

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

Meeting of the Commission  
September 28, 2011  
10:00 a.m.

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

and

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

**MINUTES**

**PRESENT:**

**Commissioners**

In Chicago

Martin R. Castro, Chairman  
Sakhawat Hussain, M.D.  
David Chang  
Robert A. Cantone  
Terry Cosgrove  
Nabi Fakroddin  
Marylee V. Freeman  
Spencer Leak, Sr.  
Munir Muhammad  
Rozanne Ronen  
Diane M. Viverito  
Patricia Bakalis Yadgir

In Springfield

Marti Baricevic

**Staff**

Reva Bauch  
LaNade Bridges  
N. Keith Chambers  
Michael J. Evans  
Dr. Ewa I. Ewa  
Donyelle L. Gray  
Evelio Mora  
Christine Welhinski

**Members of Public:**

None

**NOTICE:**

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

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**I. Call to Order**

On September 28, 2011, at 10:08 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.
- 2) Prior to the meeting, Commissioner Muhammad gave notice (and good cause as defined by the Illinois Open Meetings Act) to the Acting General Counsel and Secretary of the Public Body, Donyelle L. Gray, that he would be unable to be physically present for the start of the September 28, 2011, meeting. Commissioner Muhammad requested to participate via telephone until his arrival. The Commissioners voted to allow Commissioner Muhammad to participate via telephone for the September 28, 2011 meeting. Motion made by Commissioner Hussain, seconded by Commissioner Freeman. Motion carried 12-0
- 3) Commissioner Muhammad arrived at approximately 10:15 a.m., and was physically present for the remainder of the meeting.
- 4) The Commission's audio recorder malfunctioned at the beginning of the September 28, 2011, meeting. Thus, no official audio-recording of the meeting was made. Pursuant to the OMA, only closed portions of the Commission meeting are required to be audio-recorded (i.e., the verbatim record). No portion of the September 28<sup>th</sup> meeting was closed to the public.

**II. Consideration of Minutes**

August 24, 2011

The Commission voted to approve the minutes of the August 24, 2011, as submitted by staff. Motion to approve the minutes made by Commissioner Nabi and seconded by Commissioner Cantone. Motion carried 12-0.

**III. Chairman's Report**

Martin R. Castro, Chairman

Chairman Castro announced the departure of Commissioner Hussain from the Commission. The Chairman and several Commissioners gave a brief speeches honoring Commissioner Hussain's work with the Commission. Commissioner Hussain was also presented with plaque acknowledging him for his many years of service with the Commission. Commissioner Hussain expressed his thanks and appreciation to his fellow Commissioners and staff.

Chairman Castro then announced that in his capacity as Chairman of the U.S. Commission on Civil Rights, he gave a keynote speech at the International Association of Official Human Rights Agencies. While attending this function, Chairman Castro asked other attending agencies about their policy on charging filing fees. Chairman Castro informed the Commission that other agencies function without charging filing fees.

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Chairman Castro also announced that he will be making a presentation on behalf of the Commission at the Chicago Cultural Alliance on October 24, 2011.

Chairman Castro recently spoke with Mona Noriega, who is the new Chairman of the City of Chicago Commission on Human Relations. Chairman Castro discussed the possibility of holding joint events with the Commission on Human Relations. Chairman Castro will keep this Commission updated on any future opportunities to collaborate with the Commission on Human Relations.

Finally, Chairman Castro informed the Commission that the United States Commission on Civil Rights Report on Bullying was available and explained how members of the Commission may obtain copies of the report.

**IV. Staff Reports**

A. *N. Keith Chambers, Executive Director*

Mr. Chambers reported that on September 9, 2011, he held a meeting with Commission staff concerning the State of Illinois budget and in particular discussed the Commission's budget. Mr. Chambers updated staff on the status of the Commission's budget and answered staff questions to alleviate any concerns.

Mr. Chambers also met with support staff to explore how to function more cost-efficiently by utilizing technology more and using less paper.

Mr. Chambers announced that due to budget cuts, the Illinois Department of Human Rights sent layoff notices to twenty-three employees, which includes attorneys and investigators. It is expected this will impact the Commission because the Department will not be able to complete as many investigations, thereby increasing the amount of Complainant-filed "window" complaints with the Commission.

Mr. Chambers reported that he has met with staff to review which additional Commission materials, other than the Commission's Annual Report, should be translated into Spanish and Polish.

Chairman Castro informed the Commission that some sections of the Commission's recent Annual Report were not translated into Spanish, and it also contained several hard to understand terms. Chairman Castro suggested the Commission explore the possibility asking not-for-profit organizations to provide volunteer translation services. A discussion ensued amongst the Commissioners, who supported this suggestion. The Chairman and the Executive Director informed the Commissioners that they would explore the matter further.

Finally, Mr. Chambers announced that the Commission hosted the Ukrainian Delegation on September 22, 2011. Mr. Chambers, Commissioner Cantone, and the Commission's senior staff provided information to the delegates regarding the Commission's function and procedures.

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

Dr. Ewa reported that there will be no lay-offs at the Commission. Dr. Ewa also reported that the Illinois Torture Inquiry and Relief Commission does not have the necessary staff to function as a result of cuts to its budget. Finally, Dr. Ewa also announced that the Commission is currently working with a surplus, which is due to the General Counsel position not being filled.

C. Michael J. Evans, Chief Administrative Law Judge

Judge Evans reported that the number of filings continues to rise. Judge Evans announced that the layoffs in the Department may result in an increase in complaints filed.

D. Donyelle L. Gray, Acting General Counsel

Ms. Gray advised the Commission to postpone its discussion of the proposed policy on outside employment until the next *En Banc* meeting. In the event the Commissioners wanted to go into executive session, the recorder was inoperable; thus no verbatim record could be created, as required the Open Meetings Act. The Commission agreed to table the discussion until the October 2011 *en banc*, when it was expected an operational recorder would be available.

Next, Ms. Gray submitted for approval a proposed Fall 2011 meeting calendar and a 2012 meeting calendar. The Commission voted to approve the proposed Fall 2011 calendar and the 2012 meeting calendar. Motion to approve the meeting calendars made by Commissioner Cantone, and seconded by Commissioner Freeman. Motion carried 13-0.

Ms. Gray reported that the Commission has moved forward with sending Commissioners panel and *en banc* meeting materials in electronic format on CD. Ms. Gray advised the Commission that the next two months will be a trial period and to please provide the Office of the General Counsel with any feedback.

Ms. Gray distributed material on recent employment law updates.

Finally, Ms. Gray updated the Commission on the Illinois Appellate Court's decision which affirmed a Commission decision in favor of the Complainant in the matters of *Cheryl Lockard v. Keith Jones* and *Cheryl Lockard v. First Baptist Church*. The Appellate Court has granted Ms. Lockard's petition to make the previously unpublished appellate court order published. By so doing, the time for Respondents Jones and First Baptist to file Petitions for Leave to Appeal ("PLA") to the Illinois Supreme Court began anew. Ms. Gray will advise the Commission of further action in this matter, if any, as she becomes aware.

**V. Staff Introduction**

Commission staff members will be periodically asked to come to *en banc* meetings, introduce themselves to Commissioners and explain their role at the Commission. The first staff member invited

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was Administrative Assistant Graciela Delgado, who works in the Commission's Administrative Law Section. Ms. Delgado briefly introduced herself to the Commission and described her numerous duties with the Commission.

**VI. New Business**

A. Pledge of Allegiance

Commissioner Nabi proposed that the Commissioners recite the Pledge of Allegiance at the beginning of the Commission's meetings.

A discussion ensued among the Commissioners, where all expressed their thoughts on the subject. The Commissioners decided to seek additional guidance from the Acting General Counsel as well as from the Office of the Governor regarding any potential legal impediments.

The matter was tabled and continued to the next en banc meeting for further discussion pending the receipt of additional information.

**VII. Old Business**

A. Proposed 2012 Meeting Calendar

This matter was discussed and voted on during the Acting General Counsel's report.

**VIII. Executive Session**

Executive Session

There was no Executive Session.

**IX. Adjournment**

The meeting was adjourned at 11:10 a.m. Motion made by Commissioner Nabi, seconded by Commissioner Hussain. Motion carried 13-0.

Respectfully submitted,

Donyelle L. Gray  
Acting General Counsel