus community outreach efforts. Chairman Castro will continue to speak with the ALJs and Commission staff in order to identify future issues. It was suggested that Bricia should also be asked to identify trends she notices in Request for Review filings.

B. Dr. Ewa requested guidance from the Commission in determining an appropriate salary scale for the ITIRC’s Executive Director position and for its staff attorney position. For the staff attorney position, Mr. Chambers suggested Ewa look to the IDHR because, unlike the Commission, the IDHR has a position of staff attorney.

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- C. Chairman Castro requested that “Role Call” be added to all future En banc agendas.
- D. Commissioner Nabi inquired why the Pledge of Allegiance is not recited at the beginning of Commission meetings. Ms. Parker stated the Commissioners could discuss this issue at today’s meeting. However, as this was not an agenda item, this issue could not be voted on at the October 27<sup>th</sup> meeting. The Commissioners briefly discussed the issue of recitation of the Pledge of Allegiance before each Commission Meeting.

**VI. Executive Session**

Executive Session

Pursuant to the Open Meetings Act (5 ILCS 120/2(c)(1) ), the Commissioners voted to close a portion of the public meeting at 10:56 a.m., in order to review the minutes of previously closed meetings. Motion made by Commissioner Nabi, seconded by Commissioner Ronen. Motion carried 11-0.

At 11:05 a.m., the open meeting resumed.

**VII. Adjournment**

The meeting was adjourned at 11:05 p.m. Motion made by Commissioner Muhammad, seconded by Commissioner Freeman. Motion carried 11-0.

Respectfully submitted,

Harriet Parker  
General Counsel