

Entering  
Its  
Second  
Decade  
of  
Service

ILLINOIS  
DEPARTMENT OF  
HUMAN RIGHTS

ILLINOIS DEPARTMENT OF



**HUMAN  
RIGHTS**

Jim Edgar  
*Governor*

Rose Mary Bombela  
*Director*

1991  
ANNUAL  
REPORT



Jim Edgar  
Governor



STATE OF ILLINOIS  
**Department of Human Rights**  
100 West Randolph Street, Illinois Center, Suite 10-100  
Chicago, Illinois 60601



Rose Mary Bombela  
Director

To The Honorable Jim Edgar  
Governor of Illinois, and the  
Honorable Members of the General Assembly

It is with pride and honor that we share with you the activities of the Department of Human Rights for fiscal year 1991.

For the first time since 1984, more investigations have been completed compared to the number of charges the Department received. This has led to a reduction in the backlog of charges waiting to be investigated, meeting a goal established by the General Assembly. A spinoff effect has resulted in a shorter time period in which to complete investigations, thus, providing better services for the citizens of Illinois.

In addition, surveys were conducted during this period to ascertain skills needed to improve the overall productivity of our investigative staff. Committees have been assigned to review the surveys and develop recommendations to improve the delivery of services to the public.

Finally, the harsh realities of agency layoffs prompted the Department to sponsor special training for all agency Affirmative Action officers to analyze for adverse impact. In cooperation with Central Management Services, a procedure was established to ensure the analysis was completed prior to layoffs.

This report depicts other accomplishments by the Illinois Department of Human Rights during FY91. It is presented for your review. Be assured that we are committed to continue the advancements we have made during these difficult times.

Rose Mary Bombela  
Director  
Illinois Department of Human Rights

April 1992

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# INTRODUCTION

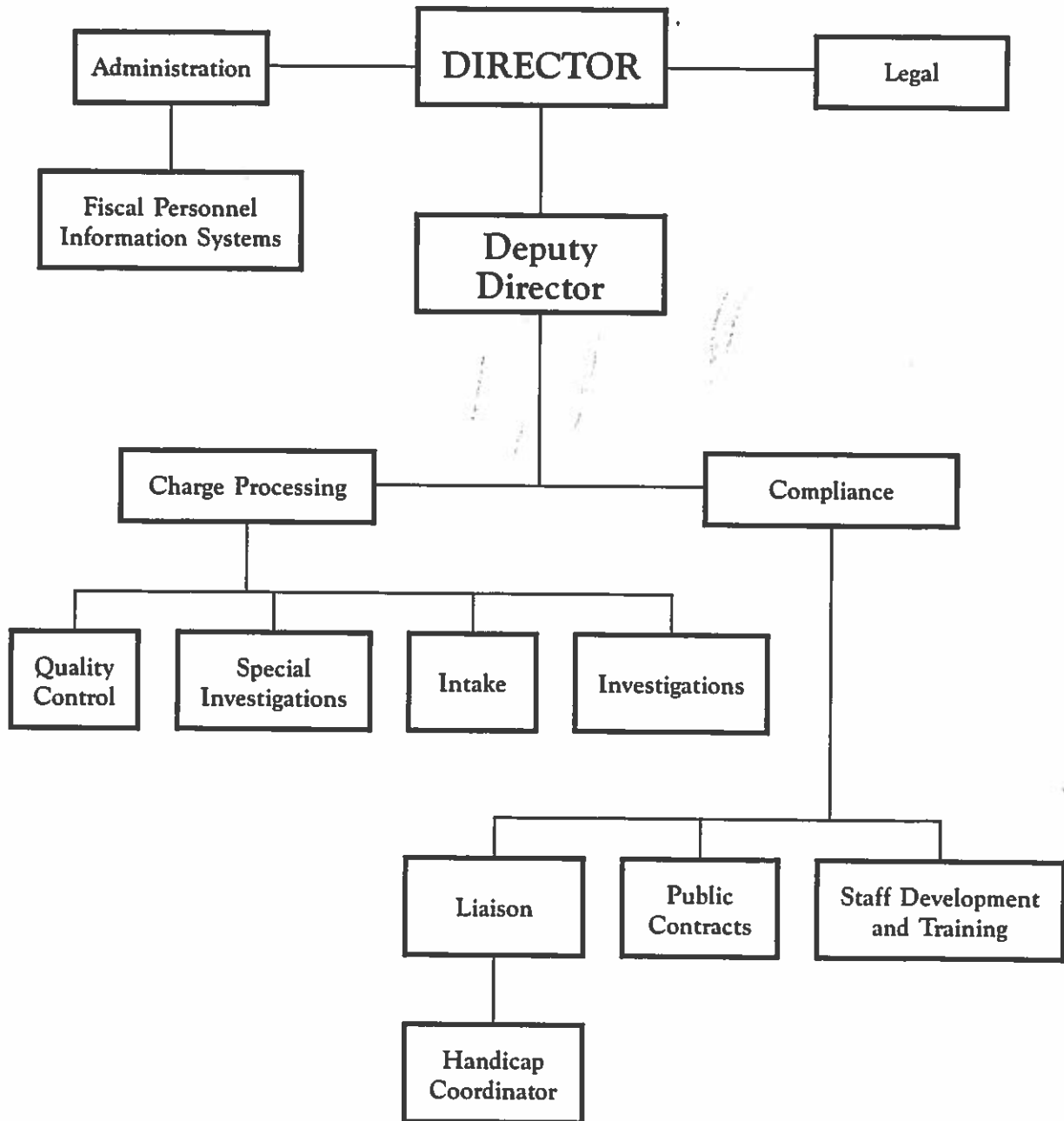
The primary function of the Illinois Department of Human Rights is to administer and enforce the Illinois Human Rights Act and its provisions which guarantee that all persons in Illinois be free from sexual harassment in higher education and discrimination in employment, in real estate transactions, in financial lending practices, and in their access to places of public accommodation and the services of public officials.

The Department enforces the law prohibiting discrimination on a wide range of bases: race, color, religion, sex, national origin, ancestry, age (40 and over), marital status, unfavorable military discharge, physical, mental perceived physical and mental handicap and arrest record in employment. Discrimination in rental housing against persons because of their disabilities and because they have children under age eighteen is also prohibited. Individuals are also protected against sexual harassment in employment. And finally, sexual harassment of students in higher education is also prohibited.

The Department administers the statutes in several ways. Its primary activities include:

- Investigating and attempting to resolve charges alleging violations of the statute.
- Monitoring the employment practices and affirmative action efforts of State executive agencies and of private employers doing business with the State or local governments.
- Providing training and technical assistance to employers and others who seek to comply with the statute.
- Conducting research, holding hearings, and otherwise studying problems which threaten the objectives of the statute, in order to promote better community relations and intergroup harmony.

# CHART OF ORGANIZATION



## INTRODUCTION

As the managerial body for the Department of Human Rights, the Administration Division is responsible for the following functions: Financial Management, Fiscal Planning, Procurement, Inventory, Auditing, Legislative Bill Review and Analysis, Governmental Relations, Personnel, Public Information, General Services (Office Supplies, Mail and Messenger, Switchboard and Reception, Telecommunications and Office Services), Information Systems and Operational Planning.

During Fiscal Year 1991 the Administration Division focused its attention on the agency's mission statement which was reviewed and revised to represent more fully the mandate of the agency through the Human Rights Act, as follows:

To secure for all individuals within the State of Illinois, freedom from unlawful discrimination or sexual harassment in employment and in higher education; to establish and promote equal opportunity and affirmative action as the policy of this state in all of its decisions, programs and activities; and to make the Illinois Department of Human Rights an administrative standard of excellence in terms of the quality and quantity of its work product and the work environment for its employees.

With the mission of the agency defined, an Internal Task Force was created in April of 1991. The primary goal of this task force was to recommend ways of enhancing the quality of service by making operations more efficient while maintaining and improving overall effectiveness. After a survey was conducted, six major areas were addressed: Administration, Employee Morale, Intake, Production Standards, Switchboard/Support Staff Training. The results of this task force provided the impetus for the Department's goals and objectives, agency reorganization and the case management study scheduled to begin in Fiscal Year 1992.

Another significant change in the operation was the implementation of a new logo design to reflect the enthusiasm and commitment with which the Department carries out its mission.

In addition, for the first time since its creation, the Information Systems section developed comprehensive automation programs for the Public Contracts Unit. As a result, sixty five thousand (65,000) records previously handled manually on index cards are now being automated. Since the automation of this program the agency has begun cutting into the 2-3 month backlog of PC-1 forms awaiting processing. Forms are now processed within 2-3 days. Additionally, a time savings of 20 hours per week has been realized. All forms are now computer generated and printed, thus allowing immediate access to information as well as providing more information on each registered bidder.

The Department's funding level for Fiscal Year 1991 was \$6,115,800, from both state and federal funds. Additionally, an increase in staff approved in Fiscal Year 1990 resulted in an increase in the number of charges processed. With this, the Department was able to negotiate one of its federal contracts \$262,000 higher in Fiscal Year 1991. This fiscal accomplishment has allowed the Department to increase the number of charges completed during this fiscal year.

The Administrative Division will continue to forge full speed ahead into the 90's, as it looks at the progress made in Fiscal Year 1991 and develops an aggressive and realistic agenda in Fiscal Year 1992. This will make the agency more receptive to the needs of the public it services. To that end, the Department continues to improve and fine-tune all aspects of its operations.

## FISCAL REPORT

The legislature approved appropriations for the Department of \$4,938,200 in General Revenue Funds and \$1,177,600 in federal monies, called Special Projects. Monies for Special Projects came from two federal agencies: the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD).

The Department contracted with the EEOC to investigate charges of discrimination filed alleging employment and age discrimination. During FY91, the EEOC contracts totaled \$864,600 for charges related to employment and \$210,000 for charges investigated relating to age discrimination.

The Department also contracted with HUD to investigate charges of discrimination related to housing issues and to

host a series of informational workshops related to housing throughout Illinois. This contract was for \$103,000.

Due to General Revenue shortfall, the Department was required to reserve \$187,900 of its general revenue appropriation in January, 1991. This was accomplished through attrition and by eliminating 6 vacant positions. This reduced the approved Department head count to 179 from the previously approved head count of 185.

Expenditures for the Department totaled \$5,903,278 for FY91. This included \$4,742,162 from General Revenue Funds, while \$1,161,116 came from federal funding. Unused expenditures totaled \$190,161; \$2,261 due to turnover and hiring lag and \$187,900 which was placed on reserve, as requested.

### END OF THE YEAR HEADCOUNT

Division	FY '87	FY '88	FY '89	FY '90	FY '91
Administration	17	16	16	16	15
Charge Processing	83	83	83	143	141
Compliance	<u>25</u>	<u>26</u>	<u>26</u>	<u>26</u>	<u>23</u>
<b>TOTAL</b>	<b>125</b>	<b>125</b>	<b>125</b>	<b>185</b>	<b>179</b>

## INCOME AND EXPENDITURE STATEMENT FY '91

Income (in thousands)	General Revenue Funds	Federal
Appropriations	4938.2	1177.6
Reserve	187.9	0.0
Availability for Expenditure	4750.3	1177.6
Expenditures (in thousands)		
Salaries	4009.3	732.0
Fringe Benefits	463.8	136.1
Contractual Services	90.4	69.9
Rental Real Property	4.5	0.0
Registration and Conference	5.8	2.0
Rental Office Equipment	14.6	18.4
Rental Motor Vehicle	10.1	0.5
Repair and Maintenance	20.3	7.8
Statistical and Tabulation on Service	0.0	26.2
Freight, Express and Drayage	0.8	0.2
Professional and Artistic Service	1.3	7.5
Copying, Photo Printing Service	0.1	0.0
Association Dues	1.1	0.0
Postage	24.2	0.2
Subscription and Information Service	3.7	2.0
Court Reporting and Filing Service	0.0	0.0
Contractual Services Miscellaneous	4.0	5.1
Travel Cost	49.9	41.9
Commodities	18.8	26.9
Printing	8.6	8.7
Equipment	11.1	78.3
Telecommunications	<u>90.0</u>	<u>67.3</u>
<b>Total Expenditures</b>	<b>4742.0</b>	<b>1161.1</b>
<b>Lapsed Appropriation</b>	<b>196.2</b>	<b>16.5</b>
<b>Plus Reserve</b>	<b>187.9</b>	<b>0.0</b>
<b>Total Lapse</b>	<b>8.3</b>	<b>16.5</b>



11/11/11

## INTRODUCTION

- During fiscal year 1991, Department investigators completed a total of 5,721 charges, nearly 1800 more than the previous year.
- Intake of new charges of discrimination increased by over 5% from 4,646 in fiscal year 1990, to 4,887 in fiscal year 1991.
- Despite the increase in intake, there were nearly 1,000 more charges resolved than there were new charges filed.
- Department investigators settled over 25% of all charges resolved during the year.
- Settlements by Department investigators during the year totaled \$4,225,921.
- Staff found substantial evidence of discrimination in 14% of all charges investigated, nearly 3% more often than the previous year.
- Employment charges comprised 93% of all new charges docketed, public accommodations 4% and housing 2%. Other areas were less than 2%.

The Human Rights Act prohibits discrimination in Illinois with respect to employment, financial credit, public accommodations and real estate transactions on the bases of race, color, sex, national origin, ancestry, age, marital status, unfavorable military discharge and physical and mental handicap. The Act also prohibits asking on an employment application if one has ever been arrested, discrimination against families with children in real estate transactions and sexual harassment in higher education.

Within 180 days (one year for real estate transactions) of the occurrence of an alleged civil rights violation, one may file a charge of discrimination with the Department. The Charge Processing Division reviews these charges and investigates those over which the Department has jurisdiction. If an investigation reveals substantial evidence of discrimination, the legal division staff encourage conciliation between the affected parties. The Human Rights Commission reviews all agreements reached through this process. If conciliation fails, the Department files a formal

legal complaint with the Commission. After 300 days from the filing of a perfected charge of discrimination, individuals have a 30 day "window" within which to file their own complaints directly with the Commission if the Department has not already completed its investigation.

Following are several examples of the types of charges filed with the Department and their resolutions:

1. A complainant was hired by a respondent as an asbestos worker. After 17 days, the respondent discharged the complainant for alleged poor performance. One month later the complainant filed a charge with the Department alleging that he had been discriminated against because of his race, black.

The investigation revealed that although some of the respondent's employees were black, none of the blacks were asbestos workers. The complainant's employment history did not contain any evidence of poor performance, nor did the respondent provide any witnesses to testify that the complainant's performance was unsatisfactory. Based on this evidence, the Department made a finding of substantial evidence. Following an unsuccessful conciliation attempt, the Department filed a complaint with the Human Rights Commission.

2. A complainant worked as a waitress for a small restaurant in downstate Illinois. After about four months on the job, the complainant and a male co-worker were involved in an argument at the restaurant. The complainant was discharged the same day. She filed a charge alleging her discharge was based on her sex, female, since she claimed the argument was provoked by the male. The Department's investigation showed that the complainant and the male co-worker had dated and often argued at work. Witness testimony indicated that both were equally at fault in the incident. The respondent's records proved that both employees were discharged on the same day for causing a disruption in the restaurant. The Department therefore made a finding of lack of substantial evidence.

3. A complainant, who was in his mid-50's, was laid off from a position as a machine operator with a manufacturer in a south Chicago suburb. Two months later, the complainant found out that a less senior co-worker had been recalled. He also noticed an ad in the newspaper that the company was looking to hire a machine operator. He filed a charge alleging age discrimination.

The Department's investigator sent the respondent a questionnaire and conducted a fact finding conference. The respondent initially maintained that the complainant was laid off and not recalled because of his performance problems. However, the respondent had never documented any performance problems and after the complainant left their employ, respondent discovered that the machine the complainant had been working on was malfunctioning. The respondent then agreed to settle the case by reinstating the complainant to his machine operator position. The reinstatement was retroactive to two weeks following the layoff, and the respondent paid the complainant all the back pay for the time he was off. The total value of the settlement was over \$37,000.

4. A black couple with two children entered into a contract to buy a home in a downstate city. After meeting the white couple who was selling the home, the black couple was called into the office of the seller's real estate broker and informed that the seller did not want to sell the house to them. The black couple immediately filed charges of discrimination with the Department against the sellers and both real estate agents, as well as an attorney they had consulted who advised them to get their deposit back.

Within a few days, the Department obtained a temporary restraining order preventing the sellers from entering into another contract. The Department investigators conducted an on-site review and interviewed the complainants and all the parties to the charges. Before the completion of the investigation, the parties and the Department entered into a voluntary settlement to resolve the charge. The two agents purchased the house. The complainants then entered into a contract to buy the house from the agents at a reduced price and with no money down. The settlement

compensated complainants for the aggravation and delay involved in the situation and saved all parties the cost that would have resulted had the parties gone to public hearing or court.

5. A complainant filed a charge with the Department alleging that he was denied the opportunity to rent an apartment due to his physical handicap, blindness, requiring the use of a guide dog.

The investigation revealed that shortly after he applied to rent the apartment, the complainant received a letter from the respondent informing him that no pets were allowed. The respondent stated that HUD's renting criteria did not allow prospective tenants to have pets. Because the Human Rights Act states that it is a civil rights violation to refuse to rent to a handicapped individual because he or she has a guide, hearing or support dog, the Department investigator found substantial evidence. A complaint was filed with the Human Rights Commission after the failure of conciliation.

The following charts and graphs detail the types of charges docketed and the dispositions of those completed:

## DISPOSITION OF COMPLETED INVESTIGATIONS

Fiscal Years 1987-1991

	1987	1988	1989	1990	1991
Inquiries Received	15111	17797	21984	20985	25328
Charges Filed	4554	4953	5077	4646	4887
Completed Investigations	3547	3636	3635	3955	5721

	1987		1988		1989		1990		1991	
	No.	%	No.	%	No.	%	No.	%	No.	%
Substantial Evidence	579	(16.3)	545	(15.0)	378	(10.4)	440	(11.1)	802	14.0
Settlements	716	(20.3)	821	(22.6)	885	(24.3)	957	(24.2)	1448	25.3
Withdrawn by Complainant	420	(11.8)	447	(12.3)	440	(12.1)	671	(17.0)	768	13.4
Dismissals										
Lack of Substantial Evidence	1028	(29.0)	1013	(27.8)	1225	(33.7)	1022	(25.8)	1172	20.5
Lack of Jurisdiction	157	(4.4)	203	(5.6)	191	(5.3)	203	(5.1)	208	3.6
Complainant's Failure to Proceed	647	(18.2)	607	(16.7)	516	(14.2)	662	(16.7)	1323	23.1

## EMPLOYMENT CHARGES DOCKETED

I. Number	12 Months FY '90		12 Months FY '91	
Average #/month		366.0		380.0
Average #/week		84.0		87.6
Average #/day		17.5		18.3
<b>Total # Docketed</b>		<b>4387</b>		<b>4556</b>

II. Types	Total	% of Total Charges *	Total	% of Total Charges *
<b>Bases of Discrimination</b>				
Race	1686	38.4	1510	33.1
Sex	1266	28.8	1244	27.3
Age	819	18.6	983	21.6
Physical Handicap	791	18.0	981	21.5
Retaliation	585	13.3	628	13.8
National Origin/Ancestry	507	11.5	564	12.4
Mental Handicap	145	3.3	150	3.3
Marital Status	80	1.8	99	2.2
Religion	79	1.8	73	1.6
Color	30	.6	46	1.0
Aiding/Abetting	20	.4	22	.5
Coercion/Interference	18	.4	21	.5
Arrest/Conviction Record	18	.4	9	.2
Military Discharge	0	0.0	0	0.0
Other **	9	.2	17	.4
<b>TOTAL</b>	<b>6053</b>		<b>6347</b>	

\* Percent of total charges filed is greater than 100% because 1,387 charges out of the total 4,387 charges (31.6%) filed in Fiscal Year 1990 and 1,432 charges out of the total 4,556 charges (31.4%) filed in Fiscal 1991 were filed on more than one basis (e.g. race, sex, and physical handicap).

\*\* Includes non-jurisdictional bases such as personality conflict.

## CHARGES DOCKETED BY JURISDICTION

Fiscal Years 1987-1991

Jurisdiction	Charges Filed									
	1987	%	1988	%	1989	%	1990	%	1991	%
Employment	4230	(93)	4527	(91)	4751	(94)	4387	(94)	4556	(93)
Housing	178	(4)	156	(3)	145	(3)	112	(2)	113	(2)
Financial Credit	12	(—)	9	(—)	3	(—)	5	(—)	8	(—)
Public Accommodations	134	(3)	260	(5)	176	(3)	140	(3)	199	(4)
Sexual Harassment, Higher Education	0	(—)	1	(—)	2	(—)	2	(—)	11	(—)
<b>TOTAL</b>	<b>4554</b>		<b>4953</b>		<b>5077</b>		<b>4646</b>		<b>4887</b>	

## EMPLOYMENT DISCRIMINATION

Issues alleged as an Act of Discrimination \*  
Fiscal Year 1991

Issue	Number	Issue	Number	Issue	Number
Discharge	2394	Recall	124	Referral	27
Harassment	722	Unequal Pay	124	Forced Medical Leave	26
Terms and Conditions	627	Failure to Return From Medical Leave	107	Union Representation	25
Sexual Harassment	378	Performance Evaluation	107	Qualification/Testing	23
Hiring	326	Benefits	103	Forced Retirement	20
Suspension	326	Training/Apprenticeship	96	Exclusion	14
Wages	326	Transfer	83	Intimidation/Reprisal	14
Lay-off	304	Reduction in Hours	77	Job Classification	11
Promotion	297	Probation	73	Segregated Facility	6
Written Reprimand	217	Position Elimination	72	Seniority	4
Constructive Discharge	184	Racial Harassment	63	Tenure	2
Failure to Accommodate	160	Forced Resignation	39	Advertising	1
Demotion	155	Oral Reprimand	37	Other **	349
Unequal Job Assignment	139			<b>TOTAL</b>	<b>8179</b>

\* Includes charges alleging more than one issue as acts of discrimination.

\*\* Includes issues such as failure to issue pay check on time and denial of overtime.

## FY '91 EMPLOYMENT CHARGES

Respondent: By Type	Springfield Office	Chicago Office	Chicago & Springfield Offices Combined
Private Employers	512	3210	3722
State Government	73	93	166
Local Government	43	244	287
Colleges and Universities/Public	17	32	49
Colleges and Universities/Private	2	20	22
Elementary and Secondary Schools/Public	6	46	52
Elementary and Secondary Schools/Private	—	4	4
Unions	11	31	42
Joint Apprenticeship Programs	—	13	13
Private Employment Agencies	27	8	35
State Employment Agencies	5	—	5
Individuals	32	127	159
<b>TOTALS</b>	<b>728</b>	<b>3828</b>	<b>4556</b>

## BASES ON WHICH CHARGES WERE FILED IN FY '91

For Housing, Financial Credit and Public Accommodations

	Housing		Financial Credit		Public Accommodations	
	#	% *	#	% *	#	% *
Race	59	52.2	2	25.0	103	51.8
Color	—	—	—	—	5	2.5
Religion	2	1.7	—	—	15	7.5
National Origin	11	9.7	—	—	25	12.6
Sex	7	6.2	—	—	35	17.6
Retaliation	1	.9	2	25.0	9	4.5
Physical Handicap	12	9.2	3	37.5	37	18.6
Mental Handicap	6	5.5	—	—	6	3.0
Other	1	.9	—	—	3	1.5
Age	1	.9	—	—	8	4.0
Marital Status	4	3.5	3	37.5	9	4.5
Families with Children	<u>22</u>	19.5	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<b>TOTALS</b>	<b>126</b>		<b>10</b>		<b>255</b>	

\* These percentages total more than 100% because some charges were filed under more than one basis, e.g., failure to rent because of race and sex.

## DISPOSITIONS OF COMPLETED INVESTIGATIONS BY DIVISION

Fiscal Year 1991

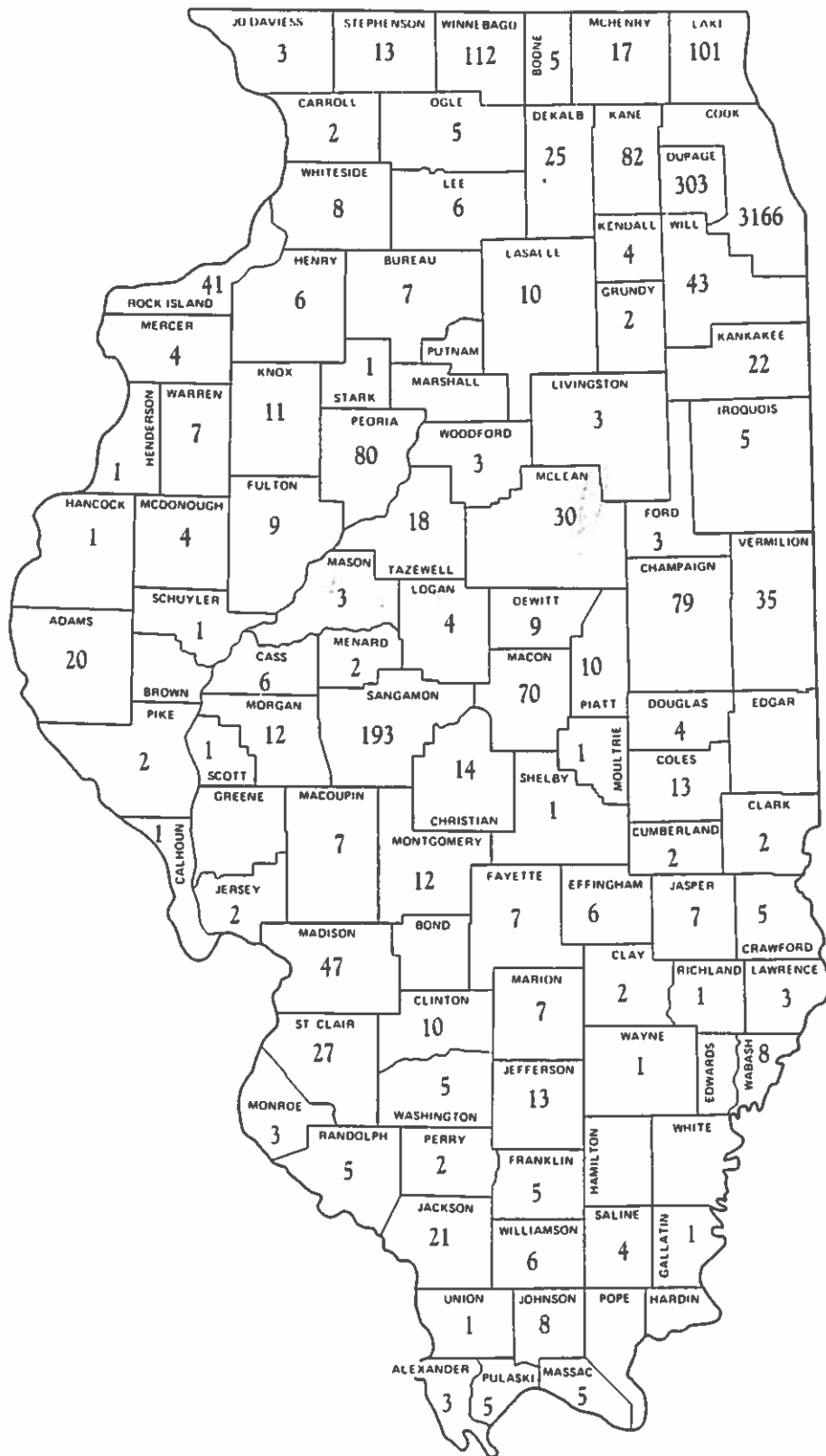
	Charge Processing Division	Compliance Systemic Unit	Totals
Substantial Evidence	765	37	802
Settlements			
Adjusted with Terms	891	15	906
Adjusted and Withdrawn	507	35	542
Dismissals:			
Lack of Substantial Evidence	1101	71	1172
Failure to Proceed by Complainant	1297	26	1323
Lack of Jurisdiction	203	5	208
Withdrawn by Complainant	<u>738</u>	<u>30</u>	<u>768</u>
<b>TOTAL</b>	<b>5502</b>	<b>219</b>	<b>5721</b>

## DISCRIMINATION CHARGES BY COUNTY — FY '91

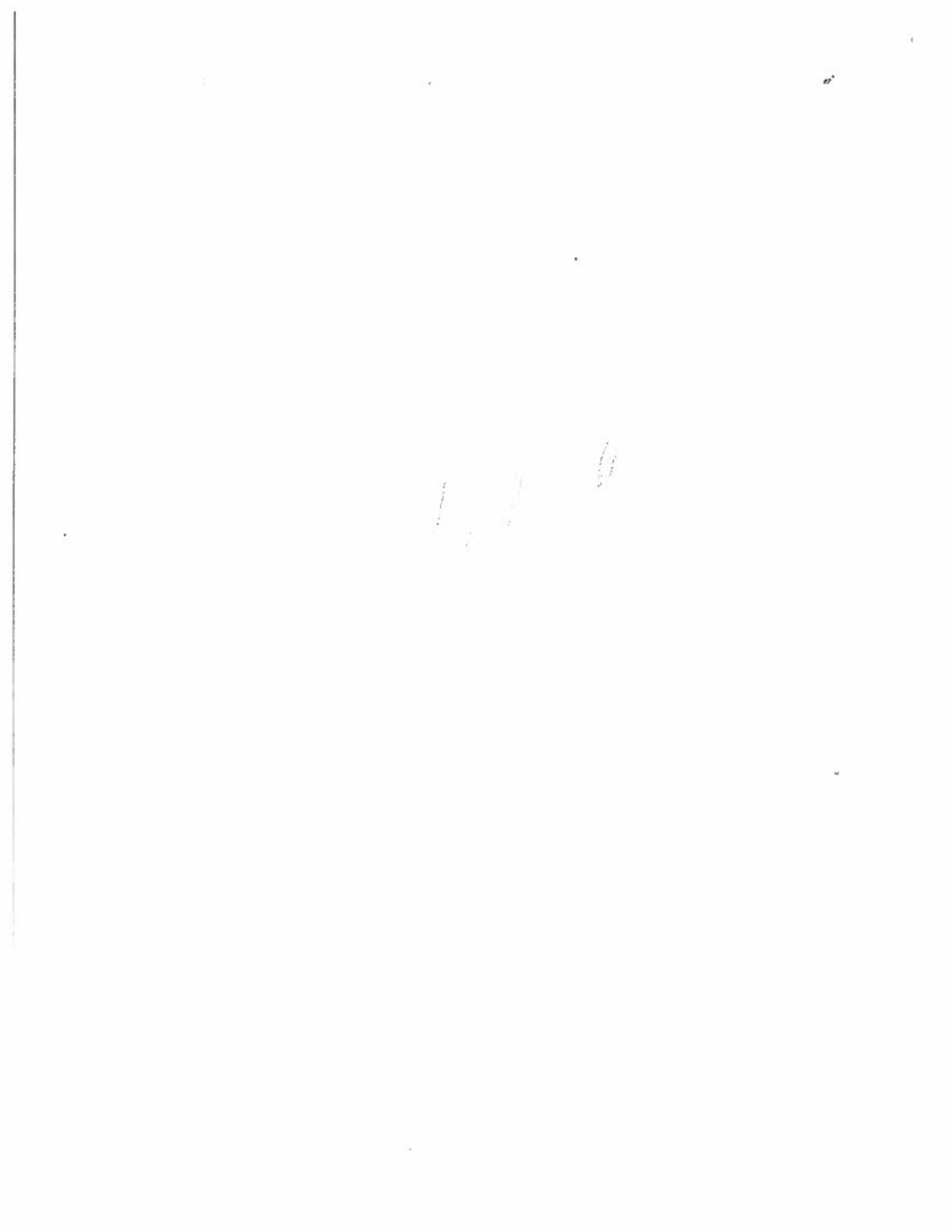
County	Housing	Credit	Public Accommodations	Sexual-Harassment in Higher Education	Employment	Total
Adams	2	1	2		15	20
Alexander			1		2	3
Boone					5	5
Bureau			1		6	7
Calhoun					1	1
Carroll					2	2
Cass					6	6
Champaign	15		6		58	79
Christian					14	14
Clark					2	2
Clay					2	2
Clinton			1		9	10
Coles	4				9	13
Cook	64	3	112	3	2984	3166
Crawford					5	5
Cumberland					2	2
De Kalb					25	25
De Witt					9	9
Douglas					4	4
Du Page					303	303
Effingham					6	6
Fayette			3		4	7
Ford					3	3
Franklin			1		4	5
Fulton			4		5	9
Gallatin	1					1
Grundy					2	2
Hancock					1	1
Henderson					1	1
Henry					6	6
Iroquois			1		4	5
Jackson			3	1	17	21
Jasper			3	2	2	7
Jefferson			3	2	8	13
Jersey			1		1	2
Jo Daviess					3	3
Johnson					8	8
Kane	2				80	82
Kankakee	2				20	22
Kendall	3				1	4
Knox	2				9	11
Lake	2				99	101
La Salle	1				9	10
Lawrence					3	3
Lee					6	6

County	Housing	Credit	Public Accommodations	Sexual-Harassment in Higher Education	Employment	Total
Livingston					3	3
Logan					4	4
Mc Donough					4	4
Mc Henry			1		16	17
Mc Lean					30	30
Macon	2		1	1	66	70
Macoupin					7	7
Madison					47	47
Marion			1	1	5	7
Mason					3	3
Massac			4		1	5
Menard			1		1	2
Mercer					4	4
Monroe					3	3
Montgomery			2		10	12
Morgan					12	12
Moultrie					1	1
Ogle					5	5
Peoria		2			78	80
Perry			1		1	2
Piatt			5		5	10
Pike					2	2
Pulaski			4		1	5
Randolph					5	5
Richland					1	1
Rock Island			4		37	41
St. Claire			2		25	27
Saline					4	4
Sangamon	6	2	19		166	193
Schuyler					1	1
Scott					1	1
Shelby					1	1
Stark					1	1
Stephenson					13	13
Tazewell	1				17	18
Union					1	1
Vermilion	1		6	1	27	35
Wabash					8	8
Warren					7	7
Washington					5	5
Wayne					1	1
Whiteside					8	8
Will	1				42	43
Williamson			1		5	6
Winnebago	4		5		103	112
Woodford					3	3

TOTALS      113      8      199      11      4556      4887







## INTRODUCTION

The Legal Division participated in various educational activities in cooperation with the Illinois State Bar Association and in career counseling sessions at high schools to encourage students to continue their education. In addition, the Legal Division actively participated with community groups to lend expertise in human rights related issues, which included the Chicago Coalition for Immigration Reform, and the Northeastern Illinois Planning Commission. The Division also worked with committees addressing issues related to familial status, housing discrimination and fair housing ordinances. As part of Department-wide activities, the Legal Division participated in the

reorganization task force, researched civil rights issues and presented monthly seminars on a wide range of legal issues.

At one stage or another most charges filed with the Department are processed by the Legal Division.

Department of Human Rights' attorneys review investigation reports recommending findings of substantial evidence of discrimination, conciliate cases and file complaints of civil rights violations with the Human Rights Commission. Attorneys also draft responses to complainants' Requests for Review of Dismissals.

The Legal Division is also responsible for sending out Notices of Dismissal in cases where findings of lack of substantial evidence, lack of jurisdiction or failure to proceed are made and then closing cases when final proceedings have been completed.

Each attorney has an area of specialization and gives numerous presentations to community, government, private and educational groups across the state on topics such as handicap, sex, age, race, and housing discrimination.

In addition to responding to public inquiries about the coverage of the Human Rights Act, the attorneys provide a monthly legal update training session to Department of Human Rights staff and write a monthly column for the in-house newsletter.

### FY '91 — LEGAL PRODUCTION

Complaints of Civil Rights Violation	551
Responses to Requests for Review	534
Terms of Settlement from Conciliation	40
Substantial Evidence Reviews	839
Notices of Dismissal	2561
Case Closures	2977

	FY'87	FY'88	FY'89	FY'90	FY'91
Complaints Filed	509	412	485	659	551
Responses to Requests for Review	413	420	534	550	534
Settlements in Conciliations	48	26	34	53	40

LEGAL DIVISION

1 1 1 1 1

## INTRODUCTION

The Compliance Division of the Illinois Department of Human Rights, with four units and two special programs, provides a broad range of services.

Adverse Impact Analysis training was provided to all state agencies in preparation for projected layoffs.

During FY'91, Public Contracts Unit (PCU) received 5,544 Employer Report Forms from prospective bidders and processed 5,068 forms. At the end of the fiscal year, 62,994 vendors had registered with the program which began in 1973. PCU staff received and answered an unprecedented 10,404 inquiries from vendors, contracting agencies, and the public during FY'91.

Following are samples of investigations conducted by the Systemic Unit:

- A transportation company which allegedly refused to hire 17 Mexican employees of a recently acquired company because of their nation origin. All of the Complainants resolved this matter in a private settlement agreement after the Department began its investigation.
- A Department initiated charge against a placement agency that allegedly discriminatorily coded applicants according to their race and age. A settlement was reached disbanding such coding practices and promising that this system would not be used again.
- An investigation that found statistical data and testimony that corroborated five employees' allega-

tions that their employer had a lay-off that adversely affected its employees age forty and over.

- A municipality that agreed to purchase certain private property but allegedly was dilatory in acquiring the property of a citizen because of his race. This matter was resolved in a private settlement agreement.

Staff development unit outreach was measured by the following, all provided at increased levels from the previous year:

	FY'90	FY'91
News Releases distributed	15	27
Media Contacts	174	209
Information or Literature requests	118	128
Technical Assistance Contacts	327	367

The Illinois Affirmative Recruitment Program was honored this year for its work in several projects, including the Government agency of the year by the Chicago Lighthouse for the Blind, the Veterans Protected League Service Award, the Office of the Governor and several other agencies.

The Disability Program Coordinator participated in twenty speaking engagements, responded to requests for compliance assistance on 102 occasions, and distributed 2000 publications during the year. The Coordinator also wrote a brochure for employers on learning disabilities.

## PUBLIC CONTRACTS UNIT

The mission of the Public Contracts Unit (PCU) is to monitor and enforce the compliance of enterprises holding public contracts with the non-discrimination and affirmative action requirements set forth in the *Illinois Human Rights Act* and the *Public Contracts Rules and Regulations* of the Illinois Administrative Code. This mission was accomplished by carrying out the following activities:

1. Registration of potential state bidders and the maintenance of records pertaining to bidder eligibility status.
2. Compliance reviews of public contractors to determine adherence to the Act and the Rules.
3. Technical assistance provided to individual contractors, contracting units, community organizations and units of the Department of Human Rights.
4. Oversight of the EEO/AA monitoring programs operated by other units of state government with regard to public contractors.
5. Assistance to Minority and Female Business Enterprises (MFBEs) as necessary to fulfill the Department's responsibility as a statutory member of the Minority and Female Business Enterprises Council (MFBEC).

## Compliance Reviews of Public Contractors

Compliance reviews conducted on public contractors examine the contractor's affirmative action plan and the degree of effort expended by the contractor toward meeting the commitments made in the plan. The contractor's personnel practices as they pertain to the recruitment, selection, promotion, and compensation of minority and female workers are also examined during the review.

A total of 136 public contractors were reviewed by the PCU during FY'91. This represented a 25% decrease over the number of contractors reviewed during FY'90 (182) and was the result of PCU being short one specialist for most of the fiscal year.

In performing its compliance review duties, PCU was greatly assisted by the enactment of PA 86-1343 which became effective January 1, 1991. This Act extended the non-discrimination and affirmative action obligations of public contractors to "eligible bidders", those entities who have registered with the PCU and who hold IDHR Bidder Eligibility Numbers.

The enactment of this legislation eliminated any question of the Department's authority to determine the compliance status of eligible bidders prior to the time they were actually awarded a public contract.

## Registration of Bidders Seeking Eligibility for Competitively-Bid Contractors

Department rules require that any prospective bidder on a public contract subject to the competitive bidding requirement of the Illinois Purchasing Act register with the Department prior to bid opening. Upon submission of a properly completed and notarized Employer Report Form, the registrant is assigned an IDHR Bidder Identification Number to evidence its eligibility to bid on state contracts. This number must accompany all bids.

## Minority/Female Business Enterprise Council Activity

Under the Minority and Female Business Enterprise Act of 1989, the Department is a statutory member of the Minority and Female Business Enterprise Council (MFBECC). PCU staff have been assigned the task of carrying out the responsibilities accruing to IDHR as result of its membership on the Council.

An IDHR representative served as a member of MFBECC's Compliance Plan Committee and participated in the

review and approval of the annual MFBECC compliance plan submitted by each of the 65 agencies subject to the Act. This representative also attended periodic meetings of the Certification Committee called to review investigation reports on companies seeking certification as minority or female businesses.

As in past years, PCU staff participated in the MFBECC Matchmaker programs held to acquaint minority and female business owners with state procurement opportunities and inform them regarding registration, qualification, and procurement procedures used by the various awarding agencies. Four such programs, held in Chicago, were attended by over 1,000 vendors. PCU staff also assisted over 1,200 vendors individually, mainly with obtaining the IDHR Bidder Eligibility Number required of all persons bidding on state contracts, but also with referrals and information regarding state bidding procedures and which agencies to contact for specific types of contracts.

The Department of Human Rights, as an agency covered by the Minority and Female Business Enterprise Act, reported contract awards totalling \$46,803 to minority and female enterprises as of the end of FY91. These dollars represented a 117% attainment of the Department's FY91 goal of \$39,900.

## SYSTEMIC UNIT

The Systemic Unit investigates and initiates charges in those instances where discriminatory patterns and practices have been identified. The major investigations completed during Fiscal Year 1991 included the following:

Substantial Evidence	33
Dismissals:	
Lack of Substantial Evidence Entries	69
Lack of Jurisdiction	5
Failure to Proceed	34
Withdrawn	32
* Settlements	43

\* Settlements include agreed terms of settlement and charges that were withdrawn where both parties entered into private settlements.

Two hundred-sixteen charges were completed. Monetary awards negotiated directly or indirectly by Unit staff during the year amount to \$284,894.64.

## STAFF DEVELOPMENT/ PUBLIC INFORMATION

The Staff Development Unit coordinates training, throughout the year, to Department staff, to public and private agencies, to educational institutions and to community organizations.

The staff refines and restructures in-service training programs to meet agency demands. In recognition of the continuing need to expand the audio-visual support for human rights investigator training, the unit staff produced an additional 39 hours of video tapes. The resulting tape library gives the agency a resource for individual or group training on an as needed basis.

New investigator training was provided for 16 persons. Modification of training modules accommodated the training needs of 5 new attorneys and other personnel.

General orientation programs were carried out for 26 Department and Human Rights Commission personnel. Fourteen agency fire wardens were given special training.

Unit personnel worked in cooperation with Charge Processing supervisors to provide four special training programs.

Services to outside agencies included the following:

Speaking engagements conducted by Unit staff	31
Speaking engagements coordinated by the speakers bureau	161

One unit staff member provided planning and leadership as the Department conducted an annual Spring conference in conjunction with the Illinois Municipal Human Relations Association.

All unit staff members assumed leadership roles in the agency task forces which led to the implementation of a management by objectives program.

The Department's Employee Assistance Program is supervised by a unit staff member, who provided referral and follow up services for six employees.

Unit staff was called upon for technical support for the "Ask An Expert" and "Lunch With Legal" programs presented by the handicap program coordinator and the Legal Division, respectively.

## STATE AGENCY LIAISON UNIT

The Liaison unit monitors the affirmative action programs for executive state agencies, boards, commissions, and instrumentalities as prescribed in Section 2-105(B) and 7-105 of the *Illinois Human Rights Act*. All covered entities must practice equal employment opportunity and affirmative action in employment. The *Codified Rules & Regulations* for the Department state the means by which the Department monitors and assists agencies in meeting these obligations.

The Liaison unit provides a wide range of ongoing and customized technical assistance to state agencies and other entities to enhance, strengthen and promote their equal employment opportunity/affirmative action compliance obligations, addressing all aspects of employment including but not limited to recruitment, testing, selection, training, promotions, layoffs and terminations.

### Agencies at Parity

Eleven state agencies reached parity by having attained or surpassed affirmative action goals in hiring and promotion of minority and female employees in all their offices in the state. The distinction was attained by careful analysis of the hiring and promotion records of the agencies and a study of the labor forces in 11 DHR regions in eight Equal Employment Opportunity categories. They are as follows:

1. Civil Service Commission
2. Developmental Finance Authority, Illinois
3. Health Care Cost Containment Council, Illinois
4. Human Rights Commission
5. Human Rights, Department of
6. Industrial Commission, Illinois
7. Investment, Illinois State Board of
8. Local Labor Relations Board
9. Pollution Control Board
10. Prisoner Review Board
11. State Police Merit Board

The following State agencies had less than 5 persons in each EEO category they utilized. Therefore, these numbers were too insignificant for calculation, as anything less than 5 is statistically considered unreliable. The agencies, however, were still required to develop Affirmative Action Plans with programmatic goals.

1. Governor's Purchased Care Review Board
2. Medical Center Commission
3. Office of Public Counsel
4. Prairie State 2000 Authority

## FY'91 AFFIRMATIVE ACTION PLAN ACTIVITY BY AGENCY

	(1) Affirmative Action Plan Approved	(2) Received "Show Cause" Notice	(3) Agency At Parity	Layoffs Occurred During FY'91
<b>Departments and Commissions</b>				
Abandoned Mined Lands Reclamation Council	✓			
Aging	✓			✓
Agriculture	✓			
Alcoholism & Substance Abuse	✓			
Arts Council	✓			
Attorney General	✓			
Banks and Trusts, Commissioner	✓			
Capital Development Board	✓			
Central Management Services	✓			✓
Children and Family Services	✓			
Civil Service Commission	✓		✓	
Commerce and Community Affairs	✓	✓		
Commerce Commission, Illinois	✓			
Comptroller	✓			
Conservation	✓			✓
Corrections	✓			✓
Criminal Justice Information Authority	✓			✓
Development Finance Authority	✓		✓	
Education, State Board of	✓			
Educational Labor Relations Board	✓			
Elections, State Board of	✓			
Emergency Services & Disaster	✓			
Employment Security	✓			
Energy & Natural Resources	✓			
Environmental Protection Agency	✓			
Financial Institutions	✓			
Governor's Purchased Care Review Board	✓			
Guardianship and Advocacy Commission	✓			✓
Health Care Cost Containment Council	✓		✓	
Higher Education, Board of	✓			
Historic Preservation Agency	✓			✓
Housing Development Authority	✓			
Human Rights Commission	✓		✓	
Human Rights	✓		✓	
Industrial Commission	✓		✓	
Insurance	✓			
Investment, Illinois State Board of	✓		✓	
Labor	✓			✓
Labor Relations Board, Local	✓		✓	✓

**FY'91 AFFIRMATIVE ACTION PLAN  
ACTIVITY BY AGENCY *Continued***

	(1) Affirmative Action Plan Approved	(2) Received "Show Cause" Notice	(3) Agency At Parity	Layoffs Occurred During FY'91
<b>Departments and Commissions</b>				
Labor Relations Board, State	✓			✓
Liquor Control Commission	✓			
Local Government Law Enforcement Officers Training Board	✓			
Lottery	✓			
Medical Center Commission	✓			
Mental Health and Development Disabilities	✓			
Military Affairs	✓			
Mines and Minerals	✓			
Nuclear Safety	✓			
Office of Public Counsel	✓			
Pollution Control Board	✓		✓	
Prairie State 2000 Authority	✓			
Prisoner Review Board	✓		✓	
Professional Regulations	✓			✓
Property Tax Appeal Board	✓	✓		
Public Aid	✓			✓
Public Health	✓			
Racing Board	✓			✓
Rehabilitation Services	✓			✓
Revenue	✓			✓
Savings and Loan Commission	✓			
Secretary of State	✓			
State Fire Marshal	✓			
State Police	✓			
State Police Merit Board	✓		✓	
State Employees' Retirement System	✓			
Student Assistance Commission	✓			
Teachers Retirement System	✓			
Toll Highway Authority	✓			
Transportation	✓			
Treasurer	✓	✓		
Veterans' Affairs	✓			✓

- (1) **Affirmative Action Plan Approved** — Agency Affirmative Action Plan found to be in compliance with the Illinois Department of Human Rights Rules and Regulations, for content and format. Formal approval letter was sent to State agency head.
- (2) **Show Cause Notice** — Agency failed to comply with the Illinois Department of Human Rights Rules and Regulations by not submitting Affirmative Action Plan in a timely manner.
- (3) **Parity** — Rendered when the number of protected class employees at least equals (by Equal Employment Opportunity category) the number of protected class persons determined by the agency to be available. Stated in other terms, parity exists when there is no underutilization of protected class persons in the agency's workforce.



## ILLINOIS AFFIRMATIVE RECRUITMENT PROGRAM

STATE

The Illinois Affirmative Recruitment Program (IARP) continued to provide a valuable link between minorities, women and people with disabilities who are seeking employment, and state agencies working to meet their affirmative action goals.

A major function is to provide state agencies with technical assistance in the development and implementation of their own affirmative action recruitment efforts. IARP services include recruitment training, resource development, planning and program evaluation and direct linkages with recruitment sources.

### Summary of Services

Technical assistance was provided to 46 state agencies in an array of services throughout the year, including the following:

**Placements** — IARP clients hired by state agencies.

**Training** — Received DHR recruitment training or attended an IARP recruitment training workshop.

**Strategic Planning** — The development of a comprehensive state agency recruitment plan.

**Recruitment Procedures** — Assistance on task specific recruitment procedures and techniques.

**Recruitment Sourcing** — Identified specific recruitment sources to meet an agency's needs or for a specific vacancy — established a direct linkage with recruitment sources.

**Career Fair** — Organized agency based job fairs or coordinated agency participation.

**Spanish Speaking** — Assistance in implementing Spanish Speaking Option positions.

**Out Placement** — Assistance on the redeployment or outplacement of employees targeted for layoff.

Agency	Placements
Alcohol & Substance Abuse	
Attorney General	
Auditor General	
Capitol Development Board	
Central Management Services	
Children & Family Services	26
Commerce Commission	
Commerce & Community Affairs	2
Conservation	1
Corrections	5
Criminal Justice Information Authority	
Employment Security	12
Environmental Protection Agency	1
Governor	
Guardianship & Advocacy Commission	
Health Care Cost Containment Council	
Historic Preservation	
Human Rights	9
Human Rights Commission	3
Illinois Development Finance Authority	
Illinois Student Assistance Commission	
Industrial Commission	2
Insurance	
Local Labor Relations Board	1
Lottery	
Mental Health & Development Disabilities	10
Military Affairs	
Mines & Minerals	
Office of the Public Counsel	
Professional Regulations	
Public Aid	10
Public Health	5
Rehabilitation Services	7
Revenue	3
Secretary of State	
Southern Illinois University	
State Labor Relations Board	
State Board of Education	
State Fire Marshal	
State Police	
State University Retirement Systems	1
Toll Highway Authority	
Transportation	2
Treasurer	
University of Illinois	
Veterans' Affairs	
<b>TOTALS</b>	<b>101</b>

# AGENCIES RECEIVING IARP SERVICES: 46

Training	Strategic Planning	Recruitment Procedures	Recruitment Sourcing	Career Fair	Spanish Speaking Option	Out Placement
✓ ✓		✓	✓ ✓	✓		
✓ ✓		✓ ✓	✓	✓		
✓ ✓ ✓ ✓	✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓	✓ ✓ ✓	
✓ ✓ ✓ ✓			✓ ✓ ✓ ✓			✓
✓ ✓ ✓ ✓		✓	✓ ✓ ✓ ✓		✓ ✓	
✓ ✓ ✓ ✓	✓		✓ ✓ ✓ ✓	✓		✓
✓ ✓ ✓ ✓	✓		✓ ✓ ✓ ✓		✓	
✓ ✓ ✓ ✓	✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓	✓ ✓	
✓		✓ ✓ ✓	✓ ✓ ✓	✓		
		✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓		
—	—	✓	✓	—	—	—
33	5	22	32	9	10	2

## STATISTICAL SUMMARY OF SERVICES SKILLS BANK

SEX	WHITE	BLACK	HISPANIC	ASIAN	AM. IND.	DISABLED *	TOTAL
Female	72	131	108	11	2	(16)	324
Male	<u>37</u>	<u>87</u>	<u>134</u>	<u>14</u>	<u>0</u>	<u>(19)</u>	<u>272</u>
<b>TOTAL</b>	109	218	242	25	2	(35)	596

\* All figures for people with disabilities are recorded in parenthesis and not included in the total, having already been counted by race.

## DIRECT JOB PLACEMENTS

SEX	WHITE	BLACK	HISPANIC	ASIAN	AM. IND.	DISABLED *	TOTAL
Female	0	16	34	0	1	(0)	51
Male	<u>1</u>	<u>11</u>	<u>37</u>	<u>0</u>	<u>0</u>	<u>(2)</u>	<u>49</u>
<b>TOTAL</b>	1	27	71	0	1	(2)	100

\* All figures for people with disabilities are recorded in parenthesis and not included in the total, having already been counted by race.

NOTE: IARP placements are over 50% below the same reporting period for FY'90 due to the State of Illinois' hiring posture and layoffs for FY'91. Additionally the IARP operated without a support person for the majority of the fiscal year.

## COMMUNITY OUTREACH

The IARP's unique relationship with recruitment sources throughout the state was incorporated in the Department's community education outreach campaign. The IARP was in contact with community based organizations, professional associations and colleges and universities. The staff worked with most of the media and appeared on several radio and television programs.

In addition, the Department maintains a database of community organizations, colleges and universities which are used in recruitment efforts.

## DISABILITIES PROGRAM

The purpose of the Department's disability program is to inform Illinois residents about the disability provisions of the state Human Rights Act. In this way, voluntary compliance with the law is encouraged. People with disabilities are assisted in resolving their discrimination problems in an informal manner before pursuing complaints, which would be more time-consuming. Employers, landlords, and other parties are advised about ways to bring their operations into compliance with the Act, thus reducing their liability.

With the recent enactment of the federal Americans with Disabilities Act, there is increasing interest on the part of both people with disabilities and Illinois businesses concerning disability civil rights. The Disability Program Coordinator prepared an information sheet for employers that compares the disability provisions of the Human Rights Act with the Americans with Disabilities Act. This publication has been distributed at conferences and in response to requests.

The disability program has the following components: compliance assistance, speaking engagements, and development and distribution of educational materials. The Disability Program Coordinator also represents the Department on a number of committees concerned with the status of persons with disabilities, including the Illinois Interagency Committee on Handicapped Employees, which is co-chaired by the Director, and the Service/Rehabilitation Committee of the American Cancer Society's Illinois Division.

### Compliance Assistance

The Coordinator provided information and assistance regarding the disability provisions of the Act on 102 occasions during the year. Compliance assistance was provided to persons with disabilities, employers, nonprofit organizations, and attorneys. Printed materials concerning investigation of disability complaints were given to representatives of the United States Equal Employment Opportunity Commission, who found them to be among the best publications on this subject in the nation. The coordinator also provided information and interpretive materials to a judicial committee attempting to bring the state court system into compliance with the new federal law.

During the year, the Coordinator was interviewed on two television news programs regarding disability discrimina-

tion, and she provided background information for news articles appearing in two daily newspapers and two trade journals. In a special compliance project, the Coordinator worked with an Illinois hospital to modify disability-related inquiries on its employment application. A local rehabilitation agency had sought the Department's assistance in this matter, because the application was viewed as screening out disabled people from employment opportunities.

The Coordinator also assisted a deaf woman in making sure that the woman had a sign language interpreter present during the administration of a professional licensing examination.

### Speaking Engagements

The Coordinator participated in twenty speaking engagements during the year. These events included four programs in Chicago, nine in Springfield, and one each in Peoria, Aurora, Riverton, Lincoln, Decatur, Urbana, and Belleville. The groups addressed by the Coordinator included disability rights organizations, employer associations, rehabilitation associations, a health forum, civil rights groups, and a high school class. The Coordinator also represented the Department at special events sponsored for the benefit of people with disabilities.

The Coordinator wrote press releases and other materials for the Disability Independence Day planning committee, and she represented the Department at Community Agency Night, which was sponsored by the Sangamon Area Special Education District.

### Development and Distribution of Educational Materials

During the year, the Coordinator distributed over 2,000 publications regarding the rights of people with disabilities and the responsibilities of parties subject to the Act. These materials included a set of twelve disability rights sheets, six employer information sheets concerning topics in disability law, and brochures on cancer, learning disabilities, and epilepsy. The publications were distributed around the state to disabled people and organizations representing them, employer groups, attorneys, and civil rights agencies. The United States Department of Health and Human Services requested (and was provided with) a large supply of these publications for distribution to their managers.

The Coordinator was the author of a brochure insert in a new publication for learning disabled college students, which was written by two authorities in the field of learning disabilities. The publication has been distributed broadly and is popular among its audience.

### **Committee Involvement**

The Coordinator represents the Director as co-chairperson of the Interagency Committee on Handicapped Employees, which is concerned with improving the status of state employees with disabilities. In October, which is the National Employ Persons with Disabilities Month, the Committee organized and sponsored a conference for state employees with disabilities, personnel officers, and equal employment opportunity officers. The conference, which attracted over 200 people, dealt with the Americans with Disabilities Act, as well as state programs for employees with disabilities. The conference ended with a job fair to provide information about promotional opportunities for employees with disabilities. Over the course of the year, the committee also monitored the hiring and promotional practices of state agencies. Three agencies were honored at an awards tea for their performance in this area.

The Coordinator also serves as a member of the Service and Rehabilitation Committee of the American Cancer Society's Illinois Division. The coordinator chaired a task force for the Cancer Society to produce a videotape concerning employment and insurance issues facing cancer patients.

### **Analysis of Disability Cases**

The following chart shows the number and type of disability charges filed in FY91 and compares FY91 disability charges with those filed in FY90. Overall, disability discrimination charges were up 21% in FY91, while total Department intake of charges increased only 4%. Publicity surrounding the new federal law, the Americans with Disabilities Act, may have contributed to the increase in disability-related charges filed with the Department.

Back injuries continue to make up the largest percentage of disability charges. Charges involving back injuries increased 51% in FY91, following a 19% increase in FY90. Carpal tunnel syndrome charges increased 160% in FY91. Repetitive movement disorders, such as carpal tunnel syndrome, were the most common type of injury experienced by American workers in 1990.

## TYPES OF DISABILITIES INVOLVED IN FY '91 CASES

All Jurisdictions

Type of Disability	Number Filed	Percentage of Cases	Percentage of Change from FY '90
<b>I. Physical Disabilities</b>			
Back Injuries	178	17.2	+ 51.0
Mobility Impairment	106	10.3	+ 56.0
Heart Disorder	49	4.7	+ 8.9
Visual Impairment	48	4.6	+ 9.1
Alcoholism	44	4.3	+ 159.0
Epilepsy	37	3.6	- 9.8
Cancer	35	3.4	+ 2.9
Digestive Disorder	35	3.4	+ 289.0
Substance Abuse	35	3.4	- 54.0
Degenerative Disease	34	3.3	+ 162.0
Diabetes	33	3.2	0.0
Respiratory Impairment	33	3.2	+ 106.0
Neurological Disorder	32	3.1	+ 167.0
Hearing Impairment	26	2.5	- 16.0
Carpal Tunnel Syndrome	26	2.5	+ 160.0
Arthritis	23	2.2	+ 77.0
AIDS	20	1.9	+ 11.0
Hypertension	15	1.5	+ 7.0
Kidney Disorder	12	1.2	+ 71.0
Neck and Shoulders	12	1.2	**
Speech Impediment	11	1.1	+ 10.0
Reproductive Disorder	7	.7	**
Perceived Disability	72	7.0	+ 41.0
Other	<u>110</u>	10.6	<u>- 29.0</u>
<b>Total Physical Disabilities</b>	<b>1033</b>		<b>+ 24.0</b>
<b>II. Mental Disabilities</b>			
Bipolar Disorder	37	22.8	+ 54.0
Learning Disability	9	5.6	+ 13.0
Mental Retardation	8	4.9	**
Depression	3	1.9	**
Perceived Mental Disability	38	23.5	+ 124.0
Other Mental Disabilities	<u>67</u>	41.4	<u>- 34.0</u>
<b>Total Disabilities</b>	<b>162</b>		<b>+ 7.3</b>
<b>III. Total Disabilities</b>	<b>1195</b>		<b>+ 21.0</b>

\*\* New disability category in FY'91

# RECENT LEGISLATION

Governor Jim Edgar has signed into law several bills passed during the 87th Legislative Session. Here is an overview of the major bills which affect civil rights and the activities of the Department of Human Rights, with the assigned law designation in parenthesis:

**House Bill 94 (PA 87-0581):** Establishes minimum program requirements applicable to public colleges and universities in the areas of human relations, including race, ethnicity and gender issues. (Effective January 1, 1992)

**House Bill 313 (PA 87-0628):** Requires the Department of Human Rights to give notice of Minority and Female Business Enterprise contracts. (Effective January 1, 1992)

**House Bill 317 (PA 87-0348):** Exempts from the Human Rights Act coverage the refusal to hire or the discharging of police officers, fire fighters and paramedics because of age. (Effective September 9, 1991)

**House Bill 331 (PA 87-0548):** Amends the *Human Rights Act*. Provides it is a civil rights violation for an employer, employment agency, or labor organization to use arrest information or criminal history record information ordered expunged, sealed or impounded as a basis for denying employment or promotion. (Effective January 1, 1992)

**House Bill 772 (PA 87-0679):** Requires the Department of Human Rights and the Human Rights Commission to implement a formal training program for all investigators, attorneys and hearing officers. (Effective September 23, 1991)

**House Bill 2177 (PA 87-0816):** Requires that state agencies develop affirmative action goals for employment of the disabled, based on latest census data calculations. (Effective July 1, 1992)

**House Bill 2240 (PA 87-0371):** Amends the Illinois Human Rights Act. Provides that filing an application with the Human Rights Commission is optional and failure to file is not a failure to exhaust administrative remedies. It applies to pending action as well as those filed on or after the effective date. (Effective January 1, 1992)

**House Bill 2243 (PA 87-0579):** Adds "citizenship status" as a new basis for discrimination in employment under the Human Rights Act. (Effective January 1, 1992)

**House Bill 2335 (PA 87-0406):** Requires the Human Rights Commission to publish its decisions within 120 calendar days of the completion of service. (Effective January 1, 1992)

**Senate Bill 247 (PA 87-0701):** Amends the Minority and Female Business Enterprise Act to add persons with disabilities as minorities. (Effective September 23, 1991)

**Senate Bill 812 (PA 87-0666):** Amends the employment article of the *Human Rights Act*. Provides an allegation of a civil rights violation due to unlawful discrimination based on sexual harassment may be maintained against a person employing one or more persons. (Effective January 1, 1992)