

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

April 24, 2014

**Third Floor Administrative Hearing Room, Rhodes Office Tower
Columbus, Ohio**

CALL TO ORDER

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

Commissioners Present:

Chairman Leonard Hubert
Commissioner Stephanie Mercado
Commissioner Tom Roberts
Commissioner William W. Patmon, III

Absent:

Commissioner Lori Barreras

A quorum was present.

OCRC Staff Present:

G. Michael Payton, Executive Director; Keith McNeil, Regional Counsel/Director of Operations; Stephanie Bostos Demers, Chief Legal Counsel; Desmon Martin, Director of Enforcement and Compliance; Aman Mehra, Columbus Regional Director; Norman Gibson, Dayton Regional Director; Darlene Newbern, Toledo Regional Director Vera Boggs, Cleveland/Akron Regional Director; Ronnell Tomlinson, Director of Housing/Alternative Dispute Resolution; Courtney Calhoun, Reconsideration Supervisor; Bradley Dunn, Reconsideration Supervisor; Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General’s Office; and Sandra Aukeman, Administrative Assistant.

APPROVAL OF MINUTES

MOTION by Commissioner Roberts to approve the April 3, 2014 minutes. Second by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner William Patmon	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**

Jason Thornton v. City of Columbus, Department of Public Service
COL71(40290)05302013
22A-2013-02456C

Dawn K. Watts v. Creative Foundations, Inc.
COLB1(40331)06102013
22A-2013-02808C

Clarence Gafeney, Jr. v. City of Toledo, City Council
TOLA2(36397)02192014
22A-2014-01184C

Roberta L. Jones v. City of Toledo, Affirmative Action Department
TOLB2(36407)02242014
22A-2014-01210C

Shirley Durett v. Summa Health System
AKR73(37057)08142013
22A-2013-03040C

Carl Nathan v. Wells Fargo Home Mortgage, Matthew Murtland and Charity Beverly
AKRH4(42138)08192013
05-13-1275-8
22A-2013-03098F

Sandra Meeks Speller v. Toledo Association of Administrative Personnel (TAAP)
CLE72(36188)09262013
22A-2013-03424C

Pamela P. Moore v. Humana Pharmacy, Inc.
DAY76(23666)06122013
22A-2013-02996C

2. **Reconsideration by the Commission – Grant for Further review**

Kayla Meighen v, New A1 Japan, Inc.
AKR73(36895)05102013
22A-2013-02141C

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

Shane Romine v. Final Touch Commercial Cleaning Services, Inc.
COLB1(40482)08152013
22A-2013-03452C

Jonathan A. Wicker and Natasha Ryann Holpp v. Ned G. Gibson, Erin K. Cottrill,
Jennifer L. Derwacter and Marian D. Henthorne
COLH1(40623)10232013
05-14-0077-8
22A-2014-00421F

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of
Environmental Services*
TOL72(35923)05092013
22A-2013-02133C

*Split recommendation; Request for Reconsideration only on the Probable Cause finding
of Retaliation and issues of Harassment, different Terms and Conditions of employment
and Discipline

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of
Environmental Services*
TOL72(36224)10212013
22A-2014-00205C

*Split recommendation; Request for Reconsideration only on the Probable Cause finding
of Retaliation and issues of Harassment, Discipline and Constructive Discharge

Peggy Sue Baker v. Mastercraft Development, Inc.
DAY76(23857)09132013 *AMENDED
22A-2014-01084C

Peggy Sue Baker v. Carmine's Cucina Italiana, LLC
DAY76(23986)10212013
22A-2014-00738C

4. Complainant's Request for Reconsideration – Deny – Untimely

George Burnett v. The Joseph House, Inc.
DAYE6(23999)11052013
22A-2014-00345F

Willie Seay v. Fricker's
DAYG6(24169)02182014
22A-2014-01328F

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

Albert A. Bias v. Eco Tree Services, LLC
CLEB4(41714)09182012
22A-2012-03111C
Complaint No. 13-EMP-CLE-41714

6. Withdrawal of Charge; Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Vladimir Sipershtehyn v. Arzel Zoning Technology, Inc.
CLEE4(41825)12212012
22A-2013-01128C
Complaint No. 13-EMP-CLE-41825

7. Probable Cause – Schedule Conciliation

David and Sue Dunbar v. Linda and Richard Mussig
AKRH3(37046)08092013
05-13-1517-8
22A-2013-03029F

Fair Housing Advocates Association v. Linda and Richard Mussig
AKRH3(37047)08092013
05-13-1544-8
22A-2013-03028F

Rebel Stroman v. Pilot Travel Centers, Inc. (PTC, Inc.)
CLEG3(36968)06172013
22A-2013-02504F

Fair Housing Contact Service, Inc. v. Robert Helming, Jr.
CLEH3(37001)07152013
05-13-1148-8
22A-2013-02693F

Laura L. Middleton v. The Home Depot
DAYB6(23671)06122013
22A-2013-02760C

8. Issue Formal Complaint

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of
Environmental Services
TOL72(35923)05092013
22A-2013-02133C

*Split recommendation; Issue Formal Complaint only on the Probable Cause finding of
Retaliation and issues of Harassment, different Terms and Conditions of employment and
Discipline

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of
Environmental Services
TOL72(36224)10212013
22A-2014-00205C

*Split recommendation; Issue Formal Complaint only on the Probable Cause finding of
Retaliation and issues of Harassment, Discipline and Constructive Discharge

Housing Research and Advocacy Center v. Jerome Horton
AKRH4(42045)06242013 AMENDED
05-13-1060-8
22A-2013-02586F

Housing Research and Advocacy Center v. Tracy Brown and Hollywood Properties,
LLC, and Bryan Kmiec
CLEH4(41963)04252013
05-13-0734-8
22A-2013-02054F

Matthew C. Engelman v. IAC Huron LLC
CLEB4(42125)08122013
22A-2013-03048C

Herbert J. Pino v. Kroger Store #812
DAYB6(23632)05222013
22A-2013-02400C

Latasha Hannah v. Charles W. Lyons and Doris A. Lyons
DAYH6(23636)05242013
05-13-1268-8
22A-2013-02531F

9. Ratify Conciliation Agreement after a Finding of Probable Cause

Samantha Jo Baus v. New A-1 Japan, Inc.
AKR73(36897)05102013
22A-2013-02142C

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

Housing Research and Advocacy Center v. Ursula M. Lester
AKRH4(42114)08082013 AMENDED; 05-13-1266-8
22A-2013-02970F

Fair Housing Resource Center, Inc. v. Paul Brunner, and Brunner, Nicholas L – Trustee
of the Nicholas L. Brunner Revocable Living Trust
CLEH4(42013)05292013 AMENDED
05-13-0866-8
22A-2013-02341F

Patty Crozier et al v. Charles W. Berry, Owner; Bonnie S. Berry, Owner
TOLH2(36502)04142014
05-14-0810-8
22A-2014-01669F

Housing Research and Advocacy Center v. Deano Riccardi
CLEH4(42112)08082013 AMENDED
05-13-1538-8
22A-2013-02967F

Housing Research and Advocacy Center v. Deano Riccardi
CLEH4(42115)08082013 AMENDED
05-13-1539-8
22A-2013-02968F

Bernadine Mitchell v. City of Cleveland*
CLE74(42236)10292013
22A-2014-00262C

* Split Recommendation; Conciliation Agreement and Consent Order on the basis of Retaliation and the issues of Terms and Conditions, Training and Reasonable Accommodation.; No Probable Cause finding on the basis of Retaliation and the issue of Wages

David W. Robertson v. Circleville Fire Department
ADR71(40788)02142014
22A-2014-01435C

Charles M. Stachowiak v. Gordon Food Service, Inc.
ADRA2(36405)02242014
22A-2014-01208C

Altovise Cardell v. RMD Properties, LTD. et al; Mike Inu
ADRH2(36412)03262014 AMENDED
05-14-0711-8
22A-2014-01259F

**Ratify Conciliation Agreement and Consent Order Prior to Final Determination –
Close - continued**

Pamela Albright v. Steven R. Branam, DDS Inc. Oregon Pediatric Dentistry
ADRE2(36423)03042014
22A-2014-01348F

William Purnell v. SMJJ, LLC dba Jimmy John's
ADR73(37333)02282014
22A-2014-01374C

11. Independent Settlement - Close

Stephen Marcum v. Canon Solutions America, Inc.
ADRA1(40378)07092013
22A-2013-02847C

12. Withdrawal of Charge with Settlement

Deja Kiera Torrence v. GMRI, Inc., dba Olive Garden
COL71(40649)11192013
22A-2014-00568C

Victoria Marie Moore v. Grove City Christian Child Care Center
COLB1(40851)03072014
22A-2014-01505C

Geralynn Joyner v. Woodville Road Health Center
TOLE2(36240)10302013
22A-2014-00285F

Edward Williams v. Impact Employment Solutions, Inc.
TOLA2(36448)03182014
22A-2014-01445C

Sonya L. Branch v. Edward Heyward, Jr.
AKRH4(42212)10102013
22A-2014-00195F

George Asfour v. County of Cuyahoga, Microfilm Center
ADR73(37175)11052013
22A-2014-00341C

George Asfour v. County of Cuyahoga, Microfilm Center
ADR74(42101)07262013
22A-2013-02956C

Withdrawal of Charge with Settlement – continued

Michael Boyd, Sr. v. Lake Metropolitan Housing Authority, c/o Mike Cody, Director of Operations

CLEH4(42297)12192013

05-14-0276-8

22A-2014-00788F

Sarah Fathauer v. Michigan Mutual, Inc.

CLE74(42309)01092014

22A-2014-00843C

Rebecca Gallagher v. Salem City School District Board of Education

CLEB3(37131)10072013

22A-2014-00114C

Mark O. Randall v. Payless Collective Brands Distribution Center

DAY76(23674)06132013

22A-2014-01097C

Djuan McLaurin v. Trinity Highway Products, LLC

DAY76(23718)06282013

22A-2014-00748C

Mary R. Crothers v. G&D Alternative Living, Inc.

DAYB1(40766)02032014

22A-2014-01062C

Cheryl Domby v. Toledo Public Schools

ADRA2(36329)12302013

22A-2014-00809C

Amy Howard v. Maxum Petroleum Operating Company dba Pilot Logistics

ADR73(37261)01032014

22A-2014-00837C

13. Withdrawal of Charge – Grant

Terri Shaw v. OhioHealth Corporation

COL71(40461)06192013

22A-2013-03300C

Carol S. Hill v. State of Ohio, Department of Mental Health and Addiction Services

TOLB2(36007)06282013

22A-2013-02595C

Withdrawal of Charge – Grant - continued

Cynthia G. Kurtz v. St. Joan of Arc School
TOLA2(36048)07162013
22A-2013-02726C

James H. Powell v. The Economic Opportunity Planning Association of Greater Toledo, Inc.
TOLA2(36069)07262013
22A-2013-02862C

Shelton A. Evans v. The Toledo Blade Company
TOL72(36212)10182013
22A-2014-00179C

Hannah R. Boxley v. Wellsville Carpet Town, Inc. dba Ashley Furniture Homestore
CLE74(42328)01292014
22A-2014-01015C

Sara B. Denuzio v. Towne Square Animal Clinic
DAYE6(23784)06192013
473-2013-01006F

14. Failure to Cooperate – Dismiss

Jessica Conroy v. Habibi's Restaurant
COLB1(40785)09302013
22A-2014-01146C

15. Administrative Closure

Patricia Edwards v. Meridian Greene Apartments, WODA Management, LLC, and Willis Law Firm LLC
AKRH3(37365)03212014
05-14-0743-8
22A-2014-01495F

Housing Research and Advocacy Center, Inc. v. Elaine D. Scruggs, Tamika (LNU), Hallmark Management Realty, Inc.
CLEH4(42349)02072014
05-14-0507-8
22A-2014-01162F

Adrian M. Campbell v. Excelitas Technologies
DAY76(23746)07102013
22A-2013-03443C

16. No Probable Cause – Dismiss

Daniel C. Bachmann v. State of Ohio, Department of Rehabilitation and Correction
COLA1(40270)05202013
22A-2013-02472C

Judith Paul v. Mount Carmel Health System*
COL71(40300)06052013
22A-2013-02675C

*Commissioner Patmon recused himself from participation in this case

Anjomeda Taylor v. Ohio Health
COL71(40302)06062013
22A-2013-02676C

Derek D. Garland v. JPMorgan Chase Bank, N.A.
COLB1(40313)06112013
22A-2013-02467C

Dr. Naomi Sealey v. Devry University, Inc.
COLA1(40315)06122013
22A-2013-02814C

Angela Y. Cooper v. State of Ohio, Department of Youth Services
COL71(40319)06132013
22A-2013-02826C

Anne Groves v. Penske Logistics, LLC
COLB1(40325)06172013
22A-2013-02823C

Tricia Tingler v. O'Reilly Automotive Stores, Inc. dba O'Reilly Auto Parts
COL71(40332)06102013
22A-2013-02803C

Mark Cloyd v. Ohio Hospital for Psychiatry
COLB1(40334)06192013
22A-2013-02798C

Christopher Mitchell Lampkin v. Nissan North American, Inc.
COLG1(40335)06192013
22A2013-02811F

Christopher Mitchell Lampkin v. Geico Insurance Agency, Inc.
COLG1(40336)06192013
22A-2013-02810F

No Probable Cause – Dismiss – continued

Je' Cir'e v. Kroger
COL71(40338)06192013
22A-2013-02818C

Alexis O'Neida Keyes v. Volvo Parts North America
COL71(40339)06202013
22A-2013-02809C

Lonnee E. Thomas v. Center of Vocational Alternatives for Mental Health, Inc.
COL71(40341)06202013
22A-2013-02807C

Jeffrey Ransom v. Owens-Brockway Glass Container, Inc.
COLA1(40346)06252013
22A-2013-02740C

Jeanine Wendy Molock v. State of Ohio, Department of Education*
COLA1(40348)06142013
22A-2013-02801C
*Commissioner Patmon recused himself from participation in this case

James Teska v. Luxotica Retail North America Inc.
COLM1(40349)06172013
22A-2013-02848F

Douglas L. Haubell v. State of Ohio, Department of Rehabilitation and Correction
COLB1(40361)07022013
22A-2013-03007C

Sonya R. Stanley v. Pomegranate Health Systems
COL71(40373)07052013
22A-2013-03003C

Hani H. Fawzi v. Boehringer-Ingelheim Roxanne Laboratories, Inc.
COLA1(40419)07242013
22A-2013-03451C

Shari J. Lowes v. Franklin County Sheriff's Office
COL71(40428)07292013
22A-2013-03447C

Cindy A. Beattie v. Scioto Downs, Inc.
COLB1(40465)08072013
22A-2013-03314C

No Probable Cause – Dismiss – continued

Doris Harper v. Delaware Art.com, Inc. dba Art.com
COL71(40560)09242013
22A-2014-00146C

Robert Lamonte Rutledge v. JPMorgan Chase Bank, N.A.
COLB1(40589)10112013
22A-2014-00495C

Abdi Sulieman v. US Together, Inc.
COL71(40660)11222013
22A-2014-00694C

Theresa M. Di Giannanatoni v. State of Ohio, Ohio Department of Taxation
COLB1(40674)12032013
22A-2014-00711C

Andrea Parsley v. BMP Apartments, LLC
COL71(40704)12192013 AMENDED
22A-2014-00909C

James Beatty v. State of Ohio, Ohio Department of Transportation
COL73(37226)12062013
22A-2014-00930C

Arnold J. Wagoner v. Xerox Corporation
COLB6(23945)09062013
22A-2014-00494C

Wendell Griffith v. The University of Toledo
TOL72(35970)06052013
22A-2013-02325C

Renecia M. Stanley v. American Red Cross
TOL72(35974)06062013
22A-2013-02356C

Christopher L. Thompson v. Imagine Madison Avenue School of Arts
TOL72(35977)06072013
22A-2013-02370C

John Forbes, Jr. v. City of Toledo, Division of Streets, Bridges and Harbor
TOLA2(35984)06122013
22A-2013-02459C

Rodney Dean v. S B Restaurant Co. dba Elephant Bar Global Grill/Wok Kitchen
TOL72(36000)06242013
22A-2013-02551C

No Probable Cause – Dismiss – continued

Tammie Abitua v. The Kroger Co.
TOLA2(36002)06252013
22A-2013-02574C

Jesse Arriaga v. Sandusky County
TOL72(36005)06272013
22A-2013-02583C

India Springs v. Lucas County Children Services
TOL72(36012)07012013 AMENDED
22A-2013-02602C

Jay Wollenburg v. Board of Education of the Ottawa Hills Local School District
TOLA2(36014)07012013
22A-2013-02604C

Heidi LeRoux-Confer v. Lucas County Board of Developmental Disabilities
TOLB2(36017)07032013
22A-2013-02613C

Nancy M. Siferd v. Hancock County Agency on Aging, Inc.
TOLB2(36018)07032013
22A-2013-02614C

Tyson Rollins v. Beacon of Light Ltd.
TOLB2(36034)07102013
22A-2013-02655C

Sara M. Torres v. United Steelworkers of America, Local 1915-15
TOL72(36092)08072013
22A-2013-02953C

Manuela Murphy v. The University of Toledo
TOLB2(36244)10312013
22A-2014-00299C

Adam S. Montgomery v. Omnicare, Inc.
TOL72(36345)01172014
22A-2014-00886C

Lonnie Jones v. City of Akron; Duane Groeger, Housing Administrator, Department of
Public Services; Michael Antenucci, Zoning Manager, City Planner; John Gould,
Sanitation Supervisor
TOLH3(36944)06052013
05-13-1179-8
22A-2013-02458F

No Probable Cause – Dismiss – continued

Lynn Downing v. Elaine Zajac
AKRH3(37024)07292013
05-13-1254-8
22A-2013-02927F

Kelly D. Daniels v. Homes-R-Us Enterprises, LLC and Yvonne Dianne Keller
AKRH3(37041)08072013
05-13-1392-8
22A-2013-02984F

Sherry L. Hunter v. Akron Auto Auction, Inc.
AKRA3(37065)08222013
22A-2013-03126C

Corey Gilbert v. Firebirds of Niles, LLC dba Firebirds Wood Fired Grill
AKR73(37068)08262013
22A-2013-03145C

Glen Milburn Boller v. Callos Staffing Company, LLC
AKRB3(37084)09032013
22A-2013-03287C

Johnny M. Perry v. Akron Metropolitan Housing Authority, et al.
AKRH3(37095)09102013
22A-2013-03341F

Nathan Testa v. State of Ohio, Department of Rehabilitation and Corrections
AKRB3(37122)10022013
22A-2014-00031C

Mark Mauro v. Moody Plumbing, Ltd.
AKR73(37174)11042013
22A-2014-00331C

Dominique S. Mitchell v. Design Molded Plastics, Inc.
AKR73(37185)11132013
22A-2014-00426C

Michael L. Morgan v. Performance Technologies, Inc.
AKR73(37194)11182013
22A-2014-00433C

Richard J. Attalla, Jr. v. Summa Health System
AKRB3(37273)01212014
22A-2014-00975C

No Probable Cause – Dismiss – continued

Elizabeth Mathes v. St. Edward Home dba The Village at St. Edward
AKRB3(37294)02052014
22A-2014-01034C

Robert J. Lucas v. Riser Foods Company dba Giant Eagle
AKRG3(37343)03062014
22A-2014-01381F

Wayne S. Butala v. KeyCorp dba KeyBank N.A.
AKRH1(40435)07292013
05-13-1535-8
22A-2013-02980F

Theresa A. Townes v. Adalet, A Scott Fetzer Company
CLE74(42136)08192013
22A-2013-03088C

Leonard Ronald Bieder v. Holmbury Inc.
CLEE4(42153)08272013
22A-2013-03177F

Bernadine Mitchell v. City of Cleveland
CLE74(42236)10292013
22A-2014-00262C

* Split Recommendation; Conciliation Agreement and Consent Order on the basis of Retaliation and the issues of Terms and Conditions, Training and Reasonable Accommodations; No Probable Cause finding on the basis of Retaliation and the issue of Wages

Opal Bennett v. Freeway Corporation
CLEA4(42250)11122013
22A-2014-00403C

Van Glen Ingram v. Auto World USA Inc.
CLE74(42276)12092013
22A-2014-00625C

Robyn A. Strozier v. Dave's Supermarkets, Inc.
CLE74(42304)12302013
22A-2014-00840C

Carl Clark v. PPG Industries, Inc.
CLE74(42335)02052014
22A-2014-01075C

Jason M. Baker v. Ventra Sandusky, LLC
CLE74(42376)03072014
22A-2014-01393C

No Probable Cause – Dismiss – continued

Richard Hasan Sims v. Plumbers' Union Local 55
CLE74(42380)03142014
22A-2014-01416C

Michael Edward Grisa v. Cntl Alt Elite Gaming
CLEG4(42421)04102014
22A-2014-01672F

Tammi Scott v. City of Whitehall
CLE71(40572)09272013
22A-2014-00133C

Luci-Rae Anderson v. Autoneum North America, Inc.
CLE72(36354)01222014
22A-2014-00911C

Sabrina L. Jefferies v. Wallace Snyder's Driver Training
CLEE3(37026)07302013
22A-2013-02928F

Willie E. Galloway v. Peoples Services, Inc. and Total Distribution, Inc.
CLE73(37036)08052013
22A-2013-02936C

Stuart R. Taylor v. Delores Golson, Howard Hanna Real Estate Services
CLEH3(37045)08092013
22A-2013-03052F

Brett Pelfrey v. Makotek, Inc.
CLE73(37017)07262013
22A-2013-02915C

Nazih M. Darwiche v. Kent State University
CLEA3(37210)11252013
22A-2014-00504C

Mark A. Crawford v. State of Ohio, Department of Rehabilitation and Corrections
DAY76(23663)06102013
22A-2013-02882C

Hope D. Fidler v. Brookdale Senior Living Inc.
DAYB6(23686)06192013
22A-2013-02998C

Cassandra Strange v. Knowledge Universe Education dba Kinder Care
DAY76(23698)06202013
22A-2014-00749C

No Probable Cause – Dismiss – continued

Cha’Ron L. Williams v. The Dannon Company, Inc.
DAY76(23717)06282013
22A-2014-00747C

Robert J. Meyer v. State of Ohio, Department of Transportation
DAYA6(23722)07022013
22A-2013-03408C

Shayla Lowry v. Jordan Auto Sales
DAYG6(23723)07022013
22A-2013-03409F

Chasity Kerby v. Mike Hosterman
DAYH6(23737)07082013
05-13-1273-8
22A-2013-03323F

Elisabeth Curtis v. Michael Buttram
DAYH6(23738)07082013
05-13-1274-8
22A-2013-03324F

Amy B. Martin v. Clark Shawnee Local Schools
DAYA6(23758)07182013
22A-2013-03351C

Lakiesha Stargell v. Nile Investments
DAYH6(23759)07192013
05-13-1327-8
22A-2013-03352F

Karen A. Mathis-Seiter v. Animal Care Center
DAYE6(23777)07292013
22A-2014-01070F

John Borders v. Simon DeChatlet Dental Labs, Inc.
DAYB6(23780)07302014
22A-2013-02884C

Mark C. Ford v. Tate and Lyle
DAY76(23802)08122013
22A-2013-03152C

Mamadou Keme-Diallo v. Freshway Logistics
DAY76(23808)08142013
22A-2014-00235C

No Probable Cause – Dismiss – continued

Shelbi R. Preston v. Allman Giovannis Inc.
DAY76(23818)08202013
22A-2014-00236C

Artel Dunson v. Three Women Incorporated
DAY76(23822)08232013
22A-2013-03460C

Catherine D. Day v. Giovanni's Restaurant
DAY76(23834)08282013
22A-2014-00222C

Karl L Leath v. The Johnson Electric Supply Company
DAYA6(23889)10012013
22A-2014-00741C

Karl L Leath v. The Johnson Electric Supply Company
DAY76(23933)10152013
22A-2014-01237C

Christopher Reid v. HEMMS Glass Shop
DAY76(23987)10312013
22A-2014-00359C

Ja-Nelle D. Gilliland v. Greenville Technology, Inc.
DAY76(24023)11192013
22A-2014-01049C

Susan Duncan v. Greater Dayton Premier Management
DAYH6(24058)12052013
22A-2014-00643F

Merridith Curry v. Cincinnati Hills Christian Academy
DAY76(24060)12122013
22A-2014-00652C

Jason Ndremizara v. American Modern Insurance Group
DAYA6(24069)12162013
22A-2014-00638C

Tony Jackson v. The Board of Education of the Jackson City School District
DAY76(24078)12232013
22A-2014-00782C

Carolyn Dye v. Compass Group USA Inc.
DAY76(24079)12232013
22A-2014-00783C

No Probable Cause – Dismiss – continued

Michael L. Wright v. T Northgate Mall, LLC
DAYG6(24083)12242013
22A-2014-00816F

Amanda N. Jackson v. Pagoda of Hair Design
DAYG6(24084)12262013
22A-2014-01085F

Royshunta Thomas v. Brookside Extended Care Center, Inc.
DAY76(24099)01092014
22A-2014-01117C

Camille Green v. The Kroger Company
DAYB6(24101)01132014
22A-2014-01115C

Camille Green v. TruStaff Personnel Service, LLC
DAYB6(24102)01132014
22A-2014-01116C

Kevin Lanier Jones v. Rumpke Transportation Company, LLC
DAY76(24134)01292014
22A-2014-01137C

Mary McDermott v. Wellcare Home Health, Inc.
DAY76(24225)03202014
22A-2014-01616C

Karen Mabe v. Merchants National Bank
DAYB1(40381)06242013
22A-2013-03354C

Felicita Carlos Benitez v. McDonald's
DAY71(40418)07222013
22A-2013-02888C

Julio Perez v. I-Force
DAYB1(40571)09262013
22A-2014-01106C

MOTION by Commissioner Roberts to approve the April 24, 2014 Confirmation Agenda with the noted recusals. Second by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Roberts	YES
Commissioner William Patmon	YES
Commissioner Stephanie Mercado	YES

Motion carried.

STAFF BRIEFING

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

APPEARANCES

1. Recommendation: Upon Reconsideration – No Probable Cause - Dismiss

Toni Horn v. City of Cleveland, Department of Public Works,
Waste Collection
AKR74(42118)08082013
22A-2013-02973C

Upon review of the Charging Party's Request for Reconsideration, Courtney Calhoun, Reconsideration Supervisor, recommended the Commission uphold the Regional finding of No Probable Cause - Dismiss. Mr. Calhoun, Charging Party, Charging Party's counsel and Respondent's counsel were present to discuss the case.

MOTION by Commissioner Mercado to uphold the Regional finding of No Probable Cause – Dismiss. Second by Chairman Hubert.

Roll Call Vote:

Commissioner Tom Roberts	NO
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES
Chairman Leonard Hubert	YES

Motion carried.

COMMISSIONER'S AGENDAS

Commissioner's Agenda for Week 1

1. Requests for Reconsideration - Respondent's Request – Deny

Dorothy White, et al. v. Becky L. Armstrong
DAYH6(23920)09252013
05-13-1477-8
22A-2014-00723F

2. Findings Upon Reconsideration – No Probable Cause – Dismiss

Kenya L. Barrett v. The Kroger Co.
COL71(40265)05162013
22A-2013-02301C

Adam Charles Otto Smith v. Goodwill Industries of
Northwest Ohio, Inc.
TOLB2(36230)10242013
22A-2014-00240C

Merline Moore v. Brookdale Senior Living Inc.
AKRA3(36983)06262013
22A-2013-02590C

Diane C. Helmick v. University of Dayton
DAY76(23790)08062013
22A-2013-03143C

MOTION by Commissioner Roberts to adopt the staff findings in the foregoing captioned cases on the Week 1 Agenda. Second by Commissioner Mercado.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

Commissioner's Agenda for Week 2

1. Requests for Reconsideration - Respondent's Request – Deny

Debbie Parks v. North Hill II Towers; Moses Peterson, Manager;
Moses Peterson Realty
DAYH6(23615)05092013
05-13-0800-8
22A-2013-02407F

2. Findings Upon Reconsideration – No Probable Cause – Dismiss

Marvin Parms v. First Federal Bank, Nick Kays and Stephen Nagy,
and Clarence Zugeiter
AKRH3(36956)06062013
22A-2013-02432F

Marvin Parms v. Mercury Appraisal Group, Inc., Stephen Nagy
and ValuTrust Solutions, LLC and Sean Pyle, COO
AKRH3(36957)6062013
22A-2013-02433F

3. No Jurisdiction - Dismiss

Don Stephen Hankins v. Army Air Force Exchange Service
DAY76(24140)01312014
22A-2014-01136C

MOTION by Commissioner Mercado to adopt the staff findings in the foregoing captioned cases on the Week 2 Agenda. Second by Commissioner Roberts.

Roll Call vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

Commissioner's Agenda for Week 3

MOTION by Commissioner Mercado to separate the following case from the Week 3 Commissioner's Agenda for discussion and approval. Second by Commissioner Patmon.

Kayla Meighen v, New A1 Japan, Inc.
AKR73(36895)05102013
22A-2013-02141C

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

1. Requests for Reconsideration - Respondent's Request – Deny

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of Environmental Services*
TOL72(35923)05092013
22A-2013-02133C

*Split recommendation; Request for Reconsideration only on the Probable Cause finding of Retaliation and issues of Harassment, different Terms and Conditions of employment and Discipline

Babak Firoozi v. City of Toledo, Department of Public Utilities, Division of Environmental Services*
TOL72(36224)10212013
22A-2014-00205C

*Split recommendation; Request for Reconsideration only on the Probable Cause finding of Retaliation and issues of Harassment, Discipline and Constructive Discharge

2. Findings Upon Reconsideration - No Probable Cause – Dismiss

Sylvester Wood v. Talbert House dba Parkway Center
DAYB6(23968)10242013
22A-2014-00361C

Commissioner's Agenda for Week 3 – continued

3. No Jurisdiction - Dismiss

David A. Gallagher v. City of Warren, Department of Police
AKRE3(37384)04012014
22A-2014-01608F

3. No Jurisdiction – Dismiss - continued

Ivan and Izidora Sosic v. United States Postal Service
CLEG4(42400)03272014
22A-2014-01557F

Woo Young Chung v. Cleveland State University
CLEB4(42424)04152014
22A-2014-01675C

4. Certification of a Bona Fide Occupational Qualification – Grant*

Kenneth's Hair Salon and Day Spas, Inc.

- Waxologist
- Esthetician
- Massage Therapist
- Receptionist

*Respondent's counsel was present to answer questions.

MOTION by Commissioner Roberts to adopt the staff finding in the foregoing captioned cases on the Week 3 Agenda. Second by Commissioner Patmon.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

Special Discussion Item

Kayla Meighen v, New A1 Japan, Inc.
AKR73(36895)05102013
22A-2013-02141C

MOTION by Commissioner Mercado, pursuant to ORC 4112.05(1) and in conjunction with Ohio Administrative Code 4112-3-04(C) to 1) set aside the finding of No Probable Cause – Dismiss and reverse to a finding of Probable Cause – Schedule Conciliation on the issue of Charging Party’s Termination, 2) reject the proposed two-party CACO which only addresses the issue of Sexual Harassment, 3) direct the Regional office to conciliate on the issues of Termination and Sexual Harassment (including potential monetary remedies not included in the proposed CACO and 4) authorize the Executive Director to issue a formal complaint if conciliation efforts fail. Second by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

ATTORNEY GENERAL’S REPORT

Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General’s Office thanked Stephanie Bostos Demers, Ronnell Tomlinson, Desmon Martin and the OCRC staff for their assistance in preparing documents for litigation.

EXECUTIVE DIRECTOR’S REPORT

Director Payton also thanked staff for their help in securing documentation for the Attorney General’s Office.

The Sixth Annual Civil Rights Hall of Fame ceremony will be held on October 2, 2014 in the Ohio Statehouse Atrium.

We were saddened to learn of Jerre Bess’s passing. Jerre was our former fiscal officer and a part of our family and legacy.

Chief Legal Counsel, Stephanie Bostos Demers reached out to members of the Society for Human Resource Managers to talk about our process and opportunities for working together.

REMARKS

Chief Legal Counsel, Stephanie Bostos Demers thanked the Civil Rights Section, Attorney General's Office and our staff for their work and testimony during a recent legal proceeding.

Commissioner Mercado is attending a series at Cleveland Marshall Law taking a look at global civil rights issues.

Commissioner Roberts and Dayton Regional Director Norman Gibson were guests of a Dayton radio station to talk about our agency and other civil rights issues.

MOTION by Commissioner Mercado to adjourn the public meeting. Second by Commissioner Roberts.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner Tom Roberts	YES
Commissioner Stephanie Mercado	YES
Commissioner William Patmon	YES

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 11:15 am.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, followed by three asterisks (***) at the end.

Commissioner