

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST	)	
FOR REVIEW BY:	)	CHARGE NO.: <b>2009CN4772</b>
	)	EEOC NO.: <b>510-2009-04944</b>
<b>REGINALD LEGROS,</b>	)	ALS NO.: <b>12-0169</b>
	)	
	)	
Petitioner.	)	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Terry Cosgrove, Patricia Bakalis Yadgir, and Marti Baricevic<sup>1</sup> presiding, upon the Request for Review (“Request”) of Reginald Legros (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)<sup>2</sup> of Charge No. 2009CN4772 and the Commission having reviewed all pleadings filed in accordance with 56 Ill. Admin. Code, Ch. XI, Subpt. D, § 5300.400, and the Commission being fully advised upon the premises;

NOW, THEREFORE, it is hereby **ORDERED** that the Respondent’s dismissal of Petitioner’s charge for **LACK OF JURISDICTION** and **LACK OF SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

**DISCUSSION**

On June 24, 2009, Petitioner filed a charge of discrimination with the Respondent alleging that JetBlue Airways Corporation (“Employer”) subjected him to harassment and issued him a final written warning because of his national origin, his sex, and in retaliation for opposing unlawful discrimination (Claims A-F), and denied him a transfer and terminated him because of his national origin and sex (Claims G-J), in violation of Sections 2-102(A) and 6-101(a) of the Illinois Human Rights Act.

On February 23, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

The Commission lacks jurisdiction over petitioner’s claims A through F (harassment and a final written warning). Section 7A-102(A)(1) of the Act provides that in all cases (except housing discrimination cases), a petitioner must file a charge of discrimination with the Respondent within 180 days after the date of the alleged civil rights violation. This 180-day filing requirement is jurisdictional. Failure to file a charge within the prescribed time deprives the Respondent and the Commission of jurisdiction to proceed further. Trembczynski v. Human Rights Comm’n, 252 Ill. App. 3d 966, 625 N.E.2d, 215 (1<sup>st</sup> Dist. 1993). These alleged incidents occurred between May and August 2008, but Petitioner did not file his charge until June 24, 2009. This is outside the 180-day window.

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<sup>1</sup> This Order is in accordance with votes cast by Commissioners Baricevic and Cosgrove prior to the expiration of their terms.  
<sup>2</sup> In a request for review proceeding, the Illinois Department of Human Rights is the “Respondent.” The party to the underlying charge requesting review of the Illinois Department of Human Rights’s action shall be referred to as the “Petitioner.”

