

Reporting discrimination in public spaces

How to

Submit a Public Accommodations Complainant Information Sheet (CIS)

It is illegal to discriminate in public spaces. This type of discrimination is also known as public accommodation discrimination. The county has laws that stop this type of discrimination in places like:

- Hotels
- Restaurants
- Theaters
- Parks
- Schools

These laws also prevent discrimination against you if you want to contact a government official.

You have 300 calendar days after the discrimination occurred to file a charge. Once you fill out and sign the Public Accommodations Complainant Information Sheet you must take it to the San Luis Department of Human Rights (SLDHR) at any of the following locations:

County Office (photo ID needed to enter)

Office hours: Monday - Friday from 8:30 A.M. to 5:00 P.M.

Intake interviews: Monday - Thursday from 8:30 A.M. to 3:00 P.M.

You don't need an appointment, and walk-ins are taken on a first-come, first-served basis.

The SDHR Intake Unit will interview you. If your allegations are covered by Illinois law, SDHR will draft a charge that you must then sign.

You can also fax or mail the form but do not do both.

Prepare for your intake

The San Luis Department of Human Rights Intake Unit will assist you in preparing your charge. You will need to give them some information:

- Your name, address,
- Information on the employer, union, or person who you are charging. Be sure to give names, addresses, and phone numbers;
- The most recent date of discrimination; and
- The names and addresses of any witnesses and copies of any relevant documents.

Participate in mediation

Mediation is free and it is an alternative to an investigation. It may quickly resolve a charge. In mediation, you meet with the business and a mediator, who helps you explore options. The process is confidential.

All mediation conferences are held in the country office and can take four hours or more. The mediator does not force you to make a decision.

Accepting a settlement does not mean the business or public office is guilty. Your award can include money or no money. After a settlement is reached, both parties have 10 days (which may be waived) to opt out. If you can't reach an agreement, the charge will move to the investigation stage.

Participate in SDHR investigation

SDHR conducts a neutral investigation. The business or public entity must keep all records about the charge. They are prohibited from retaliating or punishing you for the charge. The business must respond to your charge, and you get a copy of its answer. The investigator will contact you to discuss the case.

You may be asked to attend a conference with the business, where you answer questions from the investigator. Failure to attend can dismiss your

charge. Attorneys can attend but only to provide advice. They do not get to ask you any questions.

You do not have to be represented by an attorney. You can bring a friend along for moral support. You can also bring an interpreter.

Witnesses may be present. There is no recording of the conference. You will receive a copy of the investigator's report once it's completed. If the SDHR does not make a finding in 365 days, you can file a complaint in 90 days with the San Luis Human Rights Commission, or file a complaint in state court.

Read the Commission's report

After the investigation, a report is prepared saying whether there was substantial evidence of a violation. Substantial evidence means that your complaint is valid and your case can be taken before the SDHR or a court.

The Commission or the court will then hear testimony and decide whether you were discriminated against.

If substantial evidence is found, you have the option of:

- Having the Department file a complaint with the Commission; or
- Bringing your case to court.

If you request to file a complaint with the Commission, an attorney will be assigned to help you and the other party resolve things. If you can't settle, the SDHR will file a complaint with the Commission for you.

If the Department doesn't find substantial evidence, you can:

- File to have the finding reviewed, or
- Bring a lawsuit in court.

If the business or public entity does not respond to the charge or doesn't attend the conference, you may win by default. The business may file a request to review the findings. The Commission's conclusions may be appealed in court.

Request a review if your charge was dismissed

You can request a review if your charge is dismissed. You can also file a complaint in state court within 90 days of the substantive hearing decision.

You'll need a lawyer if your case goes before the Commission. If you win your case the Commission judge can award you whatever will make you whole again, like if you weren't discriminated against.

A 3 member panel can review the recommendation of the Commission judge. If your case goes to a hearing it