



ILLINOIS DEPARTMENT OF  
**Human Rights**

2013

ANNUAL REPORT

ILLINOIS DEPARTMENT OF  
Human Rights

TO: MEMBERS OF THE GENERAL ASSEMBLY AND  
ALL FRIENDS OF HUMAN RIGHTS:

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I am proud to present the Fiscal Year 2013 Annual Report of the Illinois Department of Human Rights. On behalf of DHR's hard-working staff members and the numerous individuals who come to our Agency for help, thank you for your continued support and interest.

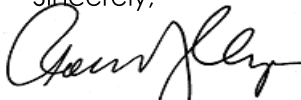
The information contained in this report reflects our Department's work and related data for the period between July 1, 2012 and June 30, 2013. I hope that you will find this material helpful and that it gives you a thorough overview of our day-to-day efforts to fulfill our mission and vision—to secure for all individuals within the State of Illinois freedom from unlawful discrimination.

Overall, while FY2013 continued to be a highly demanding year—demands created by our responsibility to serve the public effectively while holding the line on our operating budget—I believe we accomplished much:

- DHR was a proud partner in the fight for Marriage Equality, strongly supporting Governor Quinn's efforts, which led to the passage and eventual signing of the bill into law this past fall.
- In our quest to ensure fairness in employment, housing, public accommodations, financial credit and to prevent sexual harassment in educational settings, the Department docketed over 3,700 charges of discrimination.
- DHR continued to collaborate with our federal partner for fair housing, the US Department of Housing and Urban Development (HUD). This partnership allowed for the development of a project in which DHR joined with the Lawyers' Committee for Better Housing to produce nine fair housing webinars on housing discrimination and fair housing rights. The webinars are available online and provide a fair housing overview, as well as information specific to fair housing and new immigrants, people with disabilities, the LGBT community, and condominium and cooperative associations. In addition, a media campaign featured informational posters on CTA buses and trains, and fair housing public service announcements on radio stations in selected downstate cities (Bloomington, Carbondale, Decatur, Peoria, and Rockford);
- Our good relationship continued with our other federal partner, the US Equal Employment Opportunity Commission (EEOC) as well. Fulfilling our contractual agreements with both EEOC and HUD not only allows us to receive much-needed federal funding support, alleviating the pressure on state funds, but it also allows our agency to extend our sorely needed outreach and research efforts.
- I am very proud that DHR's Charge Processing Division completed over 3,500 investigations of employment and other types of discrimination during FY2013. Our average productivity for investigators increased by 15 percent over FY2012, and resulted in the highest number of cases completed since FY2008.
- Our Mediation Unit continues to perform at a high success rate, resolving charges before going through a costlier and more complicated investigative process.
- The Department's Institute for Training and Development, with its certified trainers who are subject-matter experts, continues to have extremely high approval ratings from participants in our numerous training offerings.

Again, it is my honor to lead the skilled workers of the Illinois Department of Human Rights and our efforts to serve the people of Illinois. I thank you for your continued support.

Sincerely,

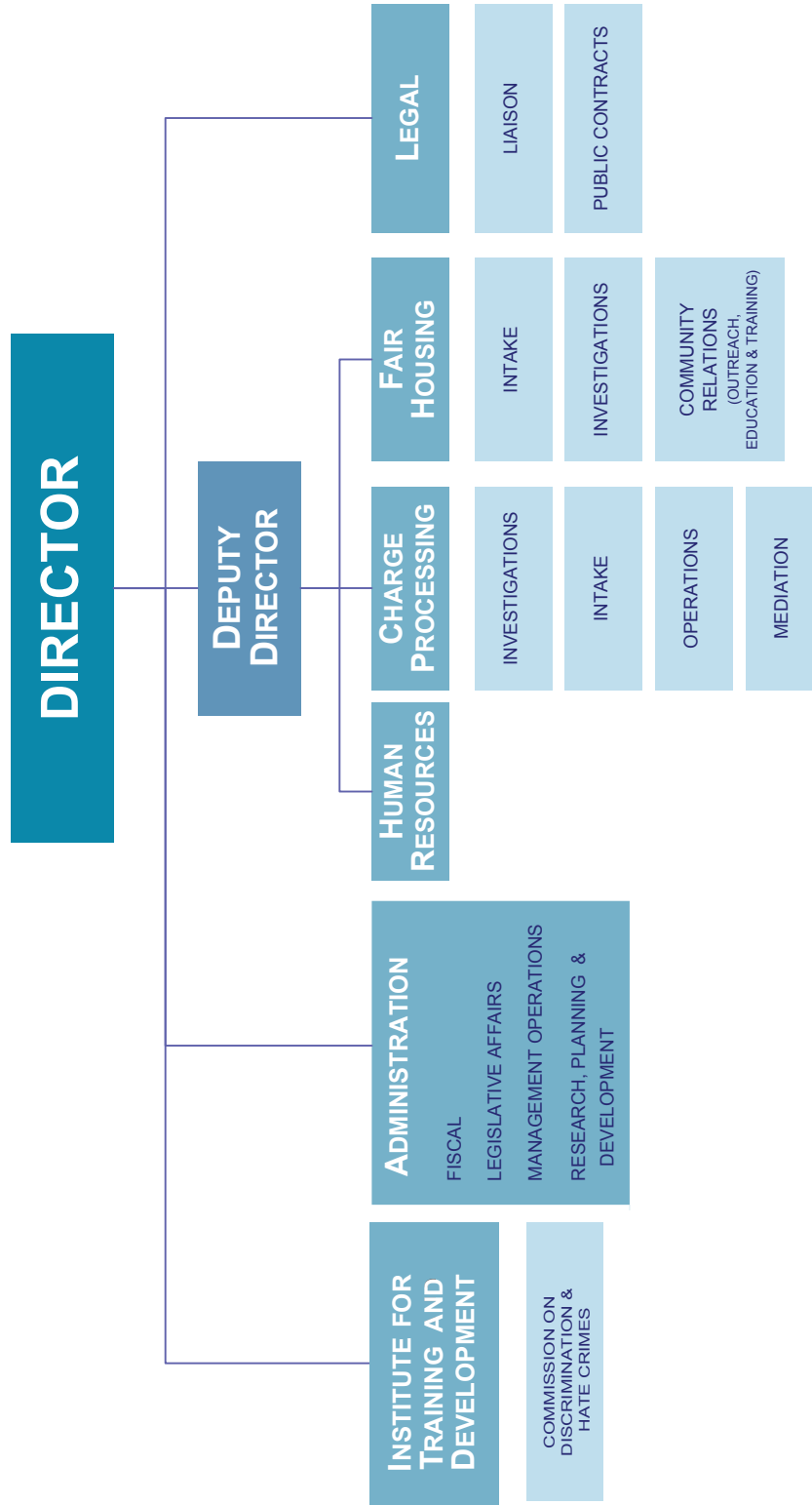


Rocco J. Claps  
Director

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# IDHR TABLE OF ORGANIZATION 2013



## MISSION STATEMENT

- To secure for all individuals within the State of Illinois freedom from unlawful discrimination; and
- To establish and promote equal opportunity and affirmative action as the policy of this state for all its residents.

## VISION STATEMENT

We, the employees of the Illinois Department of Human Rights, believe that everyone has an inalienable right to live free from discrimination of any kind, in every aspect of life. We are dedicated to delivering quality service to the people of Illinois with integrity, honesty and respect.

# ADMINISTRATION

## FISCAL

Funds were appropriated for the Department of Human Rights (“DHR”) in the amount of \$13,645,500 during fiscal year 2013 (“FY13”). General Revenue Funds totaled \$8,952,000, Other State Funds were \$700,000 and Special Projects Funds or federal dollars appropriated were \$3,993,500 in contracts with:

- The U.S. Equal Employment Opportunity Commission (“EEOC”) to investigate dual-filed employment

discrimination charges (\$1,689,450);

- The U. S. Department of Housing and Urban Development (“HUD”) to process dual-filed housing discrimination complaints and conduct special projects (\$1,055,000);

Expenditures for FY13 totaled \$12,336,687, of which \$8,935,276 derived from General Revenue Funds and \$3,043,818 derived from Special Projects Funds and \$ 357,593 derived from Other State Funds.

INCOME AND EXPENDITURE STATEMENT		
FISCAL YEAR 2013		
	Appropriations	Expenditures
Personal Services	9,021,400	8,454,822
Retirement (PU)	0	0
Retirement	854,700	640,871
Social	659,150	624,059
Group Insurance	464,000	323,313
Contractual Services	388,309	381,587
Travel	73,917	73,858
Commodities	18,941	16,836
Printing	14,523	14,476
Equipment	40,316	40,316
Telecommunications	75,000	75,000
Operation Automotive Equipment	2,344	1,384
Commission on Discrimination and Hate Crimes	77,500	77,499
Lump Sums	1,255,400	1,255,073
Other State Funds	700,000	357,593
<b>Total</b>	<b>13,645,500</b>	<b>12,336,687</b>

END OF YEAR HEADCOUNT						
	FY08	FY09	FY10	FY11	FY12	FY13
Administration	11	11	11	11	10	10
Charge Processing	136	136	123	126	119	123
Compliance	11	11	11	11	11	11
<b>Total</b>	<b>158</b>	<b>158</b>	<b>145</b>	<b>148</b>	<b>140</b>	<b>144</b>

## LEGISLATIVE AFFAIRS

The Legislative and Intergovernmental Affairs ("LIA") office's principal responsibility is the research, development, and promotion of the agency's legislation and the establishment of Department positions on legislation presented by the General Assembly and community groups. The LIA office also functions as the liaison between the agency, the General Assembly and its staff, and the Office of the Governor, as well as with other groups and organizations on the application of the Human Rights Act and agency rules and regulations.

The LIA was responsible for the passage and approval of one public act in fiscal year 2013, and was a key player in the passage of another.

**PA 98-0212 (HB 1370)**, an agency initiative, changed references to "the Basic Pilot Program" to "the E-Verify Program" in order to conform to changes made by federal Public Law 111-83, Title V, Sec. 551. It became effective August 9, 2013.

**PA 98-0597 (SB 10)**, created the Religious Freedom and Marriage Fairness Act, allowing same-sex couples to marry in Illinois. The new law grants same-sex couples in Illinois the same legal rights and protections that were heretofore reserved for hetero couples.

## MANAGEMENT OPERATIONS

Management Operations is responsible for all general office services for the Department of Human Rights ("DHR"), ensuring that DHR employees are provided the necessary tools to effectively and efficiently perform their respective tasks.

The function of Management Operations includes Information Systems, Telecommunications Services, Operational Planning and Office Management. In addition to serving the Department's employees, Management Operations' staff assisted approximately 13,085 visitors in the Chicago and Springfield Offices in fiscal year 2013.

# LEGAL DIVISION

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The Legal Division oversees the investigative work of the Department, manages the Liaison Unit and the Public Contracts Unit, and oversees the Department's ethics program. The Legal Division reviews substantial evidence determinations; conciliates cases; drafts complaints and files them with the Human Rights Commission ("Commission"), if no settlement is reached; hears and determines Request for Review cases filed with the Department's Chief Legal Counsel; responds to Requests for Review filed with the Commission; litigates fair housing cases before the Commission; responds to Freedom of Information Act requests and subpoenas issued by the Commission, Illinois Circuit Court, and Federal District Court; litigates other issues; enforces the equal employment opportunity and affirmative action programs under the Illinois Human Rights Act ("Act") and Department Rules and Regulations; and enforces provisions under the Act and Department Rules and Regulations as to public contractors and eligible bidders.

## **Substantial Evidence Reviews**

During FY13, the Division conducted 328 substantial evidence reviews.

## **Complaints**

During FY13, the Division filed 112 complaints with the Commission.

## **Freedom of Information Act Requests**

During FY13, the Division responded to 99 Freedom of Information Act requests.

## **Requests for Review**

The Department's Chief Legal Counsel continued to hear and decide Requests for Review as mandated by the Act, as amended.

During FY13, the Division completed 6 Request for Review cases.

The Division also filed 457 Responses to Requests for Review filed with the Commission.

## **Direct Appeals**

The amended Act provides that the Chief Legal Counsel's final decision on a Request for Review may be appealed to the Illinois Appellate Court. Since January 1, 1996, 452 appeals of Chief Legal Counsel decisions have been filed. Of these, 446 have been disposed, either by court decision or withdrawal by the petitioner/appellant. About 96% of the Chief Legal Counsel decisions have been sustained by the Appellate Court. During FY13, the Division received 2 direct appeals.

## **LIAISON UNIT**

### **Functions**

The State Agency Liaison Unit ("Liaison Unit") administers and enforces the equal employment opportunity/affirmative action provisions of the Act and Department Rules and Regulations and provides technical assistance and training on the disability program.

The Liaison Unit ensures compliance by state executive departments, state agencies, boards, commissions, and instrumentalities (collectively, "state entities"). All state entities are required



to submit affirmative action plans, quarterly reports, and layoff reports to the Department. The Liaison Unit reviews the reports for conformance with the Act and Department Rules and Regulations. Additionally, the Liaison Unit monitors each state entity to assure compliance with goals established in the state entity's affirmative action plan. It provides ongoing technical assistance and training to Equal Employment Opportunity/Affirmative Action ("EEO/AA") Officers of state entities on the requirements of the Act and Department Rules and Regulations.

In accordance with the disability provisions of the Act, the Liaison Unit provides technical assistance on disability issues to state entities, members of the public, employers, housing providers, and organizations serving people with disabilities. A member of the Liaison Unit serves as the Department's Americans with Disabilities Act ("ADA") Coordinator for programs/services and represents the Department Director in the Director's capacity as co-chair of the Interagency Committee on Employees with Disabilities ("ICED").

#### Unit Activities

- Provided individual training session for new EEO/AA Officers regarding development of effective affirmative action programs.
- Met with EEO/AA Officers regarding their agencies' affirmative action performance in meeting the minimum compliance criteria.
- Provided to all agency EEO/AA Officers information on the titles and counties for which candidates appeared on a successful disability opportunity list and encouraged the agencies to use the list to address disability underutilization.
- Provided to agency EEO/AA Officers job fair announcements and job vacancy notices from State agencies to assist in recruitment efforts.
- Provided to all agency EEO/AA Officers information on the U. S. Department of Labor publication on the Family Medical Leave Act ("FMLA"); Amendments to the FMLA regarding military leave; Information on requesting medical documentation in ensuring compliance with the ADA and Genetic Information Nondiscrimination Act ("GINA").
- Provided to all EEO/AA Officers information on Asian American State Employment Awareness.
- Provided to all agency EEO/AA Officers and ADA Coordinators updates on ADA distance learning sessions and legal and legislative developments; and job fair information for people with disabilities for purposes of professional development of the EEO/AA Officers and recruitment of affirmative action groups.
- Coordinated the FY13 online disability survey of state employees through disseminating survey materials to agencies, monitoring survey participation, and encouraging agency follow-up with employees who failed to participate.
- Participated in the DHS disability hiring initiative meeting, and the CMS disability hiring initiatives committee.
- Met with a representative from the Department of Commerce &

Economic Opportunity regarding the labor force availability from the U. S. Census Bureau American Community Survey for updating the availability analysis and disability data for agencies' affirmative action plans.

- Revised the Technical Assistance Guide for the Development of Affirmative Action Plans and Quarterly Reports.
- Added the 2010 census for the State population for African Americans, Asians, and Hispanics to the website.
- Conducted an analysis of executive state agencies' underutilization for each of the affirmative action groups.
- Responded to 836 technical assistance inquiries of state entities.
- Approved affirmative action plans submitted by 66 agencies. In FY13, 63 agencies (95%) met the Department of Human Rights' standard for affirmative action performance. There were 3 agencies (5%) that did not meet the Department's standard and must establish or continue training with the Department of Central Management Services in accordance with Section 7-105 (H) of the Human Rights Act. The two agencies that had to establish training: Gaming Board and Department of Natural Resources. One agency had to continue training: State Police.
- Granted extensions for submitting the FY13 affirmative action plan to: Historic Preservation Agency, Department of Human Rights, State Police, Toll Highway Authority, and Department of Transportation.
- Issued late notice in regards to its FY13 affirmative action plan to: Historic Preservation Agency.
- Approved layoff reports during FY13 for: Department of Agriculture, Department of Central Management Services, Department of Children & Family Services, Department of Commerce & Economic Opportunity, Department of Corrections, Department of Employment Security, Department of Financial & Professional Regulation, Department of Human Services, Department of Juvenile Justice, Department of Military Affairs, and Treasurer's Office.
- Granted an extension for submitting the quarterly report to: Capital Development Board and Illinois State Police.
- Issued a late notice for failure to submit a quarterly report to: Historic Preservation Agency and Law Enforcement Training & Standards Board.
- The unit notified the following agencies that they should have ADA grievance procedures as required by Federal law. These agencies were notified that in the Joint Committee on Administrative Rules ("JCAR") annual report it was listed that they do not have this procedure: Governor's Office of Management and Budget, Department of Healthcare & Family Services, and Historic Preservation Agency.
- In FY13, the Disability Coordinator represented the Department as Co-Chair of the State Interagency Committee on Employees with Disabilities ("Committee"). The Committee addresses the concerns

of over 3,300 people with disabilities who work in state government. The Committee maintains a website, [www.state.il.us/iced](http://www.state.il.us/iced), which contains information about state programs for employees with disabilities, Committee activities, and developments in state/federal civil rights laws and issued a newsletter on accessible parking issues. In FY13, the Committee continued its Internship Program for College Students with Disabilities. During the year, the Committee held an Awards Ceremony to honor individuals and organizations that have contributed to improved access and opportunity for people with disabilities. The award winners were Representative Gregory Harris, who received the Carl Suter Award for the Legislator of the Year; Richard Jonathas, Department of Human Services, as the Employee of the Year; Illinois Tollway as the State Agency of the Year; Wanda Bethel Satkas as the Advocate of the Year; and Schnucks Montvale Store in Springfield as the Business of the Year. The Committee also presented a webinar on state employment programs for applicants with disabilities.

- o In FY13, the Disability Coordinator worked to ensure the Department's compliance with the ADA, by arranging for accommodations for clients with disabilities, and educating staff about reasonable accommodation issues. In addition, the Disability Coordinator advised people with disabilities, state agency staff, and Departmental staff about disability issues on 136 occasions during the year.

## PUBLIC CONTRACTS UNIT

### Functions

The Public Contracts Unit ("PCU") enforces provisions of the Human Rights Act and the Department's Rules and Regulations, which require public contractors and eligible bidders to refrain from unlawful discrimination, undertake affirmative action in employment, and develop a written sexual harassment policy.

The PCU registers entities seeking to establish eligibility status for competitively bidding on state contracts. The PCU provides technical assistance and training on how to develop equal opportunity policies and procedures. Additionally, the PCU reviews entities' affirmative action plans to ensure compliance with established equal employment opportunity laws and guidelines. The PCU conducts audits to examine policies, procedures, and efforts expended by the contractor toward meeting its EEO/AA obligations.

In accordance with Department Rule, 44 Ill. Code, Section 750.140, the PCU reviews relevant information, reports, facilities, and personnel practices to determine compliance with the Act. In accordance with Department Rule, 44 Ill. Code, Section 750.210, prospective bidders are required to submit a properly completed and signed Employer Report Form ("PC-1") prior to bid opening.

### Major FY13 PCU Actions

- o Registered potential public contractors and eligible bidders seeking to establish state bidder status through the Department's Public Contracts Program.

- o Received 2,331 Employer Report Forms submitted by potential bidders, public contractors and eligible bidders seeking to establish state eligibility status in order to competitively bid on state contracts.
- o Processed 2,125 Employer Report Forms received from initial registrants applying for an IDHR number and eligible bidders renewing their existing state status.
- o Responded to 1,532 inquiries from government and non-government contracting entities, eligible bidders reinstating their eligibility status, potential bidders applying for a new IDHR number, and other interested parties. Additionally, addressed EEO/AA questions relating to requirements for sexual harassment policies, contractor's EEO/AA obligations, audit questions, the PCU registration process, internal procedures for monitoring a workforce, as well as filled numerous requests for how to obtain an Employer Report Form ("PC-1").
- o Granted six (6) registration waiver requests from Central Management Services (CMS) and zero (0) exemptions for companies located wholly outside the United States. These requests were granted in the interest of the State of Illinois.
- o Implemented an electronic data entry system for the weekly and monthly processing of bidder registrations for vendors seeking a first-time public contracts number or a renewal of an existing public contracts number.
- o Number of registered bidders as of June 30, 2013: 16,113.

### 2012 and 2013 Desk Audit

Developed, coordinated and implemented the Department's Desk Audit Procedure. Desk audits allow for examination of employers' procedures, rules, forms, policies, practices, and efforts expanded by employers regarding their commitment and obligation to refrain from unlawful discriminatory practices.

Audit selection is a systematic process by which entities are randomly selected statewide.

Below are the statistics for the pending 2012 and 2013 Desk Audits:

#### *Calendar Year 2012 Audit Results:*

Total entities selected for audit	169
Total entities notified of selection	169
Audit Results:	
Compliant	70
Non-compliant	23
Closed entities	5
Revoked or Ineligible	13
Audits pending completion	13
TOTAL	169

#### *Calendar Year 2013 Audit Results:*

Total entities selected for audit	182
Total entities notified of selection	182
Audit Results:	
Compliant	0
Non-compliant	3
Closed entities	4
Revoked or ineligible	5
Audits pending completion	170
TOTAL	182



# CHARGE PROCESSING DIVISION

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The Human Rights Act ("Act") prohibits discrimination in Illinois with respect to employment, financial credit, public accommodations and real estate transactions. Within those areas, the Act protects the bases of race, color, religion, sex (including sexual harassment), national origin, ancestry, military status, age (40 and over), order of protection status, marital status, sexual orientation (which includes gender-related identity), unfavorable military discharge and physical and mental disability. The Act also prohibits sexual harassment in education, discrimination because of language, pregnancy, citizenship status and arrest record in employment, and discrimination based on familial status in real estate transactions. The Act further prohibits retaliation against a person who filed a charge of unlawful discrimination, opposed discrimination, or participated in an investigation or other proceeding under the Act.

A prospective complainant may file a charge of discrimination with the Department of Human Rights ("DHR") within 180 days (one year for real estate transactions) of the occurrence of an alleged civil rights violation.<sup>1</sup> Since January 1, 1996, when Public Act 89-370 (also known as House Bill 741) became effective, the DHR has 365 days from the date a perfected charge of discrimination is filed to investigate and determine whether or not substantial evidence of discrimination exists. The parties to a charge may mutually agree to extend the time for investigation.

Since 1994, parties to a charge have had the opportunity to participate in voluntary mediation of their charges in Chicago before they are assigned for investigation. DHR mediators schedule mediation

conferences and meet with the parties to facilitate communication towards a possible resolution of the charge. DHR investigators investigate and attempt to amicably resolve those charges over which the DHR has jurisdiction.

For charges filed after February 2, 2010, where the DHR's investigation finds substantial evidence of discrimination, Complainant has the option of:

1. requesting within 30 days the DHR's Legal Division to file a complaint on Complainant's behalf with the Human Rights Commission ("HRC"), a separate adjudicatory agency,
2. filing a complaint with HRC within 90 days, or
3. commencing within 90 days a civil action in a state circuit court of appropriate venue.

Alternatively, if the DHR finds a lack of substantial evidence of discrimination, the charge is dismissed and the Complainant has 90 days to either:

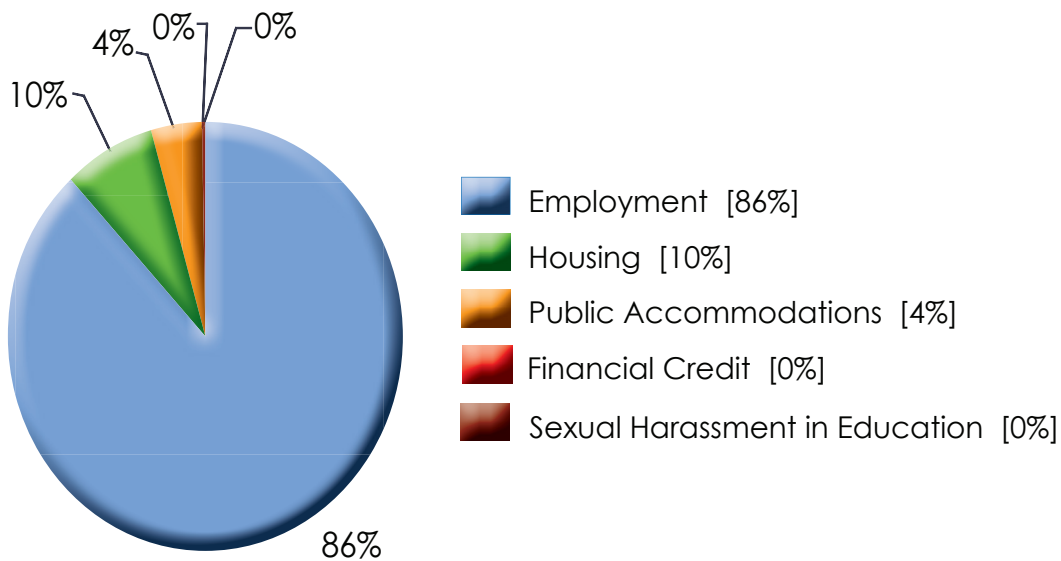
1. file a Request for Review (appeal) of that dismissal with the HRC, or
2. commence a civil action in a state circuit court of appropriate venue.

The following pages offer a graphic summary of the activities of the Charge Processing Division during FY13.

<sup>1</sup> See *Fair Housing Division pages for procedures relating to cases involving real estate transactions.*

CHARGES DOCKETED BY JURISDICTION	
FISCAL YEAR 2013	
Employment	3236
Housing	369
Public Accommodations	145
Financial Credit	5
Sexual Harassment in Education	4
<b>TOTAL</b>	<b>3,759</b>

CHARGES DOCKETED BY JURISDICTION  
FISCAL YEAR 2013



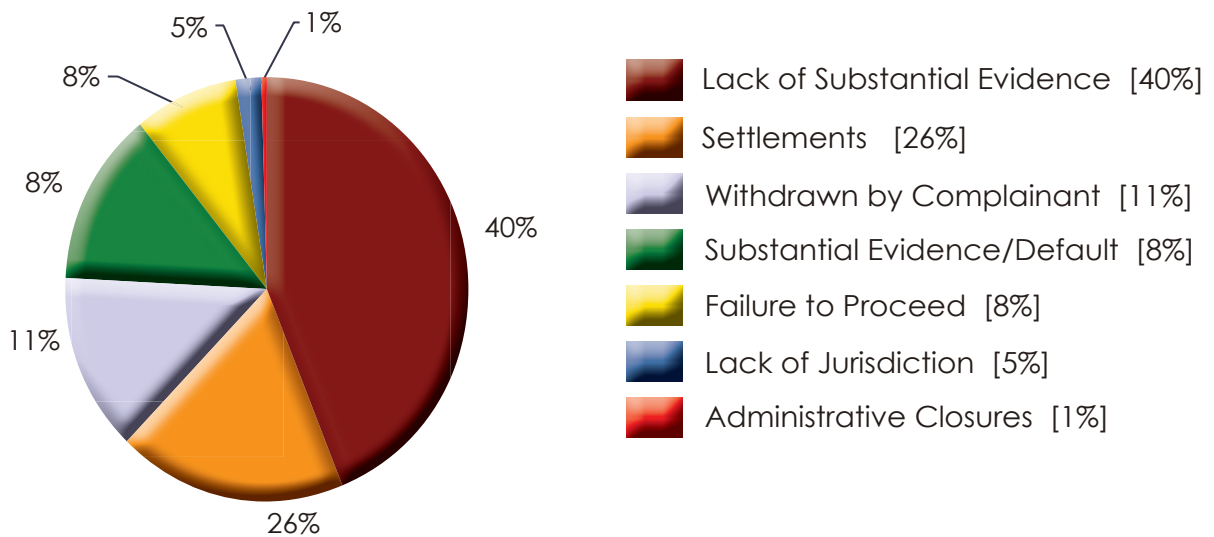
<b>DISPOSITION OF COMPLETED INVESTIGATIONS*</b>	
FISCAL YEAR 2013	
Inquiries Received	10,760
Charges Filed	3,390
Completed Investigations	3,529
<b>COMPLETED INVESTIGATIONS</b>	
Lack of Substantial Evidence	1,420
Settlements	927
Withdrawn by Complainant	388
Substantial Evidence/Default	287
Failure to Proceed	280
Lack of Jurisdiction	176
Administrative Closures	51
<b><u>Completed Investigations</u></b>	<b><u>3,529</u></b>

\*Non-Housing Cases Only (see housing section for info on housing cases).

### DISPOSITION OF COMPLETED INVESTIGATIONS

FISCAL YEAR 2013

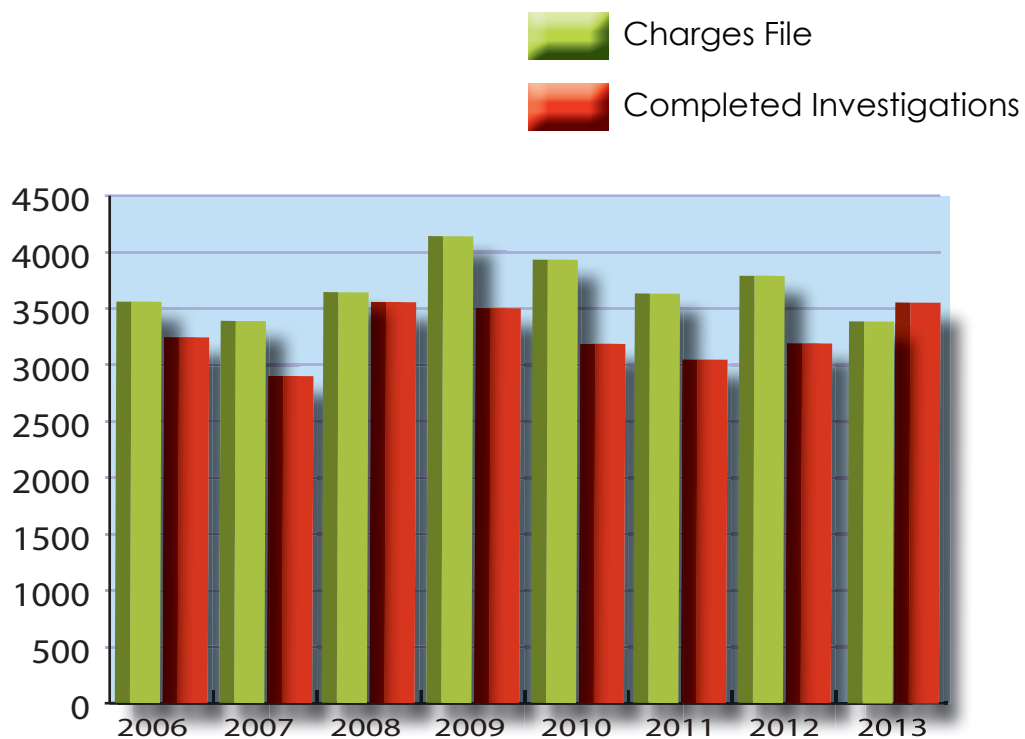
(Excluding Housing)





<b>CHARGES FILED AND COMPLETED INVESTIGATIONS</b>								
Fiscal Year 2013 <i>(Excluding Housing Cases)</i>								
	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Charges Filed	3555	3385	3640	4136	3927	3628	3784	3390
Completed Investigations	3240	2897	3552	3498	3182	3043	3186	3529

**CHARGES FILED AND COMPLETED INVESTIGATIONS**  
FISCAL YEAR 2013

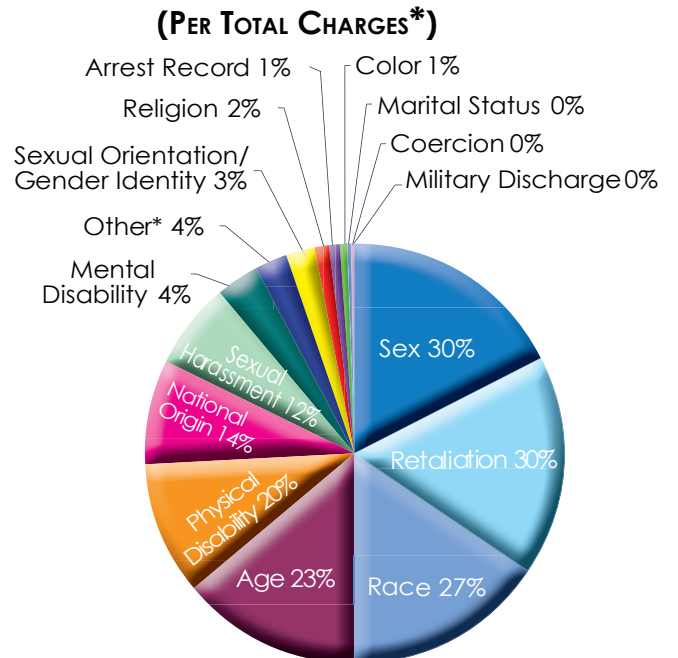
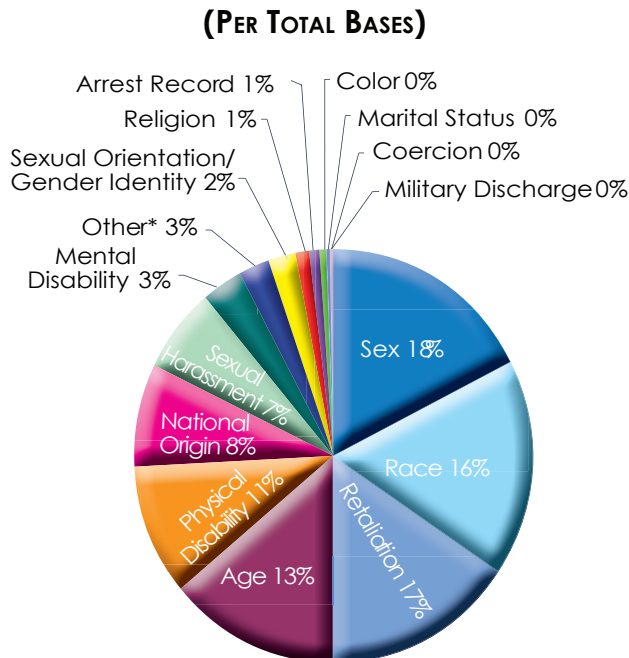


EMPLOYMENT CHARGES BY BASIS	
FISCAL YEAR 2013	
BASIS OF DISCRIMINATION	
Sex	1017
Retaliation	1008
Race	906
Age	775
Physical Disability	662
National Origin	467
Sexual Harassment	410
Other*	151
Mental Disability	146
Sexual Orientation/Gender Identity	98
Religion	73
Arrest Record	44
Color	17
Marital Status	12
Military Discharge	7
Coercion	5
<b>Total</b>	<b>5,798</b>

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

### EMPLOYMENT CHARGES BY BASIS

FISCAL YEAR 2013

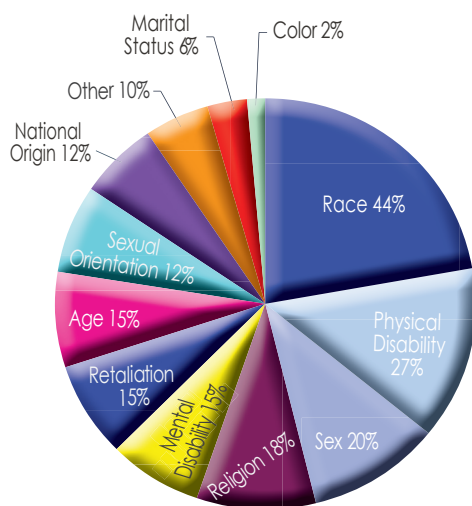


\*Percent of total charges filed is greater than 100% because charges can be filed on more than one basis.

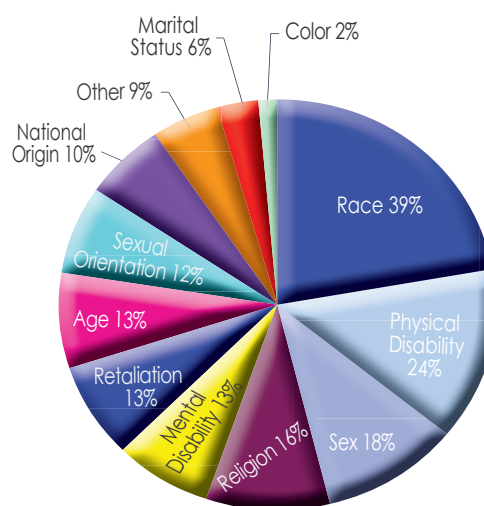
PUBLIC ACCOMMODATIONS CHARGES BY BASIS	
FISCAL YEAR 2013	
Race	57
Physical Disability	35
Sex	26
Religion	23
Mental Disability	19
Retaliation	19
Age	19
Sexual Orientation/Gender Identity	18
National Origin	15
Other	13
Marital Status	8
Color	3
<b>Total Bases</b>	<b>255</b>
<b>Total Charges Filed</b>	<b>145</b>

**PUBLIC ACCOMMODATIONS CHARGES BY BASIS**  
FISCAL YEAR 2013

**(PER TOTAL BASES)**



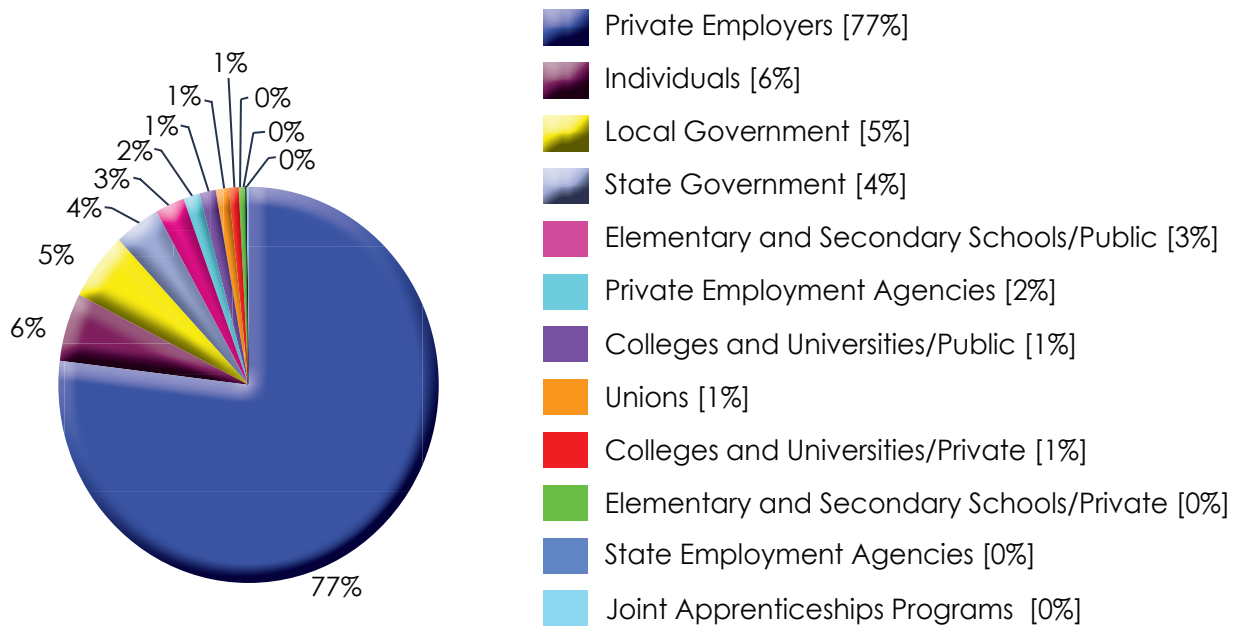
**(PER TOTAL CHARGES\*)**



\*Percent of total charges filed is greater than 100% because charges can be filed on more than one basis.

EMPLOYMENT CHARGES BY RESPONDENT TYPE	
FISCAL YEAR 2013	
Private Employers	2496
Individuals	182
Local Government	175
State Government	123
Elementary and Secondary Schools/Public	84
Private Employment Agencies	49
Colleges and Universities/Public	42
Unions	35
Colleges and Universities/Private	30
Elementary and Secondary Schools/Private	15
State Employment Agencies	4
Joint Apprenticeship Programs	1
<b>TOTALS</b>	<b>3236</b>

**EMPLOYMENT CHARGES BY RESPONDENT TYPE**  
FISCAL YEAR 2013



<b>EMPLOYMENT DISCRIMINATION</b>						
<b>ISSUES ALLEGED AS ACTS OF DISCRIMINATION*</b>						
<b>FISCAL YEARS 2008 - 2013</b>						
<b>ISSUE</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
DISCHARGE	1756	2049	1898	1698	1907	1635
HARASSMENT	836	922	723	568	580	516
TERMS AND CONDITIONS	197	238	289	279	319	289
SUSPENSION	216	207	241	219	216	251
WRITTEN REPRIMAND	186	157	204	209	202	195
HIRING	171	172	169	150	160	151
FAILURE TO ACCOMMODATE	114	129	135	96	120	150
PROMOTION	110	159	120	98	110	103
OTHERS	110	117	455	77	133	96
UNEQUAL JOB ASSIGNMENTS	23	32	14	24	63	73
LAYOFF	96	136	117	85	72	72
DEMOTION	71	67	84	65	57	61
RACIAL HARASSMENT	41	42	30	25	32	50
REDUCTION IN HOURS	29	61	52	47	46	50
UNEQUAL PAY	68	69	47	39	39	46
WAGES	46	58	42	42	48	46
UNION REPRESENTATION	28	37	25	27	33	38
PERFORMANCE EVALUATION	27	21	33	34	34	38
TRANSFER	39	38	28	14	22	36
CONSTRUCTIVE DISCHARGE	40	26	27	25	31	34
ORAL REPRIMAND	28	35	56	34	38	31
FAILURE TO RETURN/MEDICAL LEAVE	20	27	26	23	23	19
TENURE	8	24	25	12	17	18
TRAINING/APPRENTICESHIP	7	15	20	13	11	18
RECALL	8	16	15	11	6	12
BENEFITS	19	17	18	16	5	11
POSITION ELIMINATION	27	14	12	17	7	9
PROBATION	12	19	17	10	13	8
OVERTIME	1	9	4	5	7	7
FORCED MEDICAL LEAVE	9	10	7	10	5	6
FAILURE TO REASSIGN	8	3	10	3	4	6
REFERRAL	8	0	2	7	10	6
EMPLOYMENT REFERENCE	3	9	6	4	6	6
FORCED RESIGNATION	15	12	10	8	7	5
FORCED RETIREMENT	3	2	7	6	0	4
INTIMIDATION/REPRISAL	1	0	3	1	8	4
EXCLUSION	0	0	1	2	2	4
SEVERANCE PAY	16	10	1	5	3	3
JOB CLASSIFICATION	2	0	1	1	1	3
AIDING AND ABETTING	1	5	0	1	0	2
VACATION	1	1	3	2	0	2
SENIORITY	0	0	1	0	0	1
QUALIFICATION/TESTING	0	0	0	0	0	1
ADVERTISING	0	0	0	0	0	1
DRUG TESTING	0	0	0	2	0	0
<b>TOTALS</b>	<b>4401</b>	<b>4965</b>	<b>4978</b>	<b>4014</b>	<b>4397</b>	<b>4117</b>

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

**TYPE OF DISCRIMINATION BY COUNTY**  
FISCAL YEAR 2013

COUNTY	HOUSING	FINANCIAL CREDIT	PUBLIC ACCOMMODATIONS	SEXUAL HARASSMENT IN EDUCATION	EMPLOYMENT	TOTAL
ADAMS	1				10	11
ALEXANDER					1	1
BOND					2	2
BOONE	1				6	7
BROWN					4	4
BUREAU						0
CALHOUN						0
CARROLL						0
CASS					2	2
CHAMPAIGN	5		1	2	38	46
CHRISTIAN					7	7
CLAY						0
CLARK						0
CLINTON	2				2	4
COLES	2				3	5
COOK	213	4	97	2	1972	2288
CRAWFORD					2	2
CUMBERLAND						0
DEKALB	5				9	14
DEWITT					3	3
DOUGLAS	2				4	6
DUPAGE	25		17		263	305
EDGAR					1	1
EDWARDS						0
EFFINGHAM	8				3	11
FAYETTE					1	1
FORD					3	3
FRANKLIN					3	3
FULTON						0
GALLATIN						0
GREENE					1	1
GRUNDY					6	6
HAMILTON						0
HANCOCK	1				2	3
HARDIN						0
HENRY	1		1		5	7
IROQUOIS	1					1
JACKSON	1				11	12
JASPER						0
JEFFERSON					8	8
JERSEY	1				1	2
JO DAVIESS					2	2
JOHNSON					1	1
KANE	6		2		67	75
KANKAKEE	2				9	11
KENDALL	2				12	14
KNOX					9	9
LAKE	16		6		114	136
LA SALLE	2				14	16
LAWRENCE					1	1
LEE	5				8	13

TYPE OF DISCRIMINATION BY COUNTY						
FISCAL YEAR 2013						
COUNTY	HOUSING	FINANCIAL CREDIT	PUBLIC ACCOMMODATIONS	SEXUAL HARASSMENT IN EDUCATION	EMPLOYMENT	TOTAL
LIVINGSTON		1			2	3
LOGAN			1		11	12
MCDONOUGH	7		1		10	18
McHENRY	4				21	25
McLEAN	3		1		32	36
MACON	2		4		39	45
MACOUPIN					4	4
MADISON	4		2		44	50
MARION	1				3	4
MARSHALL	2					2
MASON						0
MASSAC						0
MENARD					1	1
MERCER	1				1	2
MONROE					1	1
MONTGOMERY					6	6
MORGAN	1				4	5
MOULTRIE						0
OGLE						0
PEORIA	4		2		65	71
PERRY			1		2	3
PIATT						0
PIKE					1	1
POPE					3	3
PULASKI						0
PUTNAM						0
RANDOLPH						0
RICHLAND					1	1
ROCK ISLAND	4		2		23	29
St. CLAIR	5		1		37	43
SALINE	1				4	5
SANGAMON	7		4		134	145
SCHUYLER					1	1
SCOTT						0
SHELBY						0
STARK						0
STEPHENSON					4	4
TAZEWELL					10	10
UNION						0
VERMILION	2				9	11
WABASH						0
WARREN					1	1
WASHINGTON					1	1
WAYNE					3	3
WHITE						0
WHITESIDE	1				2	3
WILL	11		1		97	109
WILLIAMSON	1				6	7
WINNEBAGO	6		1		39	46
WOODFORD					4	4
<b>TOTAL CHARGES</b>	<b>369</b>	<b>5</b>	<b>145</b>	<b>4</b>	<b>3236</b>	<b>3759</b>





## MEDIATION PROGRAM

DHR's Mediation Program offers parties the opportunity to negotiate a settlement of the charges rather than go through a full, time-consuming investigation. This innovative and nationally-recognized program came about as a result of collaboration between the Department and its stakeholders. It is free of cost to the parties.

Since its inception as a pilot program in July 1994, mediation has afforded the parties to employment discrimination charges the opportunity to settle cases prior to an investigation. The parties meet with a DHR Human Rights Mediator in a confidential, nonconfrontational atmosphere to discuss settlement options. The mediator helps facilitate

communication between the parties as they explore terms of settlement to resolve the charge and eliminate the need for an investigation. Mediation does not affect the investigation if there is no settlement. If the parties fail to reach a resolution, the case is investigated.

The mediators facilitate communication and help ensure that both parties are satisfied with the resolution. Mediation has diverted a significant number of charges from the traditional investigation process, and participants have indicated they are very satisfied with all aspects of mediation.

In FY13, the Mediation Unit held 172 conferences, and obtained a total known monetary recovery for charging parties of \$1,453,232.

MEDIATION UNIT ACTIVITY			
FISCAL YEAR 2013			
Mediation Conferences and Resolutions	FY11	FY12	FY13
Number of Mediation Conferences Held	206	239	172
Number of Conferences with Resolutions	154	174	131
Percent of Conferences with Resolutions	75%	73%	76%
Number of Additional Cases Resolved at Same Conference	36	56	77
Total Number of Cases Resolved Via Mediation	190	178	208
Total Number of Cases Completed*	3043	3186	3390
Percent of Completed Cases Resolved Via Mediation	6.2%	5.6%	6.1%
Known Monetary Amounts (frequently kept confidential)	<b><u>\$1,415,127</u></b>	<b><u>\$1,550,047</u></b>	<b><u>\$1,453,232</u></b>

\*excluding housing cases

# FAIR HOUSING DIVISION

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## OUTREACH ACTIVITIES

During FY13, DHR staff participated in 181 outreach events, and distributed over 18,000 pieces of information to over 11,000 people. The following are highlights of the year's outreach activities.

### Highlights of DHR's Outreach Efforts

- DHR continued to promote DHR programs, events, and human and civil rights activities via the FaceBook page, launched in January 2012.
- Director Claps appeared on the web-TV show "Real Estate with Gina Lake", an Internet show devoted to housing issues (July 14 and October 27, 2012).
- DHR's Chief of Legislative and Intergovernmental Affairs personally visited the district offices of each of the 177 Illinois state legislators in July/August 2012, and then in March/April 2013, visited the 32 freshman legislators, meeting with legislative staffs to explain DHR's programs and distributing informational material.
- DHR's Deputy Director participated in the International Association of Official Human Rights Agencies National Conference in New Orleans (August 2012).
- DHR participated in the Mexican Consulate's Labor Rights Week events in Chicago and suburbs to promote awareness of civil rights laws to Mexican immigrants (August 27-31, 2012).
- DHR staff participated in the Annual Illinois Latino Legislative Caucus Foundation Conference (November 26, 2012).
- The Governor's Office of New Americans (GONA)'s Final Report on Immigration Integration included a presentation by Director Claps in Melrose Park (April 2, 2013).
- DHR and Director Claps participated in Equal Pay Day on April 9, 2013, which was co-sponsored by numerous civil rights organizations.
- DHR collaborated with the Illinois Municipal Human Relations Association on its 2013 Annual Conference held May 2, 2013 in Springfield. The conference, entitled Immigration and Discrimination: Issues and Opportunities, invited municipalities, commissioners, social service organizations, and concerned citizens to learn more about the challenges immigrants to Illinois face in employment and in housing. Expert panelists included Amalia Rioja, Deputy Chief of Staff to Governor Pat Quinn; DHR staff and others.
- DHR's Fair Housing Month Event in Springfield held on May 8, 2013 was a Fair Housing Advocates Breakfast sponsored by State Representatives Lisa Hernandez (D-24) and Sam Yingling (D-62) in Springfield. The agenda included a feature presentation, "Constructing Your Message Effectively", by Gabriel Lopez, Legislative Advocate and Communications Expert. In addition, Dennis Rios, Ayuda Legal Illinois, conducted a presentation on Illinois Legal Aid Online and its Spanish/English online legal resource tool for Illinois residents. The event provided recognition for the Governor's Proclamation of April as Fair Housing Month, and the other Illinois municipalities that also issued fair housing month proclamations.
- DHR helped to coordinate the Annual Awards ceremony for the Interagency Committee on Employees with Disabilities (ICED) in Springfield (May 22, 2013);
- In celebration of Gay Pride Month,

Director Claps, staff and friends walked on June 30, 2013 in Chicago's Annual Gay Pride Parade, carrying a colorful DHR banner and handing out cards on DHR's major programs and contacts.

- o DHR participated in the 5th Annual Juneteenth Celebration event held on June 19, 2013 in the James R. Thompson Center in Chicago.
- o DHR collaborated with the Illinois Municipal Human Relations Association on its 2013 Annual Conference held May 2, 2013 in Springfield, on the topic of immigration and discrimination. Among the several expert panelists participating was Amalia Rioja, Deputy Chief of Staff to Governor Pat Quinn.
- o DHR co-sponsored the HUD Region V Training Conference at John Marshall Law School on May 21-22, 2013.

#### **Highlights of DHR's General Outreach and Community Relations Efforts**

DHR's community relations staff worked to help distribute information about DHR's programs to communities in Illinois, especially to targeted groups who may particularly need DHR's services, including persons of color (African Americans, Latinos and Asian Americans), women, persons with disabilities, veterans, and low income persons. To accomplish this goal, the staff networked with numerous community, municipal, and governmental organizations, and conducts outreach at various events.

The staff also cooperated in statewide outreach efforts, including working with the Illinois Department of Central Management Services to recruit a diverse group of applicants for State of Illinois positions, especially underrepresented minorities, veterans, and persons with disabilities, via attendance at

job fairs in conjunction with CMS, the Illinois Treasurer's office, and various universities.

DHR conducted general outreach about DHR's programs in conjunction with the following events or organizations:

#### 1st Quarter FY13:

Access Chicago  
ADA Celebration in Springfield  
Deaf Awareness Day  
DHS Office of Civil Rights Roundtable  
Humboldt Park Community Outreach Initiative  
Mexican Consulate's Labor Rights Week  
Peace Day Celebration in Chicago's Daley Plaza  
Rainbow PUSH's Annual Conference  
Rantoul Harvest Festival  
State Legislators' District Offices

#### 2nd Quarter FY13:

3rd District State Representative Luis Arroyo Job Fair  
Central States SER  
DHS Disabilities Fair  
IDES Veteran Job Fair  
Illinois Hispanic Chamber of Commerce  
Illinois Latino Legislative Caucus Foundation Conference  
Latina Behavioral Health Conference  
Maria Mangual Latina Leadership Conference  
Truman College Community Career and Resource Expo

#### 3rd Quarter FY13:

Congressman Lipinski Senior Fair Illinois State Bar Association  
Illinois Association of Agencies and Community Organizations for Migrant Advocacy (IAACOMA) Annual Conference  
Illinois State Bar Association

#### 4th Quarter FY13

Governor's Office of New Americans Final Report on Immigration Integration  
Illinois Municipal Human Relations Association Annual Conference

#### **Highlights of DHR's Fair Housing Outreach Efforts:**

#### 1st Quarter FY13 (July – September 2012):

Chinese American Service League  
Help for Homeowners Mortgage Resource  
Housing Action Illinois Annual Caravan  
Housing Authority of Cook County  
Housing Opportunities for Women  
Joliet Landlord Association  
Rainbow House

2nd Quarter FY13 (October – December 2012):  
25th Annual Hispanic State Employees Conference  
Center on Halsted  
City of Danville  
East Lake Management Company  
Erie Neighborhood House  
Housing Authority of Cook County  
Village of Niles

3rd Quarter FY13 (January – March 2013):  
Coalition of Citizens with Disabilities in Illinois  
New American Immigrant Webinar Pilot Presentation  
Disability Webinar Pilot Presentations  
Heartland Alliance Healthcare Group  
Housing Authority of Cook County (Des Plaines and Oak Forest)  
Property Owner Dialogue and Education Roundtable (PODER)  
Mount Prospect Landlord Expo  
Radio Interview with Univision Radio 106.7 and 95.5FM

4th Quarter FY13 (April – June 2013):  
Community Action Partnership of Lake County  
Resource Fair  
Housing Authority of Cook County Landlord Training (South Holland, Des Plaines)  
John Marshall Law School Career Fair for Fair Housing Interns  
Lake County Property Investors Association  
Latino Book and Family Festival  
Latino Policy Forum Fair Housing Advocate Training  
Make Housing Fair Event (PSLS Fair Housing Program of Lake County)  
Consulate General of Mexico Fair Housing Month Presentations  
My Wellness/Community Fair  
Peoria Housing Authority  
South Side Office of Concern (Peoria)  
State Representative Lisa Hernandez Landlord Tenant Training  
United African Organization  
Women's Council of Realtors

In order to further coordinate fair housing activities, DHR is a member of several organizations:

- Through its affiliation with the Chicago Area Fair Housing Alliance ("CAFHA"), DHR networks with private fair housing organizations, municipalities, and other organizations to advance fair housing issues in the Chicago area.
- DHR is a member of the Illinois Housing

Task Force on Affordable Housing, which coordinates strategies to meet the goals and objectives identified to increase affordable housing for Illinois residents.

- DHR networks with non-profit organizations through participation in the housing meetings sponsored by the Office of Housing Coordination Services at the Illinois Housing Development Authority ("IHDA"). DHR also submits information to IHDA for annual reports submitted to the US Department of Housing and Urban Development ("HUD") to report on housing activities in the state of Illinois.
- DHR is a member of Housing Action Illinois ("HAI"), which facilitates networking with housing organizations statewide, and increases fair housing information disseminated to other members of HAI.
- DHR works with the Illinois Municipal Human Relations Association ("IMHRA") to coordinate educational events for the benefit of municipal/state officials and staff.

### Special Fair Housing Projects

- 1) DHR successfully obtained an 11-month fellow (August 2012 through July 2013) through Illinois State University's Stevenson Center for Community and Economic Development to increase DHR's fair housing outreach in central Illinois. The fellow developed and conducted fair housing advocacy training in conjunction with the cities of Bloomington (November 13, 2012), Decatur (February 20, 2013), Danville (March 4, 2013), Peoria (June 18, 2013), and Carbondale (June 27, 2013), and with the Prairie State Legal Services Fair Housing Program of Boone and Winnebago Counties in Rockford (July 10, 2013).

- 2) DHR worked on two HUD Partnership Opportunities Projects during FY13.
- o DHR partnered with the John Marshall Law School Fair Housing Legal Support Center, which researched segregation in the Chicago Metropolitan Area. JMLS released its report in June 2013.
  - o DHR partnered with the Lawyers' Committee for Better Housing and Illinois Legal Aid Online/ Ayuda Legal to develop webinars to target specific underserved communities, i.e. new immigrants, persons with disabilities, the lesbian/gay/bisexual/transgender (LGBT) community, and condominium associations.

### Housing Charge Investigations

The Illinois Department of Human Rights ("DHR") takes and investigates charges involving real estate transactions (housing) on the bases of race, color, religion, sex (including sexual harassment), national origin, familial status (children under 18), ancestry, age (40 and over), marital status, physical and mental disability, sexual orientation (including gender-related identity), military status, unfavorable discharge from military service, and order of protection status. The Human Rights Act ("HRA") also prohibits discrimination based on retaliation, and intimidation, interference or coercion in connection with a person's enjoyment of any of the protected housing rights.

Within one year of an occurrence of an alleged civil rights violation, the Complainant may file a charge of discrimination with the Fair Housing Division. Once a charge is docketed, an investigator conducts an investigation of the charge and discusses the possibility of a voluntary settlement with the

parties. In many cases, the investigator conducts an on-site investigation to interview witnesses and obtain pertinent documentation. The Human Rights Act requires that charges involving real estate transactions be completed within 100 days of filing (unless it is impracticable to do so). For charges filed after February 2, 2010, if DHR dismisses the case (based on lack of substantial evidence, lack of jurisdiction, or failure to proceed) the Complainant has 90 days to file a Request for Review (appeal) of that dismissal with the Human Rights Commission. Where the DHR's investigation leads to a substantial evidence finding of discrimination, and conciliation is not successful, the Complainant or Respondent (the party alleged to have discriminated) can elect to have the case heard administratively before the Illinois Human Rights Commission or in circuit court, in which case the Illinois Attorney General's Office represents the Department.

DHR responded to 972 housing inquiries in FY13, and docketed 369 charges, an 18% increase over FY12. Of the 369 housing charges filed, 150 (41%) included race as a basis, 134 (36%) included physical or mental disability, 55 (15%) included national origin or ancestry, 35 (9%) included sex, 33 (9%) included familial status, 28 (8%) included retaliation, 14 (4%) included religion, 13 (4%) included sexual orientation or gender-related identity, 4 (1%) included marital status, 3 (0%) included color, 3 (0%) included age, and 1 (0%) was filed on another basis.

DHR housing investigators completed 352 investigations during FY13, including 179 cases (51%) with a finding of lack of substantial evidence, 91 cases (26%) resolved via settlements (either adjusted with terms or adjusted and withdrawn), 25 (7%) dismissed for failure to proceed, 17 (5%) administrative closures, 17 (5%)

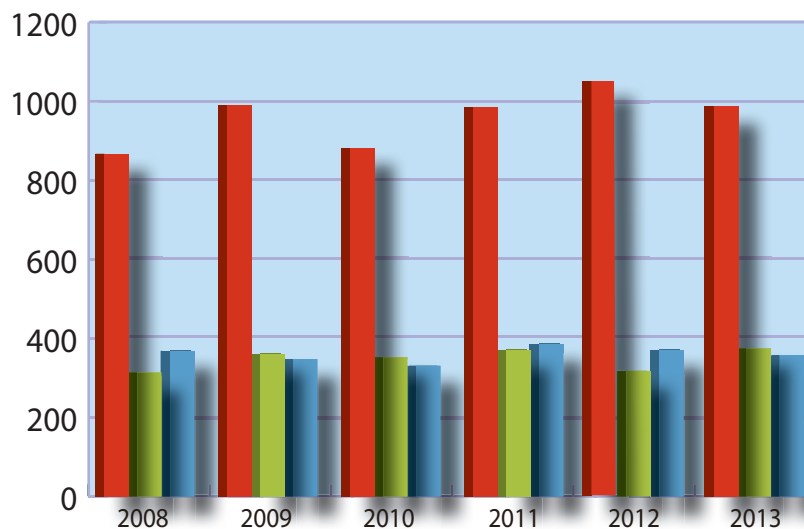
withdrawn by Complainant, and 5 (1%) dismissed for lack of jurisdiction. In addition, 18 cases (5%) were completed with findings of substantial evidence or default.

The following pages offer a graphic summary of fair housing charge activity.

HOUSING INQUIRIES, CHARGES FILED AND COMPLETED INVESTIGATIONS						
<i>Fiscal Year</i>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Inquiries	853	975	868	969	1046	972
Charges Filed	309	355	347	366	313	369
Completed Investigations	363	342	326	380	366	352

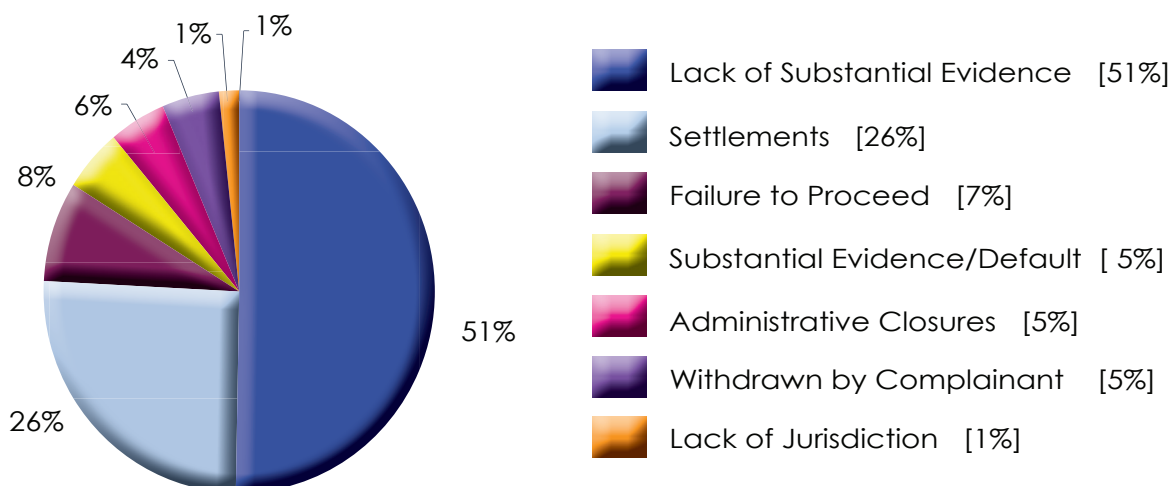
### HOUSING INQUIRIES, CHARGES FILED AND COMPLETED INVESTIGATIONS

■ Inquiries    
 ■ Charges Filed    
 ■ Completed Investigations



Disposition of Completed Housing Investigations FISCAL YEAR 2013	
Inquiries Received	972
Charges Filed	369
Completed Investigations	352
Completed Investigations:	
Lack of Substantial Evidence	179
Settlement	91
Failure to Proceed	28
Substantial Evidence/Default	18
Withdrawn by Complainant	17
Administrative Closures	17
Lack of Jurisdiction	5
<b>Total:</b>	<b>352</b>

**DISPOSITION OF COMPLETED HOUSING INVESTIGATIONS**  
FISCAL YEAR 2013

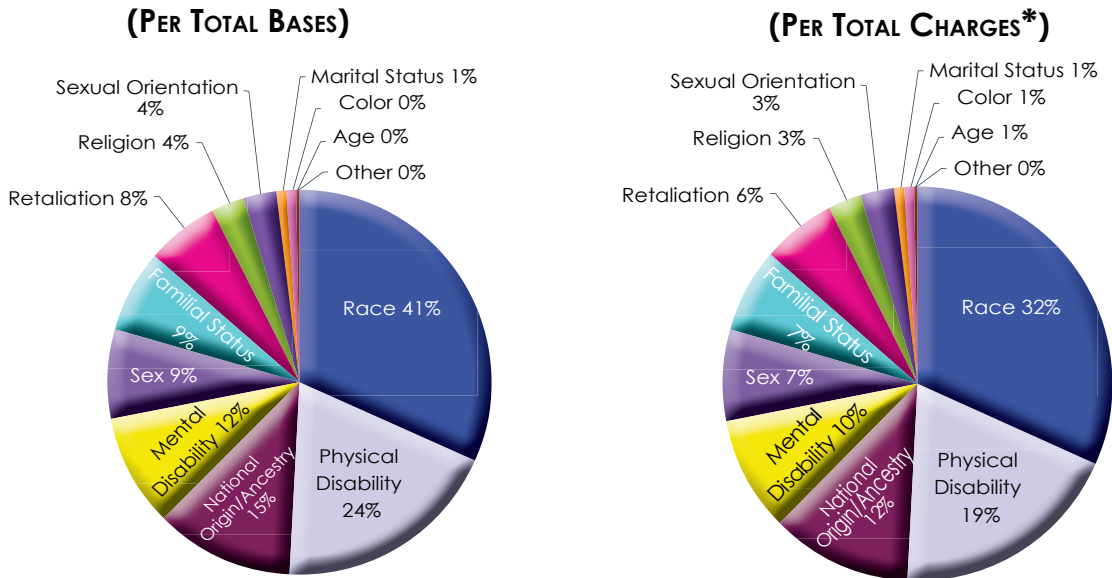




<b>HOUSING CHARGES BY BASIS</b>	
FISCAL YEAR 2013	
<i>Basis of Discrimination</i>	
Race	150
Physical Disability	89
National Origin/Ancestry	55
Mental Disability	45
Sex	35
Familial Status	33
Retaliation	28
Religion	14
Sexual Orientation	13
Marital Status	4
Color	3
Other	1
<b>Total Bases</b>	<b>473</b>
<b>Total Charges Filed</b>	<b>313</b>

### HOUSING CHARGES BY BASIS

FISCAL YEAR 2013

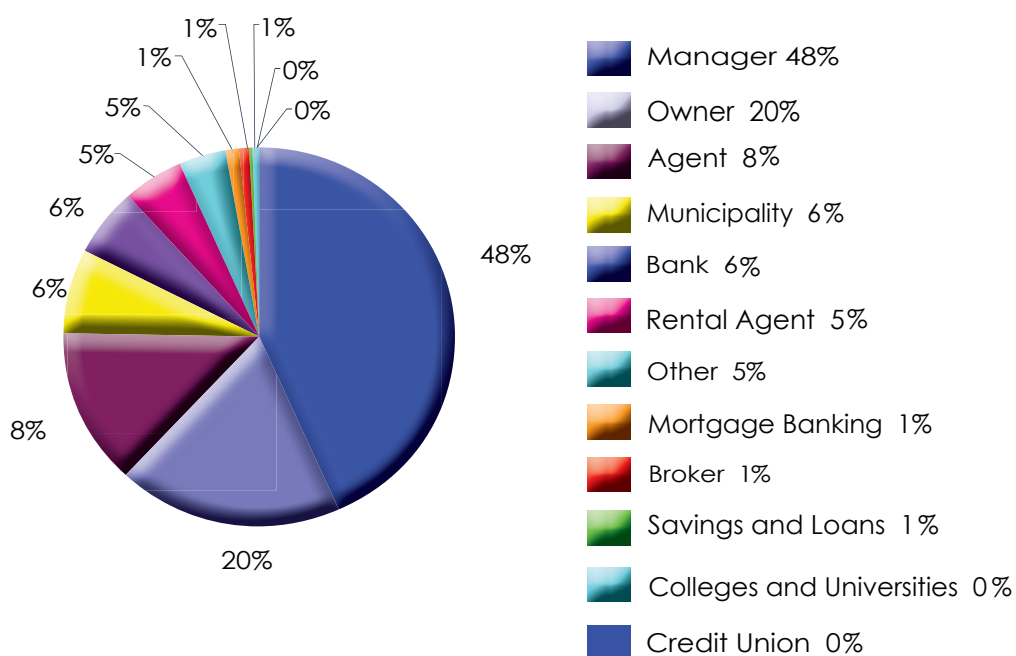


\*Number and Percent of total charges filed is greater than 100% because charges can be filed on more than one basis

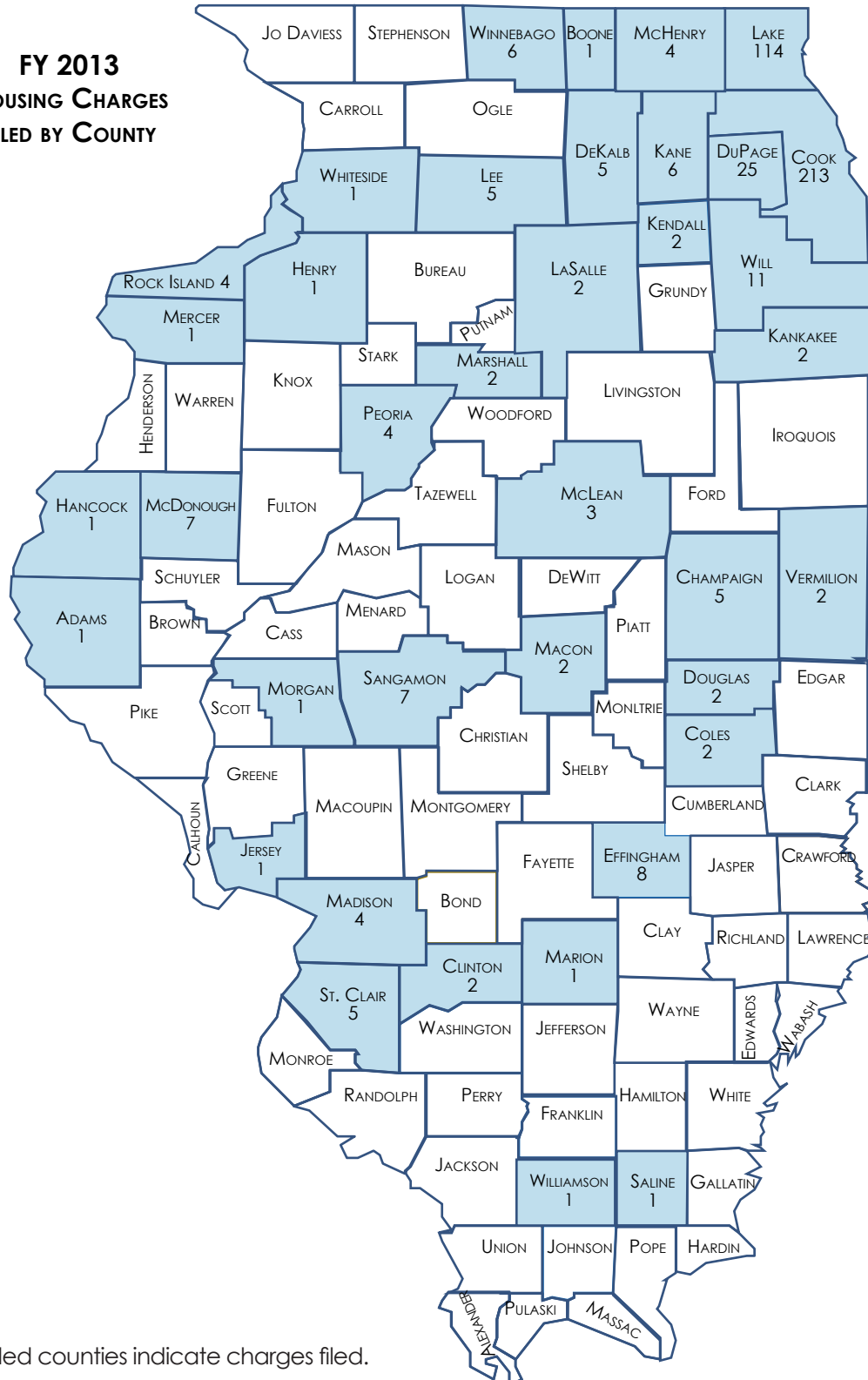


HOUSING CHARGES BY RESPONDENT TYPE	
FISCAL YEAR 2013	
	<i>Number of Charges</i>
Manager	175
Owner	75
Rental Agent	54
Agent	29
Municipality	23
Bank	21
Other	15
Mortgage Banking	5
Broker	3
Colleges and Universities	1
Savings and Loans	2
Credit Union	0
<b>Total</b>	<b>369</b>

HOUSING CHARGES BY RESPONDENT TYPE  
FISCAL YEAR 2013



**FY 2013  
HOUSING CHARGES  
FILED BY COUNTY**



Note: shaded counties indicate charges filed.

The Illinois Department of Human Rights' Institute for Training and Development ("Institute") was established in fiscal year 1999 ("FY99"). In its first full year of operation, FY00, the Institute trained 750 people in the areas of Diversity Awareness, Sexual Harassment Prevention, Americans with Disabilities Act Laws, Conflict Resolution and Interpersonal Communication Skills.

Today, the Institute offers eleven different training modules to public and private organizations and companies throughout Illinois. These training courses are designed to increase respect among diverse cultures both in the workplace and at home.

The life and self-assessment skills taught by the Institute provide accurate and timely information with respect to federal and state laws regarding fair employment practices; ways to resolve conflict; and requirements for non-discrimination. Much, if not all, that is learned in the courses can be utilized in the workplace as well as in personal settings.

During FY13 the Institute trained more than 2,400 people in 79 training sessions, which adds up to nearly 237 hours of training provided. Our overall customer satisfaction rating remains high at 98 percent.

Since the Institute's reorganization in FY05, the Institute has trained more than 36,000 people. Beginning January 1, 2011 the Illinois Department of Human Rights' Institute for Training and Development obtained preferred provider status from the Human Resource Certification Institute. The designation allows the training unit to provide training and issue

human resources certification credit to human resources professionals.

The Institute continues to provide in-house training for new human rights investigators and other staff on an as-needed basis. Staff members are strongly encouraged to participate in training on an annual basis to stay apprised of changes in the law and for professional growth and development.

#### **Courses offered by the Institute include:**

- *Americans with Disabilities Act: How to comply with Federal and State Disability Laws*
- *Conflict Resolution: Take the Win/Win Approach*
- *Diversity Awareness: It's About Respect*
- *Gender Identity and Sexual Orientation in the Workplace: Can't We All Just Get Along?*
- *Harassment in the Workplace: What Every Employee Should Know*
- *Intercultural Communication: How to Overcome Cultural Barriers and Avoid Translation Disasters*
- *Interpersonal Skills: Harnessing the Power of Emotional Intelligence*
- *Legal and Effective Interviewing Techniques*
- *Legal Guidelines for Sexual Harassment Prevention in the Workplace*



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