

ANNUAL

ILLINOIS HUMAN RIGHTS COMMISSION

REPORT

THE PEOPLE'S FORUM FOR PROTECTING CIVIL RIGHTS

2004

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, handicap, citizenship, national origin, ancestry, unfavorable military discharge, retaliation and sexual harassment.

The Act forbids discrimination in employment, real estate transactions, higher education, public accommodations and access to financial credit. Our mission is to provide a neutral forum for resolving complaints of discrimination filed under the Illinois Human Rights Act.

Our primary responsibility is to make impartial determinations of unlawful discrimination as defined by the Illinois Human Rights Act. We are also responsible for furnishing information to the public about the Act and the Commission.

To fulfill our mission, we strive to provide professional and competent service to everyone who seeks information from us or who has a case before the Commission.



LETTER TO GOVERNOR AND GENERAL ASSEMBLY

Honorable Rod R. Blagojevich
Members of the General Assembly
Citizens of Illinois

The Illinois Human Rights Commission hereby submits to you its Annual Report for the Fiscal Year July 1, 2003 through June 30, 2004.

The Commission is non-partisan and is dedicated to serving the people of Illinois by ensuring that the Human Rights Act is enforced. It provides a fair and impartial determination for those who may have suffered discrimination or were accused of discrimination as defined by the Act.

In the past year, the Commission has taken great strides. Our staff has streamlined its operations and sped up the process of resolving claims as quickly and efficiently as due process and fairness allow.

In these tight fiscal times, the Commission has rededicated itself to its core mission of fighting the scourge of unlawful discrimination.

Illinois Human Rights Commission

J.B. Pritzker, Chairman

Arabel Alva Rosales

Marylee V. Freeman

Sakhawat Hussain, M.D.

Marti Baricevic

Munir Muhammad

Gregory G. Simoncini

Spencer Leak, Sr.

Dolly Hallstrom

Yonnie Stroger

David Chang

Rozanne Ronen

Diane M. Viverito



“We share the dream of an end to discrimination. Unbiased and efficient adjudication is part of making the dream a reality. We are honored to work for the people of Illinois toward that important goal.”

- J.B. Pritzker, Chairman of the Illinois Human Rights Commission



“Each of us believes deeply in civil rights for all. The Commission provides a neutral forum for resolving unlawful discrimination.”

James P. Sledge, Executive Director Commission Staff and Commissioners

A TIME OF RENEWAL

Two years ago, the staff, the Commissioners and I began a process to identify and address problems plaguing the Human Rights Commission. I’m proud to report that we have achieved success in many of the most important areas and progress in other areas.

Among the improvements are:

- *The process of streamlining delivery of service to the public was implemented with the entire Commission identifying ways to improve our service.*
- *Case backlog was eliminated and processes to monitor case progress put in place.*
- *Metrics for determining the success of recent reforms were established.*
- *A new office-wide case management system was installed that allows for faster, easier sharing of information. This enabled staff to begin to implement long-needed upgrades in the management of the Commission’s cases.*
- *A new and improved website that allows the public to download commonly used forms and orders of the Commission, in addition to conducting legal research on decisions of the Administrative Law Judges as well as the decisions of the Commission.*

- *Training for the Commission’s administrative law judges and support staff has been upgraded. Commissioners underwent training on changes in the Illinois Human Rights Act, requirements of the Open Meetings Act and federal housing regulations. Additionally, several of the judges underwent extensive mediation training, and the staff is engaged in cross-training with the Department of Human Rights.*

In the past year the Commission has seen a period of immense growth. And there remains much work to do.

I encourage legislators to contact our offices to learn how the Commission can help your constituents. By working together, we can assure that the people of Illinois will continue to have a fair, efficient and impartial process for resolving discrimination claims.

J.B. Pritzker, *Chairman*

CASE STUDY NO. 1

Litigants are strongly encouraged to seek help from an attorney. The Commission strives to provide fair service to those who do not have a lawyer.

.....
CLARA BEASLEY V. ARBY’S

The complainant in this case conducted a public hearing without an attorney. She proved she was not allowed to apply for a job due to a handicap – she used a walker.



CASE STUDIES NO. 2 & 3

Commissioners and staff "make law" and "study law" to stay current in legal thinking.

.....
SPINKS V. GENERAL MOTORS

AND

MANSKER V. PINNACLE LTD.

The law of sexual harassment is complex and evolving. In *Spinks* the Respondent did not commit sexual harassment. In *Mansker* the Complainant prevailed.

WORKING TOGETHER FOR HUMAN RIGHTS

Serving the public efficiently and effectively

How could the Illinois public be assured that the words of the Illinois Human Rights Act would become reality?

The Act created a two-part enforcement procedure. The Department of Human Rights investigates charges of discrimination brought under the Act. The Illinois Human Rights Commission reviews and issues decisions on complaints of unlawful discrimination.

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

From employment opportunities to public services, from housing issues to financial credit unlawful discrimination in any area is unacceptable.

THE COMMISSION ADDRESSES UNLAWFUL DISCRIMINATION

Non-partisan commission arbitrates fairness

The Commission consists of a staff and 13 Commissioners, appointed by the Governor with the advice and consent of the Senate. No more than seven Commissioners can be from the same political party. The Governor designates one of the Commissioners as the Chairman.

Newly appointed Commissioners serve a four-year term. At the end of their terms, Commissioners may be reappointed. The staff includes an Executive Director, a General Counsel and Assistant General Counsel, a Chief Administrative Law Judge, a Chief Fiscal Officer, Administrative Law Judges and administrative operations staff. Offices are maintained in Chicago and Springfield.

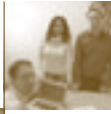
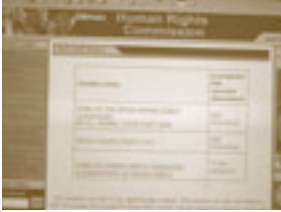
Through its non-partisan structure, the Commission serves all people and entities throughout the state.

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



“ Non-partisan Commissioners and dedicated Judges serve all those in need throughout Illinois.”

*Mary K. Kennedy, Chief
Administrative Law Judge*



“We’re here to help everyone understand the process. We enjoy helping attorneys and litigants.”

- Martiza Torres-Hernandez, Staff Assistant

CASE STUDY NO. 4

DANIKA CRUMP V. FEDEX

Commission orders usually resolve the situation. When they do not, the Commission will not hesitate to take further action.

.....
The Respondent settled a race discrimination claim with a former employee and was ordered to pay damages. The Complainant alerted the Commission that the agreement was not honored.

The Commission filed a law suit brought by the Attorney General and the Respondent made good on the agreement.

ILLINOIS HUMAN RIGHTS ACT

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

WHEN TO INVOLVE THE HUMAN RIGHTS COMMISSION

Involving the Commission

When the Department finds evidence of a violation, it files a complaint with the Human Rights Commission. This begins the Commission’s official involvement in reviewing and hearing the complaint. The Commission, through its appointed administrative law judges, conducts administrative hearings. After both parties provide evidence, including witnesses’ sworn testimony, the presiding Administrative Law Judge issues a recommended order and decision. This step is similar to a court trial.

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

The Commission meets in panels of three Commissioners to hear cases based on the motions filed by either party. If desired, a party may ask the entire Commission to review the case.

In the past year the Commission has seen a period of immense growth.

We encourage legislators to contact our offices to learn how the Commission helps your constituents. By working together, we can assure that the resources of the Commission are fully utilized by the people of Illinois.

“Each step involved in resolving a claim helps ensure continuity and fairness for all involved parties.”

- Sakhawat Hussain, M.D., Commissioner

SENIOR STAFF

James P. Sledge
Executive Director

James E. Snyder
General Counsel

Mary K. Kennedy
Chief ALJ

Michael J. Evans
Deputy Chief ALJ

Jack R. Pearce, Jr.
Fiscal Officer

Matthew Z. Hammoudeh
Assistant General Counsel

.....

ADMINISTRATIVE LAW JUDGES

David J. Brent

Kelli L. Gidcumb

Mariette K. Lindt

Sabrina M. Patch

Michael R. Robinson

FY 2004 COMMISSIONERS

1.) **J.B. Pritzker** is Chairman of Pritzker Group and a partner at New World Ventures, a venture capital firm. Governor Rod Blagojevich appointed Mr. Pritzker as Chairman of the Illinois Human Rights Commission in 2003.

2.) **Arabel Alva Rosales** is a former director of the Illinois Liquor Control Commission and is currently President of A. Alva Rosales & Associates, Ltd. Governor George Ryan appointed Ms. Alva Rosales to the Commission in 1999.

3.) **Marti Baricevic** is a Business Industry Training Representative for Southwestern Illinois College. Governor Rod Blagojevich appointed Ms. Baricevic to the Commission in 2003.

4.) **David Chang** is a retired restaurateur and is a leader in Chicago's Asian American Community. Governor Rod Blagojevich appointed Mr. Chang to the Commission in 2003.

5.) **Marylee V. Freeman** is the Director of Intergovernmental Outreach for the City of Chicago and has previously served as the City's Community Group Coordinator. Governor George Ryan appointed Ms. Freeman to the Commission in 1999. *(not pictured)*

6.) **Dolly Hallstrom** served in the Illinois General Assembly from 1979 to 1983. Ms. Hallstrom is the longest serving commissioner and was appointed to the Commission in 1991 by Governor Jim Edgar.

PROUD TO SERVE THE PUBLIC

1.) J.B. Pritzker



2.) Arabel Alva Rosales



6.) Dolly Hallstrom



7.) Sakhawat Hussain, M.D.



10.) James A. Maloof



11.) Munir Muhammad



3.) Marti Baricevic



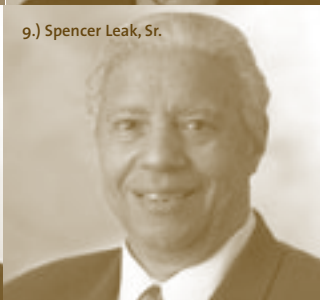
4.) David Chang



8.) Yvette Kanter



9.) Spencer Leak, Sr.



12.) Rozanne Ronen



*Discrimination complaints
can be very complex.
The Commission works to
provide fair adjudication.*

7.) **Sakhawat Hussain, M.D.** is a gastroenterologist and president of the medical staff at Chicago's Advocate Trinity Hospital. Governor Jim Edgar appointed Dr. Hussain to the Commission in 1994.

8.) **Yvette Kanter** is a professional volunteer for the Jewish Federation of Metropolitan Chicago. Governor Jim Edgar appointed Ms. Kanter to the Commission in 1998.

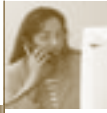
9.) **Spencer Leak, Sr.** is President of Leak and Sons Funeral Home. Governor George Ryan appointed Mr. Leak to the Commission in 2001.

10.) **James A. Maloof** is the longest serving mayor of Peoria, having been elected to serve three consecutive terms from 1985 to 1997. He is the owner of Maloof Realty. Governor George Ryan appointed Mr. Maloof to the Commission in 1997.

11.) **Munir Muhammad** is a well-known activist in the African-American community in Chicago. He is the host of several television programs, including "Muhammad and Friends" and "The Munir Muhammad Show." Governor Rod Blagojevich appointed Mr. Muhammad to the Commission in 2003.

12.) **Rozanne Ronen** is an information technology independent contractor who has worked in the public, private and not-for-profit sectors. Governor Blagojevich appointed Ms. Ronen to the Commission in 2004.

13.) **Yonnie Stroger** Governor Rod Blagojevich appointed Mrs. Stroger to the Commission in 2004. *(not pictured)*



CASE STUDY NO. 5

MITCHELL V. ILLINOIS DEPT. OF CORRECTIONS

Although it is rare, a party may appeal a Commission decision to the Appellate Court.

.....
ON APPEAL: *Mitchell v Illinois Human Right Commission*

The Commission found that Mitchell was a dentist at a prison. The Commission found that his employer had denied him a promotion due to race discrimination.

Mitchell appealed the Commission's decision. He argued that the Commission's decision in his favor was correct, but the Commission's award of fees to his attorney was too low.

The Appellate Court sustained the Commission's decision.

ILLINOIS HUMAN RIGHTS COMMISSION BUDGET APPROPRIATION FOR FY 2004

Personal Services & Related Items	\$1,189,000.00
Contractual Services	\$161,000.00
Travel	\$ 29,000.00
Commodities	\$ 12,700.00
EDP	\$ 2,900.00
Telecommunications	\$ 26,300.00
Total:	\$1,439,600.00

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

Illinois Human Rights Commission
We are here to serve you. Please contact
us anytime.

Illinois Human Rights Commission
William G. Stratton Building, Room 404
401 South Spring Street
Springfield, IL 62706
Phone: (217) 785.4350
Fax (217) 524.4877
TDD: (312) 814.4760

Or

Illinois Human Rights Commission
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Fax (312) 814.6517
TDD: (312) 814.4760

Web site: www.state.il.us/ihr

*Many resources are available for people in Illinois
who believe they have been discriminated against or
have been unjustly accused of discrimination.*



*“It is an honor to serve
Illinois. We are here to help
all the diverse communities
of the state.”*

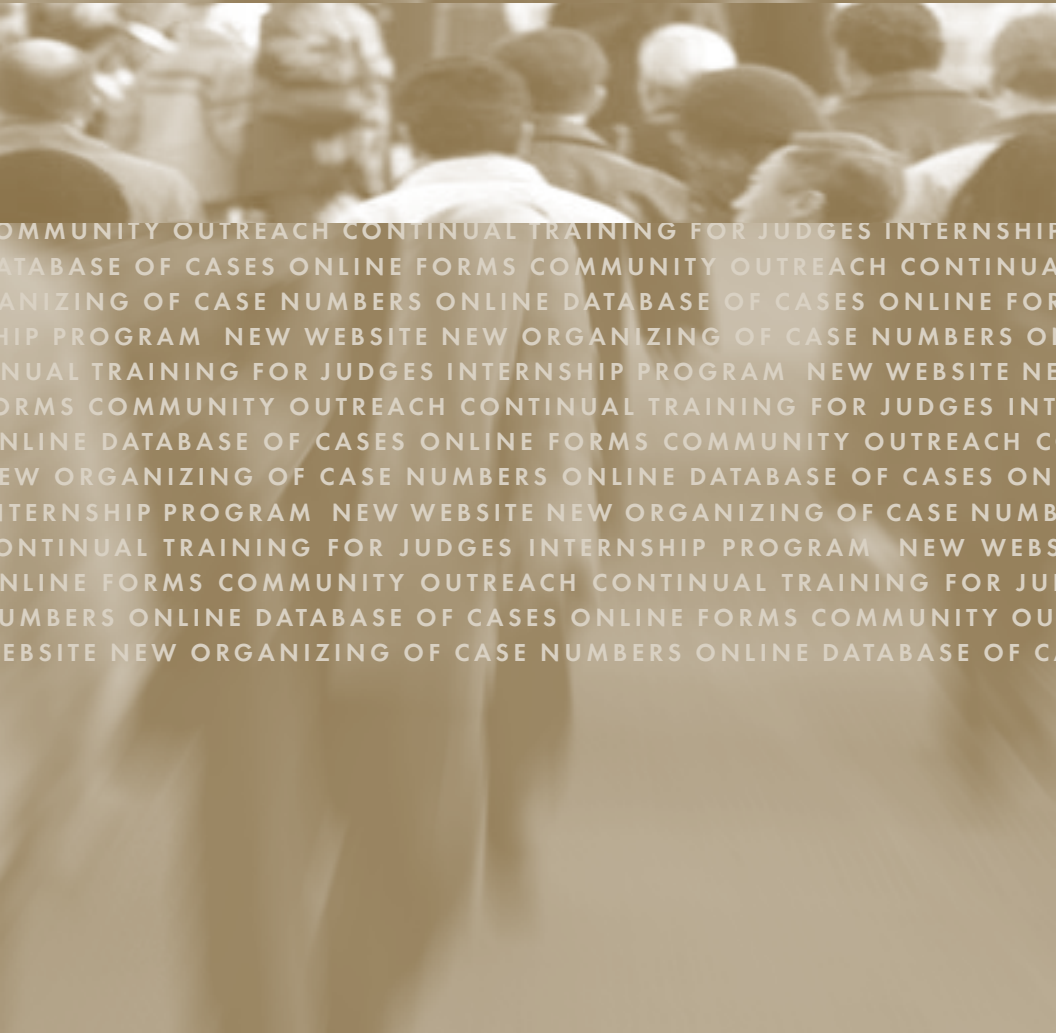
David Chang, Commissioner

*“ We now have to pick up the gauntlet
and pursue Dr. King’s ideals and principles.
We have to turn dreams into reality.”*

*– Rod R. Blagojevich, Governor
Martin Luther King National Holiday, January 19, 2004*

*“ I am confident the Human Rights
Commission will continue the
fight for this dream with fair and
independent adjudication and
efficient service.”*

– Rod R. Blagojevich, Governor



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