

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST	)	
FOR REVIEW BY:	)	CHARGE NO.: <b>2010CN4278</b>
	)	EEOC NO.: <b>846-2010-45078</b>
<b>INDIRA ADUSUMILLI,</b>	)	ALS NO.: <b>12-0242</b>
	)	
	)	
Petitioner.	)	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Lauren Beth Gash<sup>1</sup>, Hermene Hartman, and Nabi R. Fakroddin presiding, upon the Request for Review (“Request”) of Indira Adusumilli (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)<sup>2</sup> of Charge No. 2010CN4278 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 SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

**DISCUSSION**

On May 5, 2010, the Petitioner filed a charge of discrimination with the Respondent alleging that employment agency Staffing Now (“Agency”) refused to hire her due to her race and national origin, in violation of Section 2-102(A) of the Illinois Human Rights Act (“Act”).

On February 3, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

Generally, to establish a prima facie case of discrimination based on refusal to hire, the Petitioner must show: 1) that the complainant is a member of a particular race; 2) that she applied for and was qualified for a position for which the respondent was seeking applicants; 3) that she was rejected for the position despite her qualifications; and 4) the respondent hired a person, not a member of the complainant's protected class, whose qualifications were similar to, or less than the complainant's qualifications See In the Matter of: Brenda Roger and Commonwealth Edison Company, IHRC, Charge No.1991CF1450 (April 26, 1996), 1996 WL 311411 (Ill.Hum.Rts.Com.) Petitioner’s claim fails at the fourth prong, as she admits she does not know who was hired for the positions she did not receive through the Agency.

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<sup>1</sup> This Order is in accordance with a vote cast by Commissioner Gash prior to the expiration of her term.

<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.”

Accordingly, the Petitioner has not presented any evidence to show that the Respondent's dismissal of the charge was not in accordance with the Act.

**THEREFORE, IT IS HEREBY ORDERED THAT:**

1. The dismissal of the Petitioner's charge is hereby **SUSTAINED**.
2. This is a final Order. A final Order may be appealed to the Appellate Court by filing a petition for review, naming the Illinois Human Rights Commission, the Illinois Department of Human Rights, and Staffing Now, as respondents, with the Clerk of the Appellate Court within 35 days after the date of service of this Order.

**STATE OF ILLINOIS** )  
 ) **Entered this 24th day of October 2018.**  
**HUMAN RIGHTS COMMISSION** )

Commissioner Nabi R. Fakroddin

Commissioner Lauren Beth Gash

Commissioner Hermene Hartman