

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)
FOR REVIEW BY:)

ANTHONY WALTON,)

Petitioner.)

CHARGE NO.: **2012CR1405**
EEOC NO.: **440-2011-05947**
ALS NO.: **12-0346**

ORDER

This matter coming before the Commission by a panel of three, Commissioners Lauren Beth Gash¹, Hermene Hartman, and Nabi R. Fakroddin presiding, upon the Request for Review (“Request”) of Anthony Walton (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)² of Charge No. 2012CR1405 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 September 22, 2011, the Petitioner filed a charge of discrimination with the Respondent alleging that the Chicago Board of Education (“Employer”) discharged him in retaliation for opposing unlawful discrimination, in violation of Section 6-101(A) of the Illinois Human Rights Act (“Act”).

On April 17, 2012, the Respondent dismissed the Petitioner’s charge in its entirety. The Petitioner filed a timely Request.

A *prima facie* case of retaliation requires evidence that the Petitioner engaged in a protected activity, that they suffered an adverse action, and that there is evidence of a causal connection between the protected activity and the adverse action. See Welch v. Hoeh, 314 Ill. App. 3d 1027,1035, 733 N.E.2d 410, 416 (3rd Dist. 2000). Petitioner’s claim fails on the first and third prongs. He presented no evidence that he engaged in a protected activity by complaining, in any form, of unlawful discrimination. So, he also cannot show a causal nexus between a protected action and his discharge from employment.

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.

¹ This Order is in accordance with a vote cast by Commissioner Gash prior to the expiration of her term.
² 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.”

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 the Chicago Board of Education, 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 10th day of October 2018.**
HUMAN RIGHTS COMMISSION)

Commissioner Nabi R. Fakroddin

Commissioner Lauren Beth Gash

Commissioner Hermene Hartman