

**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
September 24, 2014
11:00 A.M.

MINUTES

PRESENT:

Commissioners: David Chang (Panel Chair)
Robert Cantone
Brad Cole (via telephone conference)

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

Members of Public:

I. Call to Order

A meeting of the Illinois Human Rights Commission Panel B was called to order on Wednesday, September 24, 2014 at 11:22 a.m. by Panel Chair David Chang. The September 24, 2014 meeting of Panel B started behind schedule due to an extension of the Commission En Banc meeting which convened at 10:00 a.m.

Commissioner David Chang moved to allow Commissioner Brad Cole to attend the September 24, 2014 Panel B meeting via telephone; motion seconded by Commissioner Cantone and abstained by Commissioner Cole. Motion carried 2-1.

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 physically present at the meeting.

II. Minutes

Commissioner Cantone noted two corrections to the minutes of June 11, 2014. First, the motion to approval the minutes from the April 30, 2014 meeting was made by Commissioner Cantone and seconded by Commissioner Cole. Second, the motion granting the Motion to Enforce in the matter of *Iris Henry v. NPM, Inc.*, Charge No.: 2008CH2585; ALS No.: 09-0453 was made by Commissioner Cole and seconded by Commissioner Cantone.

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The minutes of the meeting on June 11, 2014 were approved as amended. Motion made by Commissioner Cole; seconded by Commissioner Cantone. Motion carried 3-0.

III. Contested Matter

- A. *Jialing Cai v. FERMI Research Alliance, LLC., d/b/a FERMILAB*
Charge No.: 2012CA2578 ALS No. 13-0524

Panel B declined review of Cai's Exceptions to the Recommended Order and Decision, thereby making the Recommended Order and Decision dated April 11, 2014 the final Order and Decision of the Commission. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

IV. Requests for Review

- A. *Joyce Aaron v. Leading Edge Recovery*
Charge No.: 2010CF1007 ALS No.: 12-0082

Panel B sustained the dismissal of the charge in the above-referenced matter for Failure to Proceed. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

- B. *Jose Vargas v. Temple Inland*
Charge No.: 2011CA1450 ALS No.: 12-0070

Panel B sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

- C. *Richard Bates v. Securitas Security Services USA, Inc.*
Charge No.: 2010CF3560 ALS No.: 12-0073

Panel B sustained the dismissal of the charge in the above-referenced matter for Expiration of Time Period to File a Complaint with the Commission. Motion made by Commissioner Cole; seconded by Commissioner Cantone. Motion carried 3-0.

- D. *Gloryvee Jurado v. Cargill Meat Solutions*
Charge No.: 2011SF1611 ALS No.: 11-0873

Panel B sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

- E. *Ethel Riley v. T.M. Wallick Residential Properties I, LTD d/b/a Hurburt House*
Charge No.: 2009SH4386 ALS No.: 11-0874

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Panel B sustained the dismissal of the charge in the above-referenced matter for Lack of Substantial Evidence. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

V. Motion for Extension of Time to File Response to Exceptions

- A. *Bing Tie v. Lloyd L. Hyde and Provident Hospital*
Charge No.: 2008CF1158-59 ALS No.: 08-0396C

Panel B granted the motion for extension of time to file response to exception with leave to file said response *instanter*. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

VI. Motions to Voluntarily Dismiss Request for Review

- A. *Sandra L. Lambrechts v. Amerisourcebergen Drug Corporation*
Charge No.: 2011CF4089 ALS No.: 13-0177

Panel B granted the motion to voluntarily dismiss the request for review. Motion made by Commissioner Cole; seconded by Commissioner Cantone. Motion carried 3-0.

- B. *Kelly Frickleton v. URS Energy & Construction, Inc.*
Charge No.: 2013SA1181 ALS No.: 13-0537

Panel B granted the motion to voluntarily dismiss the request for review. Motion made by Commissioner Cole; seconded by Commissioner Cantone. Motion carried 3-0.

- C. *Torey Curtis (Minor) by Jozette Greenfield (Parent) v. Walgreens, Inc.*
Charge No.: 2013CF0651 ALS No.: 13-0354

Panel B granted the motion to voluntarily dismiss the request for review. Motion made by Commissioner Cole; seconded by Commissioner Cantone. Motion carried 3-0.

VII. Motion to Submit Additional Evidence for Request for Review

- A. *Hertha Carrel v. TLS Management, LLC*
Charge No.: 2012CH2677 ALS No.: 12-0529

Panel B entered and continued the motion to submit additional evidence for request for review to give the Illinois Department of Human Rights 10 days to respond to said motion. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

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VIII. Motion to Withdraw as Counsel

- A. *Mildred Kedziora v. Asta Care Center of Elgin, LLC*
Charge No.: 2012CF3181 ALS No.: 13-0427

Panel B struck the motion to withdraw as counsel because the motion was not proper before the Commission. Particularly, the motion failed to contain a Notice of Motion. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

IX. Motion to Substitute Party and Appoint Special Representative

- A. *Mildred Kedziora v. Asta Care Center of Elgin, LLC*
Charge No.: 2012CF3181 ALS No.: 13-0427

Panel B granted the motion to substitute party and appoint special representative. Motion made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

X. Adjournment

Motion to adjourn Panel B meeting at 11:46 a.m. made by Commissioner Cantone; seconded by Commissioner Cole. Motion carried 3-0.

Respectfully submitted,

Donyelle L. Gray
General Counsel
Illinois Human Rights Commission