



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

**April 6, 2017
Lobby Hearing Room
Rhodes State 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 William Patmon III
Commissioner Lori Barreras
Commissioner Juan Cespedes

Absent:

Commissioner Madhu Singh

A quorum was present.

OCRC Staff Present:

G. Michael Payton, Executive Director; Keith McNeil, Regional Counsel/Director of Operations; Stephanie Demers, Chief Legal Counsel, Mary Turocy, Director of Public Affairs and Civic Engagement; Desmon Martin, Director of Enforcement and Compliance; Ronnell Tomlinson, Director of Housing Enforcement and Alternative Dispute Resolution; Aman Mehra, Columbus Regional Director; Darlene Newbern, Toledo Regional Director; Bradley Dunn, Akron Regional Director; Vera Boggs, Cleveland Regional Director; Kathy Haley-Ross, Acting Dayton Regional Director; Beyan Asoba, Reconsideration Supervisor; Lori Anthony, Chief, Civil Rights Section – Ohio Attorney General’s Office.

Chairman Hubert welcomed everyone to the meeting.

APPROVAL OF MINUTES

MOTION by Commissioner Barreras to approve the March 16, 2017 minutes. Second by Commissioner Cespedes.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

CONFIRMATION OF STAFF FINDINGS

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

Linda Cruttenden v. OhioHealth Corporation
COLA1(44490)08182016
22A-2017-00159C

**Commissioner Patmon recused himself from participation in this case*

Joyce E. Brooks-Harris v. Scioto Management Group, LLC & The Austin Lawrence Company, LLC (AMENDED)
COLA1(44740)1201016
22A-2017-01084C

Odell Scott Boyd v. E.V. Bishoff Company
COLE1(44855)01062017
22A-2017-01166F

Susan Lloyd v. Joshua Thornsbery
AKRH3(38520)09082016
22A-2016-02741F

Genia L. Hems v. Youngstown State University
AKR73(38566)10052016
22A-2017-00032C

Susan Lloyd v. Rebecca Schaffer
AKRH3(38706)12172016
22A-2017-00863F

Susan Lloyd v. Staci Dalton Liddle
AKRH3(38707)12172016
22A-2017-00864F

Susan Lloyd v. Timothy Welms
AKRH3(38709)12172016
22A-2017-00866F

Susan Lloyd v. Jessica Susnik
AKRH3(38710)12172016
22A-2017-00867F

Susan Lloyd v. Pam Wilms
AKRH3(38711)12182016
22A-2017-00868F

Susan Lloyd v. Phillip Siwierka
AKRH3(38713)12182016
22A-2017-00870F

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

Susan Lloyd v. Jarid Kendzior
AKRH3(38714)12182016
22A-2017-00871F

Susan Lloyd v. Sarah Lance
AKRH3(38715)12182016
22A-2017-00872F

Susan Lloyd v. Rose Ewell Benci
AKRH3(38716)12182016
22A-2017-00873F

Susan Lloyd v. Eric Siwierka
AKRH3(38717)12182016
22A-2017-00874F

Susan Lloyd v. Cindy Simcox
AKRH3(38718)12182016
22A-2017-00875F

Susan Lloyd v. Trisha Whitehead
AKRH3(38719)12182016
22A-2017-00876F

Susan Lloyd v. Curtis Overholt
AKRH3(38756)01162017
22A-2017-01005F

Bryan Patrick McMonagle v. State of Ohio, Department of Education
AKRG3(38762)01172017
22A-2017-01011F

**Commissioner Patmon recused himself from participation in this case*

Ronald Edgeron v. Cuyahoga Metropolitan Housing Authority and Velmarie Peoples
AKRH4(43571)08302016
22A-2016-02710F

Kerry Shuttleworth v. Akron Metropolitan Housing Authority and The Community Builders, Inc.
CLEH3(38412)06282016
22A-2016-02221F

James J. Warmuth v. General Motors, LLC
CLEB4(43491)07132016
22A-2016-02583C

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

James J. Warmuth v. United Auto Workers, Local 1005
CLEB4(43675)11072016
22A-2017-00343C

Shonta Kennedy v. The Diversity Center of Northeast Ohio
CLEE4(43771)01022017
22A-2017-00930F

Elaine Matthews obo Emanuel and Samuel Matthews v. Bridges Rehabilitation Services
CLEB4(43824)01262017
22A-2017-01235C

William Donato v. James Cantelupe, Tina Cantelupe
CLEH3(38414)06292016
22A-2016-02222F

Sandra Harris v. Springboro Community Schools
DAYB6(25743)06142016
22A-2016-02154C

Kimberly Hill v. City of Dayton Police Department
DAY76(25715)05262017
22A-2016-01977C

Theresa Carter v. Aramark Correctional Services, LLC
DAY76(25751)06172016
22A-2016-02291C

Anthony Allen v. WestRock Company
DAYB6(25859)08162016
22A-2016-02778C

Leslie Carrots v. Digestive Specialists, Inc.
DAYB6(25940)09262016
22A-2017-00046C

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

Kimberly McKiddy v. Chartwell Condominium Owners' Association, Inc.; Welles Bowen Investors, LLC; Joy Smothers, Welles Bowen Property Management; Judy Blockinger, Welles Bowen Property Management; Julie Miller, Chartwell Condominium Association Board Member; Patricia M. Freppel, Chartwell Condominium Association Board Member; Bob Beringer, Chartwell Condominium Association Board Member; Melanie Kriegal, Chartwell Condominium Association Board Member; Doris Johnson, Chartwell Condominium Association Board Member; Mildred Rothert, Chartwell Condominium Association Board Member

TOLH2(37751)04212016 AMENDED
05-16-4625-8
22A-2016-01597F

Jacqueline M. Glinka v. Sylvania City School District Board of Education
TOLB2(37832)06082016
22A-2016-02016C

**Split Determination: Probable Cause on the issues of failure to accommodate, harassment, discipline, and forced on administrative leave based on disability; No Probable Cause on the issue of discipline, letter of reprimand based on religion.*

Jacqueline M. Glinka v. Sylvania City School District Board of Education
TOLB2(38076)10202016
22A-2017-00174C

Mary Mukes v. Claire Fisher and Doug Fisher, Owners, G to G Properties
DAYH6(25857)08162016
22A-2016-02948F

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

Timothy Jay Henry v. State of Ohio, Ohio Department of Commerce - Division of Liquor Control
COL71(44383)07052016
22A-2016-02595C

Alicia Lytle v. The Michael Kaim Team and Blue Rock Select, LLC dba Berkshire Hathaway Home Services
AKRH4(43575)08302016 AMENDED
05-16-6008-8
22A-2016-02714F

Rabi Ridha v. Frontier Airlines, Inc.
CLEG4(43694)11162016
22A-2017-00440F

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

Jason Hick v. Aram Gosdanian and Abbeyhill Realty & Management, LLC
COL71(43073)01202016
22A-2016-00873C
Complaint No. 16-EMP-COL-43073

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

Tarik Tesfagiorgis v. TASC of Northwest Ohio
TOL72(37197)06082015
22A-2015-02062C
Complaint No. 16-EMP-TOL-37197

Tiffany Warner v. SPS Hunting Hills Properties, LLC dba Hunting Hills Apartments, et al.
CLEH4(42997)06032015
05-15-1163-8
22A-2015-02057F

Fair Housing Advocates Association v. SPS Hunting Hills Properties, LLC dba Hunting Hills Apartments, et al.
CLEH4(42998)06032015
05-15-4354-8
22A-2015-02058F
Complaint No. 16-HOU-CLE-42998

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

John F.K. Lattimer II v. Ford Motor Company
DAY76(24833)02092015
22A-2015-01173C
Complaint No. 16-EMP-DAY-24833

7. Common Pleas Court Election; Dismiss Formal Complaint – Submitted by the Attorney General’s Office

Fair Housing Advocates Association v. Erin & Daniel Pernice
CLEH4(43113)09212015
05-15-1389-8
22A-2015-02936F
Complaint No. 16-HOU-CLE-43113

Common Pleas Court Election; Dismiss Formal Complaint – Submitted by the Attorney General’s Office - continued

Jessica Dickson v. Erin & Daniel Pernice
CLEH3(38068)09162015
05-15-1396-8
22A-2015-02926F
Complaint No. 16-HOU-CLE-38068

8. Probable Cause – Schedule Conciliation

James L. Hamilton, Jr. v. Fairdale Mini Mart
COLG1(44379)07122016
22A-2016-02353F

Jason L. Ross v. HandsOn Central Ohio, Inc.; and Lena Scott, Supervisor
COLH1(44444)08082016
05-16-5047-8
22A-2016-02816F

Ronada Vargas v. The Bon-Ton Stores, Inc.
COL71(44660)11032016
22A-2017-00696C

**Split Determination: Probable Cause on the bases of sex and race and the issues of failure to take corrective action(s) for harassment and different terms and conditions of employment; No Probable Cause on the basis of retaliation and the issue of denial of promotional opportunities and internal transfer positions.*

Chris Silbaugh v. Park Hill Properties Limited Liability Company dba Park Hill at Fairlawn, Lee Zarkovacki and Brian Merrick
AKRH3(38489)08182016
05-16-5270-8
22A-2016-02657F

Fair Housing Advocates Association v. Buckeye Community Thirty Five, LP dba Kenmore Place Apartments, Linda Collins and RLJ Management Co., Inc.
AKRH3(38524)09092016
05-16-5315-8
22A-2016-02769F

Linda Harshman v. Ananel Hall, Thomas Hall, Jennifer McGreal, Erwin McGreal and David (LNU)
AKRH3(38601)10262016
05-17-7195-8
22A-2017-00256F

Linda Freeman v. Deegan Management, Inc., Meadowood Park Associates LLC Number One, and R. Todd Deegan
CLEH4(43511)07192016 AMENDED
05-16-4908-8
22A-2016-02422F

**Split Determination – Probable Cause on basis of retaliation; No Probable Cause on basis of race.*

Probable Cause – Schedule Conciliation - Continued

Ndikintum Nyonyfon v. iPreCheck
DAY76(25737)06132016
22A-2016-02069C

Dwayne Sharpe v. City of Dayton
DAY76(25758)06222016
22A-2016-02157C

9. Issue Formal Complaint

Kimberly McKiddy v. Chartwell Condominium Owners' Association, Inc.; Welles Bowen Investors, LLC; Joy Smothers, Welles Bowen Property Management; Judy Blockinger, Welles Bowen Management; Julie Miller, Chartwell Condominium Association Board Member; Patricia M. Freppel, Chartwell Condominium Association Board Member; Bob Beringer, Chartwell Condominium Association Board Member; Melanie Kriegal, Chartwell Condominium Association Board Member; Doris Johnson, Chartwell Condominium Association Board Member; Mildred Rothert, Chartwell Condominium Association Board Member
TOLH2(37751)04212016 AMENDED
05-16-4625-8
22A-2016-01597F

Martha Warren on behalf of Faye Miller v. St. Clare Commons, LLC; Franciscan Living Community & c/o St. Clare Commons; Mark Mullahy, Interim Executive Director
TOLH2(37755)04252016
05-16-4674-8
22A-2016-01612F

Kimberly McKiddy v. Chartwell Condominium Owners' Association, Inc.; Welles Bowen Investors, LLC; Joy Smothers, Welles Bowen Property Management; Judy Blockinger, Welles Bowen Management; Julie Miller, Chartwell Condominium Association Board Member; Patricia M. Freppel, Chartwell Condominium Association Board Member; Bob Beringer, Chartwell Condominium Association Board Member; Melanie Kriegal, Chartwell Condominium Association Board Member; Doris Johnson, Chartwell Condominium Association Board Member; Mildred Rothert, Chartwell Condominium Association Board Member
TOLH2(37987)08312016
22A-2016-02704F

Shyunte Dabney v. Dish One Up Satellite, Inc. dba Dish1Up Satellites
CLE74(43507)07252016
22A-2016-02419C

Marquita Jones v. Dish One Up Satellite, Inc. dba Dish1Up Satellites
CLE74(43490)07122016
22A-2016-02275C

10. Ratify Conciliation Agreement and Consent Order after a finding of Probable Cause

Gloria Allen v. Oblate Residences; Vistula Management Company; Sherry Napolski,
Property Manager
TOLH2(37756)04252016
05-16-4637-8
22A-2016-01613F

11. Withdrawal of Charge after a finding of Probable Cause

The Estate of Marianne Barabash v. Rescue Mental Health & Addiction Services
TOLA2(37724)04082016
22A-2016-01441C

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

Don J. Hicks v. Universal Truckload Services
TOL72(38234)01092017
22A-2017-00960C

Housing Research & Advocacy Center v. Daniel P. Mason
CLEH4(43782)01092017
05-17-7535-8
22A-2017-00955F

Beverly Tipton v. Carl Fontaine and Timothy Fontaine
DAYH6(25863)08092016
05-16-5010-8
22A-2017-00294F

Angela Dalton v. City of Piqua, Ohio
ADR76(26127)12222016
22A-2017-00854C

13. Withdrawal of Charge with Settlement

Destinee Neal v. Proscan Imaging Dublin
COL71(44889)01202017
22A-2017-01481C

Joseph C. Bernard v. Western Branch Diesel, Incorporated
AKRB3(38743)01052017
22A-2017-00939C

Christopher Terrell v. State of Ohio, Department of Youth Services
AKR73(38747)01102017
22A-2017-00946C

Withdrawal of Charge with Settlement - Continued

Trina Smith v. Fion Hruska and Phillip Hruska
CLEH4(43512)07212016 AMENDED
05-16-4928-8
22A-2016-02423F

Ericka Mosley-Wesley v. Great Expressions Dental Centers – Douglas Dziuba D.D.S. Inc.
CLEB4(43812)01252017
22A-2017-01128C

Keiana Rogers v. Cincinnati Children's Hospital Medical Center
DAY76(26068)11222016
22A-2017-00585C

Paul D. Coffey v. Carl & Sherry Hussong, Owners
DAYH6(26112)12092016
05-17-6413-8
22A-2017-00794F

Keiana Rogers v. Cincinnati Children's Hospital Medical Center
DAY76(26129)12332016
22A-2017-00858C

Rita Marrara v. MB Financial Bank N.A.
DAYA6(26211)02022017
22A-2017-01226C

Michael Morrison v. ODW Logistics
ADR71(44561)09202016
22A-2017-00598C

Samuel O. Sarkodee v. EASi, LLC
ADR71(44804)12142016
22A-2017-01215C

June D'Anieri v. Roush Honda
ADRA1(44822)12212016
22A-2017-01208C

Lisa Hall v. Gahanna/John E. Bickley YMCA
ADRG1(44870)01092017
22A-2017-01337F

Gary Broadnax v. Re/Max Connection C/O Tom Miller; Tom Miller, Realtor and Diane Miller, Realtor
ADRH1(44874)01132017
05-17-6773-8
22A-2017-01164F

Withdrawal of Charge with Settlement - Continued

Nigel Bowman v. The Buckeye Ranch, Inc.
ADRB1(44896)01242017
22A-2017-01482C

Tezona Miller v. Buckeye Check Cashing, Inc.
ADR71(44962)02102017
22A-2017-01718C

Sally A. Voegerl v. Strongsville City School District Board of Education
ADRB2(38096)09092016 AMENDED
846-2016-38020C

Bobby James Allen v. Johns Manville
ADRB2(38251)01242017
22A-2017-01095C

Tashara L. Gross v. Alliance One, Inc.
ADRB2(38275)02062017
22A-2017-01247C

Sally A. Voegerl v. Strongsville City School District Board of Education
ADRB2(38278)02062017
22A-2017-01250C

Randolph Monhollen v. Winchester Court Apartments; S & H 1933 LLC A Michigan LLC, Owner; Flex Realty, c/o James Moody, Owner & Cheryl A. Moody, Owner, Bill Webert, Flex Realty Employee; Mike LNU, Flex Realty Employee
ADRH2(38310)02172017
05-17-7198-8
22A-2017-01492F

Felicia Burkhammer v. Motel 6
ADR73(38671)12082016
22A-2017-00723C

Lisa McGowen v. Summit Management Services, Inc., Center Towers and Angelica Henley
ADRH3(38764)12192016
05-17-6498-8
22A-2017-01097F

Fair Housing Advocates Association v. Summit Management Services, Inc., Center Towers and Angelica Henley
ADRH3(38765)12192016
05-17-6497-8
22A-2017-01098F

Withdrawal of Charge with Settlement - Continued

Michael J. Hodnichak v. Integrity Technical Services
ADRA3(38841)02272017
22A-2017-01465C

Asia Robinson v. Family Dollar Stores of Ohio, Inc.
ADR76(26170)01172017
22A-2017-01119C

James M. Burress v. Industrial Wire Rope
ADRA6(26180)01192017
22A-2017-01159C

14. Withdrawal of Charge – Grant

Emir Aden Dini v. Anthem Inc.
COL71(44867)01042017
22A-2017-01697C

Margaret D. Finley v. Nationwide Financial Services, Inc.
COL71(44550)09152016
22A-2017-00229C

Mary Ervine v. National Youth Advocate Program
COL71(45001) 02252017
22A-2017-01698C

Cassandra Horton v. Nicole Lovelace, Manager; BRG Apartments/Kingswood
Apartments; BRG Kingswood, LLC; BRG Realty Group, LLC d/b/a/ BRG Apartments
TOLH6(25752)06102016
05-16-4771-8
22A-2016-02292F

Angela Britt v. AT&T
AKRB3(38852)03032017
22A-2017-01514C

15. Withdrawal of Charge – Grant – Request Notice of Right to Sue

Mary A. Martinez v. The University of Toledo
TOL72(37927)07282016
22A-2016-02402C

Glenn Glover v. Fibercorr Mills, LLC
AKRB3(38634)11142016
22A-2017-00375C

16. No Jurisdiction – Dismiss XNJ

Tammy Tellez v. Scioto Services LLC
COLE1(44756)12082016
22A-2017-01429F

Victoria Wiley v. Ultrasona Columbus/KRM Imaging
COLE1(44871)01092017
22A-2017-01719F

Elaina Willis v. ABC Warehouse (ABC Appliance, Inc.)
TOLE2(37953)08092016
22A-2016-02501F

Nancy Rupp v. Owens Community College
TOLE2(38043)09282016
22A-2016-02986F

Nancy Rupp v. Owens Community College
TOLE2(38055)10072016
22A-2017-00035F

Patricia Sennett v. Buckeye Cablevision, Inc.
TOLE2(38092)10272016
22A-2017-00248F

Yaisa Hodges v. Social Security Administration
TOLH2(38236)01102017
22A-2017-00962F

Erica Pyatt v. Southern Gate, LLC, Owner; Buckeye Northwest Realty
TOLH2(38309)01132017
05-17-7572-8
22A-2017-01663F

Jayson Israel v. Sprint by Mobile Now
AKRE3(38799)02082017
22A-2017-01301F

Alfred Baylis v. The Timken Company
AKRE3(38792)02022017
22A-2017-01280F

Susan Lloyd v. Oscar Wayne Rice
AKRH3(38793)02062017
22A-2017-01281F

No Jurisdiction – Dismiss XNJ – continued

Reginald L. Bruce v. Foti Contracting
CLEE4(43795)01132017
22A-2017-00983F

Carl Byron v. Cleveland Clinic Foundation
CLEE4(43802)01202017
22A-2017-01057F

Amy Christiansen v. Victory Honda
CLEE4(43823)01262017
22A-2017-01234F

Billy Williams, III v. Creatively Tagged Boutique
CLEG4(43837)02072017
22A-2017-01288F

Melissa Malone v. Medina County Career Center
CLEE4(43843)02082017
22A-2017-01292F

17. Administrative Closure

The Ability Center of Greater Toledo v. Contour Toledo, LLC; Steven L. Diller,
Statutory Agent; City of Toledo
TOLH2(38363)03232017
22A-2017-01646F

Rachel Wilkins Patel v. Google Ireland
CLE74(43885)03072017
22A-2017-01547C

Heather Coles v. Mansfield City Schools
CLEB4(43901)03142017
22A-2017-01625C

Darnell Lawrence v. Procter & Gamble dba Art of Shaving
DAY76(25711)05232016
22A-2016-02045C

Paul D. Coffey v. Carl & Sherry Hussong, Owners
DAYH6(26186)12092016
22A-2017-01155F

Victoria Fulks v. Susan Jennings, Owner/Manage
DAYH1(44516)08312016
22A-2016-02785F

18. No Probable Cause – Dismiss

Josh Tuzzolo v. Buca di Beppo
COLB1(44239)05112016
22A-2016-01908C

Josh Tuzzolo v. McDonald's Restaurant of Ohio, Inc.
COLB1(44240)05112016
22A-2016-01907C

Raynita McGowan v. Franklin County Community Based Correctional Facility
COLB1(44287)06012016
22A-2016-02170C

Phyllis Bellar v. Columbus Colony Elderly Care, Inc.
COLA1(44288)06012016
22A-2016-02172C

Solomon Basore v. Mast Industries, Inc. dba Mast Global Logistics
COL71(44290)06022016
22A-2016-02026C

Jason Boarde v. Playful Pets Columbus
COLE1(44305)06102016
22A-2016-02169F

Jason Boarde v. Stephens Faulkner, Owner of Playful Pets Columbus
COLE1(44306)06102016
22A-2016-02171F

Michael Johnson v. Marietta Opco, LLC, d.b.a. Arbors at Marietta
COL71(44425)08012016
22A-2016-02611C

Ryan Boddie v. Franklin County Jobs and Family Services
COLG1(44427)07272016
22A-2017-00163F

RaRica Shepherd v. Columbus Area Integrated Services, Inc.
COLB1(44442)08052016
22A-2016-02830C

Eric S. Thomas v. The Godman Guild Association
COLB1(44541)09132016
22A-2017-00095C

Janice M. Hoffman v. Columbus City Schools
COLB1(44559)09152016
22A-2017-00243C

No Probable Cause – Dismiss – continued

Natasha Felts v. OhioHealth
COL71(44595)10042016
22A-2017-00459C

**Commissioner Patmon recused himself from participation in this case*

Patricia Oakey v. UMH Properties/River Valley Estates Park, and Dee Saunders
COLH1(44631)10122016
22A-2017-00590F

Amadou Ndiare Diallo v. Acloche
COL71(44644)10252016
22A-2017-00501C

Sandrina Quick v. Washington State Community College
COL71(44655)10272016
22A-2017-00706C

Ronada Vargas v. The Bon-Ton Stores, Inc.
COL71(44660)11032016
22A-2017-00696C

**Split Determination: Probable Cause on the bases of sex and race and the issues of failure to take corrective action(s) for harassment and different terms and conditions of employment; No Probable Cause on the basis of retaliation and the issue of denial of promotional opportunities and internal transfer positions.*

Craig M. Beller v. Wal-Mart Stores East, LP
COLB1(44671)09072016 AMENDED
532-2016-02120C

Manuel Vargas v. The Bon-Ton Stores, Inc.
COL71(44698)11162016
22A-2017-00819C

Edwina Herron v. Scioto Downs, Inc.
COL71(44727)09242016
473-2017-00087C

Qiana Stewart v. Nationwide Children's Hospital
COL71(44754)12092016
22A-2017-01049C

Heidi M. Ludwig v. Tween Brands, Inc. dba Justice
COLA1(44805)12152016
22A-2017-01068C

Kauiswa "Brandy" D. Godsey v. NDC Real Estate Management, Inc.
COLA1(44834)12292016
22A-2017-01200C

No Probable Cause – Dismiss – continued

Tiffany Lynn Waterman v. Congressional Bank
COL71(44959)11252016
532-2017-00246C

Grace Vaughn v. Terrace Ridge Associates Limited and Jeannie Cox, Assistant Manager
COLH6(25815)07262016
22A-2016-02545F

Jennifer Hackle v. TriHealth Hospital Inc. dba Good Samaritan Hospital
COL76(26004)10252016
22A-2017-00511C

Peter Gorsevski v. Bowling Green State University
TOL72(37806)05232016 AMENDED
22A-2016-01858C

John P. Self v. Piston Automotive LLC
TOL72(37846)06132016 AMENDED
22A-2016-02057C

Calvin C. Duhart v. Exel, Inc. dba DHL Supply Chain
TOLB2(37847)06142016
22A-2016-02058C

Charlotte M. Lucas v. City of Toledo, Division of Parks, Recreation and Forestry
TOL72(37849)06142016
22A-2016-02060C

Charlotte M. Lucas v. Job1USA, Inc.
TOL72(37850)06142016
22A-2016-02061C

Debrail Jackson v. The University of Toledo
TOLB2(37851)06152016
22A-2016-02092C

Lenora L. Altmeier v. Petco Animal Supply Stores, Inc.
TOLB2(37856)06202016
22A-2016-02106C

Robin L. Hall v. Lucas Metropolitan Housing Authority
TOL72(37860)06222016
22A-2016-02121C

Robin L. Hall v. AFSCME Ohio Council 8, Local #2916
TOL72(37861)06222016
22A-2016-02122C

No Probable Cause – Dismiss – continued

Cyril J. Keiffer v. Owens State Community College
TOLA2(37862)06222016
22A-2016-02123C

Derwin G. Hawley v. Mondelez Global, LLC
TOLA2(37863)06232016
22A-2016-02126C

Alete Robinson v. City of Toledo
TOL72(37870)06302016
22A-2016-02195C

Latrina Stewart v. Brightside Academy, Inc.
TOL72(37872)07012016
22A-2016-02204C

Larry J. Vasko v. Toledo-Lucas County Health Department
TOLA2(37906)07212016
22A-2016-02315C

Carlos B. King v. DSC Logistics, Inc.
TOL72(37913)07252016
22A-2016-02355C

Emily Yamsek v. Best Buy Co., Inc.
TOLB2(37924)07272016 AMENDED
22A-2016-02393C

Carlos B. King v. DSC Logistics, Inc.
TOL72(37931)07292016
22A-2016-02418C

Cyril J. Keiffer v. Owens State Community College
TOLA2(37934)07292016
22A-2016-02479C

Troy Manteuffel v. Barbeque Integrated, Inc. dba Smokey Bones
TOLB2(38047)10042016
22A-2017-00016C

Lois Middlebrooks v. My Little School
TOLA2(38071)10192016
22A-2017-00147C

No Probable Cause – Dismiss – continued

Charles R. Wojcicki v. Anthony J. Brugnone Jr., Owner; Patricia E. Brugnone, Owner;
Batdorff Real Estate, Inc.; Nancy J. Keller, Agent
TOLH2(38250)01232017
22A-2017-01055F

Marsha Scott v. Bayberry Cove Apartment Homes; Niccole Joyce, Property Manager;
Linda Myers, Leasing; Sergio (LNU), Maintenance; T & R Properties, Inc.
TOLH6(25739)06132016
22A-2016-02075F

Jay Larr v. Summit Gardens Apartments, LTD. and Heather Morgan
AKRH3(38559)09272016
05-16-5655-8
22A-2016-02983F

Cameron Shephard-Green v. Streetsboro Opco, LLC dba Arbors at Streetsboro
AKR73(38497)08262016
22A-2016-02674C

Cameron Shephard-Green v. Streetsboro Opco, LLC dba Arbors at Streetsboro
AKR73(38498)08262016
22A-2016-02672C

Joanne Simmons v. Buckeye Community Thirty Five, LP dba Kenmore Place
Apartments, Linda Collins and RLJ Management Co., Inc.
AKRH3(38525)09092016
05-16-5314-8
22A-2016-02770F

Stephanie Seymour v. Centimark Corporation
AKRB3(38527)09122016
22A-2016-02787C

Sheila Asante v. The Timken Company
AKRB3(38692)10042016
846-2016-40021C

Vanessa Hartleben v. Compass Group USA, Inc. dba Eurest Dining Services
AKR73(38546)09202016
22A-2016-02893C

Vanessa Hartleben v. The Goodyear Tire & Rubber Company
AKR73(38547)09202016
22A-2016-02894C

No Probable Cause – Dismiss – continued

Lavonne Hamilton v. Cuyahoga Falls City School District Board of Education
AKRA3(38574)10112016
22A-2017-00081C

Dwan Gordon-St. John v. VXI Global Solutions, LLC
AKR73(38577)10132016
22A-2017-00092C

Michael Oddo v. Advance Stores Company, Incorporated dba Advance Auto Parts
AKRA3(38658)11302016
22A-2017-00632C

Tianna B. Flammer v. Summa Health System
AKRG3(38668)12072016
22A-2017-00727F

Bronsen Robinson v. Sears, Roebuck and Co.
AKR73(38745)01092017
22A-2017-00944C

James Rodgers v. Our Lady of Cedars Maronite Catholic Church
AKRB1(44508)08302016
22A-2016-02946C

Larry Alex v. Holly Kister and Tina Marie Kister
CLEH4(43474)06302016
22A-2016-02226F

LaShaun Pate v. DFI, Inc. dba RE/MAX Results and David Huntington
CLEH4(43495)07082016
05-16-4888-8
22A-2016-02277F

Linda Freeman v. Deegan Management, Inc., Meadowood Park Associates LLC Number
One, and R. Todd Deegan
CLEH4(43511)07192016 AMENDED
05-16-4908-8
22A-2016-02422F

**Split Determination – Probable Cause on basis of retaliation; No Probable Cause on basis of race*

Rasheema S. Husain v. City of University Heights
CLE74(43520)07292016
22A-2016-02461C

No Probable Cause – Dismiss – continued

Rasheema S. Husain v. City of University Heights
CLE74(43580)09022016
22A-2016-02728C

Samuel J. Livingston v. City of Cleveland, Division of Fire
CLE74(43615)09282016
22A-2016-02977C

Nichole Barnes v. UH Regional Hospitals dba University Hospitals Bedford Medical Center
CLE74(43637)10142016
22A-2017-00102C

Patricia Pasquarelli v. Citizens Bank, National Association
CLEA4(43680)09262016
532-2016-02222C

Pamela Scott v. Universal Hospital Services, Inc.
CLE74(43681)09272016
532-2016-02226C

Nichole Barnes v. UH Regional Hospitals dba University Hospitals Bedford Medical Center
CLE74(43684)10212016
22A-2017-00601C

Dingiswayo Rahman v. Lutheran Metropolitan Ministry
CLEG4(43707)11202016
22A-2017-00476F

Brian Collins v. Erie County Board of Developmental Disabilities
CLE74(43798)01182017
22A-2017-00997C

Jill Rutkosky v. Excel, Inc. dba DHL Supply Chain
CLE74(43819)01272017
22A-2017-01230C

James Janik v. Trademark Global, LLC
CLEB4(43820)01272017
22A-2017-01231C

Dawn Palfi v. Doyle Enterprises Inc. dba Doyle's American Karate Academy
CLEG4(43852)02172017
22A-2017-01405F

No Probable Cause – Dismiss – continued

Antoine Mathews v. Medina Powder Group, Inc.
CLE74(43864)02212017
22A-2017-01424C

Jerrid Campbell v. Montgomery County Sheriff's Department
DAY76(25740)06132016
22A-2016-02070C

Alicia Fair v. Kettering Health Network
DAY76(25741)06132016
22A-2016-02072C

Jerry Hogan v. Cushman & Wakefield National Corporation
DAY76(25747)06092016
22A-2016-02469C

W. Terence Johnson v. Montgomery County Board of Developmental Disabilities
DAYB6(25760)06232016
22A-2016-02159C

Agnieszka Minor v. Ajilon Employment Agency
DAY76(25766)06232016
22A-2016-02470C

Natalie Lackey v. Judson Care Center, Inc.
DAY76(25776)06302016
22A-2017-01573C

Mark Chard v. Park Ridge Investment Group; Kerry Baker, Property Mgr.
DAYH6(25814)07252016
22A-2016-02436F

Nancy R. Dillard v. Bob Ross Buick, Inc. dba Bob Ross Buick GMC
DAYB6(25822)07292016
22A-2016-02512C

Jerry Hogan v. Cushman & Wakefield National Corporation
DAYB6(25848)08102016
22A-2016-02761C

Melissa Mabry v. Cincinnati Metropolitan Housing Authority, Douglas Connors
DAYH6(25869)08192016
22A-2016-02788C

No Probable Cause – Dismiss – continued

LaToya Crowe v. Springfield Metropolitan Housing Authority
DAYH6(25844)07142016
05-17-6133-8
22A-2016-02955F

Harry Bates v. BJ Homes Limited Partnership; Scott Dressman, Property Manager/Owner
DAYH6(25845)07112016 AMENDED
05-16-5875-8
22A-2016-02782F

Anthony Busacco v. Dina Rancourt; Denizen Management
DAYH6(25846)08042016
22A-2016-02944F

Constance Baker v. Loyal Order of Moose, #568
DAY76(25919)09132016
22A-2016-02861C

Sondra Spence v. TradeGlobal LLC
DAY76(25993)10202016
22A-2017-00365C

Steve Haggard v. Complete Care Providers, LLC
DAY76(26089)12052016
22A-2017-00674C

Angeline Brooks v. GKN Aerospace Cincinnati, Inc.
DAYA6(26108)12152016
22A-2017-00799C

Carmen Clarke v. Cheap Tobacco dba Great Midwest Tubing
DAY76(26109)12152016
22A-2017-00798C

Travis Shelton v. Ohio Galvanizing
DAYB1(44356)06022016
22A-2017-01458C

**MOTION by Commissioner Cespedes to approve the April 6, 2017 Confirmation Agenda.
Second by Commissioner Barreras.**

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES - with noted recusal
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

STAFF BRIEFING

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

APPEARANCE CASES

Appearance 1

Commissioners' Agenda - Week 2, Page 1, Item I-A

Recommendation Upon Reconsideration: Reverse Probable Cause to No Probable Cause - Dismiss:

Henry Lucas v. United Parcel Service, Inc.
DAY76(24636)04262016
22A-2016-01719C

Upon review of Respondent's Request for Reconsideration, staff recommended the Commission reverse the previous finding of Probable Cause to No Probable Cause – Dismiss. The Charging Party was represented by Counsel. The Respondent was not present.

MOTION by Commissioner Patmon to uphold the Regional finding of No Probable Cause – Dismiss. Second by Commissioner Singh.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

MOTION by Commissioner Patmon to take a recess. Second by Commissioner Barreras.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

MOTION by Commissioner Patmon to return to public session. Second by Commissioner Barreras.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

COMMISSIONERS' AGENDAS

Commissioners' Agenda for Week 1

Page 1 of 1

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

Rolanda Lloyd v. Greater Cleveland Regional Transit Authority
CLE74(43577)08312016
22A-2016-02718C

2. Findings Upon Reconsideration- No Probable Cause – Dismiss

Fair Housing Advocates Association v. SDR Properties, LLC and Steven & Mandi Rector
AKRH3(38365)05202016
22A-2016-01868F

Tara Brooks v. SDR Properties, LLC and Steven & Mandi Rector
AKRH3(38366)05202016
22A-2016-01870F

MOTION by Commissioner Barreras to adopt the staff findings in the foregoing captioned cases on the Commissioners' Agenda for Week 1. Second by Commissioner Cespedes.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

**Commissioners' Agenda for Week 2
Page 1 of 1**

1. Findings Upon Reconsideration- No Probable Cause – Dismiss

Lori Ann Tauro v. Macy's Retail Holdings, Inc.
AKRA3(38454)07272017
22A-2016-02391C

Ronald J. Gresco v. Lorain County Joint Vocational School District
CLEB4(43429)06072016
22A-2016-02022C

2. No Jurisdiction – Dismiss

Angela Ceerle v. Miami County Children Services
DAYG6(26022)11012016
22A-2017-01028F

Michael Little v. Good Samaritan Hospital
DAY76(26029)11042016
22A-2017-00392C

MOTION by Commissioner Cespedes to adopt the staff findings in the foregoing captioned cases on the Commissioners' Agenda for Week 2. Second by Commissioner Barreras.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

Commissioners' Agenda for Week 3
Page 1 of 2

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

Kimberly McKiddy v. Chartwell Condominium Owners' Association, Inc.; Welles Bowen Investors, LLC; Joy Smothers, Welles Bowen Property Management; Judy Blockinger, Welles Bowen Management; Julie Miller, Chartwell Condominium Association Board Member; Patricia M. Freppel, Chartwell Condominium Association Board Member; Bob Beringer, Chartwell Condominium Association Board Member; Melanie Kriegal, Chartwell Condominium Association Board Member; Doris Johnson, Chartwell Condominium Association Board Member; Mildred Rotherth, Chartwell Condominium Association Board Member
TOLH2(37751)04212016 AMENDED
05-16-4625-8
22A-2016-01597F

2. Findings Upon Reconsideration- No Probable Cause – Dismiss

Tyrone Johnson v. General Motors, LLC
TOL72(37887)07112106 AMENDED
22A-2016-02235C

Ivan Susic v. Lowe's Home Center, LLC
CLEG4(43505)07212016
22A-
2016-02399F

Alex Duncan v. Geauga County Board of Developmental Disabilities
CLEG4(43519)07282016
22A-2016-02466F

Salka Barca v. Cincinnati Children's Hospital Medical Center
DAY76(25839)08082016
22A-2016-02557C

D. Thomas Terwilliger v. 2590 Water Park Drive, LLC
dba The Beach Waterpark
DAYG6(25916)09092016
22A-2016-02939F

3. No Jurisdiction – Dismiss

Anthony Malone II v. The Maids
COL71(44728)10252016
22A-2017-01490C

Alexander Smith v. City Auditor
COLH1(44897)01242017
22A-2017-01502F

Commissioners' Agenda for Week 3
Page 2 of 2

No Jurisdiction – Dismiss – continued

Jackie Robinson v. State of Ohio, c/o Summit County Common Pleas Court
AKRG3(38869)03102017
22A-2017-01595F

4. Administrative Law Judge Recommends Cease and Desist Order

Fair Housing Contact Service v. Cary Hendy and
Community Capital LLC
AKRH3(37746)12312014
05-15-0414-8
22A-2015-00847F
Complaint No. 15-HOU-AKR-37746

MOTION by Commissioner Cespedes to adopt the staff findings in the foregoing captioned cases on the Commissioners' Agenda for Week 3. Second by Commissioner Barreras.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

Report from the Ohio Attorney General's Office

Lori Anthony, Civil Rights Section Chief – Ohio Attorney General's Office, updated the Commissioners on a recent 7th Circuit Court decision regarding sexual orientation. In the case of Kimberly Hively v. Ivy Tech Community College of Indiana, the court held that sexual orientation is protected under Title VII. It was worth noting that the United States Equal Employment Opportunity Commission (EEOC) wrote an amicus brief in support.

Report from the Chief Legal Counsel

Chief Legal Counsel Stephanie Demers reported on a recent United States Supreme Court ruling in the case of *McLane v. EEOC*. This was a case that arose from the filing of a charge by a charging party, who worked for Respondent, *McLane Co., Inc.*, as a laborer. She took an authorized maternity leave and upon return was required to take a physical agility test, which is required of all newly hired employees and employees returning to work from medical leave. The Charging Party failed the test three times and was subsequently fired. During the investigation of her sex claim, the EEOC opted to self-initiate an investigation of age discrimination against this Respondent. The EEOC requested information including "pedigree info" of employees who were required to take the test. *McLane* refused to produce the pedigree info but provided anonymous info including positions and gender. The EEOC exercised its authority to issue subpoenas. *McLane* refused to comply. The EEOC filed an enforcement action with a district (trial) court, and the trial court denied enforcement finding the pedigree info was not relevant. The EEOC appealed to the 9th Circuit, and the appellate court reversed. The Supreme Court exercised jurisdiction to certify a conflict in the appellate courts of whether the appropriate standard of review in granting/denying EEOC subpoena enforcement actions is "de novo" meaning new or with its own eyes of what is relevant or "abuse of discretion" meaning whether the trial court blew it. Ruling for abuse of discretion, the Supreme Court reversed upholding denial of the EEOC's subpoenas. We can take away two concepts from this ruling. First, the OCRC needs to be mindful that when seeking information and issuing subpoenas, we need to be judicious in the information sought. Second, the Court in dicta recognized the wide latitude courts should give the EEOC in issuance of subpoenas, holding "the district court should enforce the subpoena unless the employer establishes that the subpoena is 'too indefinite,' has been issued for an 'illegitimate purpose,' or is unduly burdensome."

Report from Executive Director

Executive Director G. Michael Payton began his report with an update on HB2 and recognized Chairman Hubert and the executive staff for their hard work on the bill. The Commission's proposal to require all civil rights cases to be filed first with the OCRC, referred to as administrative "exhaustion," appears to have been agreed to in principle by the Ohio Chamber of Commerce, Society of Human Resource Managers, and the Ohio Employment Lawyers Association (Attorney Fred Gittes). The Commission is now working on writing statutory language that is agreeable to all parties.

Approximately 25 OCRC employees and family members traveled to Cincinnati by bus on March 22nd to attend a guided tour of the National Underground Railroad Freedom Center and to receive training on implicit bias. This voluntary journey was organized by Desmon Martin and paid for by the employees.

Director Payton reminded Commissioners of the annual ethics training and celebrating excellent workshop being held on September 14, 2017. Susan Willike from the Ohio Ethics Commission will provide the ethics training. He also reminded the Commissions of the next Commission meeting being held at the University of Akron on April 27, 2017.

Remarks

Commissioner Barreras attended an Equal Pay Day event. This day symbolizes how far into the year women must work to earn what men earn in the previous year. Commissioner Barreras expressed an interest in equal pay cases before the Commission.

Chairman Hubert conveyed a heartfelt thanks to the Commissioners and staff for the thoughts and prayers expressed in the passing of his brother. He and his family were very appreciative.

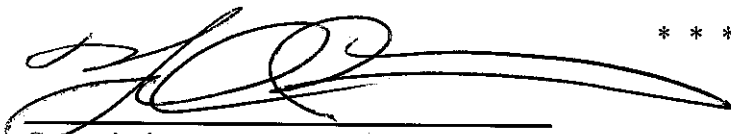
MOTION by Commissioner Cespedes to adjourn the public meeting. Second by Commissioner Barreras.

Roll Call Vote:

Chairman Leonard Hubert	YES
Commissioner William W. Patmon, III	YES
Commissioner Lori Barreras	YES
Commissioner Madhu Singh	ABSENT
Commissioner Juan Cespedes	YES

Motion carried.

The regular meeting of The Ohio Civil Rights Commission was ADJOURNED at 11:50AM.


Commissioner

* * *