State of Illinois
Illinois Human Rights Commission

2008-2009
ILLINOIS HUMAN RIGHTS COMMISSION
ANNUAL
THE HONORABLE PAT QUINN, GOVERNOR
REPORT

OUR MISSION

The **Illinois Human Rights Commission** is dedicated to promoting freedom from unlawful discrimination as defined by the **Illinois Human Rights Act.**

The **Act** forbids...

> discrimination based on sex, age, race, color, religion, arrest record, marital status, disability, familial status, in real estate, citizenship status in employment, national origin, ancestry, unfavorable military discharge, retaliation, sexual orientation and sexual harassment;
>
> discrimination in employment, real estate transactions, higher education, public accommodations and access to financial credit.

The **mission** is to provide a neutral forum for resolving complaints of discrimination filed under the **Illinois Human Rights Acts.**

Our primary responsibility...

> Is to make impartial determinations of unlawful discrimination as defined by the **Illinois Human Rights Act**, and to furnish information to the public about the **Act** and the **Commission**.

Core values of the Commission are to provide professional, competent, efficient and effective service to everyone who seeks information from or who has a case before the Commission.

Letter to the Honorable Governor Pat Quinn, Members of the General Assembly, and the People of Illinois:

The Illinois Human Rights Commission hereby submits to you a combined Annual Report for Fiscal Years 2008 through 2009.

The Commission takes great pride in serving the citizens of Illinois and providing a fair and impartial forum for those who have suffered or have been accused of discrimination as defined in the Act.

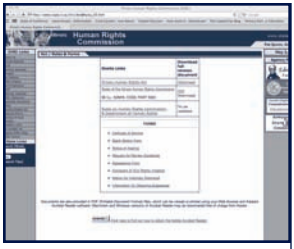
The strategic partnerships that the Commission has built with the Office of the Governor, the Illinois Legislature, the Department of Human Rights and other key stakeholders have been and continue to be essential to ensuring that the Commission can deliver on its mission year in and year out.

The Commission is pleased to report that despite tight budget constraints, the Commission continues to successfully address substantial increases in demand for services. We have maximized resources, increased staff effort and enhanced overall value while advancing the ongoing mission to eradicate discriminatory practices in Illinois.

The Commission is dedicated to ensuring that Illinois continues to be a leader in the battle to eliminate discrimination in society. On behalf of the Commission, we thank you for your strong and continued support.

N. Keith Chambers,
Executive Director

Sakhawat Hussain M.D.,
Acting Chairman 2009



CASE SAMPLE NO. 1

Age and race discrimination

Montgomery v. Concepts Plus, Inc.

The complainant claimed that she was discharged from her management position because of her age and her race. The respondent claimed that it acted on the basis of the complainant's job performance. The complainant failed to prove her case because she failed to show that similarly situated co-workers were treated more favorably than she was.

THE ILLINOIS HUMAN RIGHTS COMMISSION

The Human Rights Commission (HRC) maintains offices in Chicago and in Springfield. The HRC consists of thirteen Commissioners, the Executive Director, the Chief Administrative Law Judge, the Deputy Chief Administrative Law Judge and seven Administrative Law Judges, the Chief Fiscal Officer, the General Counsel, Deputy General Counsel, and Assistant General Counsel, and Administrative Support Staff.

REQUEST FOR REVIEW

When the Department of Human Rights (DHR) dismisses a charge for lack of substantial evidence of discrimination, the Complainant may file a Request for Review with the HRC within 30 days or in the appropriate Circuit Court within 90 days after receipt of the Notice of Dismissal. When the DHR enters a default or dismisses a charge for failure to attend a fact-finding conference the Party may file a Request for Review with the HRC within 30 days of receipt of the Notice. The HRC's decision may be appealed in the appropriate Illinois Appellate Court.

FILING A COMPLAINT

If the DHR finds substantial evidence of discrimination and issues notice, in order to advance the case, the Complainant must either: (1) File a complaint in the appropriate circuit court within 90 days of receiving the notice, or (2) Request the DHR file a complaint with the HRC on the Complainant's behalf within 14 days of receiving the notice. If the DHR does not complete its investigation within 365 days, or any agreed extension, the Complainant then has 90 days to either: (1) File a com-

plaint with the HRC or (2) Commence a civil action in the appropriate circuit court

STANDING ORDER RELATING TO PREHEARING MEMORANDA

All parties will jointly prepare and submit a prehearing memorandum to the presiding Administrative Law Judge (ALJ) of the HRC not less than 14 days before the hearing is scheduled to commence. The Complainant should prepare the first draft and submit it to the Respondent at least 14 days prior to the filing deadline. The presiding ALJ may waive the preparation of a prehearing memorandum if any litigant is not represented by counsel. Attorney representation is strongly advised.

THE HEARING

The matter is set for hearing before an ALJ within 30 to 90 days after the complaint has been filed with the HRC. After the hearing, the ALJ issues a Recommended Order and Decision (ROD). If either party objects to the ROD, exceptions may be filed and the ROD will be reviewed by a three-member panel of Commissioners. The panel may adopt, reverse or modify the ROD, or remand the ROD back to the ALJ. If the ROD is adopted, it becomes the HRC's final decision. The HRC's final decision may be appealed in the appropriate Illinois Appellate Court.

WORKING TOGETHER FOR HUMAN RIGHTS

The Illinois Human Rights Act was passed by the General Assembly and signed into law on December 6, 1979. In order, to assure the public that the intention of the Act would become reality, a two-part enforcement system was created.

The Department of Human Rights begins the investigation process when charges of discrimination are filed under the Act. Charges of discrimination may be dismissed, settled, or further investigated. The Department makes recommendations for resolution or further review.

The spirit of the Act encourages resolution of claims through the least litigious means. Therefore, claims are resolved at different stages of the investigation and hearing process. If claims are contested, the Commission acts as an independent forum for the parties to receive a final hearing and decision.

WHEN TO INVOLVE THE HUMAN RIGHTS COMMISSION

When the Department finds substantial evidence of a violation, it files a complaint with the Human Rights Commission. The Commission, through administrative law judges, conducts administrative hearings. After both parties have provided evidence, including witnesses' sworn testimony, the presiding Administrative Law Judge issues a recommended order and decision. The proceedings are similar to a court trial.

If either party wishes, it may request a review of the hearing by the Commission. The Commission will hear arguments of law based on the record of sworn testimony, and will issue a final Order of Decision. The Commission meets in panels of three

Commissioners to hear cases based on the exceptions to the recommended orders filed by either party. If desired, a party may ask the entire Commission to review the case.

THE PROCESS

The Illinois Human Rights Act established a check-and-balance system to investigate charges and make determinations regarding their validity.

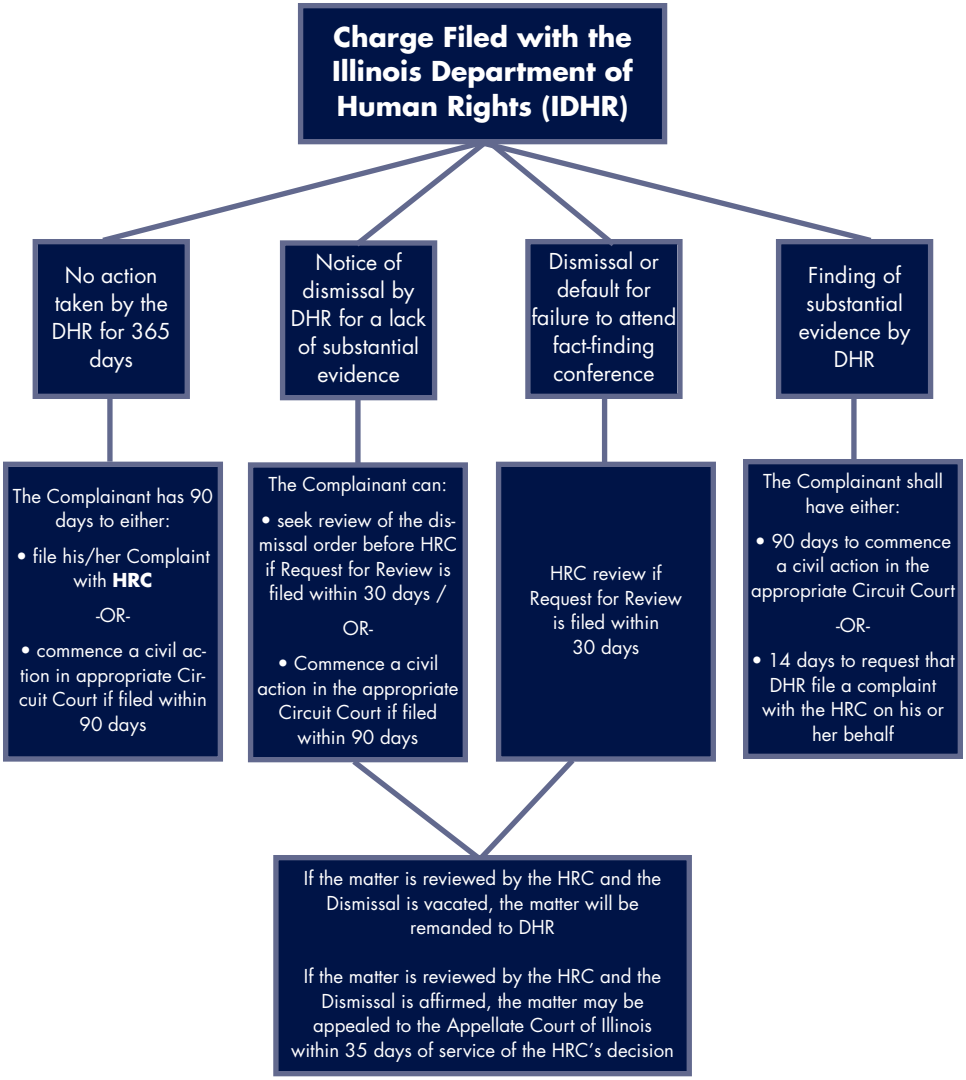
Effective February 2010 some filing procedures have changed to provide the complainant afditional time to file a complaint with the commission and to seek review of a Department of Human Rights dismissal.

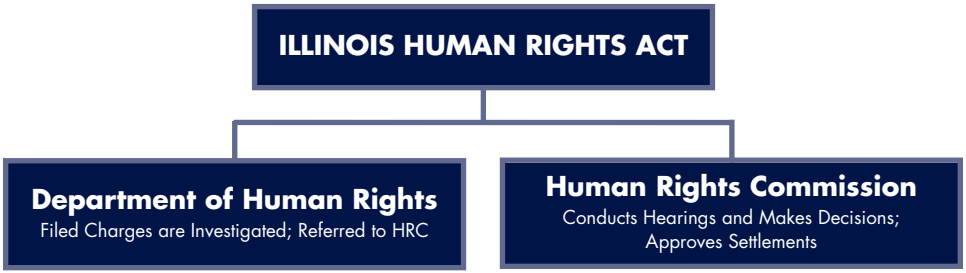
CASE SAMPLE NO. 2

Age, national origin, and ancestry discrimination

Orozco v. Dycast, Inc.

The complainant failed to prove that his discharge was caused by age discrimination. That claim was dismissed. However, the complainant prevailed on his claims of national origin and ancestry discrimination. He was awarded full relief, including back pay, compensation for emotional distress, and attorney's fees.


Charge Filed with the Illinois Department of Human Rights (IDHR)
No action taken by the DHR for 365 days
Notice of dismissal by DHR for a lack of substantial evidence
Dismissal or default for failure to attend fact-finding conference
Finding of substantial evidence by DHR
The Complainant has 90 days to either:
• file his/her Complaint with HRC
-OR-
• commence a civil action in appropriate Circuit Court if filed within 90 days
The Complainant can:
• seek review of the dismissal order before HRC if Request for Review is filed within 30 days /
OR-
• Commence a civil action in the appropriate Circuit Court if filed within 90 days
HRC review if Request for Review is filed within 30 days
The Complainant shall have either:
• 90 days to commence a civil action in the appropriate Circuit Court
-OR-
• 14 days to request that DHR file a complaint with the HRC on his or her behalf
If the matter is reviewed by the HRC and the Dismissal is vacated, the matter will be remanded to DHR
If the matter is reviewed by the HRC and the Dismissal is affirmed, the matter may be appealed to the Appellate Court of Illinois within 35 days of service of the HRC's decision

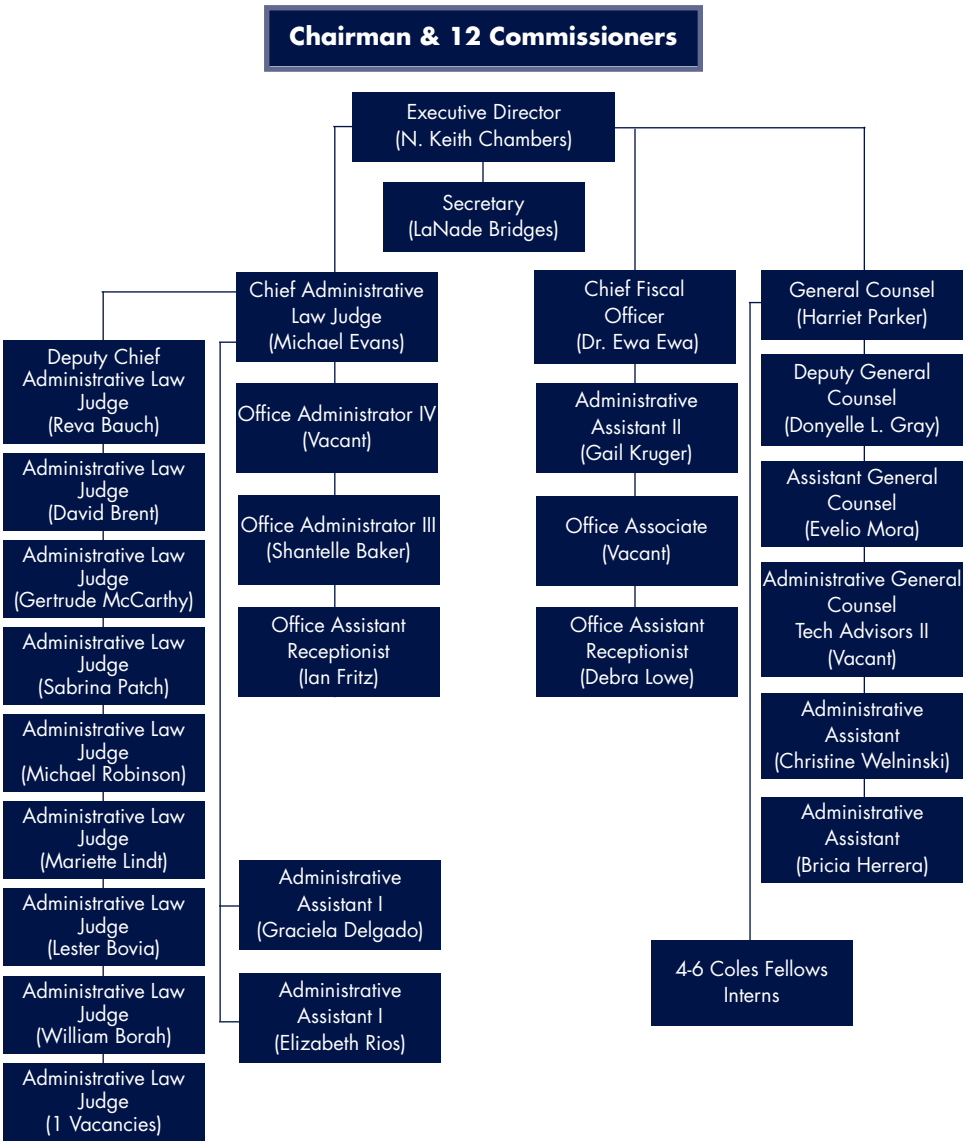

ILLINOIS HUMAN RIGHTS ACT
Department of Human Rights
Filed Charges are Investigated; Referred to HRC
Human Rights Commission
Conducts Hearings and Makes Decisions; Approves Settlements

The Commission Addresses Unlawful Discrimination

The Act established a non-partisan a fair and balanced process in the state. The Commission consists of a staff and thirteen Commissioners to adjudicate discrimination claims appointed by the Governor. No more than seven commissioners can be from the same political party. The Governor designates one of the Commissioners as chairman.

Offices are located in Chicago and Springfield. Through its non-partisan structure and two locations in the state, the Commission strives to serve all people and entities throughout the state.

Organizational Chart



FY 2008-2009 COMMISSIONERS

Proud To Serve The Public

1. **Abner J. Mikva**
   Appointed 2006-2008
   Former Chairman, Former Chief Judge, US Court of Appeals for the District of Columbia, Former Counsel to President Clinton, Professor University of Chicago Law School.

2. **Dr. Sakhawat Hussain**
   Appointed 1994
   Acting Chairman, Gastroenterologist, past President Medical Staff Advocate Hospital, founding President Pakistani-American Congress, Chicago's Advocate Trinity Hospital, Member Board of Trustees, American Islamic Assoc. (IL), East West University (IL) Imran Khan Cancer Appeal (USA)

3. **Marti Baricevic**
   Appointed 2003
   Industry Training Representative for Southwestern Illinois College.

4. **Robert S. Enriquez**
   Appointed 2003
   Civic leader, Small Business Leader, former Marine Officer, served.

5. **David Chang**
   Appointed 2003
   Civic Leader, Leader in Chicago's Asian American Community.

6. **Marylee V. Freeman**
   Appointed 1999
   Former Director of Inter-Governmental Outreach for the City of Chicago Department of Buildings, working with aldermen, elected officials, community groups, churches and schools.

7. **Spencer Leak, Sr.**
   Appointed 2001
   President of Leak and Sons Funeral Home, Chairman of Black on Black Love Inc., Former Director District 1 of Illinois Department of Corrections, Former Executive Director of Cook County Department of Corrections.

8. **Munir Muhammad**
   Appointed 2003
   Activist for CROE and Executive Producer of Muhammad and Friends television program.

9 **Gregory Simoncini**
Appointed 2005
Partner at Simoncini, Scofield & Co., currently serving on Gay and Lesbian Victory Fund Campaign Board and the board of the Academy for Urban School Leadership, served on the boards of Lambda Legal and the Gay and Lesbian Victory Fund.

10 **Yonnie Stroger**
Appointed 2004
Humanitarian and Civic Leader.

11 **Rozanne Ronen**
Appointed 2004
Civic Leader and Business owner specializing in information technology.

12 **Diane M. Viverito**
Appointed 2005
Administrator in student development at Moraine Valley Community College, Founding member and past Chair of Study Illinois Consortium, and an advocate for community college international and diversity education.

CASE SAMPLE NO. 3

Race discrimination

Macklin v. Grossinger North Autocorp, Inc.

The complainant charged that he was discharged because of his race. The respondent, though, maintained that he was discharged because of attendance problems. The complainant was unable to prove that the respondent's explanation was a pretext for race discrimination.

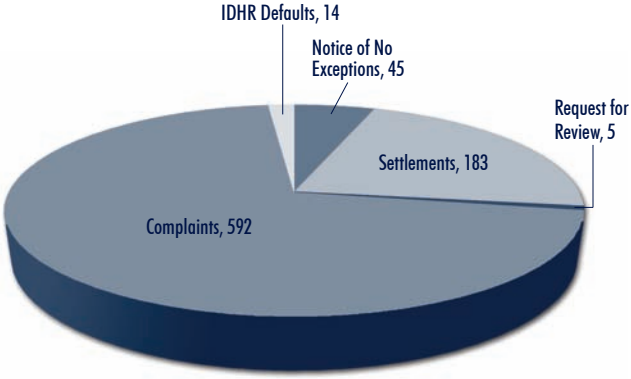
State of Illinois Human Rights Commission

Budget Appropriations For Fiscal Year 2008

Personal Services	$ 1,182.5
Retirement - Contribution	$ 0.0
Retirement - Pension Pick-Up	$ 196.0
Social Security	$ 90.4
Contractual Services	$ 155.0
Travel	$ 11.5
Commodities	$ 8.3
Printing	$ 8.7
EDP	$ 6.9
Equipment	$ 8.6
Telecommunications	$ 26.6
Total Appropriations	$ 1,794.4
Federal Funds	
1900 - Special Projects Division	100.0
Total Appropriations w/ Federal Funds	$ 1,894.4

Funding is appropriated annually from the state budget to cover all of the Human Rights Commission's statewide services to the people of Illinois.

COMMISSION DECISIONS
FY 2008



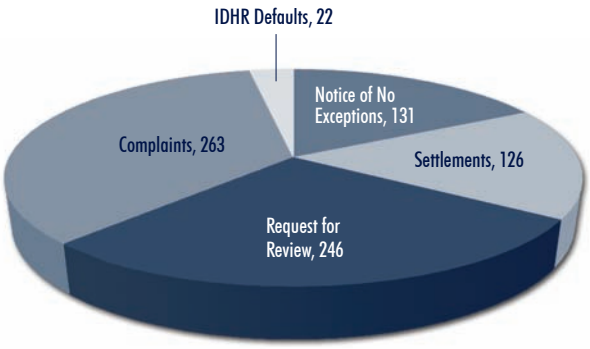
State of Illinois
Human Rights Commission

Budget Appropriations For Fiscal Year 2009

Personnel Services	$ 1,673.0
Retirement - Contribution	$ 0.0
Retirement - Pension Pick-Up	$ 297.9
Social Security	$ 128.1
Contractual Services	$ 190.0
Travel	$ 25.0
Commodities	$ 12.0
Printing	$ 14.0
EDP	$ 14.3
Equipment	$ 20.0
Telecommunications	$ 30.0
Total Appropriations	$ 2,405.0
Federal Funds	
1900 - Special Projects Division	100.0
Total Appropriations w/ Federal Funds	$ 2,505.0

Funding is appropriated annually from the state budget to cover all of the Human Rights Commission's statewide services to the people of Illinois.

COMMISSION DECISIONS
FY 2009



CASE SAMPLE 4

Sexual harassment and retaliation

Bachman v. Pierce Distribution Services

The complainant charged that she was the victim of sexual harassment and that she was discharged for asserting her rights under Human Rights Act. The alleged harassing behavior, however, failed to meet the statutory definition of sexual harassment. Moreover, the retaliation claim failed because the complainant was unable to prove that she engaged in the protected activity of opposing harassment.

Governor Edward Coles

2009 COLES FELLOWS

Erica Gelfand
DePaul University Law School

Stephanie Fajuri
Chicago-Kent College of Law

Daniel Marovitch
Loyola University School of Law

Brent Movitz
Chicago-Kent College of Law

Lesley A. Smith
Thomas M. Cooley Law School

COLES FELLOWSHIP
PROMOTING CIVIL RIGHTS LAW PRACTICE

Governor Edward Coles Fellowship

The Edward Coles Fellowship is named in honor of Edward Coles, (1786-1868), who served as the second Governor of Illinois from 1822 until 1826.

Decades before the Civil War, the new State of Illinois was a political battleground in the fight to end slavery. Illinois' second Governor, Edward Coles (1822-1826) defeated a hotly contested effort to change Free Illinois into a slave state. Although his abolitionist positions meant political suicide, Coles passionately expounded the proposition that all people are created equal, regardless of race. Governor Coles was primarily responsible for Illinois remaining a free state before the Civil War.

The Illinois Human Rights Commission Governor Edwards Coles Fellowship is a year-round internship program for first (summer only), second and third year law students interested in Civil Rights and Administrative Law. Fellows assist the HRC in advancing the anti-discrimination protections and policies of the Illinois Human Rights Act.

The program is modeled after traditional summer associate programs found at many major law firms. The program offers students the opportunity to work on complex civil rights litigation under the guidance of subject matter experts and gives students the opportunity to view the inner workings of the state's tribunal system.

Work Requirements and Application Process

Fellows are primarily responsible for assisting Administrative Law Judges and the Office of the General Counsel in performing legal research, document preparation, deposition summarization, record analysis, drafting of orders, and other litigation-related work. In addition, Fellows may engage in policy-related work, such as bill review, administrative rulemaking, and other legislative matters related to HRC.

Fellows work in a small office environment within a structured assignment program that affords the Fellows an opportunity to:

- **Hone their analytical, research, and legal writing skills under the supervision of experienced attorneys and Administrative Law Judges**
- **Gain real-life experience in a field setting at a governmental agency with the option of earning school credit**
- **Assist in drafting Orders of the HRC that may be reviewed by the Illinois Appellate Court and Illinois Supreme Court**
- **Engage in public outreach by working with local Bar associations**

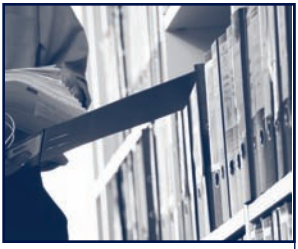
Fellows are expected to work 2 to 3 days per week for 5 hours per day. Summer Fellows are expected to work 3 to 4 days per week, for up 7 hours per day.

EXTERN STUDENTS

Lisa Williams
Attorney at Law

Earlie Sledge
Loyola School of Law (enrolled in the Master of Jurisprudence Program)

Deeba Yunus
Northern Illinois University College of Law (May 2010 J.D. Candidate)



CASE STUDY NO. 1

Sexual Orientation, Mental Disability and Religion Discrimination

Thomas J. Kuna-Jacob v. North Greene Community School District #3 and Its Board of Directors

Kuna-Jacob was suspended from his teaching position at North Greene Community School District #3, ("Respondents") after being accused of work-related misconduct. Thomas resigned rather than submit to a hearing, and signed a settlement agreement with the School in which he accepted a monetary payment and agreed to waived any claims including any claims under the Illinois Human rights Act arising out of his separation from employment with Respondent.

Kuna-Jacob filed a Charge of Discrimination with the Department of Human Rights against the Respondents alleging they had discriminated against him on the basis of his sexual orientation, mental disability (anxiety disorder) and religion in violation of the Illinois Human Rights Act.

Section 775 ILCS 5/1-102 (A) of the Illinois Human Rights Act provides in pertinent part:

It is the public policy of this State: (A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race, color, religion, sex, national origin, ancestory, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, or unfavorable discharge from military service in connection with the employment, real estate transactions, access to financial credit, and the availability of public accommodations.

The Respondents filed a motion for summary decision arguing that the Kuna-Jacob complaint must be dismissed because he entered into a settlement agreement in which he accepted a monetary payment and waived all claims. The Administrative Law Judge issued a Recommended Order of Decision ("ROD") granting the Respondents' motion for a summary decision.

A Commission Panel of three declined further review of the ROD, thereby making the ROD the Order of the Commission.

CASE STUDY NO. 2

Sexual Harassment

Donna Feleccia v. Sangamon County Sheriff's Department
Illinois Human Rights Act (775 ILCS 5/1-102 (B)); (775 ILCS 5-1-103); (775 ILCS 5/2-102)(D))

Feleccia was employed as a civilian records clerk with the Sangamon County Sherriff's Department, ("Respondent"). Feleccia filed a charge of sexual harassment with the Department of Human rights against Respondent and one of the Respondent's supervisory employees, not her direct supervisor.

Section 775 ILCS 5/2-102(E) of the Illinois Human Rights Act ("the Act") defines sexual harassment *as any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.*

After hearing before the Commission, the Administrative Law Judge issued a Recommended Order and Decision, ("ROD") in which he found that although the supervisory employee had engaged in bad conduct, the Respondent was not liable for his conduct.

A Commission Panel of three reversed the ROD of the Administrative Law Judge, finding the Respondent was strictly liable for the supervisor's conduct notwithstanding that this person was not Feleccia's direct supervisor.

Section 775 ILCS 5/2-102 (D) of the Human Rights Act ("the Act") provides as follows: *Sexual Harassment. For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment provided, that an employer shall be responsible for sexual harassment of the employer's employees by nonemployees or nonmanagerial and nonsupervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.*

The Respondent filed a petition for review with the Appellate Court, and the Court reversed the decision of the Commission Panel, finding the Respondent could not be held liable for the supervisor's conduct because this employee was not Feleccia's direct supervisor. Feleccia and the Commission appealed to the Illinois Supreme Court, and successfully pleaded the case. The Illinois Supreme Court reversed the Appellate Court and found the Respondent was strictly liable for the supervisory employee's sexual harassment conduct, even though this person was not Feleccia's direct supervisor.

CASE STUDY NO. 3

Race Retaliation

Jimmey D. Garry v. Peoria Housing Authority
Illinois Human Rights Act (775 ILCS 5/1-102 (A); (775 ILCS 5/6-101 (A))

Garry, an African American, was employed by the Peoria Housing Authority, "Respondent" as Director of Marketing and Leased Housing and as Project Director of Harrison Homes. Garry attended an NAACP meeting and expressed opposition to what he perceived to be unlawful discrimination by the Respondent. Three weeks later the Respondent demoted Garry. Garry filed a charge of discrimination with the Department of Human Rights alleging discrimination based on race, and retaliation for his expression, in violation of the Illinois Human Rights Act.

Section 775 ILCS 5/1-102(A) of the Illinois Human Rights Act provides in pertinent part:... *It is the public policy of this State: (A) Freedom from Unlawful Discrimination. To secure for all individuals within Illinois the freedom from discrimination against any individual because of his or her race...*

Section 775 ILCS 5/6-101 provides in pertinent part: *It is a civil rights violation for a person, or for two or more persons to conspire, to: (A) Retaliation. Retaliate against a person because he or she has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination... ...or because he or she has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this Act...*

Upon review, the Administrative LawJudge, ("ALJ") twice found that Garry was demoted due to reorganization, that he failed to prove a *prima facie* case of discrimination or unlawful retaliation and twice entered a Recommended Order and Decision, ("ROD") in which he or she recommended the complaint and underlying charge be dismissed.

A Panel of three Commissioners reviewed Garry's exceptions to the ROD and twice reversed the decision of the ALJ on the charge of retaliation. The Panel remanded the case for further proceedings to include findings of fact and determinations of credibility on the question of pretext and damages. The matter remains pending.

CASE STUDY NO. 4

Arrest Record

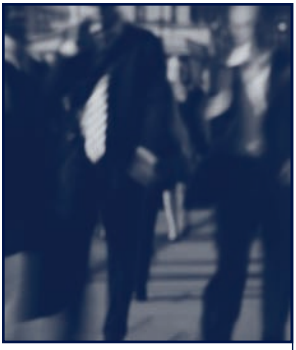
Ivan Story v. State of Illinois Department of Children and Family Services
Illinois Human Rights Act (775 ILCS 5/2-103)A))

Story was employed by the Illinois Department of Children and Family Services, "Respondent" at the time of his discharge. The Respondent alleged it fired Story because he falsified agency records. Claiming the Respondents fired him after learning of his arrest record, Story filed a charge of discrimination with the Department of Human Rights, alleging the Respondent discriminated against him based upon his arrest record in violation of the Illinois Human Rights Act.

Section 775 ILCS 5/2-103(A) of the Illinois Human Rights Act provides in pertinent part:...*Unless otherwise authorized by law, it is a civil rights violation for any employer, employment agency or labor organization to inquire into or to use the fact of an arrest or criminal history record information ordered expunged, sealed, or impounded under Section 5.2 of the Criminal Identification Act as a basis to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure of terms, privileges or conditions of employment...*

Story filed a complaint with the Human Rights Commission, alleging discrimination based upon his arrest record. The Administrative Law Judge issued a Recommended Order and Decision, ("ROD") in which he determined Story had failed to established by a preponderance of the evidence that the Respondent had discriminated against him based upon his arrest record.

A Commission Panel of three declined further review of the ROD, thereby making the ROD the Order of the Commission.



CASE STUDY NO. 5

Disability, Untimely Charge and Complaint

Illinois Human Rights Act (775 ILCS 5/1-101 et seq.); (775 ILCS 5/7A-101 et seq.)

Juanita was employed by the Illinois Department of Corrections, Parole field services ("Respondent") as a Senior Parole Agent when she began a non-employment related disability leave of absence. Juanita was subsequently diagnosed permanently disabled by her physician. Shortly thereafter, Respondent advised Juanita that in light of this diagnosis her disability leave was terminated effective within 30 days. Respondent suggested to Juanita that she resign or if eligible retire, and advised that if she failed to accept one of these options, discharge proceedings against her might follow. On June 30, 2004, Juanita resigned within the 30 day period.

Section 775 ILCS 5/7A-102 (G) Time Limit of the Act provides in pertinent part::... (1) *When a charge of civil rights violation has been properly filed, the Department within 365 days thereof or within any extension of that period agreed to in writing by all parties, shall issue its report...(2) If the Department has not issued its report within 365 days after the charge is filed or any such longer period agreed to in writing by all the parties, the complainant shall have either 30 days (effective January 1, 2008, 90 days) to file his or her own complaint with the Human Rights Commission or commence a civil action in the appropriated circuit court... ...If the complainant files a complaint with the Commission, he or she may not later commence a civil action in circuit court...*

When the Department failed to files its investigatory report of Juanita's disability charge within 365 days, February 6, 2007, Juanita filed a complaint directly with the Human Rights Commission ("Commission") alleging discrimination complaint should be dismissed because her complaint was filled more than 180 days after the alleged discriminatory action in violation of Section 7A-102 of the Act.

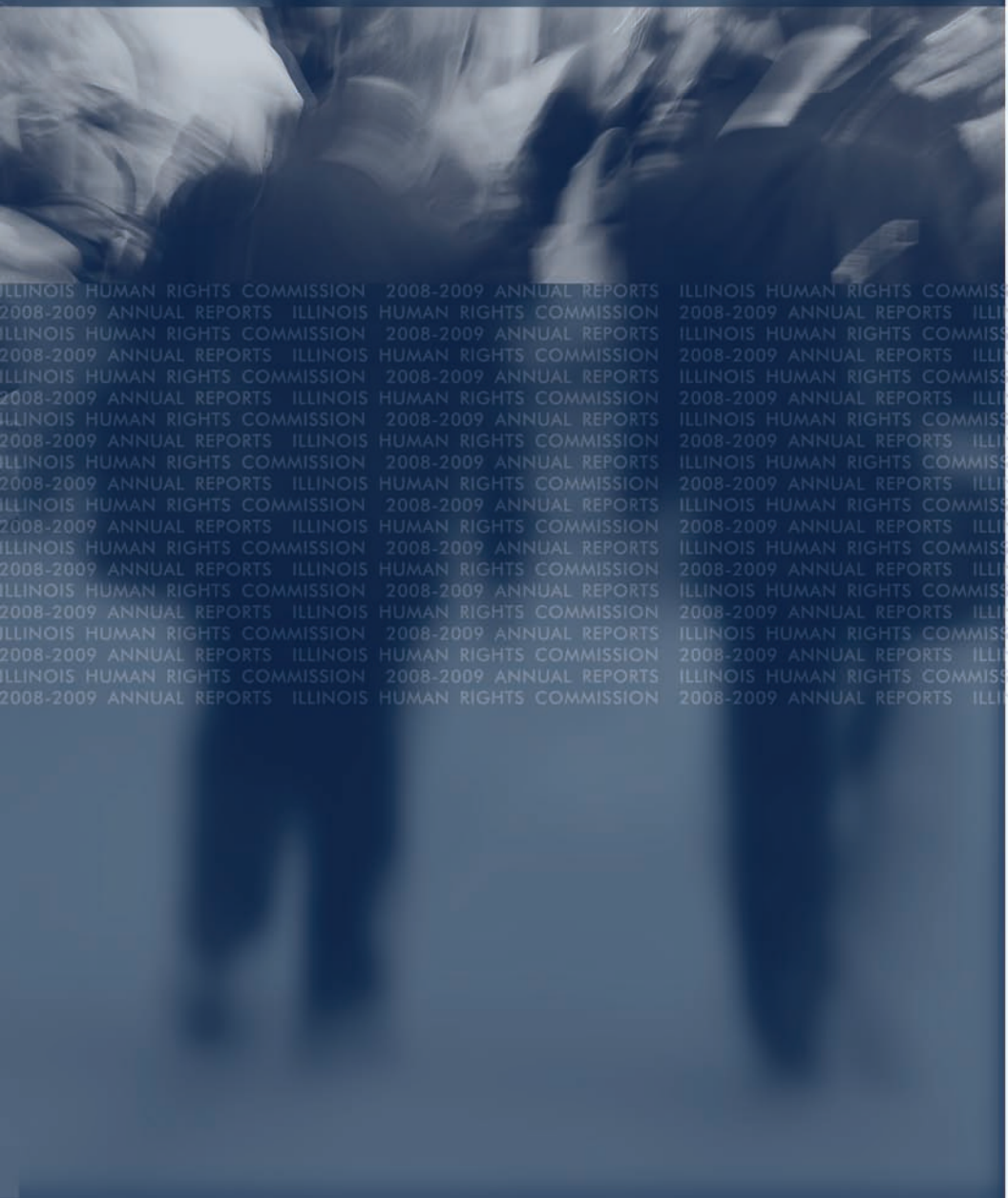
Section 775 ILCS 5/7A-102 (A)(1) Charge of the act provides as follows:...*Within 180 days after the date that a civil rights violation allegedly has been committed, a charge in writing under oath of affirmation may be filled with the Department by an aggrieved party or issued by the Department Itself under the signature of the Director.*

The Administrative Law Judge ("ALJ") issued a Recommended Order and Decision ("ROD") granting the Motion to Dismiss. The ALJ determined because Juanita failed to file her complaint within the 180 day jurisdictional period of the alleged discriminatory action, (termination of disability leave and ultimatum to resign or face possible discharge proceedings), the complaint must be dismissed as the Commission lacked jurisdiction over the subject matter of the complaint.

Section 775 5/8A-103 (A) Exceptions of the Act provide as follows:...*Exceptions. Within 30 days of the receipt of service of the hearing officer's recommended order, a party may file with the Commission any written exceptions to any part of the order. Exceptions shall be supported by argument and served on all parties at the time they are filled. If no exceptions are filed, the recommended order shall become the order of the Commission without further review.*

Juanita files exceptions to the ROD with the Commission in which she alleged: (1) she had filed a timely charge and complaint, (2) Respondent failed to offer her a "light duty" position, and (3) the Department failed to investigate her charge within 365 days, which was not in dispute. A panel of three Commissioners declined further review of the matter thereby making the ROD the Order of the Commission. Juanita was advised of her right to appeal the Commissioner's Order to the Appellate Court.

PROUDLY SERVING THE PUBLIC



2008-2009 ANNUAL REPORTS
HUMAN RIGHTS COMMISSION

We are here to serve you. Please contact us anytime.

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