

**MINUTES OF THE REGULAR MEETING OF
THE OHIO CIVIL RIGHTS COMMISSION**

June 7, 2012
Rhodes Office Tower Lobby
Columbus, Ohio

CALL TO ORDER

Chairman Hubert called the meeting to order at 9:30 a.m.

Commissioners Present:

Chairman Leonard Hubert
Commissioner Rashmi Yajnik
Commissioner Eddie Harrell, Jr.
Commissioner Tom Roberts
Commissioner Stephanie Mercado

A quorum was present.

OCRC Staff Present:

G. Michael Payton, Executive Director; Keith McNeil, Director of Operations; Norman Gibson, Dayton Regional Director; Darlene Newbern, Toledo Regional Director, Iris Choi, Cleveland Regional Director; Ronnell Tomlinson, Director of Housing; Courtney Calhoun, Reconsideration Supervisor; Bradley Dunn, Reconsideration Supervisor; Lori Anthony, Chief Assistant Attorney General Civil Rights Section, Attorney General's Office; Desmon Martin, Office of Special Enforcement and Compliance and Carol Swartzmiller, Administrative Assistant.

APPROVAL OF MINUTES

Commissioner Roberts moved to approve the May 17, 2012 minutes. Seconded by Commissioner Harrell.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

CONFIRMATION OF STAFF FINDINGS

1. **Complainant's Request for Reconsideration – Vacate Original No Probable Cause Finding and Grant for Further Review**

Sharon Schmidt v. State of Ohio Rehabilitation Services Commission
COLB1(38673)06272011
22A-2011-03465C

Charles William Feltner v. Mike's Trucking
COL71(38695)07072011
22A-2011-03507C

Charles William Feltner v. Mike's Trucking
COLB1(38685)07052011
22A-2011-03493C

Barbara J. Frazier v. DDM Digital Imaging Processing and Mailing, L.C.
COLA1(38709)07122011
22A-2011-03573C

Rehonna E. Brooks v. Volunteers of America of Greater Ohio
COL71(38834)08302011
22A-2011-04115C

Linda Forney v. Pilot Dogs, Incorporated
COLG1(38896)09192011
22A-2012-00068F

Richard D. Cale v. The Ohio State University, Office of Administration
COLB1(38949)10172011
22A-2012-00249C

Ronald M. Williams v. Oakwood Management Company
COL71(38982)11102011
22A-2012-00372C

Michelle Huffman v. Daymon Interactions, Inc. dba Elite Marketing Interactions
TOLB2(34674)07112011
22A-2011-03013C

Michelle Huffman v. Meijer Stores Limited Partnership
TOLB2(34675)07112011
22A-2011-03014C

Complainant's Request for Reconsideration – Vacate Original No Probable Cause Finding and Grant for Further Review (Cont'd)

Katherine Brown v. The Toledo Hospital
TOLB2(34733)08112011
22A-2011-03571C

Raheem Muhammad v. Greyhound Lines, Inc.
CLEG4(41040)07202011
22A-2011-03498F
**split recommendation – npc on religion*

Lillie Gates-Austin v. City of Cleveland, Department of Public Safety
CLE74(41153)08292011
22A-2011-04041C

Lillie Gates-Austin v. City of Cleveland, Department of Public Safety
CLE74(41161)08312011
22A-2011-04048C

Brenda Lee Murray v. Mag-nif, Inc.
CLEB4(41163)09062011 AMENDED
22A-2011-04050C

2. Respondent's Request for Reconsideration – Grant for Further Review

Carrie Burkhammer v. Glass Surface Systems, Inc.
AKR73(36015)09222011
22A-2011-04181C

3. Complainant's Request for Reconsideration – Deny - Untimely

Victoria Cross v. State of Ohio, Department of Mental Health
TOL72(34681)07132011
22A-2011-03073C

Dale Mouch v. Arlington By The Lake et al; Kim McDowell, Site Manager; Troy Alexander, Property Manager; National Church Residences of Toledo; National Church Residences
TOLH2(35040)01262012
22A-2012-01074F

Complainant's Request for Reconsideration – Deny – Untimely (Cont'd)

Darrell R. Brown v. Meyer Tool, Inc.
DAYA1(39140)01302012
22A-2012-01472C

4. Complainant's Request for Reconsideration – Deny – Insufficient Information

Linda J. Parra v. Owl Staffing LLC dba PagePlus Cellular
TOL72(34732)08112011
22A-2011-03570C

Linda J. Parra v. Owl Staffing LLC dba PagePlus Cellular
TOL72(34967)12152011
22A-2012-00706C

5. Withdrawal of Charge with Settlement; Dismiss Formal Complaint – Submitted by the Attorney General's Office

Erica C. Elmore v. JCILH, Inc. d/b/a McDonalds
TOL72(34145)10182010
22A-2011-00138C
Complaint No. 11-EMP-TOL-34145

Gary Pegan v. 1st Advanced Transportation, LLC
COLB1(37858) 08182010
22A-2011-00131C
Complaint No. 11-EMP-COL-37858

Hollie Williams v. JCILH, Inc. d/b/a McDonalds
TOL72(34144)10152010
22A-2011-00121C
Complaint No. 11-EMP-TOL-34144

6. Ratify Conciliation Agreement and Consent Order; Dismiss Formal Complaint – Submitted by the Attorney General's Office

Kay E. Morr v. Ohio Department of Taxation
TOLB2(34310)01192011
22A-2011-01138C
Complaint No. 11-EMP-TOL-34310

7. Common Pleas Court Action Under R.C. 4112.05(B)(3)(d)

Laurie Schlessman v. Brooklyn Acres Mutual Homes, Inc.
TOLH2(34960)120082011
05-12-0320-8
22A-2012-00680F

8. Probable Cause – Schedule Conciliation

Bernadette Davantes Heckman v. Ohio University
COL71(38718)07182011
22A-2011-03577C

Bernadette Davantes Heckman v. Dr. Bruce Carlson (GENERO)
COLE1(38719)07182011
22A-2011-03579F

Ivan Yoychev Mitchell v. Donald & Betty Price, Owners
TOLH2(34764)08242011 AMENDED
05-11-1555-8
22A-2011-03734F

**split recommendation: PC on harassment and NPC on eviction*

Sherese D. Smith v. The Toledo Edison Company/FirstEnergy Corp.
TOLA2(34770)08262011
22A-2011-03802C

** split recommendation: PC ONLY ON THE BASES OF RACE AND RETALIATION WITH REGARD TO DENIAL OF PROMOTION/DISCIPLINE AND ON THE BASIS OF RETALIATION WITH REGARD TO THE PERFORMANCE RATING; NPC on the basis of age with regard to discipline and denial of promotion; and NPC on the bases of age, race and retaliation with regard to harassment.*

Walter Malick v. Brittany Commons Condominium Unit Owners' Association, Inc. and Laura Cochran
AKRH3(35916)07272011
05-11-1266-8
22A-2011-03617F

9. Issue Formal Complaint

Harla Williams v. Gary Lee, FHL Enterprises
AKRH3(35831)06202011
05-11-1169-8
22A-2011-03279F

Stark County Fair Housing Department v. Gary Lee, FHL Enterprises
AKRH3(35832)06202011
05-11-1168-8
22A-2011-03280F

The Housing Advocates, Inc. v. The K & D Group, Inc., Gates Mills Place, Ltd.
CLEH4(40977)06142011
05-11-1154-8
22A-2011-03349F

Robert And Linda Watko v. The K & D Group, Inc., Gates Mills Place, Ltd.
CLEH4(40988)06142011
05-11-1155-8
22A-2011-03369F

Fair Housing Resource Center, Inc. v. William Wasson, Owner, Ridge View Estates
LTD.
CLEH4(40999)06282011
05-11-1188-8
22A-2011-03380F

Fair Housing Resource Center, Inc. v. William Wasson, Registered Agent, Pleasant View
Estates, LLC
CLEH4(41000)06282011
05-11-1187-8
22A-2011-03381F

Surfield L. Reaves v. Tri-State Clinical Laboratory/Lab Corp of America
DAY76(22314)06222011
22A-2011-03291C

Alexander Dickerson v. CTS Communications
DAY76(22315)06232011
22A-2011-03292C

Selena Saunders v. RTA
DAY76(22404)08102011
22A-2011-03878C

Issue Formal Complaint (Cont'd)

H.O.M.E. v. Tsuis-Hua Chen
DAYH6(22674)12132011
22A-2012-00871F

10. Ratify Conciliation Agreement and Consent Order After A Finding of Probable Cause – Close

Kelly Harvath v. Paul Moore
AKRH3(35905)07262011
05-11-1294-8
22A-2011-03598F

Rachel Hall v. H. I. Heritage Inn of Akron, Inc. dba Hampton Inn
AKR73(35969)08292011
22A-2011-04068C

Fair Housing Research Center v. Harbour Run Apartments, LLC
CLEH4(41166)08222011
05-11-1400-8
22A-2011-04053F

11. Ratify Conciliation Agreement and Consent Order Prior to Final Determination – Close

Sharon Felix v. Reynolds Village Mobile Home Park et al; Debi Bowen, Manager, Reynolds Village Limited; William E. Thees, Owner/Statutory Agent
TOLH2(35022)01182012
22A-2012-01016F

Tri-County Independent Living Center v. The Waterford at Portage Trail, Owners/Builders, Affordable Housing GP315, LLC, Community and Economic Development Corp., and Concorde Capital Corp
AKRH3(36119)11222011
22A-2012-00601F

Tatanina S. Evans v. Shirley Young dba Winding Bar & Patio
AKRG3(36136)12072011
22A-2012-00841F

**Ratify Conciliation Agreement and Consent Order Prior to Final Determination –
Close (Cont'd)**

Buford Drake v. Patrick Maculaitis
AKRH3(36363)04272012
05-12-0856-8
22A-2012-02075F

Sandy Zee v. Carlo Palmieri
AKRH3(36380)05072012
05-12-0917-8
22A-2012-02184F

Christopher S. Abrams v. United Dairy Farmers, Inc.
DAYG6(22696)01032012
22A-2012-01014F

John C. Tyler v. Campbell Soup Company LLC
ADRB2(34884)10262011
22A-2012-00188C

Gary A. VanDyke v. Kern-Liebers USA, Inc.
ADRB2(35099)03012012
22A-2012-01294C

Ramon L. Rogers v. Savers
ADRB2(35161)04022012
22A-2012-01615C

Fair Housing Contact Service, Inc. v. Cindy Parsons, Roberta Spencer and Robert
Spencer
ADRH3(36162)12232011
05-12-0384-8
22A-2012-00946F

Fair Housing Contact Service, Inc. v. Tiffany L. Adam aka Tiffany L. Miller
ADRH3(36319)04022012
05-12-0690-8
22A-2012-01770F

Aundrea S. Hassell v. The Cloisters Apartments and Townhomes
ADR72(35211)05022011
22A-2012-01867C

**Ratify Conciliation Agreement and Consent Order Prior to Final Determination –
Close (Cont'd)**

Brandi L. Hunter v. Athens Foods, Inc.
ADR74(41380)01202012
22A-2012-01347C

Somalia Key v. Athens Foods, Inc.
ADR74(41381)01202012
22A-2012-01348C

Brenda K. Gillespie v. Grace Hospital
ADRA4(41450)03192012
22A-2012-01687C

Andrew M. Aloia v. Athens Foods Inc.
ADR74(41463)03282012
22A-2012-01842C

James Patterson v. Winwood Properties/Blue Manatee/MD Realty Services
ADRH4(41488)04122012
22A-2012-01978F

Rhonda Gray v. Evergreen Southwest Behavioral Health Services, LLC dba Bridgewell
Hospital
ADR76(22891)04172012
22A-2012-01972C

12. Independent Settlement - Close

Rebecca A. Latronico v. Robert James Alexander
DAYG6(22651)11302011
22A-2012-01981F

13. Withdrawal of Charge – With Settlement

Michelle Redd v. Westerville City Schools
COL71(38776)08102011
22A-2011-03840C

Scott R. Hartley v. Delaware County Sheriff's Office
COLA1(38792)08152011
22A-2011-03735C

Withdrawal of Charge – With Settlement (Cont'd)

Krystle M. Isaacs v. Respite Connections, Inc.
COL71(38873)09132011
22A-2011-04107C

Cynthia A. Creeks v. City of Zanesville
COL71(38980)10112011
22A-2012-00370C

Christina Marie Musgrave v. Integrity Financial Partners
COL71(39079)12192011
22A-2012-00893C

John Passmore, Jr. v. City of Columbus
COL71(39426)05162012
22A-2012-02097C

Mack Green v. Rockstar Transportation, Inc.
TOL72(34816)09132011
22A-2011-03999C

Steven Weinstock v. Ferro Corporation
TOLA2(35109)03082012
22A-2012-01365C

Housing Research & Advocacy Center v. William Fronimo
CLEH4(41208)09202011
05-11-1523-8
22A-2012-00163F

Peggy J. Bellini v. Dale Fuelling, Ohio City Apartments, LLC.
CLEH4(41271)11042011
05-12-0124-8
22A-2012-00522F

Housing Research & Advocacy Center v. Pat Studnicka c/o SMP Welding
CLEH4(41291)11142011
05-12-0176-8
22A-2012-00570F

Theresa & James Warren v. Rob Glaust, Meadowlane Apartments of Orwell Inc.
CLEH4(41334)12142011
22A-2012-00913F

Withdrawal of Charge – With Settlement (Cont'd)

Charlene Glass v. Normal Herr Shelter, Shevon Bennett, 2219-27 Payne Ave., LLC.
CLEH4(41461)03272012 AMENDED
05-12-0929-8
22A-2012-01841F

Gloria Valentine v. John Lovelace
CLEH4(41490)04062012
05-12-0802-8
22A-2012-02013F

Michele Heath v. Macy's Systems and Technology, Inc.
CLE73(36328)04062012
22A-2012-01908C

Christine Lee v. Jeff Worthington; Daniel Properties, LLC
DAYH6(22387)07112011
05-11-1224-8
22A-2011-03869F

Mary A. Grove v. REM, Ohio Mentor Network
DAYA6(22466)09142011
22A-2012-00449C

Corey A. Whitney v. Montgomery County Water Services
DAY76(22469)09152011
22A-2012-00376C

Wendy Wimmer v. Ohio Presbyterian Retirement Services dba Senior Independence
DAY76(22711)01112012
22A-2012-01130C

Kelly Springer v. Rage Corporation
ADR71(39322)04112012
22A-2012-01877C

George R. Ramey v. Warren Steel Holdings, LLC
ADRB3(36080)11032011
22A-2012-00401C

Christopher Colucci v. Jim Herrick Motors, Inc. dba Liberty Ford Auto Group
ADRA3(36332)04102012
22A-2012-01912C

Withdrawal of Charge – With Settlement (Cont'd)

Antony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41283)11212011
22A-2012-00562C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41284)11212011
22A-2012-00563C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41285)11212011
22A-2012-00564C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41318)12092011
22A-2012-00824C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41319)12092011
22A-2012-00825C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41320)12092011
22A-2012-00826C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41321)12092011
22A-2012-00827C

Anthony M. Kibogo v. State of Ohio, Auditor of State
ADR74(41322)12092011
22A-2012-00828C

Carrie K. Ortiz v. Cleveland Metropolitan School District
ADR74(41369)0092012
22A-2012-01056C

Umar Abd-Fatir v. Catholic Charities
ADR74(41377)01172012
22A-2012-01332C

Colleen Marie Barnovsky v. Mainline Truck and Trailer Service
ADRE4(41440)03142012
22A-2012-01665F

Withdrawal of Charge – With Settlement (Cont'd)

Julie Ann Serrato v. Sentinel Co.
TOL72(35026)01182012 AMENDED
22A-2012-01026C

14. Withdrawal of Charge - Grant

Kayode Mosley v. Blazin Wings, Inc., dba Buffalo Wild Wings, Inc.
COL71(38743)07292011
22A-2011-03659C

Cassandra Ways v. Ridi Oil, LLC dba Stop & Go
TOL72(34709)07282011
22A-2011-03339C

Don J. Lozano v. Chrysler Group LLC
TOLB2(34761)08242011
22A-2011-03725C

Don J. Lozano v. Chrysler Group LLC
TOLM2(34762)08242011
22A-2011-03726F

Colleen Bird v. H.B. Magruder Memorial Hospital
TOLB2(34791)09072011
22A-2011-03917C

April L. Pope v. Toledo Fire Fighters Federal Credit Union
TOLE2(34846)10072011
22A-2012-00037F

Arthur Rucha v. Kraft Foods Global, Inc.
TOLA2(34944)12022011
22A-2012-00559C

Jessica L. Moses v. TP Foods, LLC
TOL72(34994)01032012
22A-2012-00814C

Refugio Perez v. TP Foods, LLC
TOL72(34995)01032012
22A-2012-00815C

Withdrawal of Charge – Grant (Cont'd)

Dawn Bendel v. State of Ohio, Auditor's Office
CLEA4(41474)04032012
22A-2012-01853C

Johanna M. Lance v. Cuyahoga County Department of Children and Family Services
CLEB4(41524)05042012
22A-2012-02064C

Beverlee Williams v. Amanda Acres Apartments
DAYH6(22886)04132012
05-12-0605-8
22A-2012-02185F

Joshua Kaiman v. Diebold, Incorporated
ADRB3(36326)04052012
22A-2012-01780C

15. Failure to Cooperate - Dismiss

Keyle D. Anderson v. Wade's Clothing
COLE1(39112)11212011 AMENDED
532-2012-00195C

Corey Anderson v. Wade's Clothing
COLE1(39113)11212011 AMENDED
532-2012-00353C

Amy Billman & Brett McCool v. Thomas Woosley & Mary Ann Witten, Owners
TOLH3(36202)01302102
22A-2012-01217F

16. Administrative Closure

Ronda Talkington v. Office Depot, Inc.
DAY76(22445)09022011
22A-2011-04027C

17. No Probable Cause – Dismiss

Daniel Bangura v. The Laurels of Norworth
COLA1(38692)07062011
22A-2011-03500C

Constance Velina Muse v. State of Ohio, Bureau of Workers Compensation
COL71(38697)07072011
22A-2011-03565C

Jacqueline D. Welch v. AVI Foodsystems, Inc.
COL71(38704)07112011
22A-2011-03515C

Angel L. Maldonado v. Thrift Stores of Ohio, Inc.
COL71(38725)07222011
22A-2011-03654C

Marjorie Marstiller v. OhioHealth Corporation
COLB1(38730)07272011
22A-2011-03688C

Toussaint King v. Affion Benefits Group
COL71(38737)07282011
22A-2011-03689C

Linda K. O'Rourke v. Anchor Hocking
COL71(38746)08012011
22A-2011-03663C

Danielle N. Cleveland v. Acloche
COL71(38757)08042011
22A-2011-03610C

Sandra Townsend v. Ohio Public Employees Retirement System
COLB1(38761)08052011
22A-2011-03832C

Kelly Mills v. Delaware County Child Support Enforcement Agency
COL71(38769)08092011
22A-2011-03837C

Delinda McDaniel v. Ideal Medical Supply, Inc.
COLB1(38770)08092011
22A-2011-03838C

No Probable Cause – Dismiss (Cont'd)

Shavone Montgomery v. Macintosh Company
COLB1(38787)08122011
22A-2011-03844C

Joel Fletcher v. HHP Pizza Store # 865, LLC dba Hungry Howies Pizza
COL71(38786)08112011
22A-2011-03731C

Ernest G. Clyburn v. The Ohio State University
COL71(38789)08152011
22A-2011-03888C

Brandy Lanman v. Weltman, Weinberg & Reis Co., LPA
COLB1(38796)08162011
22A-2011-03891C

Earnell Reid v. ViaQuest, Inc.
COL71(38815) 8192011
22A-2011-03913C

Aaron D. Williams v. Frisch's
COL71(38824)08242011
22A-2011-04112C

Kathleen Martin v. State of Ohio, Ohio Department of Job and Family Services
COL71(38829)08262011
22A-2011-03973C

Mohamed M. Farah v. Toyota Direct LLC
COL71(38833)08302011
22A-2011-04114C

Kelly Gelb v. The Ohio State University
COL71(38762)08082011
22A-2011-03834C

Dolores Czap v. Community Action Commission of Belmont County
COLB1(38921)09292011 AMENDED
22A-2012-00125C

Craig L. Miller v. Abbott Laboratories, Inc.
COLB1(38951)10182011
22A-2012-00250C

No Probable Cause – Dismiss (Cont'd)

Deborah McCormack Terry v. Educational Service Center of Central Ohio
COLB1(39002)11092011
22A-2012-00426C

Stacey A. Brandon v. PetSmart, Inc.
COLB1(39012)11162011
22A-2012-00528C

Katelyn Williams v. GMRI, Inc. dba Olive Garden
COL71(39026)11282011
22A-2012-00658C

Kimberly A. Davy v. McDonald's
COLB1(39043)12012011
22A-2012-00684C

Bryan Edward Van Dusen v. Purdy Bowl LLC dba Ten Pin Alley
COLB1(39066)12122011
22A-2012-00831C

Vaughn George v. A-1 Tactical Protection Services, Inc.
COL71(39072)12142011
22A-2012-00838C

Bernard Awdu v. Communicare Family of Companies dba Columbus Health Care Center
COL71(39111)01122012
22A-2012-01048C

Kimberly A. Davy v. McDonald's
COL71(39114)01122012
22A-2012-01049C

Nicole S. Bond v. Dollar General
COL71(39132)01252012
22A-2012-01408C

William Cameron Murrell v. Con-Way Freight, Inc.
COLB1(39177)02132012
22A-2012-01447C

Bernard Awdu v. Communicare Family of Companies dba Columbus Health Care Center
COL71(39187)02212012
22A-2012-01477C

No Probable Cause – Dismiss (Cont'd)

Bernard Awdu v. Communicare Family of Companies dba Columbus Health Care Center
COL71(39215)03062012
22A-2012-01509C

Angela D. January on behalf of Takiya R. Robinson v. The Plaza Ltd., Vistula
Management Company; Angela Shaw, Property Manager, Plaza Apartments; John R.
Kiely, Statutory Agent, Plaza II LLC
TOLH2(34668)07062011
22A-2011-02929F

Sheila Harris v. Green Tree Servicing, LLC; Richard G. Evans, Vice President/Director
TOLH2(34705)07262011 AMENDED
05-22-1437-8
22A-2011-03260F

Dominick D. West Kimmons v. The University of Toledo Medical Center
TOL72(34710)07282011
22A-2011-03348C

Jacqueline Willis v. Foot & Ankle Physicians & Surgeons
TOL72(34711)07292011
22A-2011-03362C

Christopher M. Durham v. Columbia Gas of Ohio, Inc.
TOLB2(34718)08042011
22A-2011-03447C

Tianna Barber v. Millwood Brown, Inc. dba Kantar ITP Operations
TOL72(34728)08102011
22A-2011-03529C

Helena B. Moss v. Mercy St. Anne Hospital
TOLA2(34743)08172011
22A-2011-03644C

Christine Carmona v. Columbia Gas of Ohio, Inc.
TOL72(34749)08192011
22A-2011-03685C

Jake Ellis v. Garin Strategic Group, LLC dba Peter D. Hart Research Associates, Inc.
TOLB2(34753)08222011
22A-2011-03701C

No Probable Cause – Dismiss (Cont'd)

Kenneth A. Penn v. United Food and Commercial Workers Union Local 75
TOL72(34756)08232011
22A-2011-03704C

Blanca Olivas v. PTI Quality Containment Solutions, LLC
TOL72(34763)08242011
22A-2011-03729C

Ivan Yoychev Mitchell v. Donald & Betty Price, Owners
TOLH2(34764)08242011 AMENDED
05-11-1555-8
22A-2011-03734F
split recommendation: PC on harassment and NPC on eviction

Rebecca Pappas v. Aramark Educational Services, Inc.
TOLA2(34769)08252011
22A-2011-03757C

Sherese D. Smith v. The Toledo Edison Company/FirstEnergy Corp.
TOLA2(34770)08262011
22A-2011-03802C

** split recommendation: PC ONLY ON THE BASES OF RACE AND RETALIATION WITH REGARD TO DENIAL OF PROMOTION/DISCIPLINE AND ON THE BASIS OF RETALIATION WITH REGARD TO THE PERFORMANCE RATING; NPC on the basis of age with regard to discipline and denial of promotion; and NPC on the bases of age, race and retaliation with regard to harassment.*

Mark T. Tucker v. PTI Quality Containment Solutions, LLC
TOLA2(34772)08252011
22A-2011-03814C

Brian J. Hayward, Sr. v. CleanDomain, Inc.
TOL72(34773)08292011
22A-2011-03815C

Mickel Jenkins v. Fresenius USA Manufacturing, Inc.
TOL72(34776)08302011
22A-2011-03825C

Mickel Jenkins v. Phoenix Temporary Services
TOL72(34777)08302011
22A-2011-03826C

No Probable Cause – Dismiss (Cont'd)

Rebeca Mahler v. Whirlpool Corporation
TOL72(34792)09072011
22A-2011-03918C

Pamela Sudduth v. J.C. Penney Corporation, Inc.
TOL72(34837)10032011
22A-2012-00003C

Latasha Nunn v. Dana Holding Corporation
TOLB2(34841)10032011
22A-2012-00008C

Tia R. Butler v. Toledo Area Regional Transit Authority
TOLG2(34903)11102011
22A-2012-00349F

Moses J. White, Jr. v. Biomat USA, Inc.
TOLG2(34918)11162011
22A-2012-00415F

Julie A. Romanko v. Seneca County Commission on Aging, Inc.
TOL72(34951)12072011
22A-2012-00612C

Rodney C. Gott v. OmniSource Corporation
TOL72(34964)12142011
22A-2012-00703C

Rodney C. Gott v. Teamsters, Chauffeurs, Warehousemen and Helpers Local Union # 20
TOL72(34965)12142011
22A-2012-00704C

Moses J. White, Jr. v. Biomat USA, Inc.
TOLG2(34975)12202011
22A-2012-00739F

Shelia D. Shaffer v. The University of Toledo
TOLA2(34990)12302011
22A-2012-00799C

No Probable Cause – Dismiss (Cont'd)

James Stevens & Ruth Anne Cernicom v. Days Inn et al; Kelly Kado, General Manager;
BG Hospitality, LLC; Bruce Shoenberger, Statutory Agent
TOLH2(35031)01232012
05-12-0688-8
22A-2012-01039F

D'Antoinette Burketh v. K&D Management, LLC, Sutliff II Senior Housing, Bill
Worden, and Sue Sweisthal
AKRH3(35909)07282011 AMENDED
05-11-1454-8
22A-2011-03603F

Jacky Smith v. Frito-Lay, Inc.
AKRB3(36075)10312011
22A-2012-00395C

Larry Jennings v. State of Ohio, Department of Youth Services
AKRB3(36087)11072011
22A-2012-00482C

Tri-County Independent Living Center, Inc. v. Dollar General Corporation
AKRG3(36097)11152011
22A-2012-00497F

Keturah K. Krankovich v. Harrison Community Hospital, Inc.
AKRB3(36105)11172011
22A-2012-00585C

Glen A. Summers v. Metro Regional Transit Authority
AKRA3(36171)01092012
22A-2012-01073C

Dale Zimmer v. John George's
AKRG3(36177)01132012
22A-2012-01081F

Ryan C. Derodes v. The Wooster Brush Company
AKRB3(36234)02122012
22A-2012-01259C

Tom DiNicola v. Visionworks of America, Inc., dba EyeMasters
AKRA3(36275)03122012
22A-2012-01551C

No Probable Cause – Dismiss (Cont'd)

Lawana Motley v. Franklin County Residential Services, Inc.
AKR71(39199)02242012
22A-2012-01312C

Phillip B. Sains v. The American Bottling Company dba 7Up of Twinsburg
AKR74(41252)10282011
22A-2012-00382C

Melvin Lind v. Bethesda Lutheran Communities, Inc.
CLEB4(41158)08302011
22A-2011-04045C

Bob Varga v. Bethesda Lutheran Communities, Inc.
CLEB4(41159)08302011
22A-2011-04046C

Vilma Lopez-Varga v. Bethesda Lutheran Communities, Inc.
CLEB4(41160)08302011
22A-2011-04047C

John E. Kincaid v. City of Cleveland
CLEA4(41175)09132011
22A-2012-00018C

Jerry Douglas Vernon v. Inter Design, Inc.
CLE74(41180)09192011
22A-2012-00085C

Priscella A. Fitzgerald v. City of Painesville
CLEB4(41190)09222011
22A-2012-00107C

Nancy J. Farina v. Cuyahoga County Airport
CLE74(41209)09282011
22A-2012-00164C

Nancy J. Farina v. Kevin M. Delaney
CLEE4(41210)09282011
22A-2012-00165F

Marie Ventura v. Everest Gates Mills, LP dba Gates Mills Club
CLEA4(41266)11092011
22A-2012-00518C

No Probable Cause – Dismiss (Cont'd)

Andre Allen v. DeGaetano's Village Pizza, Inc.
CLEE4(41275)11152011
22A-2012-00554F

Julie P. Kalasunas/Erik J. Kalasunas v. Texas Roadhouse, Inc.
CLE74(41277)11152011
22A-2012-00555C

James H. Riggs, Jr. v. Riser Food Company dba Giant Eagle
CLEB4(41325)12122011
22A-2012-00906C

Joyce M. Jones v. FedEx Freight, Inc.
CLEA4(41346)12272011
22A-2012-00966C

Sherdena L. Scott v. Walgreen Co. dba Walgreens
CLEG4(41370)01112011
22A-2012-01057F

Louis P. Nicksick v. Speedway, LLC
CLE74(41376)01172012
22A-2012-01331C

Sandra Raybon v. The MetroHealth System
CLEB4(41421)02272012
22A-2012-01519C

Curtis W. Harris, III v. Great Western Juice Company, LLC
CLE74(41451)03202012
22A-2011-01688C

Antoniette Clark v. A & W Table Mat Co.
CLEE4(41469)04022012
22A-2012-01848F

Melissa Lovelace v. Jerry McGhee
CLEH4(41489)04122012
22A-2012-02012F

Clyde Schoonover v. Daily Services, LLC dba iforce
CLEA1(38891)09162011
22A-2012-00145C

No Probable Cause – Dismiss (Cont'd)

Brittany Hahler v. Cellco Partnership dba Verizon Wireless
CLE72(35052)01312012
22A-2012-01102C

Susan Stabilla v. The City of Solon
CLEB3(35972)08312011
22A-2011-04039C

Elizabeth Martin v. Dublin House
DAYH6(22386)07262011
22A-2011-03868F

Annie McGraw v. C&C Property Management, LLC
DAYH6(22394)07152011
05-11-1532-8
22A-2012-02107F

Jennifer Bosworth v. Susan Baker; Mt. Vernon Apts.
DAYH6(22448)09062011
05-11-1449-8
22A-2012-02194C

Sandra Hauss v. Skyridge Apartments
DAYH6(22450)09062011
05-11-1439-8
22A-2012-02177F

Derrick Chi v. Friendship Village Health Center
DAY76(22455)09072011
22A-2011-04034C

Debbie Davis v. Provider Services Holdings, Inc. dba Pine Crest Care Center
DAYA6(22457)09092011
22A-2011-04037C

Buelah Dortch v. ACMHA; Randy Waters
DAYH6(22462)09132011
22A-2012-02186F

Kerrence S. Spratley v. NaphCare
DAY76(22467)09142011
22A-2012-00470C

No Probable Cause – Dismiss (Cont'd)

Marvin Dickman v. Butler County Educational Service Center
DAY76(22515)10062011
22A-2012-00619C

Marvin Dickman v. Monroe Local Schools
DAY76(22516)10062011
22A-2012-00633C

Marvin S. Dickman v. Lakota Local School District
DAY76(22517)10062011
22A-2012-00621C

Sandy A. Jones v. Manpower Group /Faurecia Emissions Control Technologies
DAY76(22545)10182011
22A-2012-00637C

Mark Egbert v. University of Cincinnati
DAY76(22563)10252011
22A-2012-00639C

Erin Brannum v. O'Charley's
DAY76(22573)10272011
22A-2012-00629C

Kenneth L. Smith v. Advanced Composites, Inc.
DAY76(22608)11092011
22A-2012-00734C

Elizabeth J. Roselli v. Regional Family Health Care
DAYG6(22702)01052012
22A-2012-01024F

Rose Marie Pryor v. UC Health (University Hospital)
DAY76(22717)01172012
22A-2012-01132C

Evette T. Harris v. UC Health (University Hospital)
DAY76(22723)01182012
22A-2012-01134C

Kayla M. Henning v. Hillside Small Animal Hospital
DAY76(22745)01302012
22A-2012-01275C

No Probable Cause – Dismiss (Cont'd)

Ronnie Nixson v. City of Cincinnati, Public Works, Metropolitan Sewer District
DAY76(22773)02132012
22A-2012-01466C

Keisha Aaron v. Crothall Healthcare, Inc.
DAY76(22790)02222012
22A-2012-01469C

Brandon W. Sweeney, Sr. v. Lincare
DAY76(22824)03122012
22A-2012-02120C

Daina M. Butler v. Fifth Third Corp
DAY76(22857)04022012
22A-2012-02167C

Jeanine E. Hill v. Life Enriching Communities
DAYB6(22868)04052012
22A-2012-01968C

Curtis L. Matthews v. Rumpke Transportation Company, LLC
DAY76(22881)04122012
22A-2012-01950C

Stefan P. Wright v. Tire Discounters
DAY76(22893)04182012
22A-2012-02143C

Michael A. Senicowski v. Behr Thermal Products, LLC
DAYB6(22903)04252012
22A-2012-02168C

Scott R. Johnston v. Midwest Express
DAY71(39226)03072012
22A-2012-02119C

Commissioner Harrell moved to approve the Confirmation Agenda. Seconded by Commissioner Mercado.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

STAFF BRIEFING

The Compliance Manager informed the Commissioners that the Commission is in compliance regarding notification requirements as set forth in Ohio Administrative Code Section 4112-1-04.

APPEARANCES

1. Respondent's Request - Deny

Alexander Dickerson v. CTS Construction, Inc. dba CTS Telecommunications
DAY76 (22315) 06232011
22A 2011 03292C

Norman Gibson, Dayton Regional Director, recommended that Respondent's request for reconsideration be denied. No new information was provided.

The parties appeared to discuss the above mentioned case. The Charging Party alleged that Respondent subjected him to unequal pay, discipline and harassment because of his race (African American) and retaliation. Respondent stated they did not discriminate against Charging Party.

Commissioner Yajnik moved to adopt the Deny Respondent’s Request for Reconsideration and uphold the Probable Cause finding. Seconded by Commissioner Roberts.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell, Jr.	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

2. No Probable Cause – Dismiss

William W. Thompson v. Dayton Public Schools
DAYA6 (22292) 06142011
22A 2011 02229C

Norman Gibson, Dayton Regional Director, recommended that Charging Party’s request for reconsideration be denied. No new information was provided.

The parties appeared to discuss the above mentioned case. The Charging Party alleged that Respondent did not hire him for a position as a Carpenter because of his age. Respondent stated they did not discriminate against Charging Party.

Commissioner Roberts moved to adopt the Regional Recommendation, and find No Probable Cause - Dismiss. Seconded by Commissioner Mercado.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell, Jr.	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

3. No Probable Cause – Dismiss

Sharon A. Schmidt v. State of Ohio, Rehabilitation Services Commission
COLB1 (38673) 06272011
22A 2011 03465C

Aman Mehra, Columbus Regional Director, Foday Kenneh, Supervisor, and Chris Harris, Investigator recommended that Charging Party’s request for reconsideration be denied. No new information was provided.

The parties appeared to discuss the above mentioned case. The Charging Party alleged that Respondent engaged in an unlawful discriminatory practice. Specifically, the Charging Party alleged that he was forced to quit his position of Maintenance Technician due to consideration of his disability. Respondent stated they did not discriminate against Charging Party.

Commissioner Harrell moved to adopt the Regional Recommendation, and find No Probable Cause - Dismiss. Seconded by Commissioner Mercado.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell, Jr.	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

COMMISSIONER AGENDA

Agenda for Week 1

1. No Probable Cause – Dismiss

Debra Robinson v. City of Toledo
TOL72 (34996) 01032012
22A 2012 00819C

Willie Hassell v. City of Cincinnati, Public Works, TROD
DAY76 (22681) 12192011
22A 2012 00876C

2. NO JURISDICTION – DISMISS

Felema Kilabi v. Visions Home Care Services LLC
DAYE6 (22825) 03092012
22A 2012 01925F

**Commissioner Mercado moved to adopt the staff findings in the foregoing captioned cases.
Seconded by Commissioner Roberts.**

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

Agenda for Week 2

1. Respondent's Request – Deny

Tonya Cook v. Cuyahoga Metropolitan Housing Authority
CLE74 (41289) 11222011
22A 2012 00568C

2. No Probable Cause – Dismiss

Ronald M. Williams v. Oakwood Management Company
COL71 (38982) 11022011
22A 2012 00372C

Teresa Alonzo v. VM Systems, Inc.
TOLA2 (34643) 06172011
22A 2011 02604C

Teresa Alonzo v. Sheet Metal Workers' Union Local No. 33
TOLA2 (34644) 06172011
22A 2011 02605

Elizabeth Archer v. VM Systems, Inc.
TOLA2 (34645) 06172011
22A 2011 02606C

Elizabeth Archer v. Sheet Metal Workers' Union Local No. 33
TOLA2 (34646) 06172011
22A 2011 02607C

Linda T. Hardwick v. Richmond Heights School District Board of
Education
TOLA2 (34665) 06302011
22A 2011 02883C

Linda T. Hardwick v. Richmond Heights School District Board of
Education
TOLA2 (35069) 02152012
22A 2012 01150C

Darla Kay Randolph v. Provider Services Holdings, LLC
AKRB3 (35897) 07192011
22A 2011 03589C

3. NO JURISDICTION – DISMISS

Susie M. Finney v. Mt. Olive Baptist Church
AKRG3 (35991) 09222011
22A 2011 04157F

Belinma R. Jones v. Social Security Office of Disability Adjudication
AKRE3 (36390) 05102012
22A 2012 02053F

**Commissioner Roberts moved to adopt the staff findings in the foregoing captioned cases.
Seconded by Commissioner Harrell.**

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

Agenda for Week 3

1. Respondent's Request – Deny

Fair Housing Advocates Association v. K & G Management Company
AKRH6 (38731) 07272011
05-11-1270-8
22A 2011 03343F

**2. Reverse Probable Cause to No Probable Cause – Insufficient Evidence
to Meet Evidentiary Burden; Dismiss Formal Complaint – Submitted
by the Attorney General's Office**

Annamarie Smith v. National City Bank
CLEH4 (39746) 07072009
05-09-1434-8
22A 2010 00428F
Complaint No. 10-HOU-CLE-39746

3. **CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S REPORT & RECOMMENDATION; RESPONDENT'S STATEMENT OF OBJECTIONS; COMPLAINANT'S & ATTORNEY GENERAL'S RESPONSES THERETO**

Administrative Law Judge Recommends Cease & Desist Order

Ana M. Hambuechen v. 221 Market N., Inc. dba Napoli's Italian Eatery
CLE73 (32238) 03152007
22A 2007 03948C
Complaint No. 07-EMP-CLE-32238

4. **CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S REPORT & RECOMMENDATION**

Administrative Law Judge Recommends Cease & Desist Order

Claudia Martinez v. Big Daddy's Drive Thru and Eric Olejnik and
Christine Olejnik
AKRE3 (31447) 07242006 AMENDED
22A 2006 20679F
Complaint No. 07-EMP-AKR-31447

**Commissioner Harrell moved to adopt the staff findings in the foregoing captioned cases.
Seconded by Commissioner Mercado.**

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

Add-On Agenda

1. No Probable Cause – Dismiss

Emmanuel Paul Shaffer v. Woda Management
COLB2 (34632) 06132011
22A 2011 02578C

**Commissioner Harrell moved to adopt the staff findings in the foregoing captioned cases.
Seconded by Commissioner Mercado.**

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

ATTORNEY GENERAL’S REPORT

Lori Anthony presented the following information to Commissioners:

- Lori Anthony stated the training updates would continue after next meeting.
- Lori recently attended a Civil Rights conference in D.C. Discussion included issues occurring in other states.
- Also, discussions regarding the incarceration issue and Housing testing methods (concerns and difficulties regarding testing) was discussed

EXECUTIVE DIRECTOR'S REPORT

Director Payton presented the following information to Commissioners:

- Director Payton acknowledged Sybil McNabb and other members of the Ohio Conference of the NAACP. Michael thanked Senator Commissioner Roberts for reaching out to NAACP and arranging for them to attend our meeting.
- Director Payton stated that the General Assembly recently passed bipartisan legislation making it easier for persons with prior convictions to get a job, secure a driver's license, and become licensed in construction trades, among other things. Given our long-held concerns about using prior convictions to deny job opportunities, this legislation will benefit all Ohioans, particularly the minority community.
- Vera Boggs, Cleveland Supervisor, provided an overview of the OCRC and answered questions at the Ohio Asian American Pacific Islander Advisory Council's third Annual Asian-American Legislative Day at the Statehouse on June 5, 2012.
- Darlene Newbern attended the EEOC's annual national training conference in St. Louis, Missouri on May 30th – June 1st, 2012. Darlene reports that the EEOC generated much discussion on the use of prior convictions to deny job opportunities and its related plan for the future.
- We have employed three legal interns to assist us during this summer. The three law students are Julie Spain (Indiana University School of Law), Emily Mayer (Capital University School of Law), and Krista Meyer (Capital University School of Law).
- Michael recognized Kayla Harrell, Commissioner Eddie Harrell's daughter, who was in attendance at today's meeting.
- Congratulations to Senator Commissioner Roberts' son who recently got married.

Sybil McNabb stated it was a privilege to be at our OCRC meeting to see firsthand all of the indebted hours that go into our investigations. Sybil stated the value that OCRC brings to the State of Ohio.

COMMISSIONERS COMMENTS

- Commissioner Mercado is working with the dean of Cleveland Marshall and hopes we will have our Commission meeting there towards the Fall.

Commissioner Harrell moved to adjourn the public meeting. Seconded by Commissioner Roberts.

The Commissioners voted as follows:

Chairman Leonard Hubert	YES
Commissioner Rashmi Yajnik	YES
Commissioner Eddie Harrell	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 12:12 p.m.

* * *

Commissioner