



Indiana Civil Rights Commission

Public Meeting

June 21, 2019

1:00p.m.-3:00p.m.

ICRC Conference Room
100 North Senate Avenue, Room N300
Indiana Government Center North
Indianapolis, IN 46204

Agenda

- I. Meeting convened and *quorum* established
- II. Announcement of Agenda
- III. Approval of previous meeting minutes
- IV. ICRC Directors' Report
- V. Old Business
 - i. Commissioners Appointed to Appeals Report Determinations:
 1. Penny Washington v. Country Inn Suites, (Part 17091253),
Appeal Date: 3/18/2019 **Commissioner Blackburn**
 2. Michael Simson v. Lafayette Transitional Housing Center Inc., (HOha18070405)
Appeal Date: 3/26/2019 **Commissioner Harrington**
 3. Jimella Harris o/b/o Jacquese Hightower, et, al v. East Allen County Schools District, (EDra10120548)
Appeal Date: 4/2/2019 **Commissioner Harrington**
 4. Kellee Rembert v. Central Elementary School, (EDha17081222),
Appeal Date: 4/22/2019 **Chair Ramos**
 5. Travis Story v. FCA US LLC, (EMrt18100576),
Appeal Date: 5/10/2019 **Vice Chair Slash**
 6. Dewitt Green v. AACOA, (24M-2018-0124)
Appeal Date: 5/6/2019 **Commissioner Blackburn**
 7. Linda Long v. Dynamite Building Maintenance Inc., (EMse18050264)
Appeal Date: 4/22/2019 **Commissioner Jackson**
 8. Amy Simpson v. City of Tell City, (EMsh18080444)
Appeal Date: 5/9/2019 **Chair Ramos**
- VI. New Business
 - i. Appointment of Commissioners to Complainants' Appeals of Director's Findings

"The Chair shall appoint a Commissioner to review and rule on each appeal." 910 IAC 1-3-2(h).

1. Jason Wineke v. Barry's Pizza, (EMsh1810566),
Appeal Date: 5/28/2019
2. Jason Wineke v. Trans-plants Inc., (EMrt18100576),
Appeal Date: 5/17/2019
3. Mona Whitfield v. American Legion, (PAse18010046)
Appeal Date: 5/20/2019
4. Robin Waltz v. Great Clips, (EMha18070435)
Appeal Date: 5/30/2019
5. Travis Story v. FCA US LLC, (EMra18070433)
Appeal Date: 5/8/2019

ii. Review of ALJ Decisions and Orders

"The Administrative Law Judge's Order Disposing of the proceeding becomes a final order when affirmed under [IC 4-21.5-3-29]." IC 4-21.5-3-27(a).

1. ELIAS v. Kilroy's Bar and Grill, (ICRC. No.: PAha17071197)
The ALJ dismissed the case after both parties filed a Joint Motion to Dismiss.
2. ISIDORO v. JR Interior Trim and Jesus Fernandez, (ICRC No.: EMse16061276)
The ALJ found Respondent JR Interior Trim and Respondent Jesus Fernandez to be in default. After conducting a hearing on damages, the ALJ issued an initial order awarding Complainant \$8,769.44 to be paid by Respondent JR Interior Trim. The ALJ dismissed the complaint made against Jesus Fernandez.
3. ERVIN v. U & ME Logistics, (ICRC No.: EMra16031074)
The ALJ found Respondent to be in default. After conducting a hearing on damages, the ALJ issued an initial order awarding Complainant \$971.17.
4. ICRC (TORRES) v. Creative Approach Realty, LLC. (ICRC No.: HOha17061143)

The ALJ granted Complainant's motion for summary judgment and conducted a hearing on damages. The ALJ awarded the aggrieved person \$10,000.00 and awarded the state \$10,000.00 in civil penalties. The ALJ also ordered affirmative relief, including: 1) an apology letter, 2) policy changes, 3) changes to forms, and 4) training.

5. HE v. Belterra Casino,
(ICRC No.: EMha13101544)

After conducting a Hearing on the merits, the ALJ found Respondent discriminated against Complainant on the basis of disability but not on the basis of race and national origin. As a result, the ALJ awarded Complainant \$76,583.41 and ordered affirmative relief, including training and policy changes. The ALJ dismissed the race and national origin complaint. Both Complainant and Respondent have filed objections.

6. KUSS v. CTI, (ICRC No.: EMha17051071)

Respondent filed a Motion for Summary Judgment requesting the dismissal of the case, which the ALJ granted. Complainant has filed objections, requesting a briefing schedule and oral arguments. The Commission ordered briefs to be filed on May 23, 2019, with oral arguments occurring at the June meeting. Neither Party has filed a motion to continue the date of the oral arguments.

iii. Meeting Dates for 2019

- Monday, July 22, 2019
- Friday, August 16, 2019
- Friday, September 20, 2019
- Friday, October 18, 2019
- Friday, November 15, 2019
- Friday, December 20, 2019

VII. Announcements

VIII. Public Comment

[Adjournment](#)