



FY2020 ANNUAL REPORT

ILLINOIS DEPARTMENT OF
HUMAN RIGHTS



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MESSAGE

FROM THE DIRECTOR



At the Illinois Department of Human Rights, our mission is to secure for all individuals within the state of Illinois freedom from unlawful discrimination - and to establish and promote equal opportunity and affirmative action as the policy of this state for all its residents.

The year began with a celebration of the 40th anniversary of the Illinois Human Rights Act. The Act created the broadest civil rights coverage for the people of Illinois in our state's history, and enabled the creation of two administrative agencies, the Illinois Department of Human Rights and the Illinois Human Rights Commission, with distinct functions regarding the enforcement of The Act.

The Human Rights Act protects and guarantees the rights of all Illinoisans in every forum of our lives-- protecting individuals from unlawful discrimination with regard to employment, financial credit, public accommodations, real estate transactions (including housing) and sexual harassment.

Soon after that celebration, IDHR and all our staff were confronted with the pandemic. Our staff in Springfield, Chicago, and Marion quickly transitioned to remote work, and our divisions worked steadfastly to maintain services. Like so many institutions and businesses, we were forced to find new ways to connect, carry on with our work, and maintain our mission. To the great credit of our investigative team, we minimized disruption to our operations.

Throughout the year, filings continued to be processed in Intake; mediations and case investigations proceeded with interviews and conferences conducted via telephone and by video; case determinations were processed; and, creditable case submissions to EEOC and HUD proceeded.

Although our strategic plan had called for us to begin issuing legal guidance on the Human Rights Act, the pandemic gave this goal new urgency. With help and expertise from peer agencies and advocates around the state, we created guidance affirming nondiscrimination in healthcare for use by hospitals and medical providers, guidance that is among the best in the nation.

That effort continued with the issuance of documents to provide meaningful guidance on nondiscrimination and issues that took on new importance in the pandemic-- issues related to healthcare, hospital visitation, vaccination protocols, and utilization of facemasks, to name only a few.

IDHR's Institute for Training and Development moved all courses to an online platform. We added additional relevant training topics to fit the needs of the public working at home and we continued to move forward in creating online sexual harassment training and other collateral materials to meet the needs of businesses and organizations as well as the requirements of Illinois law related to sexual harassment prevention training.

It is an honor to be a part of an Administration that makes the guiding principles of civil rights, inclusion, and equity a focus in the work of the State. It's equally an honor to lead the Illinois Department of Human Rights in its mission to ensure that we treat all people equally - not in spite of who they are but precisely because of who they are.

James L. Bennett, Director

The IDHR Fiscal Year 2020 Annual Report is prepared pursuant to 20 ILCS 5/5-650.

MISSION, VISION, STRATEGY

INTRODUCTION

Mission

To secure for all individuals within the State of Illinois freedom from unlawful discrimination;

and,

To establish and promote equal opportunity and affirmative action as the policy of this state for all its residents.

Vision

We, the employees of the Illinois Department of Human Rights, believe that everyone has an inalienable right to live free from discrimination of any kind, in every aspect of life.

We are dedicated to delivering quality service to the people of Illinois with integrity, honesty and respect.

Core Values

Under the direction of Director Jim Bennett, IDHR has intensified its focus around four core values:

NEUTRALITY - DRIVEN BY EVIDENCE

We are fair and impartial in our interactions and in the investigation of discrimination allegations.

COMMUNICATION - TWO-WAY COMMUNICATION PROMOTES TRUST

We communicate honestly, frequently and in a timely manner to ensure internal and external stakeholders have the information they need when they need it.

EFFICIENCY - ENCOURAGING INNOVATION TO PROMOTE EFFICIENCY

We maximize IDHR's and our stakeholders' time and resources in new, innovative and effective ways to ensure greater levels of success in implementing the agency's mission.

HIGH MORALE - VALUING ONE ANOTHER

We work together to build a culture of engagement in a workplace where we all contribute to our fullest potential.

AGENCY

INTRODUCTION & HISTORY

Statutory Structure

The Illinois Human Rights Act [775 ILCS 5] directs the activities of the Illinois Department of Human Rights and the Illinois Human Rights Commission. The Director of the Illinois Department of Human Rights (“IDHR”) reports to the Governor and sits on the Human Services Cabinet.

History of IDHR’s Creation

The Illinois Human Rights Act was introduced by the administration in 1979 to consolidate existing laws and administrative processes addressing civil rights in Illinois. The emergence of the new agency may be attributed to two events occurring during 1978. The first was the formation of a Cost Control Task Force that was charged with examining the structure of all state agencies to see how a more effective and efficient state government could be created. The second was the national convention of Operation PUSH, convened in the wake of the U.S. Supreme Court’s Bakke decision, where civil rights advocates called for a strengthening of civil rights laws in all the states.

One issue was the existence of eleven Illinois statutes covering various aspects of discrimination. State laws prohibited employment discrimination, prohibited age discrimination, required equal opportunity for persons with disabilities, required affirmative action in state government, required fairness in lending, prohibited discrimination in credit card issuance, prohibited real estate brokers from discriminating, prohibited blockbusting, and prohibited discrimination against families with children in real estate transactions. The various prohibitions were enforceable through a variety of administrative, civil and criminal mechanisms, although in some instances, no enforcement mechanism had been established. The limited type of discrimination covered by criminal statutes were generally not enforced. Some remedies depended on the filing of a lawsuit and were thus not realistically available to the many complainants unable to afford an attorney. The major administrative agency handling discrimination, the Fair Employment Practices Commission (“FEPC”), was limited to employment matters and was laboring under a severe backlog of charges. The Illinois Commission on Human Relations (“COHR”) and Illinois Department of Equal Employment Opportunity (“DEEO”) had no enforcement authority. A person experiencing discrimination was thus left with the frustrating task of sorting out which, if any, governmental unit would cover the type of injury sustained. The only action available to a victim of housing discrimination, for example, was to request the state’s attorney to file a criminal complaint or to hire an attorney, and these avenues were only available if the complainant was disabled. If not, the only remedy was potential revocation of the broker’s real estate license.

Businesses, labor organizations, government agencies, and real estate interests were also frustrated by the lack of legal and administrative clarity. Defending against unfounded charges of discrimination and taking steps to comply with the various laws and administrative rules was difficult and costly. Both the Governor’s Task Force and the various members of the civil rights community saw the need for consolidating the laws and administrative mechanisms pertaining to civil rights in Illinois. Governor Thompson introduced Senate Bill 1377, the Illinois Human Rights Act, in 1979. After many proposed amendments and much controversy and opposition, the bill passed the Senate with 54 out of 59 senators voting in favor. The House then passed it as well.

Governor Thompson signed the bill, creating Public Act 81-1216, on December 6, 1979 at the Chicago Historical Society on the desk at which President Abraham Lincoln had signed the Emancipation Proclamation in 1863. The Governor then appointed a 95-member implementation task force headed by James Compton of the Chicago Urban League, with other members coming from bar associations, the U.S. Department of Housing and Urban Development, the Civil Rights Commission, the League of Women Voters, the NAACP, Operation PUSH, Senators Harold Washington and Dawn Clark Netsch, and Representatives Barbara Flynn-Currie, Jim Reilly and Jim Taylor. The task force made plans to consolidate the personnel, rules, records and activities of the three agencies without disrupting ongoing operations. They also proposed and obtained legislative approval for several clarifications and modifications to the new law. They also needed to develop the four million-dollar budget for the new agency and get it approved. Most importantly, this group had the task of screening candidates for the positions of director of the Department of Human Rights and Commissioners for the Illinois Human Rights Commission and making recommendations to the Governor.

On June 19, 1980, the Governor named Joyce E. Tucker as the first director of the Illinois Department of Human Rights. She was the first African-American female to become a permanent head of a state cabinet department.

Illinois Department of Human Rights

1979 – The Illinois Human Rights Act merged the Fair Employment Practices Commission, the Illinois Department of Equal Employment Opportunity, and the Commission on Human Relations. The Act prohibited discrimination in employment, housing, financial credit and public accommodations on the basis of race, color, sex, religion, ancestry, national origin, age, physical or mental disability, unfavorable military discharge, and marital status, as well as retaliation for opposing discrimination. The Act created the Illinois Department of Human Rights to receive, investigate and conciliate charges of unlawful discrimination, and to undertake affirmative action and public education activities. Also created was the Illinois Human Rights Commission, a body with the function of hearing and adjudicating cases brought before it by the Department. The purpose behind creating the Commission was the separation of the enforcement and judicial functions. The Act also repealed and replaced the state laws that were administered by the predecessor agencies as well as some other Illinois statutes addressing civil rights issues. Age and marital status were new protections added with the Human Rights Act.

1980 – The new department began operations on July 1, 1980.

Highlights from IDHR's Early Years

- Exercising its initiatory authority, the Department initiated a charge in 1980 challenging the mandatory retirement policy of the Chicago City Colleges, the first case testing the age provision of the Illinois Human Rights Act. The Human Rights Commission upheld DHR's position and this decision was upheld by the Illinois Supreme Court in the Fall of 1981 [See Bd. of Trustees of Cmty. Coll. Dist. No. 508 v. Human Rights Comm'n, 88 Ill. 2d 22, 429 N.E.2d 1207 (1981)].
- During Fiscal Year 1990, more than 100 new staff members were hired and trained to fill new positions and vacancies. This action came on the heels of administration and legislative efforts that resulted in more than one million dollars being added to the operations budget of DHR.
- During Fiscal Year 1991, the harsh realities of state agency layoffs prompted CMS to establish a new procedure whereby DHR staff trained Affirmative Action officers to analyze layoff plans for possible adverse impact prior to any layoff.
- During FY1993, a supplemental appropriation was passed (SB 312) to address cases held over for investigation from the FEPC, prior to the creation of IDHR.
- Effective July 1, 1993, bidders for public contracts were required to have written policies concerning sexual harassment, and state agencies were required to establish, maintain and carry out continuing programs concerning sexual harassment (PA 87-1257).
- In 1994, DHR began a pilot mediation program as an alternative to an investigation of the charge.
- During FY1997, DHR developed a web page to link to the State of Illinois' website.

HISTORY OF DISCRIMINATION PROTECTION UNDER HRA

Table 1: Changes to Illinois Human Rights Act

Changes to the Illinois Human Rights Act		
Effective Date	Public Act	Description of Legislative Changes to Illinois Human Rights Act
1984-1985	*	Adds basis: Aiding, abetting, compelling, or coercing
9/11/1989	86-0910*	Adds basis: Familial status (families with children under age 18);
9/17/1991	87-0579*	Other changes to mirror Federal Fair Housing Act
7/1/1992	87-0847*	Adds basis: Citizenship status (employment)
8/4/1993	88-0178*	Adds basis: Arrest record (employment)
1/1/1996	89-0370*	Adds basis: Military status
7/8/2005	94-0146	Request for Review moved from HRC to DHR; other procedural changes
7/26/2005	94-0326	Credibility removed from IHRA, Section 7A-102(D)(2)
1/1/2006	94-0078	Notice of default adjustment to define "good cause"
1/1/2006	93-1078	Adds basis to Article 3 (Housing): Interference/Coercion/Intimidation
5/26/2006	94-0803	Adds basis: Sexual orientation, including gender identity
6/15/2006	94-0857	Adds basis: Veteran Status
8/10/2007	95-0042	EEOC Ref. Charges taken under 7A-102(A-1) & Real Estate: 100 days
8/23/2007	95-0392	"Mrs. Murphy" Small building Exemption Changed to mirror federal Fair Housing Act
10/10/2007	95-0668	Adds basis: Military Personnel & Active Duty
1/1/2008	95-0668	Change from "Handicap" to "Disability" & Public Accommodations Article revised
1/1/2008	95-0025	Adds basis: Pregnant peace officers & firefighters
1/1/2008	95-0243	Request for Review moved back to HRC and Civil Action in circuit court allowed
8/18/2009	96-0574	Mandates institutions of higher education post sexual harassment laws and policies
1/1/2010	96-0548	Allows DHR to charge "for profit" companies tuition for training
1/1/2010	96-0786	Allows DHR to charge a filing fee for processing PC-1 for bidders on state contracts
1/1/2010	96-0447	Adds basis: Order of protection status
1/1/2010	96-0814	Allegation added: Harassment in schools
2/2/2010	96-0876	Request for Review: Time to file changed (30 to 90 days)
7/27/2010	96-1319	"Sexual Harassment in Higher Education" changed to all education levels
8/26/2011	97-0596	Adds basis: Pregnancy; procedural changes for cases jointly covered by EEOC & DHR
8/2/2012	97-0877	Change from "handicap" to "disability" in additional places
1/1/2015	98-1037	Covers "unpaid interns" as "employees" for sexual harassment charges
1/1/2015	98-1050	Adds reasonable accommodations for pregnancy (employment)
1/1/2016	99-0152	Allows preference for veterans in hiring
1/1/2017	99-0548	Increases civil penalties in Article 3 (housing cases)
1/1/2017	99-0758	Covers "domestic workers" as employees
8/11/2017	100-0100	Inserts statutory protections for religious accommodations
9/8/2017	100-0492	Changes to charge response requirement
11/16/2017	100-0554	Establishes sexual harassment hotline and website
6/8/2018	100-0588	Renames hotline to helpline; changes filing time for non-housing charges to 300 days
8/24/2018	100-1066	Changes administrative dismissal and HRC procedures; adds opt-out option after filing
1/1/2019	100-0698	Requires bidders on state contracts to produce sexual harassment policy upon request
1/1/2019	100-0714	Expands order of protection status to include additional protective orders
7/12/2019	101-0081	Corrects technical grammar and style errors
1/1/2020	101-0221	Requires adoption of a sexual harassment prevention training model
1/1/2020	101-0430	Changes the definition of "employer;" excludes places of worship
1/1/2020	101-0530	Makes certain fact finding conferences discretionary; adds training for HRC commissioners
1/1/2020	101-0565	Adds "arrest record" as definition; associated housing protections

IDHR'S CRITICAL ROLE IN DISCRIMINATION PREVENTION & ENFORCEMENT

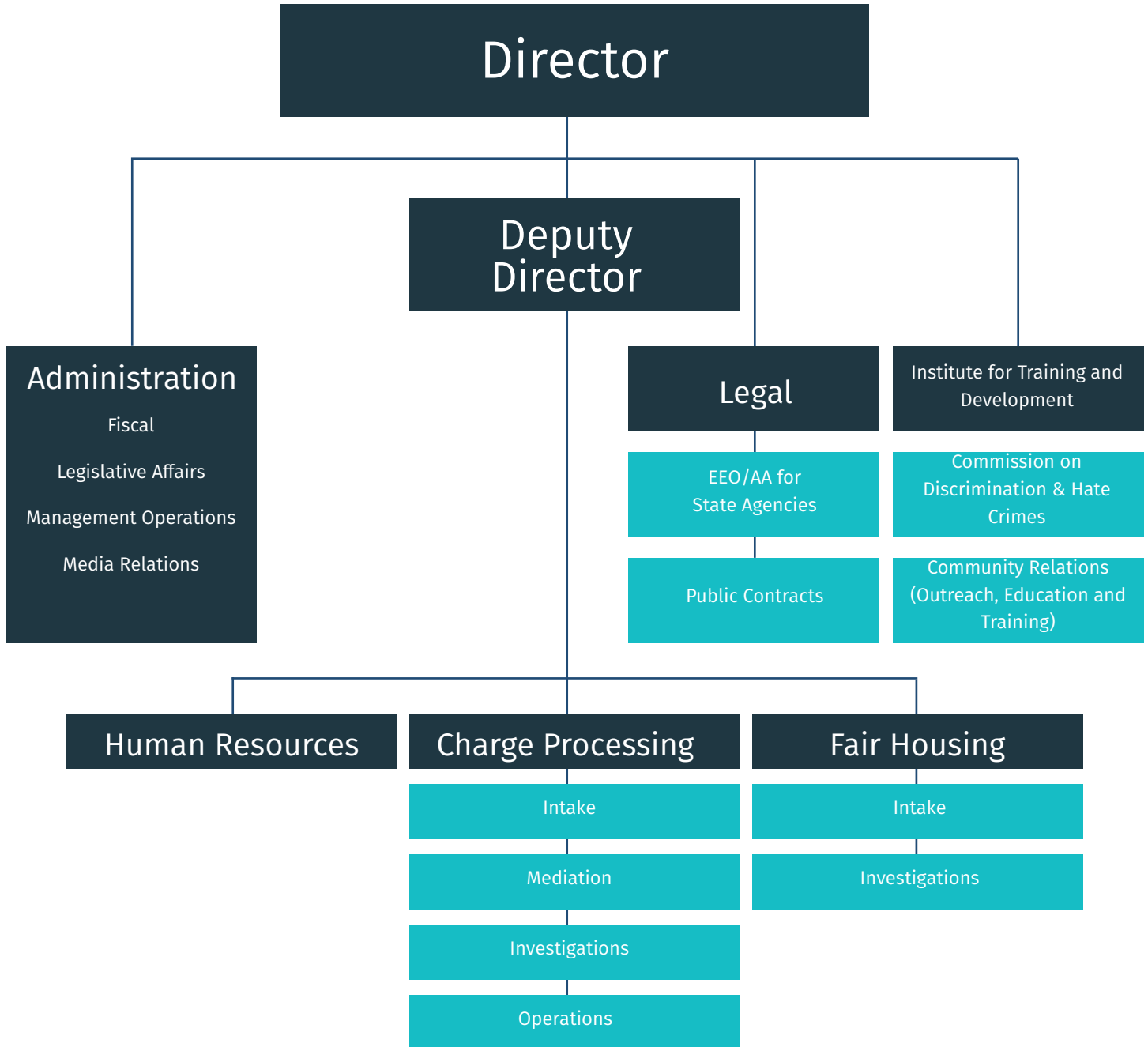
The Illinois Human Rights Act ("Act") promotes fair treatment for covered groups. The Illinois Department of Human Rights ("IDHR") fulfills the Act's goals by investigating allegations of discrimination and educating the public. While often perceived as a social service agency, in fact, IDHR is a law enforcement agency. Where traditional law enforcement acts to ensure the safety of physical property and the public, IDHR works to ensure equal application of rules, policies, and procedures in the Act's covered areas of employment, housing, financial credit, public accommodations, and sexual harassment in education.

IDHR provides a unique service to Illinois residents, and plays a critical role in preventing discrimination and enforcing anti-discrimination laws in Illinois:

- 1) **Protects More Groups:** While federal laws cover certain categories, the coverage is not as broad as Illinois law. Categories that are expressly covered under state law but not federal law include: military status, sexual orientation, gender identity, order of protection status, arrest record and reasonable accommodation of pregnancy. Also, the Illinois definition of "disability" may be broader than the federal definition. For local communities within Illinois, the Human Rights Act grants authority for municipalities and counties to establish a department or commission to address discrimination. However, not every community has the resources, expertise or the categories of protection covered by IDHR.
- 2) **Assists Economically Disadvantaged Persons:** Indigent persons who believe they have been discriminated against have a State agency where they can raise their allegations of discrimination and can receive a copy of their completed investigation to assist them in securing representation.
- 3) **Partners with the Federal Government:** IDHR's partnerships with the federal anti-discrimination agencies (EEOC and HUD) support IDHR's investigation, training and outreach efforts without duplicating their services. Additionally, IDHR is more intimately involved than federal agencies with the public in Illinois and can more quickly respond to changing conditions.
- 4) **Conducts Outreach and Education:** IDHR conducts training for government entities and the public and interacts with numerous community organizations to educate the public as to their rights and responsibilities. Indirect training through investigations also serves to educate the public and promotes anti-discrimination activities.

TABLE OF THE ORGANIZATION

Figure 1: Table of the Organization



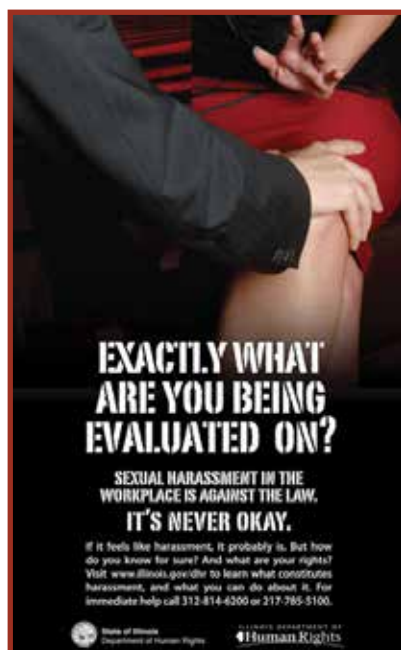
SEXUAL HARASSMENT AND DISCRIMINATION HELPLINE AND WEBSITE



In the Fall of 2017, sexual harassment allegations against public figures in Hollywood, media, politics, and other industries began to make headlines and America saw the emergence of the #MeToo movement. Women, strong in unity and no longer silenced, were raising their voices against decades of sexual harassment and abuse in the workplace. The State of Illinois has taken steps to address such forms of sexual harassment and workplace abuses from occurring at both the state and local levels. One such remedy is the Illinois Sexual Harassment and Discrimination Helpline and Website (“Helpline”). The Helpline provides a means through which persons may anonymously report sexual harassment and/or discrimination in both public and private places of employment.

Effective November 16, 2017, P.A. 100-0554 mandated that the Department of Human Rights (“Department”) develop and implement a Hotline to Report Sexual Harassment. See 775 ILCS 5/2-107. On February 16, 2017, the Hotline went live providing services that include: assistance in the filing of sexual harassment charges, referral to counseling services, referral to legal services, and information on how to anonymously report sexual harassment. The Department selected the Chicago Lighthouse for the Blind and Visually Impaired (“Chicago Lighthouse”) and trained Chicago Lighthouse staff to operate the Hotline through its Call Center.

Effective June 18, 2018, P. A. 100-0588, mandated that the Department develop and implement the Illinois Sexual Harassment & Discrimination Helpline (“SH Helpline”) and Sexual Harassment & Discrimination Helpline Website (“SHD Website”). The SH Helpline continues to be operated by the Chicago Lighthouse and the SHD Website is maintained by the Department. IDHR established the Helpline and Website, pursuant to legislation, in order to provide a centralized resource for all Illinoisans to obtain necessary information and assistance in the filing of sexual harassment and discrimination complaints. Information provided to the SHD Helpline and Website is confidential and not subject to disclosure through the Freedom of Information Act (“FOIA”).



SEXUAL HARASSMENT AND DISCRIMINATION HELPLINE

Calls to the Sexual Harassment and Discrimination Helpline

Effective June 18, 2018, Public Act 100-0588 also mandated that the Department annually evaluate the SH Helpline and report the following information to the General Assembly: (i) the total number of calls received, including messages left during non-business hours; (ii) the number of calls reporting sexual discrimination claims; (iii) the number of calls reporting harassment claims; (iv) the number of calls reporting sexual harassment claims; (v) the number of calls that were referred to each Executive Inspector General; and (vi) the number of calls that were referred to the Legislative Inspector General. The number of calls in each category are as follows, beginning in June 2018:

Fiscal Year 2019

(July 1, 2018 – June 30, 2019)

- (i) the total number of calls received, including messages left during non-business hours: 282
- (ii) the number of calls reporting sexual discrimination claims: 4
 - (ii)(a) the number of calls reporting other types of discrimination: 67
- (iii) the number of calls reporting harassment claims: 1
- (iv) the number of calls reporting sexual harassment claims: 131
- (v) the number of calls that were referred to each Executive Inspector General: 9
- (vi) the number of calls that were referred to the Legislative Inspector General: 0
- (vii) other calls: 77

Fiscal Year 2020

(July 1, 2019 – June 30, 2020)

- (i) the total number of calls received, including messages left during non-business hours: 419
- (ii) the number of calls reporting sexual discrimination claims: 5
 - (ii)(a) the number of calls reporting other types of discrimination: 83
- (iii) the number of calls reporting harassment claims: 3
- (iv) the number of calls reporting sexual harassment claims: 130
- (v) the number of calls that were referred to each Executive Inspector General: 7
- (vi) the number of calls that were referred to the Legislative Inspector General: 7
- (vii) other calls: 201

TRAINING & OUTREACH

Institute for Training and Development

The Illinois Department of Human Rights' ("IDHR") Institute for Training and Development ("Institute") was established in fiscal year ("FY") 1999. In its first full year of operation, FY2000, the Institute trained 750 people in the areas of Diversity Awareness, Sexual Harassment Prevention, Americans with Disabilities Act Laws, Conflict Resolution and Interpersonal Communication Skills.

Today, the Institute offers training modules to public and private organizations and companies throughout Illinois. These training courses are designed to build knowledge, skills, and abilities of Illinoisan employers to support developing and maintaining safe, diverse, and inclusive work environments.

The Institute's courses provide accurate and timely information on federal and state laws regarding fair employment practices; ways to resolve conflict; and requirements for non-discrimination. Much, if not all, that is learned in the courses can be utilized for both professional and personal growth and development.

The 2020 Fiscal year, as with many institutions, would bring challenges and new opportunities for growth in response to the global pandemic. The earlier part of the year, and in continued response to the Illinois mandate, the Institute continued to provide education and training on sexual harassment prevention for employers across all sectors of Illinois employers.

In response to the global pandemic, the Institute moved its audience engagement and learning from a largely in-person to a remote format. IDHR and the Institute made rapid adaptations to continue and increase audience engagement by utilizing our existing tools and technology. By doing so, the Institute, was able to provide a valuable and safe resource for 3,786 people across a broad range of public and private sectors. The training team received an overall, customer satisfaction rate of 97 percent and above

A major accomplishment during this period, was IDHR's development and release of an asynchronous learning presentation of the Model Sexual Harassment Prevention and supplemental materials in English and Spanish languages. This web-based format, provided employers across the state the ability to continue to meet the mandate without interruption. The Institute moved from a facilitator role to a technical assistance role, by providing navigation, delivery, and access support for employers across the state.

Since the Institute's reorganization in FY2005, the Institute has trained approximately 66,515 people. Beginning on January 1, 2011, the Institute obtained preferred provider status from the HR Certification Institute®. This designation allows the Institute to provide training and issue human resources certification credit to human resources professionals.

IDHR continues to provide basic fair housing training for housing providers and landlords through the Institute's public training schedule on a quarterly basis. IDHR's monthly Open to-the-Public training series is publicized across all of IDHR's social medial platforms and on its Eventbrite website located here: www.IDHRtraining.eventbrite.com.

The Institute continues to provide internal agency training for new human rights investigators, as well as general staff and leadership to promote continuous learning. All DHR staff members are encouraged to avail themselves of training opportunities to stay apprised of changes in the law and for professional growth and development and the Institutes supports each internal division's training deliveries as needed.

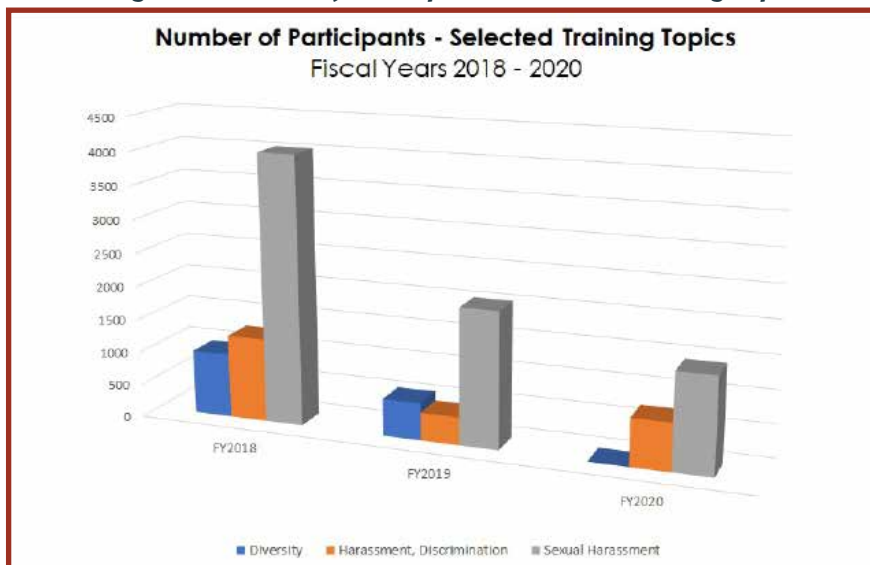
Table 2: Partial List of Agencies and Companies Trained

PARTIAL LIST OF AGENCIES AND COMPANIES TRAINED FY2020	
Agency/Company Name	Type of Training
Arts & Business Council of Chicago	Sexual Harassment Prevention (Employees)
Boys and Girls Club of Southern Illinois	The Diversity Advantage: Handling Micro-Inequities and Bias
Camelot Illinois	Sexual Harassment Prevention: It's Up To You
Cook County Health and Hospital Systems (CCHHS)	Let's Talk it Out: Resolving Conflict in the Workplace
Commission on Government Forecasting & Accountability	Sexual Harassment Prevention: It's Up To You
Cure Violence Global	Preventing Harassment & Discrimination in the Workplace
House and Senate Staff	Sexual Harassment Prevention: It's Up To You
IDHR	Sexual Harassment Prevention; The Diversity Advantage; Handling Micro-Inequities and Bias; Out and Equal; Building Bridges with LGBTQIA+; Accountability that Works
IDOT	Sexual Harassment Prevention; It's Up to You; The Diversity Advantage; Handling Micro-Inequities and Bias
Illinois Department of Labor	Diversity Advantage: Handling Micro-Inequities and Bias
Illinois Department of Public Health	Sexual Harassment Prevention (Employees)
Illinois Emergency Management Agency	Diversity Advantage: Handling Micro-Inequities and Bias
Illinois Tollway and Authority	Preventing Harassment & Discrimination in the Workplace
Kartemquin Films	Preventing Harassment & Discrimination in the Workplace
Legislative Printing Unit	Sexual Harassment Prevention (Employees)
Lincolnwood Library	Intercultural Communication: Overcoming Cultural Barriers
Municipal Clerks of Illinois Institute/Academy	The Diversity Advantage: Handling Micro-Inequities and Bias
McHenry County	Sexual Harassment Prevention (Employees)
NAHQ (Nat'l Assoc for Healthcare Quality)	The Diversity Advantage: Handling Micro-Inequities and Bias
Senate Republican Staff	Once and For All: Stopping Sexual Harassment at Work (Employees)
Senate Democratic Caucus	Sex Power and the Workplace
Senate Republican Caucus	Sex Power and the Workplace
SHP Legislative Staffers	Sex Power and the Workplace
Springfield Police Department	Preventing Harassment & Discrimination in the Workplace
State Democratic Staff	Sex Power and the Workplace
Village of Frankfort	Diversity Advantage: Handling Micro-Inequities and Bias
Village of Lombard	Communicating Across Generations in the Workplace
Village of New Lenox (Romeoville)	Once and For All: Stopping Sexual Harassment at Work (Employees)
Village of Savoy	Sexual Harassment Prevention (Employees)

Table 3: Training Courses Conducted by Topic

Training Courses Conducted by Topic						
Course Topic	Number of Sessions			Number of Participant		
	Fiscal Year: 2018	2019	2020	2018	2019	2020
Accountability that Works	0	0	1	0	0	23
Bullying	2	2	1	40	28	93
Civility	12	13	6	293	406	139
Conflict	3	2	6	70	320	98
Cultural Competence	3	0	0	37	0	0
Disability	2	1	0	9	23	0
Diversity	25	10	0	965	555	0
Employment Law	0	0	0	0	0	0
Emotional Intelligence	0	0	2	0	0	63
Ethical Workplace	0	0	1	0	0	30
Fair Housing	3	4	6	30	52	45
Generations	0	1	2	0	54	52
Golden Rule	0	0	1	0	0	29
Harassment, Discrimination	28	18	27	1,255	417	710
How to Manage Emotions	0	0	1	0	0	36
Intercultural Communication	0	4	3	0	110	36
Interpersonal Skills	0	0	0	0	0	0
Legal Interviewing	0	0	0	0	0	0
LGBTQIA+	7	5	5	139	80	62
Listening with Intent	0	0	1	0	0	26
Lunch with Legal	1	1	1	66	0	0
Managing Difficult Decisions	0	0	2	0	0	44
Managing Remote Employees	0	0	3	0	0	57
Productive Work Habits	0	0	1	0	0	28
Real Colors	0	5	0	0	150	0
Retaliation	1	0	0	6	0	0
Taking Initiative	0	0	2	0	0	58
Telephone Skills	0	0	1	0	0	37
Time Management	0	0	2	0	0	70
Sexual Harassment Prevention	100	51	49	4,023	2,030	1,440
Social Media	2	2	0	12	76	0
Staying Focused	0	0	2	0	0	55
Stress Management	0	0	3	0	0	81
The Diversity Advantage: Handling Microinequities and Bias	0	36	23	0	887	474
Unconscious Bias	2	0	0	118	0	0
Totals	191	155	152	7,063	5,188	3,786

Figure 2: Number of Participants - Selected Training Topics



40TH ANNIVERSARY OF THE HUMAN RIGHTS ACT



December 10th, 2019 recognized not only United Nations International Human Rights Day, but also the forty year anniversary of the signing of the Illinois Human Rights Act (“Act”) into law by then Governor James R. Thompson. This single piece of novel legislation created a moral anchor connecting each person in Illinois and setting a standard that in this state, you are protected not in spite of who you are, but precisely because of who you are. Creating the Act also created two agencies - the Department of Human Rights, enforcing the Act through education and outreach and by investigating allegations of discrimination and harassment throughout the State of Illinois, and the Human Rights Commission - essentially Illinois’ Civil Rights Court.

The Department and the Illinois Human Rights Commission joined together to celebrate this milestone occasion by throwing a celebration that was attended by past Directors of the Department, elected officials, and other dignitaries. The event took place in the main ballroom of the Chicago Carpenter’s Hall. An inaugural Illinois human Rights Award was bestowed upon the Honorable Barbara Flynn Currie, the principle architect of the Act. Also participating in the occasion was past chair of the Commission, Governor JB Pritzker. The event was marked with singing by the Chicago Children’s Choir and a reception.

“It’s been forty years since Illinois established one of the nation’s most progressive approaches to human rights in the nation when it passed the Human Rights Act. But that achievement stands out not for its extraordinary nature, but because it’s a landmark of the exact caliber that has for so long defined Illinois’ role in bending that arc toward justice.”

Governor JB Pritzker, December 10, 2019



INVESTIGATIONS

The Human Rights Act prohibits discrimination in Illinois with respect to employment, financial credit, public accommodations and real estate transactions. Within those areas, the Act protects the bases of race, color, religion, sex (including sexual harassment), national origin, ancestry, age (40 and over), order of protection status, marital status, physical and mental disability, military status, sexual orientation (which includes gender-related identity), pregnancy, and unfavorable military discharge. The Act also prohibits sexual harassment in education; discrimination because of language and citizenship status in employment; discrimination based on familial status in real estate transactions; and arrest record in employment and real estate transactions. The Act further prohibits retaliation against a person who engages in a protected activity (filed a charge of unlawful discrimination, opposed discrimination, or participated in an investigation or other proceeding under the Act); aiding and abetting or coercing a person to violate the Act; and interference with the official performance of duties under the Act.

A prospective complainant must file a charge of discrimination with the Department of Human Rights (“DHR”) within the time period proscribed by the Act.¹

FAIR HOUSING

The Illinois Department of Human Rights (“IDHR”) receives and investigates charges of discrimination involving real estate transactions (residential and commercial) on the bases of race, color, religion, sex (including sexual harassment), national origin, familial status (children under 18), pregnancy, ancestry, age (40 and over), marital status, physical and mental disability, sexual orientation (including gender related identity), military status, unfavorable discharge from military service, and order of protection status. DHR also investigates charges of discrimination involving retaliation, and intimidation, interference or coercion in connection to a person’s enjoyment of any of the protected housing rights. Within one year of an occurrence of an alleged civil rights violation, the Complainant may file a charge of discrimination with the Fair Housing Division. Once a charge is docketed, an investigator conducts an investigation of the charge and discusses the possibility of a voluntary settlement with the parties. In many cases, the investigator conducts an on-site investigation to interview witnesses and obtain pertinent documentation. The Human Rights Act requires that charges involving real estate transactions be completed within 100 days of filing unless it is impracticable to do so. If DHR dismisses the case (based on lack of substantial evidence, lack of jurisdiction, or failure to proceed) the Complainant has 90 days to file a Request for Review (appeal) of that dismissal with the Human Rights Commission. Where the DHR’s investigation leads to a substantial evidence finding of discrimination, and conciliation is not successful, the Complainant or Respondent (the party alleged to have discriminated) can elect to have the case heard administratively before the Illinois Human Rights Commission or in circuit court. The Department’s Legal Division litigates housing matters before the Human Rights Commission, and the Illinois Attorney General’s Office represents IDHR in circuit court.

DHR’s HUD Partnership as a FHAP Agency

DHR is a proud partner agency with the U.S. Department of Housing and Urban Development (“HUD”) in HUD’s Fair Housing Assistance Program (“FHAP”). Under the Fair Housing Assistance Program, HUD can enter into cooperative agreements with state or local governmental agencies, under which HUD refers housing discrimination charges to the FHAP agency for investigation. In order for a state or local governmental agency to be qualified to participate in the Fair Housing Assistance Program, HUD must certify that the agency’s fair housing laws are substantially equivalent to the federal Fair Housing Act.

“Substantial equivalency” means that the agency is essentially similar to HUD in regard to the substantive rights protected by the agency, the procedures followed by the agency, the remedies available to the agency, and the availability of judicial review of the agency’s actions. DHR was admitted into HUD’s Fair Housing Assistance Program on an interim basis in 2002 and was fully certified as a FHAP agency in 2006. DHR’s certification was first renewed in 2012. DHR was proud to announce that on March 5, 2018, HUD recertified DHR as a substantially equivalent FHAP partner for another five years.

¹ See Fair Housing Investigations pages for procedures and information relating to cases involving real estate transactions.

INVESTIGATIONS

In order to ensure that DHR can maintain its eligibility as a FHAP agency, DHR must continue to meet HUD's case investigation performance goals and standards. DHR must also ensure that Illinois' fair housing laws remain substantially equivalent with the federal fair housing laws. DHR therefore reviews pending legislation to evaluate the impact the legislation may have on the substantial equivalency of Illinois' fair housing laws.

DHR also recommends legislation that may be beneficial to maintaining the substantial equivalency of Illinois' fair housing laws. One such example is DHR's initiative to introduce HB5165 (Tort Immunity) to amend the Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/2-101) so that cases brought under the Illinois Human Rights Act would be excluded from local governmental immunity. Similarly, the Fair Housing Division will recommend changes to DHR's administrative rules and regulations that may be necessary to maintain the substantial equivalency of Illinois' law. DHR also monitors and, if necessary, intervenes in litigation that may impact the interpretation of the Illinois Human Rights Act or DHR's ability to enforce Illinois' fair housing laws in a manner that is substantially equivalent to the federal fair housing laws.

Fair Housing Affiliations

In order to further coordinate fair housing activities, DHR maintains close working relationships with several organizations:

- Through its affiliation with the Chicago Area Fair Housing Alliance ("CAFHA"), DHR networks with private fair housing organizations, municipalities, and other organizations to advance fair housing issues in the Chicago area.
- DHR is a member of the Illinois Housing Task Force on Affordable Housing, which coordinates strategies to meet the goals and objectives identified to increase affordable housing for Illinois residents.
- DHR submits information to the Illinois Housing Development Authority ("IHDA") to assist IHDA in reporting to HUD on housing activities in the State of Illinois.

Fair Housing Case Investigations

It is the goal of the Fair Housing Division to complete its investigations in a timely and thorough manner. During FY2020, DHR completed 258 fair housing investigations. HUD's goal for FHAP agencies in FY2020 is to complete at least 50% of its investigations within 100 days. In FY2020, DHR completed 52% of its investigations (135 out of 258) within 100 days. Further, the average length of time for the Fair Housing Division to complete an investigation in FY2020 was 155 days.

Table 5: Housing Inquiries, Charges Filed and Completed Investigations

Housing Inquiries, Charges Filed and Completed Investigations			
Fiscal Year:	2018	2019	2020
Inquiries	880	901	828
Charges Filed	313	311	296
Completed Investigations	302	304	258

Figure 3: Housing Inquiries, Charge Filed and Completed Investigations by Fiscal Year

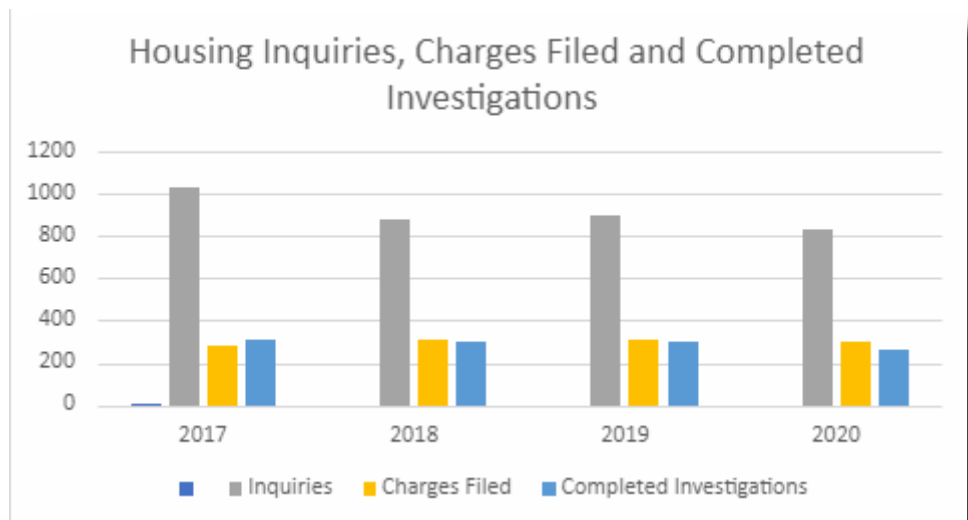


Table 6: Disposition of Completed Housing Investigations

Fiscal Year:	2018	2019	2020
Inquiries Received	880	901	828
Charges Filed	313	311	296
Completed Investigations	302	304	258
Completed Investigations:			
Lack of Substantial Investigation	144	153	122
Settlement	74	63	57
Failure to Proceed	44	52	46
Substantial Evidence/Default	23	21	17
Withdrawn by Complaint	12	10	7
Administrative Closure	3	2	1
Lack of Jurisdiction	2	3	8
Total	302	304	258

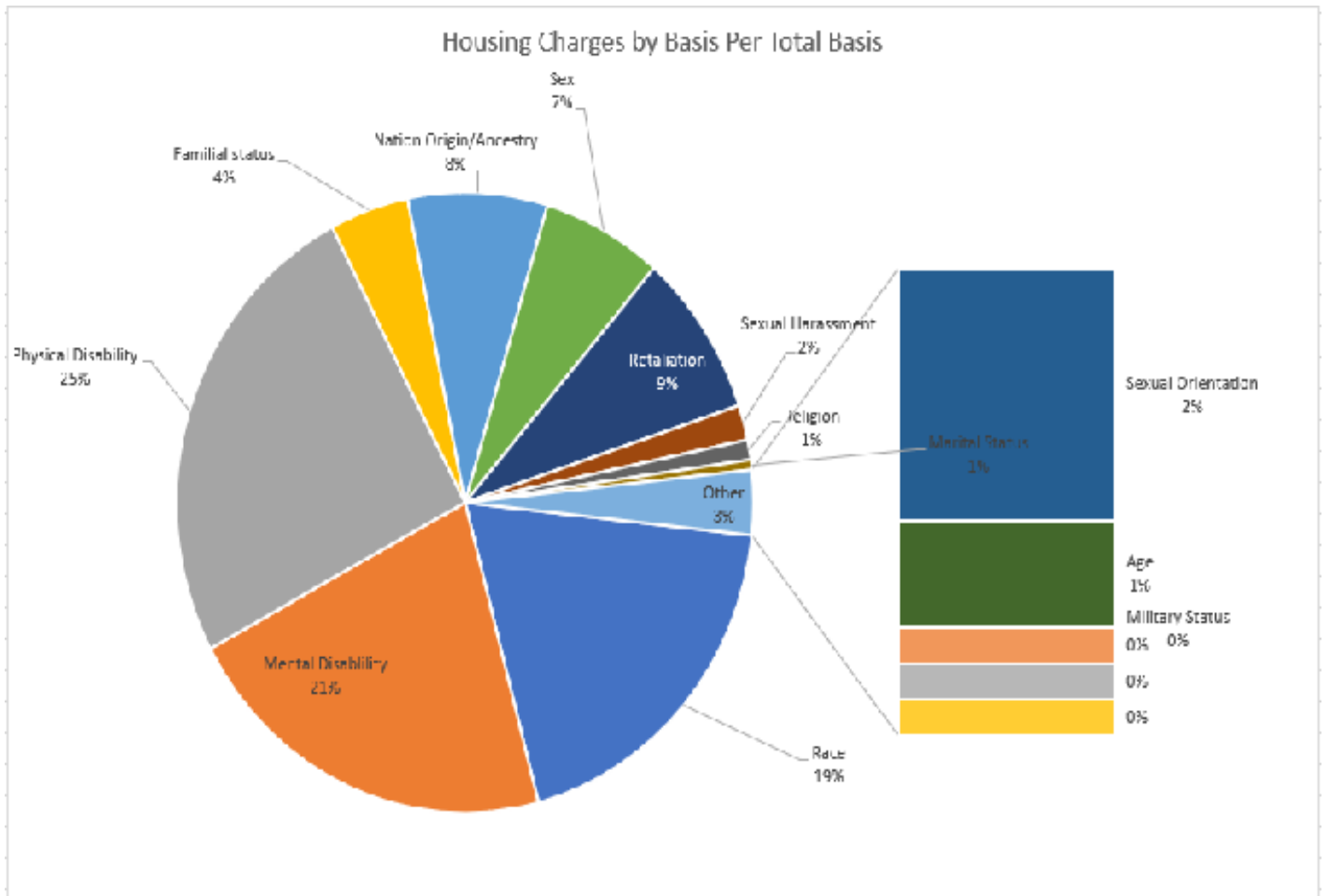
Table 8: Housing Charges by Basis

Housing Charges by Basis	
Fiscal Year 2020	
Basis of Discrimination	
Race	74
Mental Disability	82
Physical Disability	97
Familial status	17
Nation Origin/Ancestry	30
Sex	26
Retaliation	33
Sexual Harassment	-
Religion	4
Marital Status	2
Sexual Orientation	-
Age	3
Military Status	-
Order Of Protection	1
Color	1
Other	1
Total	371

HOUSING CHARGES BY BASIS

Fiscal Year 2020

Figure 6: Housing Charges by Basis Per Total Charges



HOUSING CHARGES BY RESPONDENT TYPE

Fiscal Year 2020

Figure 7: Housing Charges by Respondent Type

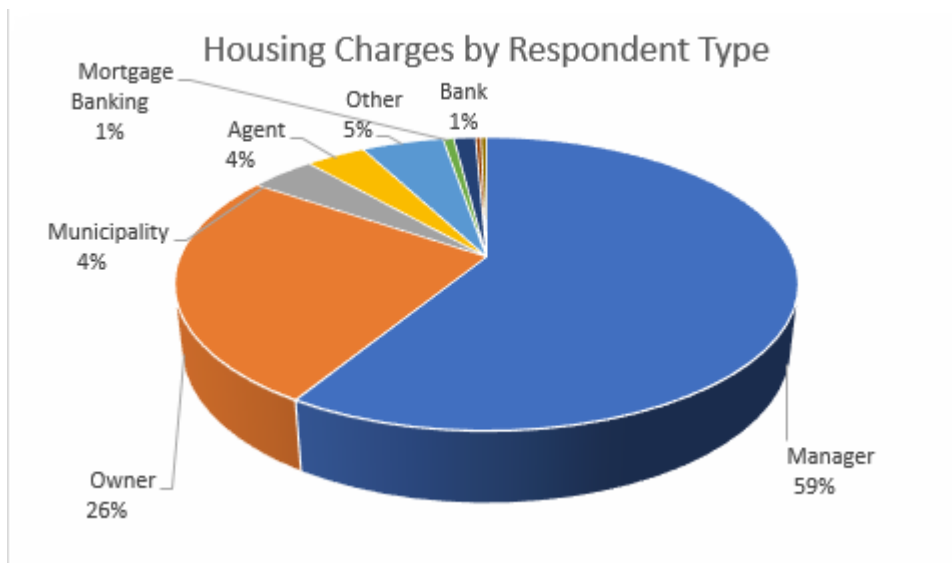


Table 9: Housing Charges by Respondent Type

Housing Charges by Respondent Type	
Fiscal Year 2020	
Manager	174
Owner	76
Municipality	12
Agent	11
Other	15
Mortgage Banking	2
Bank	4
College or University	1
County Agency	-
Rental Agent	1
Total	296

HOUSING CHARGES BY COUNTY

Table 10: Housing Charges Filed by County

***Counties not listed had zero reported charges

FY20 Housing Charges Filed by County	
ADAMS	3
BOONE	1
BUREAU	1
CHAMPAIGN	1
CLINTON	1
COLES	2
COOK	152
CRAWFORD	1
DEKALB	6
DOUGLAS	1
DUPAGE	33
EDGAR	1
EFFINGHAM	1
FRANKLIN	1
FULTON	2
GREENE	1
HENRY	2
JACKSON	4
KANE	8
KANKAKEE	1
KENDALL	3
LAKE	15
MADISON	4
MCHENRY	2
MCLEAN	2
MONROE	4
OGLE	2
PEORIA	4
PERRY	1
PUTNAM	1
ROCK ISLAND	5
SANGAMON	7
ST CLAIR	7
STEPHENSON	2
TAZEWELL	2
WILL	8
WINNEBAGO	4
TOTAL	296

HOUSING CHARGES BY COUNTY

Table 11: Housing Charges Filed by County

Ordered by Counties with Highest Number of Charges Filed

COUNTY	Total
COOK	152
DUPAGE	33
LAKE	15
KANE	8
WILL	8
SANGAMON	7
ST CLAIR	7
DEKALB	6
ROCK ISLAND	5
JACKSON	4
MADISON	4
MONROE	4
PEORIA	4
WINNEBAGO	4

MEDIATION

DHR’s Mediation Program offers parties the opportunity to negotiate a settlement of the charges rather than go through a full, time-consuming investigation. This innovative and nationally-recognized program came about as a result of collaboration between DHR and its stakeholders. Mediation is voluntary and free of cost to the parties.

Since its inception as a pilot program in July 1994, DHR’s Mediation Unit has afforded the parties to employment and public accommodations discrimination charges the opportunity to settle cases prior to an investigation. The parties meet with a DHR Human Rights Mediator in a confidential, nonconfrontational atmosphere to discuss settlement options. The mediator helps facilitate communication between the parties as they explore terms of settlement to resolve the charge and eliminate the need for an investigation. Mediation does not affect the investigation if there is no settlement. If the parties fail to reach a resolution, the case is investigated. The mediators facilitate communication and help ensure that both parties are satisfied with the resolution.

The Mediation Program has expanded its services in recent years:

- In Fiscal Year 2017, DHR’s Mediation Program began offering the parties an opportunity to mediate where DHR finds substantial evidence of discrimination. For Fiscal Year 2018, DHR mediators resolved three substantial evidence cases and helped the parties avoid a protracted litigation process.
- In Fiscal Year 2018, DHR initiated a pilot project to mediate real estate transactions cases, and mediators resolved three housing cases.
- In Fiscal Year 2019, the US Equal employment Opportunity Commission (“EEOC”) approved a contract with DHR for the Mediation Unit to mediate charges filed at EEOC. The contract includes options to extend for up to four (4) years.
- In Fiscal Year 2020, the EEOC approved an extension of DHR’s mediation contract, and due to the pandemic the Mediation Unit successfully transitioned from all in-person conferences to video and telephone conference formats.

Mediation has diverted a significant number of charges from the traditional investigation process, and participants have indicated they are very satisfied with all aspects of mediation.

In FY2020, the Mediation Unit held 262 conferences, resolved 198 cases, and obtained a total known monetary recovery for charging parties of \$2,300,153.

Table 11: Mediation Unit Activity

Fiscal Year:	2018	2019	2020
Number of Mediation Conference Held	165	216	262
Number of Conferences with Resolutions	152	159	138
Percent of Conferences with Resolutions	92.12%	73.61%	52.67%
Number of Additional Cases Resolved	32	21	60
Total Number of Cases Resolved Via Mediation	184	180	198
Total Number of Cases Completed	3,071	2,717	3106
Percent of Cases resolved Via Mediation	5.99%	6.62%	6.37%
Known Monetary Amounts (frequently kept confidential)	\$1,281,427	\$1,502,432	\$2,300,153

EMPLOYMENT AND OTHER NON-HOUSING CASES

Since January 1, 1996, when Public Act 89-370 (also known as House Bill 741) became effective, the DHR has 365 days from the date a perfected charge of discrimination is filed to investigate and determine whether or not substantial evidence of discrimination exists. The parties to a charge may mutually agree to extend the time for investigation.

Where the DHR's investigation finds substantial evidence of discrimination, Complainant has the option of:

1. Requesting within 30 days the DHR's Legal Division to file a complaint on Complainant's behalf with the Human Rights Commission ("Commission"), a separate adjudicatory agency;
2. Filing a complaint with the Commission within 90 days; or
3. Commencing within 90 days a civil action in a state circuit court of appropriate venue.

Alternatively, if DHR dismisses the charge of discrimination, the Complainant has 90 days to either:

1. File a Request for Review (appeal) of that dismissal with the Commission; or
2. Commence a civil action in a state circuit court of appropriate venue.

The DHR may dismiss a charge upon finding a lack of jurisdiction, a lack of substantial evidence of discrimination or if complainant fails to proceed with the charge investigation.

Voluntary Mediation and Alternative Dispute Resolution

During an investigation, DHR investigators investigate and attempt to amicably resolve those charges over which the DHR has jurisdiction. Since 1994, parties to employment and public accommodations charges have had the opportunity to participate in voluntary mediation of their charges in Chicago. DHR mediators schedule mediation conferences and meet with the parties to facilitate communication towards a possible resolution of the charge. DHR mediators offer the parties the opportunity to mediate before the charge is assigned for investigation, prior to the scheduling of a fact-finding conference, and where DHR finds substantial evidence of discrimination.

DHR's EEOC Partnership as a FEPA

DHR partners with the U.S. Equal Employment Opportunity Commission ("EEOC") as a Fair Employment Practices Agency ("FEPA").

EEOC contracts with state and local governmental agencies nationwide through work sharing agreements. The work sharing agreements provide for the dual-filing and processing of charges alleging employment discrimination where both agencies would have jurisdiction. In order for a state or local governmental agency to be qualified as a FEPA, EEOC must certify that the agency's laws prohibiting employment discrimination are substantially equivalent to federal laws, in regard to the substantive rights protected by the agency, the procedures followed by the agency, the remedies available to the agency, and the availability of judicial review of the agency's actions.

FEPA contracts undergo periodic performance reviews by EEOC and must be renewed every three years, with the two intervening years as extensions. DHR began contracting with EEOC as a FEPA partner in 1974 (as the Fair Employment Practices Commission). During Fiscal Year 2020, the EEOC approved DHR's certification for another three-year term, and the next review is scheduled for Fiscal Year 2023.

DHR's partnership with EEOC is comprised of four different contract provisions:

1. Intake services: DHR receives, processes and serves charges on EEOC's behalf where only EEOC has jurisdiction.
2. Case processing: DHR undertakes and completes a thorough investigation of charges that are filed initially with DHR and for which EEOC also has jurisdiction. DHR also investigates charges that EEOC received initially and defers to DHR.
3. Engagement project: DHR and EEOC jointly identify and implement cooperative projects to address incidents of discrimination or to jointly conduct a large investigation. In Fiscal Year 2020, the two agencies cooperated to produce a model sexual harassment prevention training program.
4. Mediation: In FY2020, the EEOC approved an extension of a separate contract with the DHR for the Mediation Unit to mediate charges filed at EEOC (see Mediation Program pages for procedures and information relating to DHR's Mediation Unit). This contract is for one year and includes options to extend for up to four (4) years, with FY2020 as the first extension year.

In order to ensure that DHR can maintain its eligibility as a FEPA agency under the contract with EEOC, DHR must ensure that Illinois' laws prohibiting employment discrimination remain substantially equivalent with the federal equal employment laws. DHR therefore reviews pending legislation to evaluate the impact the legislation may have on the substantial equivalency of Illinois' employment anti-discrimination laws. DHR also recommends legislation that may be beneficial to maintaining the substantial equivalency of Illinois' employment antidiscrimination laws.

Similarly, the Charge Processing Division will recommend changes to DHR's administrative rules and regulations which are necessary to maintain the substantial equivalency of Illinois' law.

DHR also monitors and, if necessary, intervenes, in litigation that may impact the interpretation of the Illinois Human Rights Act or DHR's ability to enforce Illinois' laws in a manner that is substantially equivalent to the federal laws.

Table 12: Charges Docketed by Jurisdiction

CHARGES DOCKETED BY JURSDICTION				
	Fiscal Year:	2018	2019	2020
Employment		2,442	2,359	2,482
Housing		313	311	296
Public Accomodations		153	201	155
Financial Credit		1	1	-
Sexual Harassment in Education		5	-	-
TOTAL		2,914	2,872	2,933

Figure 8: Charges Docketed by Jurisdiction

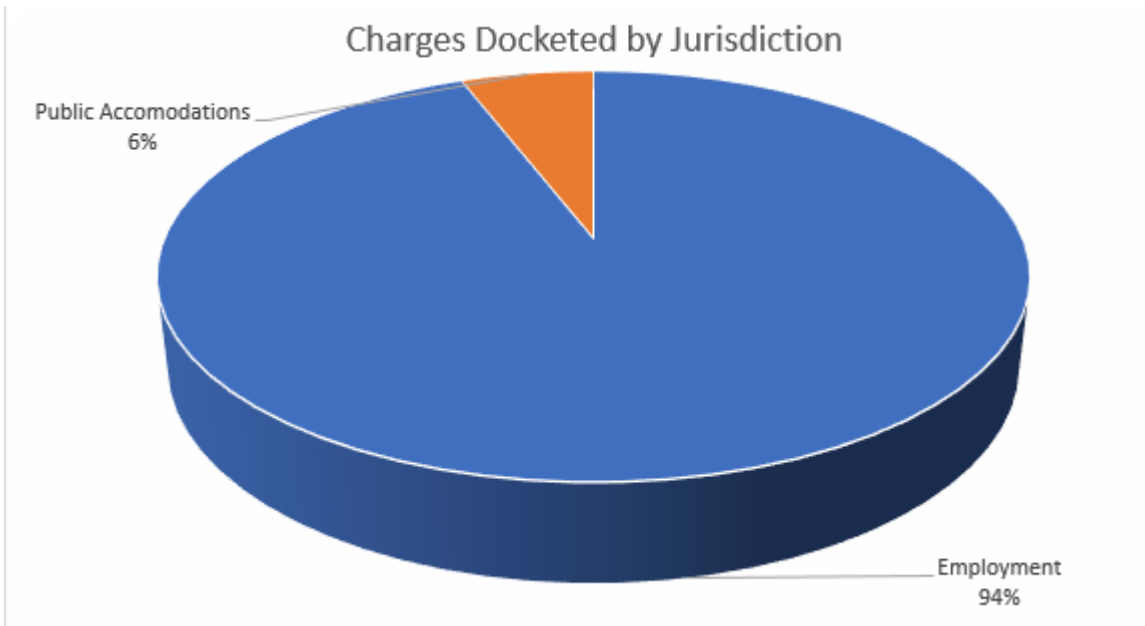


Table 13: Inquiries, Charges Filed and Completed Investigations

INQUIRIES, CHARGES FILED, AND COMPLETED INVESTIGATIONS (Excluding Housing Cases)				
	Fiscal Year:			
	2018	2019	2020	
Inquiries	10,281	14,910	9,978	
Charges Filed	2,601	2,561	2,637	
Completed Investigations	3,017	2,717	3,195	

Figure 9: Inquiries, Charges Filed and Completed Investigations

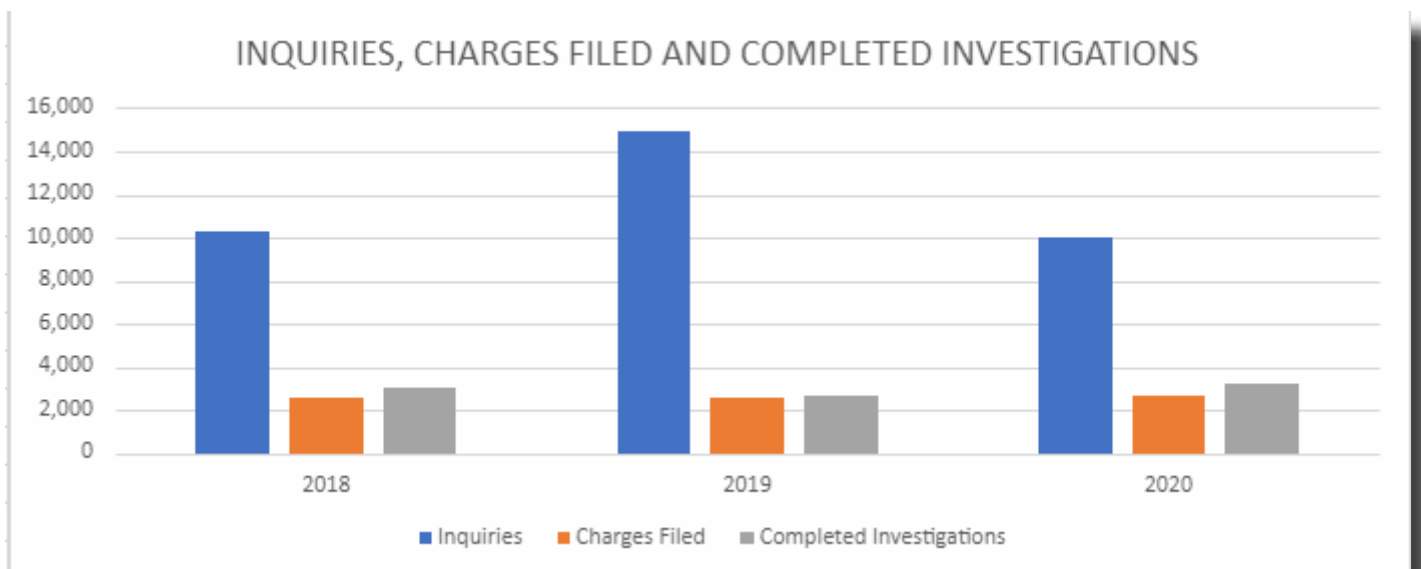
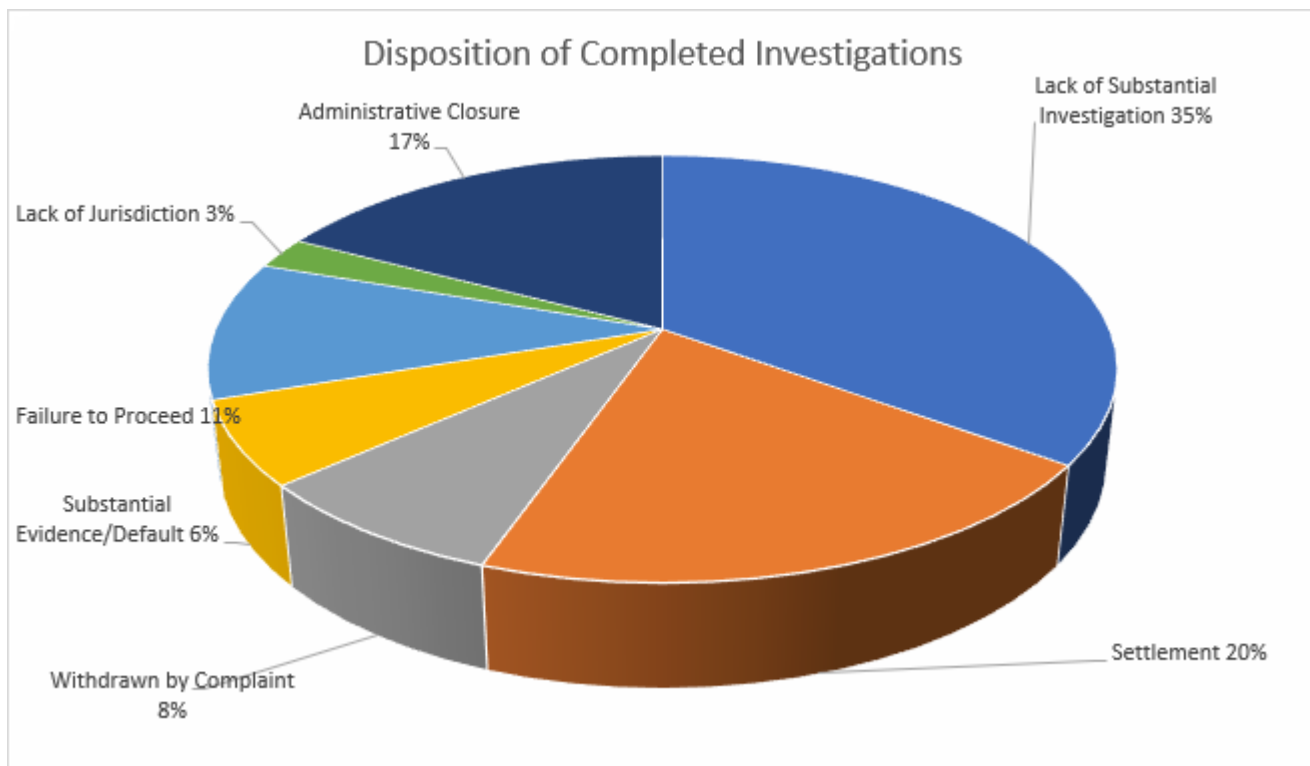


Table 14: Disposition of Completed Investigations

Disposition of Complete Investigations			
Fiscal Year:	2018	2019	2020
Inquiries Received	10,281	14,910	9,978
Charges Filed	2,601	2,561	2,637
Completed Investigations	3,017	2,717	3,195
Completed Investigations:			
Lack of Substantial Investigation	1,309	1,198	1119
Settlement	741	575	651
Withdrawn by Complaint	362	257	256
Substantial Evidence/Default	191	174	203
Failure to Proceed	177	234	336
Lack of Jurisdiction	171	163	77
Administrative Closure/Opt Out	66	116	553
Total	3,017	2,717	3,195

Figure 10: Disposition of Completed Investigations



**Number and percentage of total charges filed is greater than 100% because charges can be filed on more than one basis

Table 15: Performance - Non-Housing Cases - Average Processing Time (in days)

PERFORMANCE METRICS - NON-HOUSING CASES - AVERAGE PROCESSING TIME (IN DAYS)				
	Fiscal Year:	2018	2019	2020
Average Investigation Length (assignment to completion)		120	112	93
Average Processing Time (perfection to determination)		321	333	354

Table 16: Employment Charges by Basis

FY20 EMPLOYMENT CHARGES BY BASIS	
Retaliation	1,294
Sex Discrimination	865
Race	682
Age	401
Physical Disability	423
Sexual Harassment	379
National Origin	214
Mental Disability	130
Color	62
Sexual Orientation	74
Religion	48
Arrest Record	25
Military Status	9
Other	36
Marital Status	16
Citizenship	7
Order Of Protection	5
Coercion	6
Aiding And Abetting	4
Immigration Related Status	1
Total Bases	4,681
Total Charges	2,637

**Number or percentage of charges filed can be greater than 100% since charges can be filed on more than one basis.

Figure 13: Employment Charges by Basis of Discrimination as a Percent of Total Bases

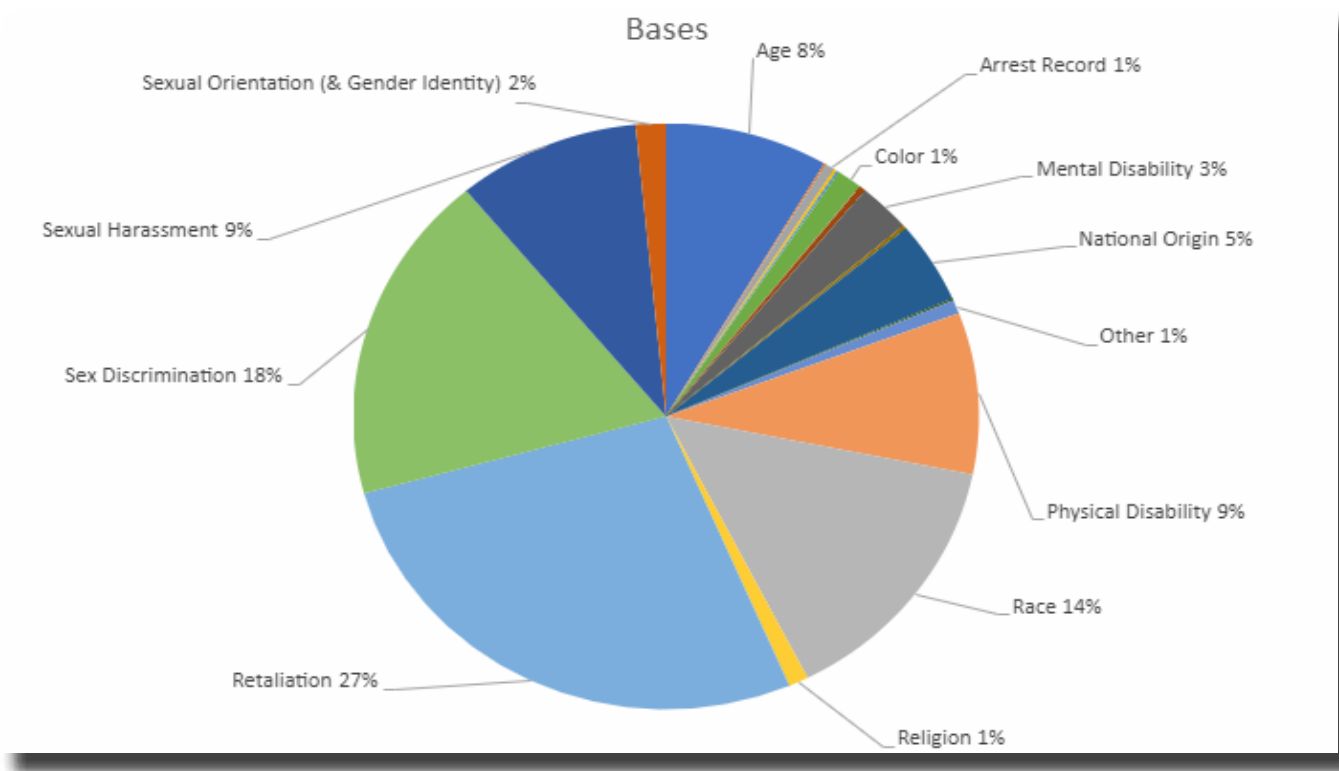


Figure 14: Employment Charges by Basis as a Percent of Total Charges

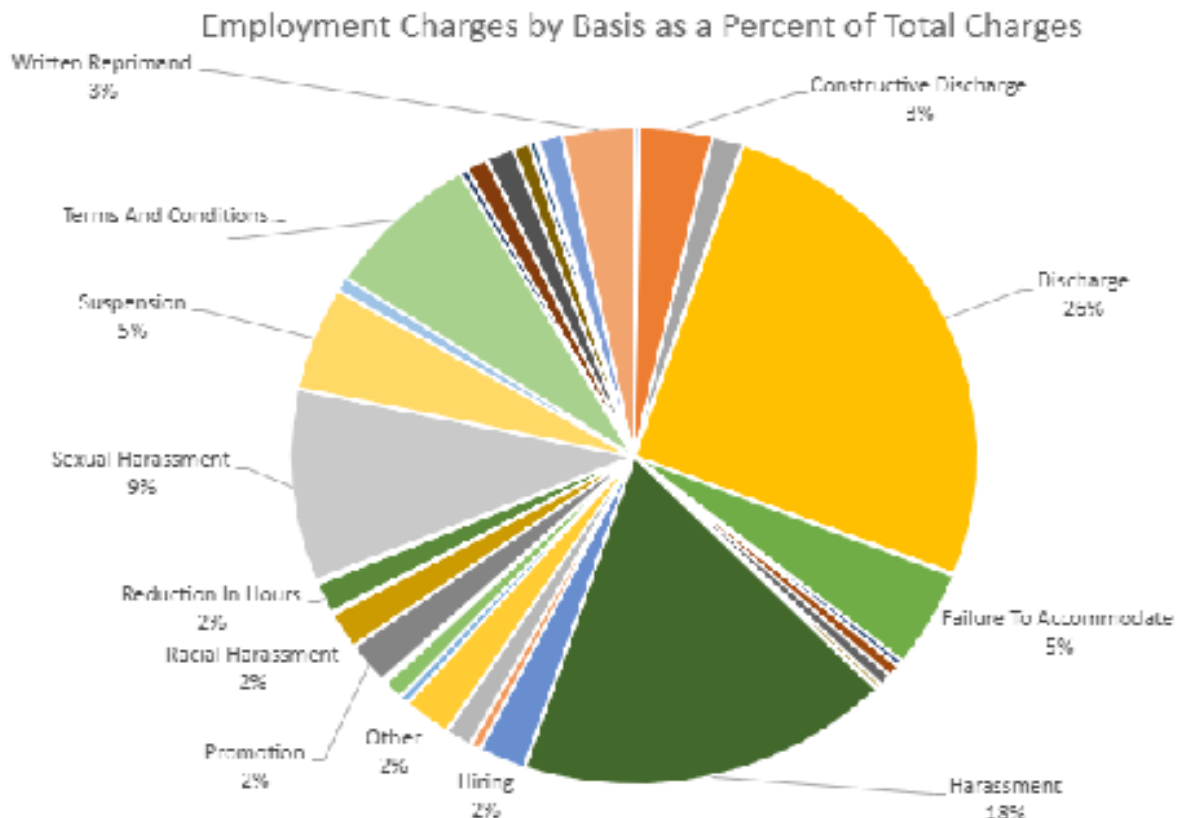


Table 17: Public Accommodations Charges by Basis

PUBLIC ACCOMODATIONS CHARGES BY BASIS		
FISCAL YEAR 2020		
Race	68	23%
Physical Disability	33	11%
Retaliation	24	8%
Sex Discrimination	25	8%
Age	20	7%
Mental Disability	35	12%
Sexual Orientation	30	10%
National Origin	24	8%
Color	21	7%
Religion	9	3%
Citizenship	1	0%
Coercion	1	0%
Aiding And Abetting	1	0%
Marital Status	1	0%
Military Status	2	1%
Other	1	0%
Total Bases	296	
Total Charges Filed	155	

Figure 13: Public Accommodations Charges by Basis Per Total Bases

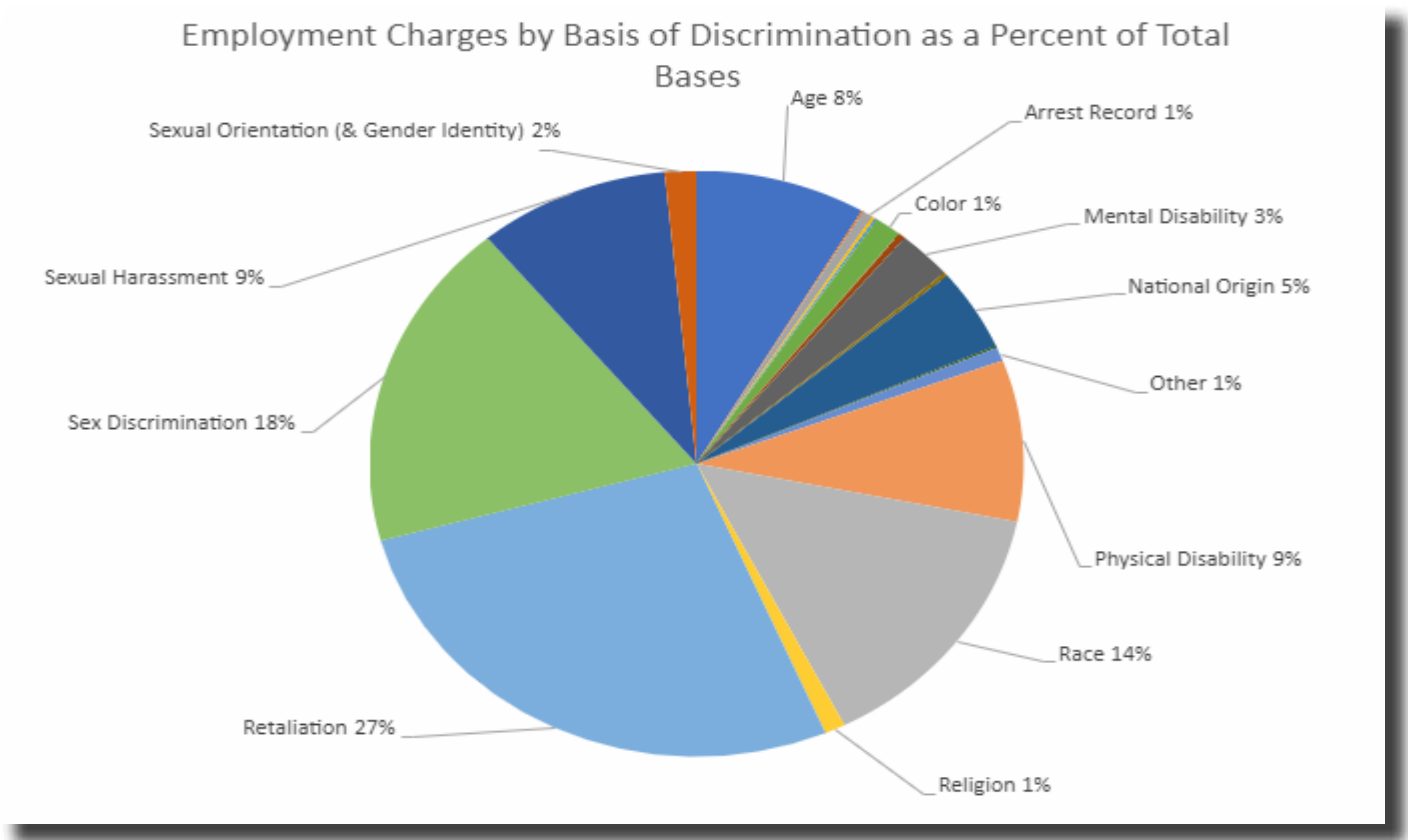


Table 18: Employment Charges by Respondent Type

EMPLOYMENT CHARGES BY RESPONDENT TYPE	
FISCAL YEAR 2020	
Private	1,664
Individual	385
Government, Local	153
Government, State	130
Elementary and Secondary Schools, Public	45
Private Employment Agency	28
College or University, Public	36
Union	17
College or University, Private	10
Secondary Schools, Private	10
Joint Apprenticeship Committee	2
State Employment Agency	2
Total:	2,482

Figure 14: Employment Charges by Basis

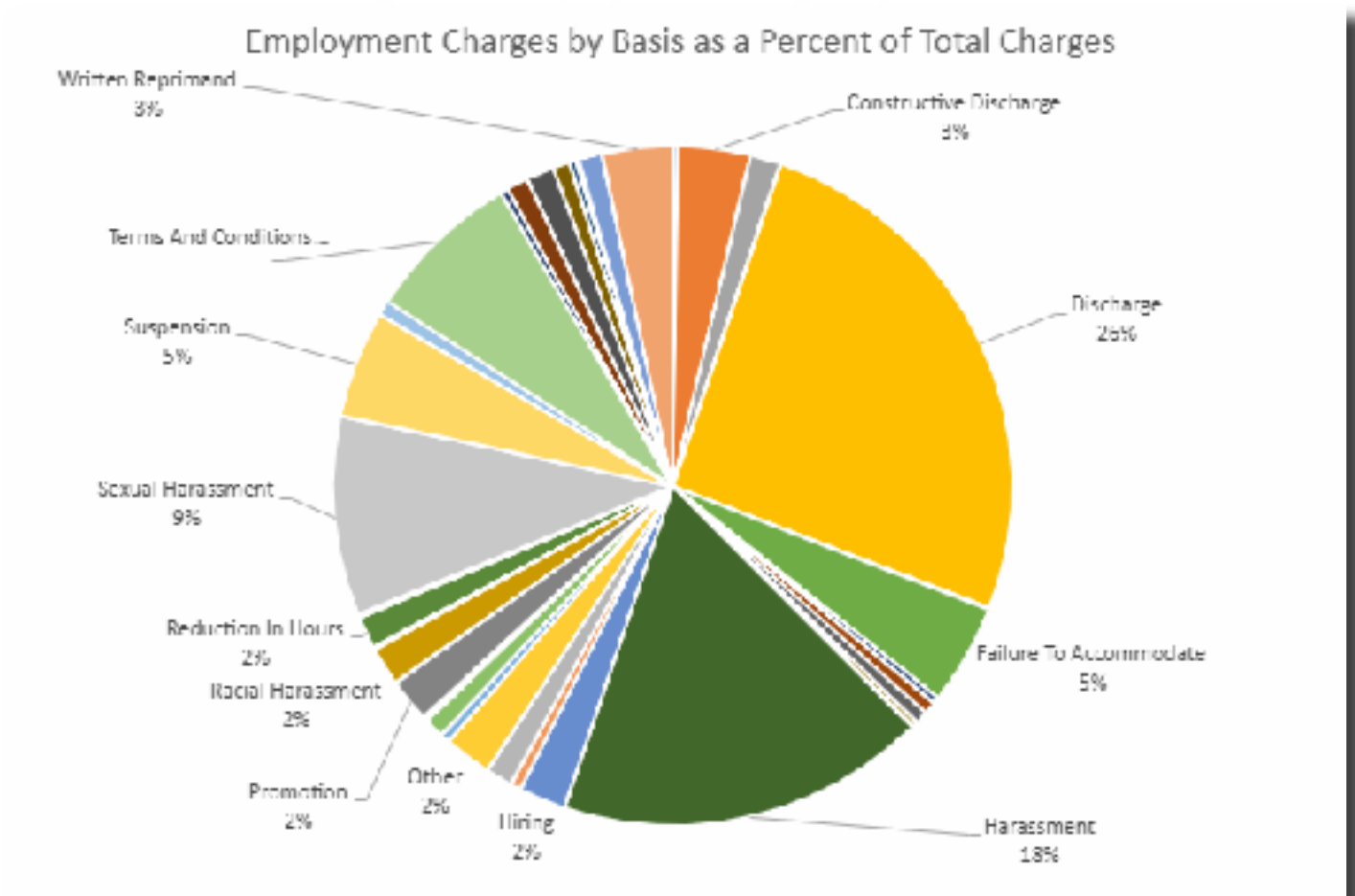


Table 19: Employment Discrimination Issues Alleged as Acts of Discrimination

**Total Number of Employment Discrimination issues alleged is greater than number of charges because charges can be filed on more than one issue.

EMPLOYMENT DISCRIMINATION (Issues Alleged as Acts of Discrimination)				
Fiscal Year:	2018	2019	2020	
Discharge	1,217	1,132	1,187	
Harassment	621	1,116	1,254	
Terms And Conditions	320	263	342	
Failure To Accommodate	223	237	221	
Suspension	214	213	238	
Written Reprimand	175	151	155	
Constructive Discharge	117	126	161	
Other	100	89	105	
Hiring	92	109	104	
Promotion	76	98	96	
Reduction In Hours	63	65	71	
Unequal Job Assignments	53	63	61	
Performance Evaluation	45	43	44	
Transfer	45	32	48	
Oral Reprimand Or Disciplinary Actions	44	46	59	
Demotion	42	49	68	
Wages	42	47	52	
Unequal Pay	39	47	37	
Racial Harassment	36	90	84	
Layoff	31	22	23	
Union Representation	28	17	15	
Failure To Return From Medical Leave	21	21	28	
Forced Medical Leave	20	18	28	
Tenure	18	21	33	
Probation	15	17	7	
Training	15	16	16	
Overtime	14	19	21	
Forced Resignation	11	11	11	
Benefits	9	8	10	
Employment Reference	6	5	3	
Failure To Reassign	6	18	15	
Position Elimination	5	5	3	
Referral	4	14	5	
Intimidation Or Reprisal	2	6		
Aiding and Abetting	1			
Forced Retirement	1	4	2	
Recall	1	4	6	
Severance Pay	1	4	2	
Vacation	1	4	6	
Seniority		2		
Job Class		1		
Drug Testing		1		
Total	3,774	4,254	4,621	

Table 20: Type of Discrimination by County

COUNTY	Public			TOTAL
	Employment	Accommodations	Housing	
ADAMS	5	-	3	8
ALEXANDER	1	-	-	1
BOONE	2	-	1	3
BROWN	1	-	-	1
BUREAU	3	-	1	4
CALHOUN	3	-	-	3
CARROLL	1	-	-	1
CASS	4	-	-	4
CHAMPAIGN	44	3	1	48
CHRISTIAN	3	-	-	3
CLAY	1	-	-	1
CLINTON	1	-	1	2
COLES	6	1	2	9
COOK	1,428	111	152	1,691
CRAWFORD	-	-	1	1
DEKALB	9	4	6	19
DEWITT	1	-	-	1
DOUGLAS	4	-	1	5
DUPAGE	200	4	33	237
EDGAR	2	-	1	3
EFFINGHAM	1	-	1	2
FORD	1	-	-	1
FRANKLIN	1	-	1	2
FULTON	2	-	2	4
GALLATIN	2	-	-	2
GREENE	1	-	1	2
GRUNDY	6	-	-	6
HANCOCK	2	-	-	2
HENRY	4	-	2	6
JACKSON	6	1	4	11
JEFFERSON	5	-	-	5
JO DAVIESS	1	-	-	1
KANE	79	1	8	88
KANKAKEE	23	1	1	25
KENDALL	4	-	3	7
KNOX	8	-	-	8
LAKE	76	6	15	97
LASALLE	19	-	-	19

Table 20: Type of Discrimination by County (continued)

COUNTY	Employment	Public Accommodations	Housing	TOTAL
LAWRENCE	3	-	-	3
LEE	2	-	-	2
LIVINGSTON	6	-	-	6
LOGAN	2	-	-	2
MACON	37	-	-	37
MACOUPIN	3	-	-	3
MADISON	43	-	4	47
MARION	10	-	-	10
MCDONOUGH	3	-	-	3
MCHENRY	11	1	2	14
MCLEAN	29	2	2	33
MENARD	1	-	-	1
MERCER	1	-	-	1
MONROE	2	-	4	6
MONTGOMERY	4	-	-	4
MORGAN	6	-	-	6
OGLE	3	-	2	5
PEORIA	35	1	4	40
PERRY	2	-	1	3
PIATT	1	-	-	1
PUTNAM	-	-	1	1
RANDOLPH	3	-	-	3
RICHLAND	1	-	-	1
ROCK ISLAND	31	4	5	40
SALINE	2	-	-	2
SANGAMON	108	8	7	123
SCHUYLER	5	-	-	5
ST CLAIR	26	1	7	34
STEPHENSON	3	1	2	6
TAZEWELL	11	-	2	13
UNION	5	-	-	5
VERMILLION	8	1	-	9
WHITE	1	-	-	1
WHITESIDE	7	-	-	7
WILL	76	2	8	86
WILLIAMSON	13	-	-	13
WINNEBAGO	18	2	4	24
TOTAL	2,482	155	296	2,933

LEGAL DIVISION

Functions

The Legal Division (“Legal”) reviews the investigative work of the Illinois Department of Human Rights (“Department” or “IDHR”), manages the Liaison Unit and the Public Contracts Unit, and oversees the Department’s ethics program. Additionally, Legal enforces the equal employment opportunity and affirmative action programs under the Illinois Human Rights Act (“Act”) and the Department Rules and Regulations, enforces provisions under the Act and Department Rules and Regulations as to public contractors and eligible bidders, reviews legislation and proposed legislation, represents the Department in responding to U-Visa Certification requests and represents the Department on panels and workshops and other public speaking engagements.

Legal Support for Investigations

Attorneys in the Legal Division are assigned to the Fair Housing and Litigation Units. Both units review substantial evidence determinations, conciliate cases, draft and file complaints with the Commission, and respond to Requests for Review filed with the Commission. The Fair Housing Unit also litigates Fair Housing cases before the Commission and responds to Freedom of Information Act requests, and to subpoenas issued by parties before the Commission, Illinois Circuit Court, and Federal District Court.

Table 21: Legal Support for Investigations

	Substantial Evidence Reviews	Complaints	Responses to Requests for Review
Housing Cases	18	17	34
Employment and Other Cases	144	70	205
Total	162	87	239

EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION FOR STATE AGENCIES

Origin, Purpose and Public Policy

Government agencies came under scrutiny with the emergence of the civil rights movement in the 1960s over the underrepresentation of minorities, females and people with disabilities in their workforces. Advocates of equal employment rights reasoned that governmental agencies should be mandated to take a leading role in affirmative action efforts as a means of setting examples for other employers and to make government truly representative of the people it governed.

The State of Illinois' response to this issue came in the form of Executive Order 9, promulgated by Governor Daniel Walker in 1973. This order created the State Equal Employment Opportunity Office, which reported to the governor while existing administratively within the Department of Personnel. The office was charged with collecting data regarding the number of minorities, females and persons with disabilities employed by state government, with developing policies and programs for increasing protected class representation in state agencies, and with monitoring state agency compliance with the governor's order. In 1976, Public Act 79-1441 was signed by Governor Walker, giving statutory authority to the Equal Opportunity Office and expanding coverage to state universities and the offices of the state constitutional officers. It required each state agency to appoint an EEO officer and submit an annual affirmative action plan.

Two years later, Governor James Thompson signed a bill creating the Illinois Department of Equal Employment Opportunity ("DEEO"), elevating the Office to cabinet-level status and making it an independent agency. The DEEO commenced operations on January 1, 1979, and 18 months later, it was merged into the new Illinois Department of Human Rights ("DHR").

Functions

DHR administers and enforces the Equal Employment Opportunity and Affirmative Action provisions of the Act and Department Rules and Regulations through the State Agency Liaison Unit ("Liaison Unit"). The Liaison Unit ensures compliance by state executive departments, state agencies, boards, commissions, and instrumentalities (collectively, "state entities").

All state entities are required to submit affirmative action plans, quarterly reports, and layoff reports to the Department. The Liaison Unit reviews the reports for conformance with the Act and Department Rules and Regulations. Additionally, the Liaison Unit monitors each state entity to ensure compliance with goals established in the state entity's affirmative action plan. The Liaison Unit provides ongoing technical assistance and training to Equal Employment Opportunity/Affirmative Action ("EEO/AA") Officers of state entities on the requirements of the Act and Department Rules and Regulations.

State entities that fail to meet their EEO/AA goals are required to establish training programs with the Illinois Department of Central Management Services. Further, DHR is required to report the identity of any State agency that fails to comply with the requirements of the Act and the circumstances surrounding such violation.

In FY2019, there were no agencies recommended to establish or to continue training in accordance with Section 7-105 (H), or that failed to comply with the requirements of the Act in accordance with Section 7-105(E).

Liaison Unit Activities

In order to ensure state entities were meeting the minimum compliance criteria, the Liaison Unit:

- Responded to 645 technical assistance inquiries from state entities.
- Provided individual training sessions for new EEO/AA Officers on the development affirmative action plans and quarterly reports.
- Met with EEO/AA Officers regarding their agencies' affirmative action performance.
- Provided numerous documents, publications, announcements and information to agency EEO/AA Officers and ADA Coordinators to assist recruitment efforts and give them updated, relevant information.
- Revised documents including the Technical Assistance Guide for Development of Affirmative Action Plans and Quarterly Reports for Illinois State Executive Agencies and; reasonable accommodation forms for applicants and employees; On-line disability survey form.
- Participated in the Complete Count Commission – State/Local Government Subcommittee on State agencies outreach efforts and initiatives for the 2020 Census.
- Participated in the U. S. Census webinar on accessing data for race, ethnicity and gender.
- Conducted an analysis of executive State agencies' underutilization for each of the affirmative action groups.
- Approved affirmative action plans submitted by 70 agencies.
- Granted extensions for submitting the FY2020 affirmative action plan to: Department of Corrections, Deaf and Hard of Hearing Commission, Liquor Control Commission, Department of Military Affairs, Department of Natural Resources, Department of Public Health, Toll Highway Authority, Department of Transportation, Treasurer's Office, and Workers' Compensation Commission.
- Granted extensions for submitting the quarterly report to: Department of Central Management Services, Department of Commerce & Economic Opportunity, Department of Corrections, Criminal Justice Information Authority, and Department of Natural Resources.
- Sent an Affirmative Action Plan late notice to: None.
- Sent Quarterly Report late notices to: Deaf and Hard of Hearing Commission and Law Enforcement Training & Standards Board.
- Approved layoff reports for: Department of Military Affairs and Workers' Compensation Commission.
- Discussed with the following agencies the necessity to implement ADA grievance procedures: Executive Ethics Commission, Department of Healthcare and Family Services, and Department of Innovation & Technology.

PUBLIC CONTRACTS UNIT

Origin, Purpose and Public Policy

The Fair Employment Practices Act (“FEPA”), the predecessor law to the Illinois Human Rights Act, was amended in 1973 to require the all parties contracting with state agencies practice affirmative action in employment to eliminate the current effects of discrimination. This legislation was modeled on federal Executive Order 11246, signed by President Lyndon B. Johnson in 1965, continuing a mandate for affirmative action by federal contractors. This legislation in Illinois marked an important addition to the state’s civil rights philosophy because of its focus on changing systemic employer patterns and practices and the requirement that employers actively recruit and hire members of protected class groups that had previously been excluded from workforce participation.

In 1979, the Illinois Human Rights Act was passed, merging the Fair Employment Practices Commission (“FEPC”) into the new Illinois Department of Human Rights. The public contractor functions that had been handled by the FEPC were taken over by DHR.

Historical Highlights

When it became effective in 1980, the Act included a provision authorizing debarment of a company that commits a civil rights violation while holding a public contract. Debarment could result in a fine, termination of the contract, and/or an order barring the company from participating in public contracts for a period up to three years. While this provision is rarely used, in FY2009, the Human Rights Commission ordered two companies disbarred. In response, DHR created a “debarred companies” web page.

A major change to the Act came with Public Act 96-0786, effective January 1, 2010, which allowed DHR to charge a \$75.00 registration fee for processing PC-1 forms for companies wishing to bid on state contracts. The purpose of the filing fee was to provide funds so that DHR could more effectively perform its audit function, ensuring that companies bidding on or being awarded state contracts are following the Act. The Act restricts monies raised under this amendment to fund DHR’s public contracts compliance monitoring program and other Department programs and activities.

Over the six-year period 2010 through 2015, DHR developed and improved its electronic systems for the bidder application and registration process. In FY2010, information for eligible bidders and public contractors was placed on DHR’s website; in FY2013, an online registration process was implemented; and as of FY2015, all services were electronically accessible. This process provided more efficient and effective service to the public.

The Public Contracts Unit (“PCU”) enforces the provisions of the Act and the DHR Rules and Regulations that require public contractors and eligible bidders to refrain from unlawful discrimination, undertake affirmative action in employment and develop a written sexual harassment policy.

The PCU registers entities seeking to establish eligibility status for competitively bidding on state contracts. The PCU provides technical assistance and training on how to develop equal opportunity policies and procedures. Additionally, the PCU reviews entities’ affirmative action plans to ensure compliance with established equal opportunity laws and guidelines. The PCU conducts audits to examine policies, procedures, and efforts expended by the contractor toward meeting its EEO/AA obligations.

In accordance with Department Rules, 44 Ill. Code, Section 750.140, the PCU reviews relevant information, reports, facilities, and personnel practices to determine compliance with the Act. In accordance with Department Rules, 44 Ill. Code, Section 750.210, persons seeking to establish eligibility status to be awarded a contract by a State agency are required to register with DHR.

Public Contract Unit Activities

The PCU registers potential public contractors and eligible bidders seeking to establish state bidder status through DHR's Public Contracts Program. The PCU:

- Number of registered bidders as of June 30, 2020: **9,939**
- Received a combination of **1,760** Employer Report Forms submitted by potential bidders, public contractors and eligible bidders seeking to establish state eligibility status to competitively bid on state contracts.
- Processed **1,021** Employer Report Forms from initial registrants applying for a DHR number.
- Processed **739** Employer Report Forms from public contractors and eligible bidders seeking to renew their existing eligibility status.
- Responded to **1,489** inquiries from government and non-government contracting entities, eligible bidders reinstating their eligibility status, potential bidders applying for a new DHR number, and other interested parties. Additionally, addressed EEO/AA questions relating to requirements for sexual harassment policies, contractor's EEO/AA obligations, audit questions, PCU registration process, procedures for monitoring a workforce as well as filled numerous requests for how to obtain an Employer Report Form (PC-1).

During FY20, the PCU cleared more than 75% of outstanding audits, better positioning IDHR to improve audit processes under a new system. In October 2019, the Public Contracts Unit transitioned from its legacy system for managing audit data and process and initiated the planning phase of a system upgrade to the enterprise-level licensing and permitting platform provisioned through the Dept of Innovation and Technology (DoIT). This new system, the Enterprise Licensing and Permitting system ("ELP") is an online registration/renewal system for all eligible bidders and vendors who wish to do business with the State of Illinois.

Table 23: Public Contracts Registrations - New Eligible Bidders and Renewals, Fiscal Year 2018 - 2020

Public Contracts Company Registrations - Eligible Bidders and Renewals			
	FY2018	FY2019	FY2020
Employer Report Forms Processed (New and Renewing Eligible Bidders)	1,738	1,408	1,760
Inquiries	827	1,250	1,489
Waiver Requests Granted	1	-	-
Exemptions Granted for Companies Located Wholly Outside the United States	-	-	-
Non-Compliance Letters Issued for Non-Compliance with PC-2 Bid Proposals	-	-	-

FISCAL

Funds were appropriated for DHR in the amount of \$16,244,200 during FY2020. General Revenue Funds totaled \$10,718,400, Other State Funds were \$600,000 and Special Projects Funds or federal dollars appropriated were \$4,925,800 in contracts with:

THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (“EEOC”) to investigate dual-filed employment discrimination charges (\$1,437,586); and

THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) to process dual- filed housing discrimination complaints and conduct special projects (\$990,138).

Expenditures for FY2020 totaled \$12,153,879, of which \$9,552,771 derived from General Revenue Funds, \$2,427,724 derived from Special Projects Funds, and \$173,384 derived from Other State Funds.

During Fiscal 2020, IDHR acquired a case management software application that will transfer data and case management processes from a decades-old, on-premises mainframe to a cloud-hosted solution that will manage a Department core function, the investigation of charges of discrimination.

Table 24: End of Year Headcount

End of Year Headcount			
	FY18	FY19	FY20
IDHR Total	125	124	135

Table 25: Expenditure Statement

Personal Services	9,542,244
State Contributions to Social Security	692,336
State Contributions to State Employees Retirement System	667,934
Contractual Services	532,738
Group Insurance	291,419
Telecommunications services	118,934
Rent	106,746
Software	44,528
Rental of office equipment	38,232
Operation of Automotive Equipment	21,909
Travel	18,895
Office Supplies	16,955
Printing	15,379
Repairs and maintenance	11,136
Commodities	8,433
Other	7,699
Furniture and equipment	6,826
Training Materials	5,407
Conferences and meetings	4,160
Equipment	937
State Contributions to Medicare	533
Postal	500
GRAND TOTAL	12,153,880

LEGISLATIVE AFFAIRS

The Legislative and Intergovernmental Affairs (“LIA”) office’s principle responsibility is the research, development and promotion of the agency’s legislation and the establishment of DHR’s positions on legislation presented by the General Assembly and community groups. The LIA office also functions as the liaison between the agency, the General Assembly and its staff and the Office of the Governor, as well as with other groups and organizations on the application of the Illinois Human Rights Act (“Act”) and agency rules and regulations.

As explained in more detail in the Investigations Section of this report, it is critical to DHR’s effective enforcement of the employment and fair housing provisions of the Act, that its law and procedures remain substantially equivalent to that of its federal partners, EEOC and HUD. Thus, one function of the LIA is monitoring legislation for its effect on DHR’s substantial equivalency. When legislation is proposed that may negatively affect DHR’s substantial equivalency, the LIA coordinates an agency response to meet with those involved and mitigate any negative effects.

NEW LAWS

P.A. 101-221 (Sexual Harassment) Amends the Illinois Human Rights Act. Requires the Department of Human Rights to adopt a model sexual harassment prevention training program and provides that all employers shall use the model or establish a training program that equals or exceeds the minimum standards provided by the model. Makes other changes concerning: definitions; procedures following an employer’s failure to post required notices; employer disclosure requirements, and bar and restaurant sexual harassment policies and prevention training. Effective January 1, 2020.

P.A. 101-430 (Employment) Amends the Illinois Human Rights Act. Provides that “employer” includes any person employing one (instead of 15) or more employees within Illinois during 20 or more calendar weeks within the calendar year of or preceding the alleged violation. Provides that “employer” does not include any place of worship with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the place of worship of its activities. Effective July 1, 2020.

P.A. 101-530 (Fact Finding Conference) Amends the Illinois Human Rights Act. Provides that the Department of Human Rights may (rather than shall) conduct a fact finding conference, and deletes language allowing a waiver to the fact finding conference. Provides that a formal training program for newly appointed commissioners of the Illinois Human Rights Commission shall include current issues in employment and housing discrimination. Provides that the Department shall authorize and not later than 30 days after the entry of the administrative closure order by the Commission the Attorney General shall commence and maintain a civil action on behalf of the aggrieved party seeking relief. Effective January 1, 2020.

LEGISLATIVE AFFAIRS

P.A. 101-565 (Arrest Record – Housing) Amends the Illinois Human Rights Act. Provides that it is a civil rights violation for an owner or any other person engaging in a real estate transaction, because of an arrest record to:

- refuse to engage in a real estate transaction with a person or to discriminate in making available such a transaction;
- alter the terms, conditions, or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;
- refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- refuse to negotiate for a real estate transaction with a person;
- represent a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or fail to bring a property listing to his or her attention, or to refuse to permit him or her to inspect real property;
- make, print, circulate, post, mail, publish, or cause to be made, printed, circulated, posted, mailed, or published, any notice, statement, advertisement, or sign, or use a form of application for a real estate transaction, or make a record or inquiry in connection with a prospective real estate transaction, that indicates any preference, limitation, or discrimination based on an arrest record, or any intention to make any such preference, limitation, or discrimination;
- or offer, solicit, accept, use, or retain a listing of real property with knowledge that unlawful discrimination or discrimination on the basis of an arrest record in a real estate transaction is intended.

Provides that the prohibition against the use of an arrest record shall not preclude an owner or any other person engaging in a real estate transaction from prohibiting the tenant, a member of the tenant's household, or a guest of the tenant from engaging in unlawful activity on the premises. Makes conforming changes. Effective January 1, 2020.



MANAGEMENT OPERATIONS AND INFORMATION SYSTEMS

The Management Operations and Information Systems division of IDHR (“MOIS”) oversees and manages general office operations, facilities and equipment, and the core information systems that enable the IDHR to conduct its daily work of three offices in Chicago, Springfield, and Marion. IDHR’s MOIS division operates in tandem and coordination with the State of Illinois Department of Innovation and Technology (“DoIT”) and Central Management Services (“CMS”) to ensure all employees have the tools, resources, and support to uphold the agency’s mission and deliver on the IDHR’s commitment to the people of Illinois.

In alignment with governance and support services from both DoIT and CMS, IDHR’s MOIS division supports key resources and functions of the agency, including:

- Managing and supporting data and mainframe applications necessary for casework and investigations;
- IT equipment provisioning, maintenance and inventory control;
- Facilities management and security;
- IT systems support and security awareness and compliance;
- Communications infrastructure, such as phone, website, and networks;
- Reporting and data controls with information systems;
- Strategic planning for growth and technology expansion of the IDHR.

Highlights of FY2020 Accomplishments

- Lead emergency COVID-19 mitigation and prevention efforts in office operations and information systems to support employee remote-work strategies.
- Supported public communications platforms and employee communications resources for uninterrupted constituent services during the COVID-19 pandemic.
- Engaged implementation team support and the IL Dept of Innovation and Technology (“DoIT”) for a development of a new electronic case management system for the IDHR divisions handling charge investigations.
- Initiated procurement and project planning with DoIT to transition IDHR’s Public Contracts Unit to a new system for management of applications and customer service needs with businesses registering as eligible bidders and State contractors.
- Supported analysis of space needs and office requirements for potential IDHR office relocations.

MEDIA RELATIONS

The Public Information Officer manages agency communications and serves as a spokesperson to the media. The PIO primarily responds to media inquiries, ranging from confirmation of charges filed with the agency to responding to general questions about departmental policy, statistics, rules and regulations, and the Human Rights Act. The position is also tasked with promoting the agency's image statewide and publicizing agency activities through media connections, press releases, social media, and web presence.

Press Releases

DATE	SUBJECT
8/21/2019	Illinois Department of Human Rights Applaud Governor Pritzker Bill Action
12/11/2019	Governor Pritzker and Illinois Department of Human Rights Celebrate the 40th Anniversary of the Illinois Human Rights Act
4/28/2020	Illinois Department of Human Rights Releases Model Sexual Harassment Prevention Training Program
6/15/2020	Statement: The Illinois Department of Human Rights Responds to SCOTUS Decision



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