

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST	)	
FOR REVIEW BY:	)	CHARGE NO.: <b>2011CP0006</b>
	)	EEOC NO.: <b>N/A</b>
<b>RHODDA THOMPSON,</b>	)	ALS NO.: <b>12-0666</b>
	)	
	)	
Petitioner.	)	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Hamilton Chang, Steve Kim, and Robert A. Cantone presiding, upon the Request for Review (“Request”) of Rhodda Thompson (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)<sup>1</sup> of Charge No. 2011CP0006 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 the Petitioner’s charge for **LACK OF SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

**DISCUSSION**

On July 1, 2010, the Petitioner filed a charge of discrimination with the Respondent alleging that Provident Hospital of Cook County (“Hospital”) denied her the full and equal enjoyment of its facility because of her mental disability, in violation of Section 5-102(A) of the Illinois Human Rights Act (“Act”). Petitioner, a former employee of a Hospital affiliate, was laid off from her position on January 15, 2010. Her former employers asked Hospital to bar Petitioner from the facility because Petitioner was very upset about the layoff. Hospital posted a picture of Petitioner at the security desk to alert staff that Petitioner was not allowed on the premises. However, Petitioner was permitted to attend a union grievance hearing at Hospital on January 21, 2010.

On July 27, 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 concerning a public accommodation, the Petitioner must show: 1) she is a member of a protected class; 2) she was denied full and equal enjoyment of the facilities and services; and 3) similarly situated individuals outside her protected class were treated more favorably. See In the Matter of Velma J. Henderson and Steak N Shake, Inc., IHRC, Charge No. 1996CP2939, 1999 WL 33252627, \*9 (March 24, 1994). Petitioner’s claim fails at the second and third prongs. She was allowed to enter Hospital for her union hearing, and has not alleged that she was prevented from using any of Hospital’s medical

<sup>1</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.”

services. Further, she did not present any evidence that other former employees, without mental disabilities, were not barred from Hospital after being laid off.

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 Provident Hospital of Cook County 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 16th day of November 2018.**  
**HUMAN RIGHTS COMMISSION** )

Commissioner Robert A. Cantone

Commissioner Hamilton Chang

Commissioner Steve Kim