

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2012SF1367
)	EEOC NO.: 21BA20336
CEDRIC GIBSON, SR.,)	ALS NO.: 12-0671
)	
)	
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 Cedric Gibson, Sr., (“Petitioner”), of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)¹ of Charge No. 2012SF1367 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 November 12, 2011, the Petitioner filed a charge of discrimination with the Respondent alleging that Security One Incorporated (“Employer”) subjected him to unequal terms of employment and discharged him in retaliation for opposing unlawful discrimination, in violation of Section 6-101(A) of the Illinois Human Rights Act (“Act”). Petitioner, a security guard, filed a complaint with the Illinois Department of Financial and Professional Regulation, and contacted the corporate office of Employer’s client, to complain that his manager was requiring him to conduct “illegal searches and seizures” of the client’s employees. Petitioner alleges that Employer failed to schedule him on Thursdays, and later discharged him, in retaliation for these acts.

On September 18, 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 (3rd Dist. 2000). However, section 6-101(A) protects only against retaliation for opposing “unlawful discrimination.” The alleged “illegal searches” required by Employer were not based on unlawful discrimination, so Petitioner did not engage in a protected activity by opposing this policy.

¹ 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.”

