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**EMPLOYMENT - ILLINOIS**

## Houzenga v. City of Moline, Illinois

**United States District Court, C.D. Illinois., Peoria Division - April 14, 2014 - Not Reported in F.Supp.2d - 2014 WL 1464408**

Scott Houzenga began his employment with the Moline Fire Department on September 8, 1997. On May 17, 2004, Heather Oepping was hired as the first female firefighter on the Department. During his September 2008 annual evaluation, Houzenga commented that he felt he was subject to a hostile work environment from Oepping because he had given her poor evaluations of her work.

On June 12, 2012, Houzenga filed a Complaint in the Circuit Court for Rock Island County, Illinois alleging claims of: (1) discrimination on the basis of gender; (2) retaliation; and (3) intentional infliction of emotional distress.

Under the indirect or burden-shifting method, the plaintiff must first make a *prima facie* showing that: (1) he was a member of a protected class; (2) he was meeting legitimate employment expectations; (3) he suffered an adverse employment action; and (4) similarly situated employees outside the protected class were treated more favorably than he was.  Additionally, in a reverse discrimination case such as this, the plaintiff must show background circumstances suggesting that the employer has a reason or inclination to discriminate against men.

The court noted that Houzenga was going to have just a little trouble showing that similarly situated employees outside the protected class were treated more favorably than he was due to the fact that the “outside the protected class” group consisted of just one single woman.

As to Houzenga’s Intentional Infliction of Emotional Distress claim, the court stated that, “it is well-settled that indignities, threats, annoyances, petty oppressions, and other trivialities fail to qualify as outrageous conduct actionable in an IIED claim.”  Good to know, as the BCB workplace subsists solely on a diet of “indignities, threats, annoyances, petty oppressions, and other trivialities.”

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