

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2011CF1626
)	EEOC NO.: 21BA10516
LILIAN SIOSON,)	ALS NO.: 13-0016
)	
Petitioner.)	

ORDER

This matter coming before the Commission by a panel of three, Commissioners Nabi R. Fakroddin, Hermene Hartman, and Eleni Bousis presiding, upon Lilian Sioson’s (“Petitioner”) Request for Review (“Request”) of the Notice of Dismissal issued by the Illinois Department of Human Rights (“Respondent”)¹ of Charge No. 2011CF1626 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 JURISDICTION** and **LACK OF SUBSTANTIAL EVIDENCE** is **SUSTAINED**.

DISCUSSION

On November 16, 2010, the Petitioner filed a charge of discrimination with the Respondent alleging that Illinois Student Assistance Commission (“Employer”) targeted her for layoffs on February 2, 2010 (Counts A and B) and June 1, 2010 (Counts C and D), failed to reclassify her position (Counts E and F), and discharged her (Counts G and H) due to her sex and national origin in violation of Section 2-102(A) of the Illinois Human Rights Act (“Act”). On October 18, 2012, after vacating a previous dismissal and remanding for further investigation, the Respondent dismissed Counts A, B, E, and F of Petitioner’s charge for lack of jurisdiction and dismissed Counts C, D, G, and H for lack of substantial evidence. The Petitioner filed a timely Request.

The Commission concludes that the Respondent properly dismissed Counts A, B, E, and F of the Petitioner’s charge for lack of jurisdiction. The Act provides that a charge must be filed within 180 days after the date that a civil rights violation allegedly has been committed. 775 ILCS 5/7A-102(A). This requirement is jurisdictional, meaning that if the Petitioner does not file his charge within the 180 day time limit, neither the Respondent nor the Commission have the jurisdiction to proceed on the charge. Trembczynski v. Human Rights Comm’n, 252 Ill. App. 3d 966, 969 (1st Dist. 1993).

Two of the allegations in the Petitioner’s charge allege violations that occurred more than 180 days prior to the filing of the charge: targeting the Petitioner for layoffs on February 2, 2010, and

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.”

HUMAN RIGHTS COMMISSION)

Commissioner Nabi R. Fakroddin

Commissioner Hermene Hartman

Commissioner Eleni Bousis