

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF THE REQUEST)	
FOR REVIEW BY:)	CHARGE NO.: 2013CN3088
)	EEOC NO.: N/A
LAURA MARTINEZ URIBE,)	ALS NO.: 14-0159
)	
)	
Petitioner.)	

ORDER

This matter coming before the Commission by a panel of three, Commissioners Michael Bigger, Amy Kurson, and Cheryl Mainor presiding, upon Laura Martinez Uribe’s (“Petitioner”) Request for Review (“Request”) of the Notice of Dismissal issued by the Department of Human Rights (“Respondent”)¹ of Charge No. 2013CN3088 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 **FAILURE TO PROCEED**.

DISCUSSION

On May 13, 2013, the Petitioner filed a perfected charge of discrimination with the Respondent, alleging that PMA Friction Products discharged her based on her order of protection, in violation of Section 2-102(A) of the Illinois Human Rights Act (“Act”). On December 26, 2013, the Respondent dismissed the Petitioner’s charge for Failure to Proceed. On March 31, 2014, the Petitioner filed this timely Request for Review (“Request”).

The Commission concludes that the Respondent properly dismissed the Petitioner’s charge for Failure to Proceed. If the Petitioner’s fails to cooperate with the Respondent, the Respondent may dismiss the charge pursuant to Section 2520.430(c) of the Respondent’s Rules and Regulations. See 56 Ill. Admin. Code, ch. II, Section 2520.430(c). Section 2520.430(c) states that; “A complainant must promptly provide the Department with a notice of any change in address or telephone number or of any prolonged absence from the current address so that he or she can be located. A complainant must cooperate with the Department, provide necessary information and be available for interviews and conferences upon reasonable notice or request by the Department. If a complainant cannot be located or does not respond to reasonable requests by the Department, the Department may dismiss the charge pursuant to Section 2520.560”. In the Petitioner’s matter, the Respondent’s investigator

¹ 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.”

made numerous attempts by contacting both the Petitioner and her representative regarding pursuing the Petitioner's charge and, neither the Petitioner or her representative cooperated with the Respondent by moving the case forward.

In her Request, the Petitioner did not provide an argument or a provide a reason for her failure to respond to phone calls and written communications from the Respondent. As such, the Petitioner has not shown good cause for failing to cooperate with the investigation. 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, PMA Friction Products 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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Entered this 29th day of November 2018

HUMAN RIGHTS COMMISSION

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Commissioner Michael Bigger

Commissioner Amy Kurson

Commissioner Cheryl Mainor