



City of Chicago  
**COMMISSION ON HUMAN RELATIONS**  
740 N. Sedgwick, 4<sup>th</sup> Floor, Chicago, IL 60654  
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**IN THE MATTER OF:**

Olga Salgado  
**Complainant,**

v.

Victor Hugo Ramirez, D.D.S. d/b/a Julian  
Ramirez, D.D.S. & Associates, P.C.  
**Respondent.**

**Case No.:** 13-E-19

**Date of Ruling:** May 12, 2016

**Date Mailed:** May 31, 2016

**TO:**

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**FINAL ORDER**

YOU ARE HEREBY NOTIFIED that, on May 12, 2016, the Chicago Commission on Human Relations issued a ruling in favor of Respondent in the above-captioned matter. The findings of fact and specific terms of the ruling are enclosed. Based on the ruling, this case is hereby DISMISSED.

Pursuant to Commission Regulations 100(15) and 250.150, a party may obtain review of this order by filing a petition for a common law *writ of certiorari* with the Chancery Division of the Circuit Court of Cook County according to applicable law.

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**FINAL RULING ON LIABILITY AND RELIEF**

**I. INTRODUCTION**

On March 7, 2013, Complainant Olga Salgado (“Salgado”) filed a Complaint with the City of Chicago Commission on Human Relations alleging that Respondent Victor Hugo Ramirez, D.D.S., discharged her because of her pregnancy in violation of Chapter 2-160-030 of the Chicago Municipal Code. On April 8, 2013, the Respondent filed a Response to the Complaint denying Salgado’s allegations and stating that “Dr. Ramirez is the sole owner of Julian Ramirez, D.D.S. & Associates, P.C., the corporate entity which actually served as Salgado’s employer.”

On May 20, 2014, the Commission entered and mailed to all parties an Order Finding Substantial Evidence. The Order Finding Substantial Evidence listed the Respondent as “Victor Hugo Ramirez, D.D.S. d/b/a Julian Ramirez, D.D.S. & Associates, P.C.” A pre-hearing conference was held on January 21, 2015. An administrative hearing was held on April 1 and 2, 2015; both parties were represented by counsel. The parties submitted post-hearing briefs on May 22, 2015.

On July 28, 2015, after the administrative hearing and the submission of post-hearing briefs, Salgado filed a Motion to Amend the Complaint to add Victor Hugo Ramirez in his individual capacity as a Respondent. Respondent responded to that Motion on August 7, 2015. For the reasons stated herein, that Motion is denied.

On October 15, 2015, the hearing officer issued a Recommended Ruling on Liability. Complainant filed objections to the Recommended Ruling, which were considered in reaching this Final Ruling.

## II. FINDINGS OF FACT

1. Olga Salgado is female. On September 10, 2012, Salgado told Dr. Victor Ramirez that she was pregnant. (Tr.153-154). Dr. Ramirez responded, "Take care of yourself, hope everything goes well, everything is good." (Tr. 134).

2. Respondent is an Illinois professional corporation engaged in the practice of dentistry. (Tr. 252-253). Dr. Victor Ramirez is the owner and president of the Respondent corporation. (Tr. 252-253). At all relevant times, Respondent had two offices, one located at 4421 N. Central (the "North Side Office"), and the other located 3443 S. Halsted (the "South Side Office"). (Tr. 122).

3. Salgado worked for Respondent at both locations between 1999 and her discharge on January 28, 2013. (Tr. 274). At the North Side Office, Salgado worked as a dental assistant and as a front desk assistant. At the South Side Office, Salgado worked only as a dental assistant. (Tr. 134; 274-276). Prior to August 2011, Salgado performed only front desk duties at the North Side Office. (Tr. 142).

4. In 2004, Salgado was pregnant and then took a six-week maternity leave before returning to work. (Tr. 156). Yasmine Alvarado was pregnant three times during her employment with Respondent and each time took a maternity leave and returned to work. (Tr. 156).

5. Respondent's practice was run informally in 2012, in that Dr. Ramirez did not provide job descriptions (Tr. 18, 123), did not provide an employee handbook (Tr.123), did not provide performance evaluations or reviews (Tr. 19, 123, 220, 241), and did not hold staff meetings (Tr. 123).

6. In early 2012, Dr. Ramirez began having increased problems with Salgado's work performance. (Tr. 282-283, 370-371). Dr. Ramirez identified Complainant's work performance deficiencies in both her front desk duties at the North Side office and her dental assisting duties at both locations, including failing to consistently take health histories from patients (Tr. 284-286), failing to return calls and voice mails in a timely manner (Tr. 286-287), failing to complete accounts receivable reports and falling behind in collections (Tr. 311-312), failing to submit insurance claims (Tr. 283), failing to properly schedule patients (Tr. 296-297), arriving late for work (Tr. 284), making patients wait while she made personal telephone calls (Tr. 298), keeping the front desk unkempt (Tr. 273), failing to set up rooms properly for procedures (Tr. 302), questioning Dr. Ramirez about whether missing instruments were really missing (Tr. 303-304), forgetting to take needed x-rays (Tr. 304), poorly making crowns with the CEREC machine (Tr. 304-305), and failing to transfer notes to a patient's charts (Tr. 305-306).

7. Arcadia Morales, a patient of Respondent's North Side Office, testified that in 2012, she left a message with Salgado for Dr. Ramirez to call her that was not returned for over two months. (Tr. 73). Morales also testified that Salgado was rude to her and slammed the phone down on her call. (Tr. 74). Morales complained to Dr. Ramirez about Salgado's behavior (Tr.

75).

8. George Raiman, also a patient of Respondent's North Side Office, testified that Salgado arrived late for work causing him to have to wait for his appointment outside in the snow. (Tr. 88). Salgado never asked Raiman to update his health history when he came in for an appointment. (Tr. 89). Dr. Ramirez was not in the office at the time and he did not know why Salgado was late. (Tr. 91).

9. Robert Leahy, a patient of Respondent's North Side Office, testified that Salgado had failed to submit an insurance claim for him for approximately nine months. (Tr. 96).

10. Silvana Rojas, a former employee of Respondent and a current patient, testified that she had problems with Salgado failing to submit her insurance claims, Salgado being rude to her on the telephone (Tr. 108), having difficulty scheduling appointments with Salgado (Tr. 108), and problems with billing with Salgado. (Tr. 109). Rojas told Dr. Ramirez about her problems with Salgado. (Tr. 109).

11. Elwira Byjos, Respondent's dental hygienist since 2011, testified that in 2012 she discovered 36 voice mail messages in the North Side Office that Salgado had not returned (Tr. 198), and that she also discovered insurance claims that Salgado had not submitted for two-three months. (Tr. 201-202). Byjos also testified that Salgado did not keep the appointment schedule as full as she would have liked (Tr. 204) and that Salgado also failed to update patient health histories approximately 50% of the time. (Tr. 207). Byjos testified that in 2012, she witnessed Salgado meeting with Dr. Ramirez and then Salgado telling her that Dr. Ramirez told Salgado that he wanted her work performance to improve. (Tr. 209).

12. Dr. Jesse Zavala, an associate dentist that previously worked for Respondent, testified that Salgado's work performance as a dental assistant and as a front desk employee were the same as Dr. Ramirez's other employees, and that he never heard any objections from patients regarding Salgado's work performance. (Tr. 59-61). Dr. Zavala only worked at the South Side Office and had no knowledge regarding Salgado's work performance at the North Side Office. (Tr. 66). Dr. Zavala also had no responsibility for insurance claims, billing, accounts receivable, calling patients, or scheduling appointments. (Tr. 67-68).

13. Yasmin Alvarado, a current employee of Respondent who works only in the South Side Office, testified that she thought Salgado was a great assistant and that Salgado helped her out a lot because Alvarado did not know how to perform a lot of the front desk duties. (Tr. 35). Alvarado also testified that the patients loved Salgado, and that she was very friendly and very kind. (Tr. 53). Alvarado only worked at the South Side Office and she testified that she had no knowledge of Salgado's performance of her front desk or other duties at the North Side Office. (Tr. 45). Alvarado also testified that she did not know the patients at the North Side Office and had no knowledge of Salgado's interactions with those patients. (Tr. 47-48). Alvarado acknowledged that she is a "long time" friend of Salgado. (Tr. 44).

14. Aracely Santillanes was a dental assistant for Respondent between 2006 and 2011 and worked at both offices. (Tr. 237). Santillanes characterized Salgado's work performance as "professional and responsible." (Tr. 246).

15. Salgado testified that her work performance did not change in 2012. (Tr. 154). Salgado did not recall any conversation with Dr. Ramirez in June 2012 regarding her need to improve her work performance. (Tr. 417). Salgado also denied that Dr. Ramirez ever talked to her about her inability to process crowns, her failure to take x-rays, or her failure to set up instruments for patient procedures. (Tr. 425).

16. In June 2012, Salgado told Dr. Ramirez that she might need to leave her employment with Respondent because she needed more money. In response, Respondent gave Salgado a pay raise from \$14.75 per hour to \$16.00 per hour. (Tr. 124, 315-317). Ramirez testified that he gave her the raise with the understanding that she would demonstrate improvement and because there was no one else in his employ that could then perform the job that she did. (Tr. 316).

17. In October or November 2012, Ramirez reduced Salgado's pay from \$16.00 per hour to \$13.50 per hour. (Tr. 125). Salgado testified that Ramirez told her that her pay was being reduced temporarily because the office was going through a difficult time. (Tr. 125). Ramirez testified that he reduced Salgado's pay because thereafter she would only be required to act as a dental assistant and would not have to perform front desk duties. (Tr. 320-321). Salgado agreed that following the reduction in pay she only performed dental assisting duties. (Tr. 127).

18. According to Dr. Ramirez, after the pay reduction, during the period that Salgado performed only dental assisting duties and not front desk duties, her work performance did not improve. (Tr. 321).

19. In the Fall of 2012, Salgado was sent to a training program to inform her about Respondent's new CEREC machine. All of the office employees, except the dental hygienist, went to that training, which was offered by the company that sold Respondent the machine. (Tr. 174).

20. In 2012, Salgado received a bonus of \$450, which was based upon the number of crowns that the practice had sold. (Tr. 174).

21. Salgado testified that on January 8, 2013, Dr. Ramirez told her that she was discharged because he could not afford her, the office was not producing, and he needed to find someone whom he could pay minimum wage. (Tr. 425).

22. Dr. Ramirez testified that in the beginning of January 2013, he informed Salgado that he had found a replacement for her at the front desk as well as a new assistant that he would train. He then gave Salgado one month from that conversation to find alternative employment. Dr. Ramirez testified that Salgado told him on January 24, 2013, that she had found a job and they agreed that January 28, 2013, would be her last day. (Tr. 330).

23. In 2005, Alvarado began working for Respondent's South Side Office performing dental assistant and front desk duties (Tr. 15). In 2013, Alvarado had a discussion with Dr. Ramirez in which she told him that she was not happy working at the front desk and Dr. Ramirez replied that he was not happy with Alvarado's work performance at the front desk. (Tr. 46). Following that conversation, Alvarado was taken off of front desk duties and was assigned only dental assisting duties. (Tr. 21). Dr. Ramirez considered this to be a demotion. (Tr. 44-46). Alvarado "had a feeling" that Dr. Ramirez placed her only on dental assisting because she was not performing all of the tasks she was required to perform at the front desk. (Tr. 53). Alvarado's subsequent performance as a dental assistant was excellent. (Tr. 47, 306).

24. In January 2013, Respondent hired two new employees. Patricia Gomez, non-pregnant, was hired to perform dental assistant work. (Tr. 337). Rosa Novoa, non-pregnant, was hired to work at the front desk. (Tr. 336).

### III. CONCLUSIONS OF LAW

1. Section 2-160-030 of the Chicago Human Rights Ordinance makes it unlawful for a person to "discriminate against any individual in ...discharge, discipline ...or other term or condition of employment because of the individual's ...sex."

2. CCHR Regulation 335.100 provides, in part, that it shall also be a *prima facie* violation of the CHRO for an employer to discharge an employee because she becomes pregnant.

3. CCHR Regulation 210.160(b)(2) allows a motion to add or substitute a respondent after an administrative hearing "only if the information which forms the basis for the motion was first learned at the hearing and could not have been learned beforehand, such as during discovery." Salgado knew as of April 8, 2013, that Salgado claimed that her employer was Julian Ramirez, D.D.S. & Associates, P.C. The Commission amended the named Respondent to "Victor Hugo Ramirez, D.D.S. d/b/a Julian Ramirez, D.D.S. & Associates, P.C." in the Order Finding Substantial Evidence entered on May 20, 2014. Salgado did not move to add or substitute any respondent on either date. Because Salgado does not allege any new information that was not available to her prior to the administrative hearing, Salgado's Motion to Amend the Complaint is not timely and is denied. The term Respondent throughout this decision refers to Victor Hugo Ramirez, D.D.S. d/b/a Julian Ramirez, D.D.S. & Associates, P.C.

### IV. DISCUSSION

In a discrimination case which alleges disparate treatment in employment due to being a member of a protected class, a complainant may establish her case by direct evidence of animus or through indirect evidence of discriminatory animus. *Lockett v. Chicago Dept. of Aviation*, CCHR No. 97-E-115 (Oct. 18, 2000). To prove discrimination using the direct method, Complainant must show that "(1) [her] employer made an unequivocal statement of discriminatory animus as a reason for taking the discriminatory action, or (2) circumstantial evidence, such as making statements or taking actions, together form the basis for concluding that the actions were motivated by discriminatory animus." *Id.*; see also *Griffiths v. DePaul*

*Univ.*, CCHR No. 95-E- 224 (Apr. 19, 2000)(a complainant may “rely on statements by managers which show that the adverse employment decision was taken because of the complainant’s protected group status”).

To prove discrimination using the indirect method of burden shifting, Complainant must first establish a *prima facie* case of discrimination by showing that: (1) she was pregnant; (2) her job performance was satisfactory; (3) she was discharged; and (4) she was replaced by a non-pregnant person. *Sleper v. Maduff & Maduff LLC*, CCHR No. 06-E-90 (May 16, 2012) citing *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 802-03 (1973). Assuming Complainant establishes a *prima facie* case, Respondent must establish a legitimate reason for Complainant’s discharge. Then, if Respondent meets that burden, Complainant must submit competent evidence to support an inference that the proffered non-discriminatory explanation was pretextual for intentional discrimination. *Sleper, supra*; *Poole v. Perry and Associates*, CCHR No. 02-E-161 (Feb. 15, 2006); *Walton v. Chicago Department of Streets and Sanitation*, CCHR No. 95-E-271 (May 17, 2000).

**A. There Is No Direct Evidence of Pregnancy Discrimination**

Complainant first argues that she can prove her case through direct evidence because of the suspicious timing. Specifically, she argues that the mention of her pregnancy was close enough in time to her discharge to at least raise the inference that there was a connection between the two events.

The timing alone, however, does not give rise to an inference of discrimination. Complainant’s job performance problems, according to the credible testimony of Dr. Ramirez, arose many months prior to September 10, 2012, the date that Complainant addressed Dr. Ramirez about the pregnancy. In the subsequent approximate four-month period from September 10, 2012, to Complainant’s discharge in January 2013, Dr. Ramirez attempted to rectify Complainant’s work performance difficulties by altering her job duties. There was no evidence of discriminatory actions or statements by Dr. Ramirez following Complainant’s statement on September 10.

Also, there is no evidence that Dr. Ramirez ever made derogatory remarks about pregnant women. Conversely, the evidence shows Dr. Ramirez on many occasions had employed pregnant women, including Alvarado and Complainant during previous pregnancies, and had allowed those women to return to work after taking maternity leave following their pregnancies.

For these reasons, the hearing officer found, and the Commission agrees, that Complainant has not proved her case by direct evidence of pregnancy discrimination.

## **B. There Is No Indirect Evidence of Pregnancy Discrimination**

### Complainant Has Not Established a *Prima Facie* Case

There is no dispute that Complainant told Dr. Ramirez that she was pregnant in September 2012, that she was discharged, her last day of employment was January 28, 2013, and that she was replaced by two non-pregnant persons. In general, an individual alleging employment discrimination involving loss of work must establish as one element of a *prima facie* case that he or she was meeting the reasonable expectations of the employer. *Tarpein v. Polk Street Company d/b/a Polk Street pub et al.*, CCHR No. 09-E-23 (Oct. 19, 2011); *Walton, supra*. As such, the critical element at issue is whether, as Complainant claims, she was satisfactorily performing her job duties, or, as Respondent argues, Complainant's work performance was unsatisfactory.

#### - Evidence Regarding Complainant's Unsatisfactory Job Performance

Respondent claims that Complainant began having deficiencies in her work performance in early 2012, both in her front desk duties at the North Side office and her dental assisting duties at both locations. Respondent also claims that Complainant was discharged because of those performance issues.

Respondent produced eight witnesses, including Dr. Ramirez, to testify regarding various aspects of Complainant's job performance. Four of Respondent's witnesses were patients. The hearing officer found that the testimony of those four patients is credible because they had no reason to testify falsely. The three remaining witnesses Respondent produced were employees.

The hearing officer found that the testimony of these witnesses corroborated each other and established that Complainant was deficient in performing her job duties at the front desk, including that she was rude on the telephone, that patients had difficulty scheduling appointments with her, that she failed to return telephone calls, that she arrived late to work, and that she failed to submit insurance claims for long periods of time. These witnesses also corroborate the testimony of Dr. Ramirez regarding Complainant's unsatisfactory work performance and that he met with Salgado on multiple occasions to discuss these performance issues with her.

Dr. Ramirez also testified to Complainant's deficiencies in performing her dental assisting job duties. He testified that Complainant failed to set up rooms properly for procedures, that she questioned him about missing instruments rather than simply retrieving them, that she forgot to take needed x-rays, that she did poor work making crowns with the CEREC machine, that she had problems with charting, and that she failed to transfer notes regarding what occurred during patient visits, and what needed to happen at the next visit, to patient charts.

Complainant testified that her work performance did not change in 2012, and that she did not recall any conversation with Dr. Ramirez in June 2012 regarding her need to improve her job performance. She also denied that Dr. Ramirez ever talked to her about her inability to process



crowns, her alleged failure to take x-rays, or her failure to set up instruments for patient procedures. Complainant's own testimony regarding her work performance is not alone sufficient to rebut Respondent's testimony. Complainant provided no evidence or other support of her asserted satisfactory work performance at the North Side Office. Dental Assistant Aracely Santillanes did not work for Respondent during the 2012 period now at issue. Neither Dr. Zavala nor Dental Assistant Yasmin Alvarado had any knowledge of Complainant's work performance at the North Side Office. Dr. Zavala additionally had no knowledge, even at the South Side Office, of Complainant's performance of her front desk duties. Dr. Ramirez's testimony that he discussed Complainant's inadequate job performance with her is supported by Byjos' testimony that she saw Dr. Ramirez speaking to Salgado, and that Salgado told Byjos that she needed to improve her work performance.

Thus, Complainant did not meet Respondent's job expectations as actually practiced and applied.

- Dr. Ramirez's Diary

Dr. Ramirez also testified that he kept a diary describing both Complainant's work performance deficiencies and his discussions with her regarding those performance deficiencies, and that he kept similar notes regarding all of his employees. The authenticity of that diary is disputed by Complainant for several reasons. First, Complainant argues that Dr. Ramirez's testimony that he kept notes regarding all of his employees is inconsistent with his lack of other formal employment practices. Second, since Dr. Ramirez admits that the notes were not contemporaneously kept and may not reflect accurate dates, Complainant argues this indicates that the notes were created after the fact. Third, although Dr. Ramirez testified that he kept notes regarding all of his employees in 2012, he failed to produce any notes regarding any other employees prior to the hearing, and, after being given an opportunity to produce those notes after the administrative hearing, was able only to produce notes beginning in 2013, after Complainant was discharged. Because the notes were not kept contemporaneously (Tr. 309), and because there is no evidence that Dr. Ramirez kept notes regarding his employees as a matter of course in 2012, the notes are hearsay and are not admissible evidence. The testimony regarding the specific incidents raised in those diary entries will not be considered.

However, this ruling that the diary is inadmissible is not a ruling that the diary was falsified, as Complainant argues, nor does it affect the credibility of the remainder of Dr. Ramirez's testimony.

- Complainant Failed to Establish Pretext

Even assuming that Complainant established a *prima facie* case, in order to prevail under the indirect evidence method, Complainant must prove by a preponderance of evidence that the articulated reasons for her discharge are pretextual and that the real reason was pregnancy-related sex discrimination. *Wehbe v. Contacts and Specs*, CCHR No. 93-E-232 (Nov. 20, 1996). Complainant denies that she was discharged because of poor work performance. Although Complainant denies the majority of the allegations regarding her work performance, she admits

that she had problems performing all of the work for both dental assisting and front desk duties. Rather, Complainant's position is that Respondent's allegations regarding her unsatisfactory work performance were a pretext for discrimination.

First, Complainant argues that her satisfactory work performance is supported by three facts: the raise she received in June 2012, the bonus she received in December 2012, and the training she received regarding the CEREC machine. The hearing officer found that these facts do not support Complainant's case. There is no evidence that Complainant received the June 2012 pay raise because she was satisfactorily performing her job duties. Both Complainant and Dr. Ramirez testified that the raise was only given after Complainant threatened to quit because she needed more money. Dr. Ramirez's testimony that he gave Complainant the raise because he would otherwise be left without a replacement for her and he hoped that it would provide Complainant the incentive to improve her work performance is credible. Likewise, Complainant presented no evidence that the bonus she received in 2012 was tied to her satisfactory work performance. Although Complainant testified that it was based on her performance on the CEREC machine, the evidence shows that the bonus was not related to Complainant's individual performance, but, instead, was based on the number of CEREC crowns that were sold by the practice in 2012. Complainant also presented no evidence that she was sent to the training for the CEREC machine as a result of her satisfactory work performance. The testimony is that all of Respondent's employees, except the dental hygienist, were sent to the training after the machine was purchased. Complainant also argues that Dr. Ramirez's statement to her in September 2012 that she would be allowed to complete her front desk duties remotely from home during her maternity leave also signifies his approval of her abilities. Allowing Complainant to complete her work from home during her maternity leave, however, could also signify Dr. Ramirez's intent to allow Complainant to continue working throughout the remainder of her pregnancy and after her maternity leave, further rebutting a lack of discriminatory intent by Dr. Ramirez.

Second, Complainant also argues that pretext may be inferred from the fact that Dr. Ramirez did not discipline a similarly situated employee, Alvarado, for the same alleged performance deficiencies. However, both Dr. Ramirez and Alvarado testified that Alvarado was taken off of front desk duties and only allowed to perform dental assisting duties because Dr. Ramirez was not happy with her work performance of front desk duties. Both Dr. Ramirez and Alvarado also testified that once Alvarado was performing only dental assisting duties, her work performance was excellent. This same approach was utilized for Complainant, but Complainant's work performance, once she had assumed only dental assisting duties, did not improve.

Third, Complainant argues that any work performance issues she was experiencing were a result of the offices being short staffed. However, both Dr. Ramirez and Byjos testified that the office was not understaffed in 2012. Moreover, as Respondent argues, any understaffing would have equally impacted all of Respondent's employees, not just Complainant.

Fourth, the evidence regarding the non-discriminatory past treatment of pregnant women, evidence that no witness ever heard Dr. Ramirez make any slurs about pregnant women or specifically about Complainant's pregnancy, evidence that Dr. Ramirez gave Complainant

opportunities to improve her job performance after she disclosed her pregnancy, including allowing her to only perform dental assisting duties, and evidence that Dr. Ramirez gave Complainant time to look for a new job before discharging her, all indicate a lack of pretext.

Complainant argues in her objections that Dr. Ramirez was not a credible witness and his entire testimony should have been disregarded. There were falsehoods in his testimony and inconsistencies between his testimony, his diary and other evidence, and the testimony of other witnesses. Complainant further argues that the testimony of Dr. Ramirez should be disregarded, and without his testimony an opposite conclusion is warranted.

As provided in §2-120-510(l) of the Chicago Municipal Code, the Commission must and does adopt the findings of fact recommended by a hearing officer if they are not contrary to the evidence presented at the hearing. The Commission will not re-weigh a hearing officer's recommendation as to witness credibility unless it is against the manifest weight of the evidence. *Stovall v. Metroplex et al.*, CCHR No. 94-H-87 (Oct. 16, 1996). Determining credibility of witnesses and the reliability of their testimony and related evidence is a key function of hearing officers, who have the opportunity to observe the demeanor of those who testify. *Poole, supra.*

The hearing officer's findings in this case are consistent with the admitted evidence and adequately supported in the hearing record. The hearing officer explained the reasons for his findings and the Commission does not find them to be against the weight of the evidence. In fact, the hearing officer did not solely rely on the testimony of Dr. Ramirez in reaching the recommended finding in this matter; disregarding his testimony would not result in a different conclusion. The Commission agrees with the hearing officer that the evidence brought out in the hearing does not support a determination that Complainant was discharged because of her pregnancy.

## VII. CONCLUSION

Complainant Olga Salgado has not proved by a preponderance of the evidence that Respondent Victor Hugo Ramirez, D.D.S d/b/a Julian Ramirez, D.D.S. & Associates, P.C. discharged her because of her pregnancy. Accordingly, the Commission finds in favor of Respondent, and the Complaint in this matter is hereby DISMISSED.

CHICAGO COMMISSION ON HUMAN RELATIONS



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By: Mona Noriega, Chair and Commissioner  
Entered: May 12, 2016