

City of Chicago
COMMISSION ON HUMAN RELATIONS

ADJUDICATION DIVISION

2012 Activity
Concerning Discrimination Cases
filed under the
Chicago Human Rights Ordinance
and
Chicago Fair Housing Ordinance



Chicago Commission on Human Relations
740 N. Sedgwick, Suite 400, Chicago, IL 60654
(312) 744-4111 (voice) – (312) 744-1088 (TTY) – (312) 744-1081 (fax)

Adjudication of Discrimination Complaints

The authority of the Commission on Human Relations to enforce the Chicago Human Rights Ordinance and the Chicago Fair Housing Ordinance is exercised through the Adjudication Division. The work of the Division is:

- To receive and investigate complaints alleging violations of the Chicago Human Rights Ordinance and the Chicago Fair Housing Ordinance.
- To facilitate the settlement of cases, where possible.
- To determine, after investigation and hearing, whether discrimination occurred in violation of the Human Rights Ordinance or the Fair Housing Ordinance.
- To order remedies if the complainant proves at a hearing that discrimination has occurred.

The orders of the Commission's Adjudication Division and the rulings of the Board of Commissioners in discrimination cases carry the force of law. If the Board of Commissioners rules that discrimination occurred, it has the power to impose fines and order injunctive relief as well as the payment of out-of-pocket damages, emotional distress damages, punitive damages, attorney fees, and costs.

In investigating and adjudicating a discrimination complaint filed by a member of the public, the role of the Commission is neutral. It does not serve as either side's lawyer, advisor, or advocate. It is not a prosecutor of the case. It does not take the side of either the complainant (the person who filed the complaint) or the respondent (the alleged violator).

Adjudication on the Web

See the Commission on Human Relations web site at www.cityofchicago.org/humanrelations for more information about Chicago's discrimination ordinances and their enforcement, including –

- Copies of the Chicago Human Rights Ordinance and the Chicago Fair Housing Ordinance
- Copy of the Commission on Human Relations Enabling Ordinance
- The regulations governing enforcement of these ordinances
- Information on how to research Commission case law
- A *Board Rulings Digest* summarizing decisions about violations and remedies ordered
- A complaint form and frequently-used forms for complainants and respondents
- A *Guide to Discrimination Complaints* in English and Spanish
- Information and forms to help complainants prepare, file, and prove a complaint
- Information and forms to help respondents respond to a complaint
- Information about other discrimination laws and enforcement agencies

Also, see and “like” the Commission's Facebook page for updates and frequently asked questions.

What is Discrimination?

In general, to prevail in a discrimination case under the City of Chicago ordinances, a complainant must be able to prove by a preponderance of the evidence that:

- The complainant was subjected to *adverse treatment* by a covered individual, business, or government entity (the respondent).
- This conduct was based on the complainant's status in one or more of these *protected categories*:

Race	Sex	Age (over 40)
Color	Sexual Orientation	Disability
National Origin	Gender Identity	Source of Income
Ancestry	Marital Status	Military Discharge Status
Religion	Parental Status	Credit History (employment only)

- The conduct was in one of the following *covered areas*:

Housing	Public Accommodations
Employment	Credit or Bonding Transactions

- The adverse action took place *in the City of Chicago*.
- The complaint was filed within *180 days* of the alleged discriminatory action.
- The complainant was treated differently *because of* his or her protected status, and not for other legitimate, non-discriminatory reasons.

Filing a Discrimination Complaint

Intake staff in the Adjudication Division is available during announced business hours to answer inquiries about filing a complaint under the Chicago Human Rights Ordinance or Chicago Fair Housing Ordinance. Those interested should telephone (312) 744-4111. Intake staff will assist the public with preparation of complaints on a walk-in basis. They also provide forms for self-preparation of complaints and filing by mail. There is no filing fee.

A complaint form, along with additional information about the ordinances and the adjudication process, can also be found on the Commission's web site: www.cityofchicago.org/humanrelations.

How Cases Proceed

People who believe they have been subjected to discrimination as defined in the City of Chicago ordinances may file written complaints with the Commission following a prescribed form. After a complaint is filed, the Commission notifies each named respondent and sets a deadline to submit a written response and any documents that support the respondent's position. The complainant also receives a deadline to reply to any response and to submit any documentation that supports the allegations of the complaint.

The Commission will offer the parties the opportunity to try to settle the case before the investigation is completed. Settlement is voluntary. The Commission does not propose or advocate particular settlement terms, but staff may draft the agreed terms of a settlement for parties to sign.

If the case does not settle or otherwise close at the pleading stage, the investigator completes any additional evidence-gathering that may be needed and compiles the evidence for review by senior staff of the Commission. Investigation usually consists of interviewing witnesses and examining relevant documents or physical evidence. The investigator may seek information about the experiences of other people whose situations are comparable to the complainant's. Investigators may conduct site visits when appropriate to the case. The Commission has subpoena power along with the power to sanction parties that fail to cooperate with the investigation.

A Compliance Committee of Commission senior staff then determines whether or not there is "substantial evidence" of discrimination. A finding of substantial evidence does not mean the complainant has won the case, but only that there is enough evidence of a violation for the case to go forward. If the Compliance Committee finds no substantial evidence of an ordinance violation, it dismisses the case. The complainant may request a review of the dismissal.

If the Commission finds there is substantial evidence of discrimination (or retaliation if applicable), it notifies the parties that the case will proceed to an administrative hearing. Again, the parties may attempt to settle the case prior to the hearing.

The administrative hearing is a trial, but somewhat less formal than in a court. A hearing officer is appointed by the Commission from a pre-selected panel of attorneys with experience in civil rights litigation. The hearing officer presides over the hearing and manages the pre-hearing and post-hearing process. Commission staff do not prosecute the case or represent the complainant at this hearing. It is entirely the complainant's responsibility to prove the case and to prove entitlement to injunctive and monetary relief as well as any attorney fees and costs. Pre-hearing discovery and subpoena procedures are available to the parties to aid in obtaining evidence to support their positions.

Based on the hearing officer's recommendation and the hearing record, the Board of Commissioners makes the final determination as to whether the complainant has proved that the respondent has violated the Chicago Human Rights Ordinance or the Chicago Fair Housing Ordinance. If the Board rules that there has been a violation, it also determines what relief will be awarded to the complainant.

Relief may include a fine for each violation, an order to take steps to eliminate discriminatory practices (injunctive relief), an award of damages to be paid to the complainant, and an order to pay the complainant's attorney fees. Final orders awarding or denying relief have the force of law, can be appealed to the state court on a *certiorari* petition, and are enforceable by obtaining a state court judgment.

Summary of Filing and Adjudication Activity

The table below summarizes complaint filing and adjudication activity during 2012 in the categories of discrimination complaints accepted under the City's ordinances. The 2012 figures are compared to those for 2011.

Case Activity Summary	Housing 2012 / 2011	Employment 2012 / 2011	Public Accommodation 2012 / 2011	Credit 2012 / 2011	TOTAL 2012 / 2011
COMPLAINTS FILED	97 / 73	83 / 94	68 / 99	1 / 1	249 / 267
Staff-Assisted	38 / 44	55 / 68	39 / 59	1 / 0	133 / 171
Self-Prepared	59 / 29	28 / 26	29 / 40	0 / 1	116 / 96
CASES FORWARDED TO HEARING STAGE	10 / 10	12 / 6	7 / 11		29 / 28
Substantial Evidence	10 / 10	12 / 6	7 / 12		29 / 27
Default (investigation stage)	0 / 0	0 / 0	0 / 1		0 / 1
CASES CLOSED	72 / 57	96 / 96	76 / 105	0 / 0	244 / 258
Settled	22 / 13	19 / 18	11 / 24		52 / 55
Complainant Withdrew Complaint	21 / 15	22 / 15	12 / 19		55 / 49
Complainant Failed to Cooperate	2 / 3	10 / 6	10 / 6		22 / 15
Lack of Jurisdiction	2 / 2	10 / 9	1 / 6		13 / 17
No Substantial Evidence	18 / 21	34 / 45	37 / 44		89 / 110
Ruling After Hearing	7 / 3	1 / 3	5 / 6		13 / 12
REQUESTS FOR REVIEW after involuntary dismissal	6 / 6	10 / 6	8 / 6		24 / 18
Denied	6 / 4	10 / 6	8 / 6		24 / 16
Granted	0 / 2	0 / 0	0 / 0		0 / 2

Discrimination Claimed in New Complaints

The percentage figures in the table below show the percentage of *complaints* filed in 2011 which contained a *claim* of discrimination on the basis named. A complaint may claim discrimination on more than one basis (e.g. sex and age) arising out of the facts alleged. Thus the number of claims usually exceeds the number of complaints.

PROTECTED CLASS	Housing	%	Employment	%	Public Accom.	%	Credit	%	Total Claims	%
Race	26	27%	39	47%	31	46%	0		96	39%
Color	0	0%	2	2%	4	6%	0		6	2%
National Origin	3	3%	8	10%	4	6%	0		15	6%
Ancestry	0	0%	5	6%	2	3%	0		7	3%
Religion	1	1%	1	1%	3	4%	0		5	2%
Sex	6	6%	23	28%	11	16%	0		40	16%
Sexual Orientation	1	1%	10	12%	8	12%	0		19	8%
Gender Identity	1	1%	3	4%	8	12%	0		12	5%
Marital Status	2	2%	1	1%	1	1%	0		4	2%
Parental Status	1	1%	3	4%	1	1%	0		5	2%
Age	1	1%	23	28%	2	3%	0		26	10%
Disability	16	16%	16	19%	25	37%	0		57	23%
Source of Income	70	72%	6	7%	3	4%	1		79	32%
Military Discharge Status	0	0%	0	0%	0	0%	0		0	0%
Credit History	N/A		0	0%	N/A		N/A		0	0%
TOTAL COMPLAINTS	97		83		68		1		249	

Trends in Discrimination Claims

In total, 249 new discrimination complaints were filed in 2012, compared to 266 in 2011. The most striking development was the continued rise in the number of housing discrimination complaints which began in 2010. The 97 housing discrimination complaints filed in 2012 represent a 33% increase over the 73 filed in 2011 and the largest number of housing discrimination complaints filed in a single year since 2003. As a result, the largest proportion of new discrimination complaints in 2012 concerned housing, at 39%, while 33% concerned employment, 27% concerned public accommodations, and less than 1% concerned credit transactions.

The bulk of the housing discrimination complaints, at 72%, alleged source of income discrimination involving Housing Choice Vouchers, also known as Section 8 Vouchers. Discrimination against low income households who receive these federal subsidies (administered in Chicago through the Chicago Housing Authority) thus continues as a significant fair housing issue. The Fair Housing Ordinance offers the only available legal remedy for this type of discrimination in Chicago.

Race discrimination was the next most frequent claim in the housing area, asserted in 27% of the complaints filed in 2012. Next was disability discrimination, claimed in 16% of housing discrimination complaints, followed by sex discrimination in 6%. Other types of discrimination were claimed in 3% or fewer of new housing discrimination complaints.

Of the 83 employment discrimination complaints filed in 2012, race was the most frequently alleged discrimination basis, appearing in 47% of the complaints. Following were sex and age discrimination, each claimed in 28% of the complaints, disability in 19%, sexual orientation in 12%, and national origin in 10%. Claims based on the remaining protected classes appeared in 7% or fewer of new employment discrimination complaints.

Race was also the leading basis claimed in public accommodation discrimination complaints filed in 2012, appearing in 46% of the new complaints. Disability was the next most frequent type of discrimination claimed, in 37% of complaints filed in 2012. Disability discrimination claims in this area often involve the accessibility of retail businesses, especially restaurants, to wheelchair users and other people with disabilities. Access to public accommodations remains a key compliance issue for people with disabilities.

The next most frequent types of claims in the public accommodation area in 2012 were sex discrimination in 16% of new complaints, then sexual orientation and gender identity, each claimed in 12% of new complaints, then color and national origin, each claimed in 6% of new complaints. Claims based on the remaining protected classes appeared in 4% or fewer of the public accommodation discrimination complaints filed in 2012.

Discrimination in credit transactions and bonding has never been the subject of many complaints. In 2012, as in 2011, only one credit discrimination complaint was filed, based on source of income.

The Commission remains concerned about the high proportion of race discrimination claims which it continues to receive. It was race discrimination which spurred the passage of the first anti-discrimination laws decades ago. Yet people still regularly claim race bias in all of the areas of activity covered by Chicago's ordinances. Public concern about issues of race calls for ongoing, multifaceted action—even as attention is directed to additional kinds of prejudice and discrimination.

Evaluating Complaint Data

In considering the meaning of the data on discrimination complaints presented in this report, a few points should be kept in mind:

- The value of Chicago's enforcement structure is in making a *fair, neutral complaint and adjudication process readily available to anyone* who believes he or she has been subjected to discrimination in violation of Chicago's ordinances.
 - Every properly-filed complaint which a complainant chooses to pursue will be investigated and ruled upon according to established procedures and legal standards.
 - Businesses and individuals accused of discrimination have the opportunity to present their defenses under the same neutral process.
 - Although the Commission implements City policy which strongly opposes discrimination, it is careful to impose the City's powerful remedies only when justified by the evidence and applicable law.
 - At the same time, the Commission encourages utilization of its complaint filing and adjudication system so that accusations of discrimination can be resolved fairly according to the law and discriminatory conduct can be remedied and deterred.
- Complaint-filing data does not measure the amount of discrimination that actually occurs in Chicago, for several reasons:
 - There can be many reasons victims of discrimination may not pursue a legal remedy, including lack of knowledge of the laws and remedies, inability to devote time and resources to pursuing a case, and concern about the public nature of the process.
 - At the time a complaint is filed, the Commission has made no decision about whether the facts alleged are true or whether the claims have legal merit. The investigation and adjudication process is the way the Commission reaches those decisions.
 - Many types of discrimination violate federal and state anti-discrimination laws as well as Chicago's ordinances. People can choose to file claims under one or more of the available laws, which may vary in their coverage as well as their procedures. Thus the Commission's filing data reflects only a portion of the legal claims alleging that discrimination occurred in Chicago.

- Nevertheless, complaint-filing data can offer insight into what types of discrimination people believe they are experiencing as well as what types of claims people bring to the Commission on Human Relations.
- Chicago’s ordinances and enforcement mechanisms offer (1) Some unique coverage not available under federal or state laws, and (2) An enforcement system that is Chicago-focused, highly accessible, and linked to other City government initiatives.
- For example, a strength of local anti-discrimination ordinances has been the ability to fill gaps in state and federal laws and to take the lead in addressing additional types of discrimination.
 - Only Chicago’s Fair Housing Ordinance currently prohibits source of income discrimination against holders of Section 8 Housing Choice Vouchers. This type of discrimination is not prohibited by the Cook County Human Rights Ordinance, the Illinois Human Rights Act, or the federal Fair Housing Act.
 - Only the Chicago and Cook County ordinances cover all employers and housing providers regardless of size.
 - Only the Chicago Human Rights Ordinance prohibits employment discrimination based on parental status.
 - State and local definitions of disability remain more inclusive than the federal definition.
 - Federal anti-discrimination laws still do not cover sexual orientation or gender identity discrimination, an area in which Chicago was a leader when it enacted the present Human Rights and Fair Housing Ordinances and later amended them.

Substantial Evidence Findings

During 2012, 29 complaints advanced to the administrative hearing stage after a finding of substantial evidence that an ordinance violation had occurred. This represents 12% of 242 dispositions of cases at the investigation stage and 25% of the 118 full investigations completed with a formal decision as to whether there was substantial evidence. The remaining 124 complaints were settled or dismissed for other reasons before a determination as to substantial evidence was reached.

A finding of substantial evidence is a preliminary legal ruling which means there is sufficient evidence, if believed, to support a final ruling that an ordinance violation occurred. A substantial evidence finding allows a case to advance to the administrative hearing process and a Board of Commissioners ruling on liability and relief. To obtain relief, it remains the responsibility of the complainant to prove the case at a public administrative hearing, where any respondent not held in default is allowed to present a defense.

The breakdown of completed full investigations by case type and result appears in the table below,

with the 2011 figures presented for comparison:

Findings after Full Investigations	Housing 2012 / 2011		Employment 2012 / 2011		Public Accommodation 2012 / 2011		TOTAL 2012/2011	
Substantial Evidence	10	10	12	6	7	12	29	27
No Substantial Evidence	18	21	34	45	37	44	89	110
TOTAL COMPLETED FULL INVESTIGATIONS	28	31	46	51	44	56	118	137

The table below illustrates the flow of complaints from the investigation stage to the hearing stage in recent years. It also illustrates the proportion of pending cases in each stage of adjudication at the end of each year. Between 2006 and 2009, a relatively high number of cases proceeded to the hearing and final ruling process after investigation. As the number of cases advancing to the hearing stage fell back to more typical levels, the number pending in the hearing stage soon dropped accordingly. These levels can vary because it is difficult to predict how many complaints will be filed or how many cases will be active in the hearing stage during a given period of time.

Stages of Complaints	2005	2006	2007	2008	2009	2010	2011	2012
Pending Complaints (at year-end)	737	514	356	284	259	256	240	259
In Investigation Stage	703	464	303	224	209	220	217	238
In Hearing Stage	34	50	53	60	50	36	23	21
New Complaints	357	220	272	247	259	299	267	249
Complaints Forwarded to Hearing	45	67	56	73	62	37	28	29

Settlement of Complaints

A substantial number of discrimination cases close due to settlement between the parties. The Commission values settlement of discrimination complaints consistent with its larger strategy to encourage the voluntary resolution of differences where possible. Settlement may occur either prior to completion of a full investigation or after a case has advanced to the hearing process. In 2012 a total of 52 or 21% of closed cases were resolved by settlement, the same proportion as in 2011.

Settlement is voluntary between the parties. When cases settle, the respondents do not admit liability and the Commission does not decide whether a violation actually occurred. The Commission is not a party to the settlement and does not require or advocate particular settlement terms. However, Commission staff, independent mediators, and hearing officers do encourage parties to try to settle their disputes and may facilitate the process. The Commission is authorized to order parties to participate in a confidential settlement conference conducted by one of its independent mediators.

The Commission typically does this after a substantial evidence finding but before appointment of a hearing officer, if there appears to be settlement potential. In 2012, the Commission held 12 such settlement conferences, compared to 19 held in 2011.

Settlement terms vary, and because the majority of settlements are concluded as private agreements between the parties, the Commission often does not know the terms including the monetary value to complainants. To encourage settlement in the future, the Commission does not announce the terms of particular settlements, although parties may choose to do so if they have not agreed among themselves to keep the terms confidential.

Hearing Stage Activity

During 2012, the Commission completed the adjudication of 32 complaints in the hearing process after substantial evidence findings or orders of default, while advancing 29 complaints from the investigation stage to the hearing stage over the year. Thus at the end of 2012, the docket of cases in the hearing stage consisted of 21 complaints, a level comparable to the 23 pending at the end of 2011. Three of these complaints were scheduled for a pre-hearing settlement conference with one of the Commission's independent mediators, and the remaining 18 complaints were either in the pre-hearing process or moving to a final ruling after the administrative hearing was held.

During 2012, the Commission held 40 scheduled proceedings in cases at the hearing stage, including 6 administrative hearings, 21 pre-hearing conferences, and 12 settlement conferences. Twelve Board of Commissioners rulings were issued in 2012 and are described below. These figures illustrate that, typically, the majority of cases which advance to the hearing process are either settled, withdrawn, or dismissed for other reasons before they reach the Board of Commissioners for a final ruling.

Rulings After Administrative Hearings

In 2012, the Board of Commissioners issued twelve written rulings after public administrative hearings on discrimination complaints. The 2012 rulings are summarized below. The full text of each ruling is available on the Commission's website: www.cityofchicago.org/humanrelations.

Seven of the 2012 rulings were in favor of complainants—three finding liability plus four determining the amount of attorney fees after an earlier liability ruling. Five rulings were in favor of respondents, finding no ordinance violation and dismissing the case. Three of the rulings were in employment discrimination cases, five in housing discrimination cases, and four in public accommodation discrimination cases.

Administrative hearings are held before independent hearing officers appointed by the Commission from a pre-selected roster of attorneys with expertise in civil rights law and litigation. The hearing officer manages the pre-hearing process, assesses credibility, makes findings of fact, and issues a recommended decision which the Board considers as the basis for its final ruling on liability and relief. If a prevailing complainant was represented by an attorney, a second recommended and final ruling determines the amount of the attorney fees and related costs the respondent will be ordered to pay.

Board rulings are written legal opinions which explain the basis for the decision. They are available to the public and establish precedents for future Commission decisions. The *Board Rulings Digest* is a Commission publication listing all Board rulings entered after administrative hearings. The latest

update of the *Board Rulings Digest* is available on the Commission's website or on request from the office.

Employment Discrimination Rulings

Tarpein v. Polk Street Company d/b/a Polk Street Pub et al., CCHR No. 09-E-23 (Apr. 18, 2012)

Sex Discrimination (Pregnancy)

After a 2011 ruling in favor of a bartender-manager finding pregnancy-related sex discrimination and ordering remedies, the Board ordered payment of the Complainant's attorney fees of \$26,439.30 and costs of \$752.38.

Sleper v. Maduff & Maduff LLC, CCHR No. 06-E-90 (May 16, 2012)

Sex Discrimination (Pregnancy)

A law firm found was found liable for pregnancy-related sex discrimination for discharging an associate attorney because of her pregnancy and pregnancy-related leave. Remedies included \$2,500 in emotional distress damages, \$9,466.45 in back pay, and a \$500 fine. Attorney fees are pending.

Jones v. Lagniappe – A Creole Cajun Joynt, LLC, et al., CCHR No. 10-E-40 (Dec. 19, 2012)

Sex Discrimination (Sexual Harassment)

The Board ruled that a restaurant owner-manager sexually harassed and constructively discharged an employee through unwelcome sexual advances such as kissing her and appearing with clothing unfastened. The individual and corporate owners were ordered to pay fines of \$500 each, to adopt a sexual harassment policy, and to pay emotional distress damages of \$2,000, punitive damages of \$4,000, and back pay of \$13,550. Attorney fees are pending.

Housing Discrimination Rulings

Montelongo v. Azarpira, CCHR No. 09-H-23 (Feb. 15, 2012)

Disability Discrimination

After a 2011 ruling finding that a property owner refused to rent to a mother based on the disability of her son, the Board imposed a \$500 fine and ordered payment of \$2,500 in emotional distress damages, \$3,000 in punitive damages, \$7,500 to compensate for time off work to find other housing, and \$7,386.25 in attorney fees and costs.

McGhee v. MADO Management LP, CCHR No. 11-H-10 (Apr. 18, 2012)

Race Discrimination

The Board found no racially discriminatory refusal to rent where the evidence showed an advertised apartment was rented before the Complainant contacted the owner in response to the ad, and no other units were available to rent.

Pierce & Parker v. New Jerusalem Christian Development Corp., CCHR No. 07-H-12/13 (May 16, 2012)

Source of Income Discrimination

After a 2011 ruling finding source of income discrimination and ordering remedies where a publicly-supported housing developer refused to complete sales to two Complainants because their purchases would be partly financed through another public program which required an additional inspection, the Board ordered payment of the Complainants' attorney fees of \$56,484.50 and costs of \$366.60.

Gilbert and Gray v. 7355 South Shore Condominium Assn. et al., CCHR No. 01-H-18/27 (June 20, 2012)

Sexual Orientation Discrimination

After a 2011 ruling finding sexual orientation discrimination and ordering relief where a condominium association president harassed a lesbian unit owner and blocked the sale of a unit to a lesbian purchaser, the Board ordered payment of Complainants' attorney fees of \$61,535.66 and costs of \$6,653.39.

Gardner v. Ojo et al., CCHR No. 10-H-50 (Dec. 19, 2012)

Source of Income Discrimination

A Section 8 Housing Choice Voucher holder failed to prove that a condominium unit owner and her listing agent

prevented her from applying to rent the unit based on this source of income. The circumstantial evidence was insufficient to show intent to exclude voucher holders, and the credibility of conflicting testimony about communications between the parties' agents was resolved in favor of the listing agent.

Public Accommodation Discrimination Rulings

Johnson v. Hyde Park Corp. d/b/a Hyde Park Citgo, CCHR No. 08-P-95/96 (Feb. 15, 2012)

Race Discrimination

No race discrimination was found where Pakistani employees refused to allow an African-American couple to purchase gasoline using \$100 bills found suspect when tested with a pen designed to identify counterfeit currency, as the testing procedure was applied to all customers regardless of race. References to "your friends" or "your brother" did not show racial animus under the circumstances, including the employees' limited English proficiency.

Manzanares v. Lalo's Restaurant., CCHR No. 10-P-18 (May 16, 2012)

Gender Identity Discrimination

A transgender Complainant proved a *prima facie* case of gender identity discrimination. She sought to enter a restaurant and dance club with companions, but after her transgender status was discovered she was subjected to unwarranted scrutiny and harassment. The Board ordered payment of \$3,500 in emotional distress damages and \$2,500 in punitive damages, imposed a \$500 fine, and ordered the restaurant to adopt an anti-discrimination policy and train its staff.

Hudson v. G-A Restaurant LLC d/b/a Manor Chicago, CCHR No. 10-P-112 (July 18, 2012)

Race Discrimination

The Board ruled that a nightclub's refusal to admit an African-American and his party was not based on race, where the evidence showed he did not have a properly-made reservation, the club was booked to capacity, and his party was invited to wait in line pursuant to the policy for those without reservations. Use of the term "you people" by door staff was found not race-based in the context presented.

Jones v. Minah Inc. d/b/a Sunshine Shell Gas Station, CCHR No.; 11-P-75 (Sept 19, 2012)

Race Discrimination

The Board found no race discrimination where the Complainant's version of an incident at a gas station, including use of a racial slur, was not credible and was directly contradicted by credible testimony of a third party witness.