

**STATE OF ILLINOIS  
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST )	
FOR REVIEW BY: )	CHARGE NO.: <b>2013CR2010</b>
)	EEOC NO.: <b>440-2012-04817</b>
<b>REGINALD WILLIAMS SR.,</b> )	ALS NO.: <b>13-0270</b>
)	
)	
Petitioner. )	

**ORDER**

This matter coming before the Commission by a panel of three, Commissioners Michael Bigger, Amy Kurson, and Cheryl Mainor presiding, upon Reginald Williams Sr.'s ("Petitioner") Request for Review ("Request") of the Notice of Dismissal issued by the Department of Human Rights ("Respondent")<sup>1</sup> of Charge No. 2013CR2010 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, WHEREFORE, it is hereby **ORDERED** that the Respondent's Notice of Dismissal is **SUSTAINED** for **LACK OF JURISDICTION**.

**DISCUSSION**

On August 8, 2012, the Petitioner filed a charge of discrimination with the Equal Employment Opportunity Commission ("EEOC"), alleging that the Chicago Transportation Department, denied him a promotion because of his race, black, in violation of Section 2-102(A) of the Illinois Human Rights Act ("Act"). The Petitioner's EEOC charge was cross-filed with the Respondent and docketed by the Respondent as an unperfected charge. On April 3, 2013, the Respondent dismissed the Petitioner's charge for Lack of Jurisdiction finding that the Petitioner failed to provide the Respondent with a copy of the Equal Employment Opportunity Commission's ("EEOC") determination within thirty days of receipt as required by Section 7A-102(A-1)(1) of the Act. On May 22, 2013, the Petitioner filed this timely Request for Review ("Request").

The Commission concludes that the Respondent properly dismissed the Petitioner's charge for Lack of Jurisdiction. Section 7A-102(A-1)(1) of the Act requires the Petitioner to send the Respondent a copy of the EEOC finding within thirty days of service of the determination. 775 ILCS 5/7A-102(A-1)(1). On October 25, 2012 the EEOC issued its Dismissal and Notice of Rights to the Petitioner. On October 30, 2012, the EEOC's determination was deemed served on the Petitioner. The Petitioner was required to send the Respondent of copy of the EEOC determination by November 29, 2012

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<sup>1</sup> In a Request for Review Proceeding, the Illinois Department of Human Rights is the "Respondent." The party to the underlying charge who is requesting review of the Department's action shall be referred to as the "Petitioner."

On January 16, 2013, more than thirty days after service of the EEOC's determination, the Petitioner sent the Respondent a copy of the EEOC's determination. As such, the Petitioner's notice was not timely filed and the Respondent had no jurisdiction to investigate the Petitioner's charge.

In his Request and Reply, the Petitioner does not address the jurisdictional basis of the dismissal of his charge. Rather, the Petitioner merely submitted his work records without any argument. Accordingly, it is the Commission's decision that the Petitioner has not presented any evidence to show that the Respondent's dismissal of the Charge was not in accordance with the Act. The Petitioners' Request is not persuasive

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

The dismissal of Petitioner's charge is hereby **SUSTAINED**.

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, Chicago Transportation Department as Respondents, with the Clerk of the Appellate Court within 35 days after the date of service of this Order.

**STATE OF ILLINOIS**

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**HUMAN RIGHTS COMMISSION**

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**Entered this 30<sup>th</sup> day of October 2018.**

Commissioner Michael Bigger

Commissioner Amy Kurson

Commissioner Cheryl Mainor