

**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 A
October 9, 2019
9:00 A.M.

MINUTES

PRESENT:

Commissioners: Panel A
Steven A. Andersson (Panel Chair)
Barbara R. Barreno-Paschall
Jeffrey A. Shuck

Commissioners Attending James A. Ferg-Cadima (Commission Chair)
Robert A. Cantone

Staff: Kellee M. Chube, General Counsel
Lester G. Bovia, Jr., Deputy General Counsel
Byron M. Wardlaw, Assistant General Counsel
Elaine Kuntz, Assistant General Counsel
Evelio Mora, Assistant General Counsel

Members of Public:

I. Call to Order

A meeting of the Illinois Human Rights Commission Panel A was called to order on Wednesday, October 9, 2019 at 9:09 A.M. by Panel Chair Steven A. Andersson.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*, and 775 ILCS 5/8-103 of the Illinois Human Rights Act, it was determined that:

- 1) Three (3) Commissioners were physically present at the panel meeting.

II. Minutes

The minutes from the September 4, 2019 Panel A meeting were approved as submitted by staff. Motion to approve the September 4, 2019 Panel A meeting minutes was made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

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III. Contested Matter

- A. Illinois Department of Human Rights & C.B. v. Twelve Oaks of Morning Star*
Charge No.: 2009CH2640 ALS No.: 17-0308

Panel A declined review of the Complainant's Exceptions, thereby making the Recommended Order and Decision dated January 8, 2019 the Final Order of the Commission. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

IV. Requests for Review

- A. Ladale Givens v. Langston Bag of Peoria, LLC*
Charge No.: 2018SF0819 ALS No.: 19-0056

Panel A adopted the order wherein the Department dismissed Counts A, B and D for Lack of Substantial Evidence, and vacated the dismissal of Count C and remanded the matter back to the Department for entry of a Finding of Substantial Evidence in accordance with the order and the Illinois Human Rights Act. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

- B. Timothy R. Gehant v. Illinois Department of Human Services*
Charge No.: 2018CA0963 ALS No.: 19-0090

Panel A adopted the order wherein the Department dismissed the charge for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall; and opposed by Commissioner Andersson. Motion carried 2-1.

- C. Kevin L. Nystedt v. Chicago Bridge & Iron Company*
Charge No.: 2018CA0198 ALS No.: 19-0113

Panel A adopted the order wherein the Department dismissed the charge for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

- D. Toy Hamilton v. Life Fitness, A Division of Brunswick Corporation*
Charge No.: 2018CR0634 ALS No.: 19-0121

Panel A adopted the order wherein the Department dismissed Counts E, F, G, H and I for Lack of Substantial Evidence, and dismissed Counts A, B, C and D for Lack of Jurisdiction. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

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E. Tony Liu v. Four Seasons Hotel
Charge No.: 2018CF1294

ALS No.: 19-0163

Panel A adopted the order wherein the Department dismissed Counts B, C, D, E, F, G, H, I, J, K and L for Lack of Substantial Evidence, and vacated the dismissal of Count A and remanded the matter back to the Department for entry of a Finding of Substantial Evidence in accordance with the order and the Illinois Human Rights Act. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

F. Peggy Rodgers-Jones v. Professional Group, Inc.
Charge No.: 2018CA1333

ALS No.: 19-0173

Panel A adopted the order wherein the Department dismissed Counts A, B, C, D, E and F for Lack of Substantial Evidence, and vacated the dismissal of Counts G, H and I and remanded the matter back to the Department for entry of a Finding of Substantial Evidence in accordance with the order and the Illinois Human Rights Act. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

G. Rajesh B. Shah v. Icelandair
Charge No.: 2018CP1716

ALS No.: 19-0246

Panel A adopted the order wherein the Department dismissed the charge for Lack of Substantial Evidence. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

H. Desanka Lukic and Vinko Lukic v. Farmington Terrace Condominium Unit No. Three Homeowner's Association
Charge No. 2018CH1051

ALS No.: 19-0253

Panel A adopted the order wherein the Department dismissed the charge for Lack of Substantial Evidence. Motion made by Commissioner Shuck; seconded by Commissioner Barreno-Paschall. Motion carried 3-0.

V. Motion to Substitute Counsel

A. Meggan Sommerville v. Hobby Lobby Stores, Inc.
Charge No.: 2011CN2993/2011CP2994 ALS No.: 13-0060C

Panel A granted the Complainant's Motion to Substitute Counsel. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

VI. Motion to Voluntarily Withdraw Request Form

A. Ling Zhong v. Investment Grade Technologies, LLC d/b/a Oranj
Charge No.: 2017CF2394 ALS No.: 19-0039

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Panel A denied the Motion to Voluntarily Withdraw Request Form as this matter is moot. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

VII. Motions for Extension of Time to File Request for Review

- A. *Vanessa Summers v. #1. 3600 Lake Shore Drive Condominium Association, #2. Chicagoland Community Management, Inc.*
Charge No.: 2019CH0392 ALS No.: 19-0428

Panel A granted the Petitioner's Motion for Extension of Time to File Request for Review and granted her a total of forty-five (45) pages in which to file a Request for Review. The Request for Review must be filed within thirty (30) days from the date of issuance of the order. This is the Petitioner's final extension of time to file a Request for Review. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

- B. *Verunika Durmovic v. Innovative Employee Solutions, Incorporated*
Charge No.: 2018CF2356 ALS No.: 19-0433

Panel A granted the Petitioner's Motion for Extension of Time to File Request for Review and granted her an additional thirty (30) pages in which to file a Request for Review. The Request for Review must be filed with the Commission within forty-five (45) days of the date of issuance of the order. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

VIII. Adjournment

The October 9, 2019 Panel A meeting adjourned at 10:11 a.m. Motion made by Commissioner Barreno-Paschall; seconded by Commissioner Shuck. Motion carried 3-0.

Respectfully submitted,
Byron M. Wardlaw
Assistant General Counsel
Illinois Human Rights Commission