

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

Meeting of the Commission
September 22, 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

Robert S. Enriquez

Nabi Fakroddin, P.E., S.E.

Marylee V. Freeman

Spencer Leak, Sr. (arrived after approval of minutes)

Munir Muhammad (arrived after approval of minutes)

Gregory Simoncini

Rozanne Ronen

Diane M. Viverito (arrived after approval of minutes)

In Collinsville

Marti Baricevic (via telephone)

Staff

N. Keith Chambers

Reva Bauch

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Dr. Ewa I. Ewa
Michael J. Evans
Harriet Parker
Donyelle L. Gray
Evelio Mora
Christine Welninski
LaNade Bridges

Members of Public: None

NOTICE:

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

I. Call to Order

On September 22, 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 Commissioner Leak, Commissioner Viverito, Commissioner Muhammad, and Commissioner Baricevic. Prior to the meeting, Commissioners Viverito and Commissioner Muhammad 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, they would be arriving late to the September 22, 2010, meeting.
- 2) Commissioners Leak, Viverito, and Muhammad joined the meeting at approximately 10:10 a.m.
- 3) Due to an unanticipated room scheduling conflict with the Illinois Department of Transportation in Collinsville, Illinois, Commissioner Baricevic was unable to participate via interactive videoconferencing. Commissioner Baricevic gave prior notice to the General Counsel and Secretary of the Public Body, Harriet Parker that she planned to participate via telephone.
- 4) The Commission voted to allow Commissioner Baricevic to participate via telephone. Motion made by Commissioner Simoncini, seconded by Commissioner Enriquez. Motion carried 9-0.

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II. Consideration of Minutes

August 25, 2010

The minutes of the meeting of August 25, 2010, were approved as submitted by staff. Motion made by Commissioner Hussain, seconded by Commissioner Freeman. Motion carried 10-0.

III. Staff Reports

A. N. Keith Chambers, Executive Director

Executive Director Chambers reminded the Commissioners and HRC staff that since the Murdock room is located within the Department of Human Services Offices, as a courtesy to the DHS staff we must remember to please keep noise levels to a minimum when in their common area/ outer office area.

Mr. Chambers reported that the Illinois Torture Inquiry and Relief Commission (“Torture Commission”) held its first meeting on September 10, 2010. Mr. Chambers acknowledged HRC staff members who assisted in coordinating and providing administrative support for the first Torture Commission meeting, including General Counsel Harriet Parker and Executive Director Secretary Ms. LaNade Bridges.

In response to Commissioner Hussain’s concern regarding the impact of the Torture Commission on the HRC budget Chairman Castro explained that the Office of the Governor has identified a potential source of funding for the Torture Commission for the remainder of this fiscal year. The Torture Commission is expected to seek its own appropriations from the state legislature for the next fiscal year.

Mr. Chambers reported that the HRC’s Combined 2008 and 2009 Annual Report has been distributed to members of the Illinois General Assembly and to the Office of the Governor. Copies of the 2008/2009 Annual Report were distributed to the Commissioners, and have been posted to the HRC’s website. Mr. Chambers has obtained bids to have the Annual Report translated into Spanish and Polish. The bids range between \$800 and \$3,300. Mr. Chambers will seek a third bid for translation services.

Mr. Chambers announced that the Illinois General Assembly Veto session begins November 19-18 and the 97th General assembly convenes on January 12, 2011. Therefore, HRC legislative proposals should be submitted to Mr. Chambers’ attention by no later than the end of October 2010. Chairman Castro suggested that the HRC’s legislative committee (Panel B) meet before the next *En Banc* meeting to discuss any prospective HRC legislative proposals. Previously discussed amendments to the Act included weight discrimination and parental status discrimination protection.

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Mr. Chambers stated that the HRC staff had participated in the Women's Equality Day, (by staffing an informational table from 9:00 a.m. through 2:00 p.m. in the JRTC), at the invitation of one of that event's sponsors, The Illinois Department of Human Rights. Some staff also attended the Women's Equality Day Program. Mr. Chambers stated that the Department has also invited the HRC to participate in its Lilly Ledbetter Fair Pay Program scheduled for October 2010.

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

Chief Fiscal Officer Ewa reported that the HRC has requested a supplemental appropriation in the amount of \$75,000 from the Governor's Office of Management and Budget to assist the HRC in meeting rising operational costs.

Dr. Ewa stated the HRC purchased two new PCs. Commissioner Hussain inquired regarding what issues including cost might arise should the HRC be required to convert the operational systems of its present PCs from Windows XP to the latest platform. Mr. Chambers stated he would follow up with CMS on this issue.

C. Michael J. Evans, Chief Administrative Law Judge

Chief ALJ Evans reviewed the Administrative Law Section statistics for August 2010. Seventeen cases were filed and thirty-five cases were disposed.

D. Harriet J. Parker, General Counsel

General Counsel Parker reviewed sections of the Illinois Open Meetings Act (OMA) pertaining to Executive Session meetings and minutes. Ms. Parker advised that pursuant to the OMA the Commissioners are required to review all Executive Session minutes on a semi-annual basis. The Commissioners are required to determine whether these minutes may be made public or whether these minutes should remain confidential, either in whole or in part. Ms. Parker and Deputy General Counsel Gray will distribute past Executive Session minutes to the Commissioners for their review well in advance of the next *En banc* Meeting.

Ms. Parker provided the Commissioners with a written statistical analysis of Request for Review Statistics through August 2010.

Ms. Parker announced that the HRC, in conjunction with the Illinois Department of Human Rights, will participate in two events in celebration of the passage of the Lilly Ledbetter Fair Pay Act (2009). These events will take place on October 13 and 14, 2010. Ms. Parker distributed a "save the date" flyer for the October 14, 2010, program where Lilly Ledbetter is scheduled to speak.

Ms. Parker distributed sample drafts of the Commission's FY 2010 Annual Report. The FY 2010 Annual Report must be submitted to the 97th General Assembly 10 days prior to the beginning of the session. Ms. Parker requested the Commissioner review the Report and provide her with any comments. Ms. Parker stated she will send a draft of the

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revised FY 2010 Annual Report to the Publication Committee of the HRC upon completion of all revisions, and well in advance of the October 2010 En banc Meeting.

IV. Old Business

A. Community Outreach

Chairman Castro contacted State Representative Lisa Hernandez regarding the HRC's participation in a community outreach meeting in her district. Representative Hernandez's district, which has a significant Hispanic population, includes the cities of Cicero and Berwyn. Chairman Castro encouraged the Commissioners to start thinking about additional community outreach events for 2011, including outreach meetings in downstate Illinois and in other regions outside of the City of Chicago area.

On October 19, 2010, Deputy General Counsel Donyelle Gray will give a talk on the HRC and the Illinois Human Rights Act before the Chicago-Kent College of Law's Labor/Employment Law Practicum Class. The HRC's fall 2010 student Extern, Christopher Hoffman is enrolled in this class.

Mr. Chambers suggested the Commission consider hosting a Diversity Dinner as these dinners are planned to bring diverse groups of people together throughout a region, to share a meal at various venues, and to discuss the same dinner topic throughout the region. The Chairman and several of the Commissioners thought this a good idea for the HRC. Mr. Chambers stated that he would further explore the idea and that he would provide the Commissioners with a power point of the Program which he has created.

B. HRC Brochures

The Commission voted to approve the English version of the HRC Brochure. Motion made by Commissioner Simoncini, seconded by Chairman Castro. Motion carried 13-0.

V. New Business

A. Approval of Amended Panel and Committee Assignments

The Commission voted to approve the new Panel and Committee Assignments. Effective September 2010, Commissioner Viverito will sit on Panel C (Personnel Committee), and Commissioner Ronen will sit on Panel D (Publication Committee). Motion made by Commissioner Simoncini, seconded by Commissioner Freeman. Motion carried 13-0.

B. Approval of Amended 2011 Meeting Calendar

The Commission voted to approve the Amended 2011 Meeting Calendar, subject to Commissioner Nabi's amendment that Panel D will meet at 12:15 p.m. instead of 12:00 p.m. Motion made by Commissioner Hussain, seconded by Freeman. Motion carried 13-0.

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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 11:25 a.m. in order to discuss an internal personnel matter. Motion made by Commissioner Enriquez, seconded by Commissioner Simoncini. Motion carried 13-0.

At 11:40 a.m., the open meeting resumed.

The Commission voted to rescind the vote of August 9, 2010, which created the position of ALJ III and the Commission voted to rescind the vote of August 9, 2010, to promote the Commission's ALJs to ALJ IIIs upon approval by the State. Motion made by Commissioner Hussain, seconded by Muhammad. Motion carried 13-0.

The Commission voted to keep the Executive Session minutes of September 16, 2009 and November 18, 2009, confidential and voted that the Executive Session minutes of July 22, 2009, should no longer remain confidential. Motion made by Commissioner Hussain, seconded by Muhammad. Motion carried 13-0.

VII. Adjournment

The meeting was adjourned at 11:45 p.m. Motion made by Commissioner Simoncini with a second by Commissioner Freeman. Motion carried 13-0.

Respectfully submitted,

Harriet Parker
General Counsel