

Cook County Commission on Human Rights

# 2021 ANNUAL REPORT



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# FROM THE CHAIR



Greetings,

During the November 2020 – December 2021 fiscal year, the Cook County Commission on Human Rights (CCCHR) worked tirelessly to protect the civil rights of residents, employees, and guests in Cook County. The Annual Report details the CCCHR's extensive efforts to carry out its important mission to protect human rights in Cook County.

One of our core functions is administering Cook County's anti-discrimination and human rights ordinances. CCCHR carefully reviewed its filing procedures and streamlined the process to make filing complaints easier and more accessible. We continue to strive to make our processes accessible and user friendly.

To effectively protect civil rights, we need to ensure people are aware of their rights and obligations under Cook County's human rights ordinances. Therefore, we have drastically increased our outreach and training efforts and hired an Outreach and Training Coordinator to lead that initiative. As reflected in the report, the CCCHR's outreach highlights include partnering on several pressing initiatives, including the needs of recent Afghan refugees and employee rights related to the COVID-19 vaccine.

During this past fiscal year, we saw an increased number of discrimination inquiries and complaints. A significant number of those complaints settled expeditiously. Cook County's human rights ordinances offer broader protections than some state and federal human rights laws, such as source of income discrimination and protections for employees who miss work to receive their COVID-19 vaccine. As more people learn about their rights through our outreach and trainings, we expect the number of complaints to continue to increase.

While we have made great strides in protecting peoples' civil rights, we know there is much work to do during these challenging times when overt discrimination and hate crimes are on the rise. We hope that our proactive efforts, such as community outreach and trainings, will help reduce those numbers, and we continue to look for new and different ways to address human rights violations in Cook County.

I would like to acknowledge the hard work of prior Chair Kenneth Gunn, as well as the vision and dedication of current Vice Chair S. Mayumi Grigsby and the current Cook County Human Rights Commissioners. Similarly, with Director Sisavanh Baker's stalwart leadership and President Toni Preckwinkle's strong support, we know that we will be an unstoppable force to combat discrimination and protect human rights.

Sincerely,

A handwritten signature in black ink that reads "Angie Cowan Hamada".

Angie Cowan Hamada  
Chair, CCCHR

**Angie Cowan Hamada primarily represents labor unions, employees, and benefit funds. Angie is a shareholder at Allison, Slutsky & Kennedy, where she has practiced law since 2005. Angie is an experienced advocate for both private and public sector unions in collective bargaining negotiations.**

# ABOUT THE COMMISSION



***The Cook County Commission on Human Rights ("the Commission") is an eleven-member board appointed by the President of the Cook County Board of Commissioners, subject to the advice and consent of the Cook County Board of Commissioners.***

The Cook County Commission on Human Rights is responsible for enforcing the following ordinances:

- Cook County Earned Sick Leave Ordinance
- Cook County Human Rights Ordinance
- Cook County Living Wage Ordinance
- Cook County Minimum Wage Ordinance
- COVID-19 Vaccination Rights for Employees and Employer Obligations Ordinance.

These ordinances **protect people in Cook County from discrimination and harassment** in the areas of employment, housing, public accommodations, credit transactions, and access to Cook County facilities, services, and programs and additional benefits in the workplace.

The Commission investigates, mediates, and adjudicates alleged human rights violations. The Commission supports improved compliance and policies through community outreach, training, and collaboration with local organizations.

# ABOUT THE COMMISSIONERS



**Jack Block** is an Adjunct Professor and Distinguished Practitioner in Residence at Loyola University Law School, where he teaches Mediation Advocacy, Advanced Mediation and a Mediation Practicum Course. As a practitioner, Jack Block was a partner for many years at Sachnoff & Weaver (now Reed Smith), where in addition to his regular civil commercial practice, he engaged in a number of high-profile pro bono and public interest cases. He also served as the Deputy Director of the Legal Assistance Foundation (now Legal Aid Chicago). Together with Ceylan Eatherton, Jack Block led the revitalization of the Cook County Commission on Human Rights mediation program and formed a critical partnership between the Commission and the Center for Conflict Resolution.



**Ceylan Eatherton** is a mediator and an attorney specializing in Special Education. She is a volunteer attorney at Equip for Equality where she advocates for families of disabled children who are navigating the special education process in school. She is also an Adjunct Professor at Loyola University of Chicago Law School where she teaches Mediation Certification & Courthouse Practicum and Advanced Mediation Practicum. Prior to focusing on mediation and Special Education law, Ceylan practiced civil litigation at the law firm Kirkland & Ellis LLP for several years. Ceylan is the President of the Board of the Center for Conflict Resolution and a member of UNICEF USA's Midwest Board. Ceylan holds a bachelor's degree in Economics from the Massachusetts Institute of Technology and a law degree from the University of Chicago Law School.



Born in Monrovia, Liberia, and raised in Houston, Texas by way of Paris, France, **Vice Chair S. Mayumi "Umi" Grigsby**, is an author, advocate, attorney, and joyful warrior. Bilingual, in French and English, Umi is a graduate of Georgetown University and Northeastern University School of Law. She is the Chief of Staff at the Chicago Foundation for Women. She previously served as the Chief of Policy and Advocacy for the Office of the City Clerk of Chicago, City Clerk Anna Valencia. She is the author of *EmpowHERed Health: Reforming a Dismissive Health Care System* published in December of 2020, a 2021 Emerging Leader Fellow with the Chicago Council on Global Affairs and a 2022 Chicago United for Equity, Equity Fellow.



**Gia Orr** is the Director of Community Relations, Resources and Legislative Affairs at the Illinois Guardianship and Advocacy Commission, a state agency statutorily created to safeguard the rights of persons with disabilities and mental health needs. She also serves as the agency Equal Employment Opportunity/ADA and 504 Officer, Chief Results Officer, Director of Training and Constituent Affairs Liaison. Her interest in rulemaking, the wheels of government, and legislation began with a spirited internship as an HBCU undergraduate student with the State of Tennessee Legislature. Her wide array of interests led to a career path start in state agency program work which then wended into education for over sixteen years. She proudly filled positions from classroom teacher to principal in the Chicagoland area for fifteen years. These work experiences coupled with the completion of two graduate programs, led to a new opportunity to return to work with state government. She also cherishes volunteering as a board member with three Illinois colleges/universities.

# ABOUT THE COMMISSIONERS



**Amber Smock** is the Director of Advocacy for Access Living, a nationally respected Chicago-based disability rights and services organization. She and her team advance opportunity and equity for people with disabilities through policy and organizing on racial justice, housing, education, employment, transportation, immigration, diversion/reentry, healthcare, community-based services, and more. Commissioner Smock is a proud Deaf woman who relies on lipreading, ASL, and technology for communication access. She is the recipient of many local and national awards in recognition of her leadership through a blended approach to disability organizing and policy.



**Sufyan Sohel** is the Deputy Director & General Counsel of CAIR-Chicago. He is an experienced advocate, mediator, and facilitator, and speaks frequently on topics of social justice, civil rights, and diversity. Before CAIR-Chicago, he worked with DePaul University's International Human Rights Law Institute and the Egyptian Center for Women's Rights where he researched global human rights abuses, with a focus on war crimes and gender violence, and helped develop rule of law, community education, and advocacy programs alongside international partners. Sufyan also serves on the boards of the ACLU-IL, CAN-TV, and is a volunteer magician with Open Heart Magic.



The **Rev. Richard Tolliver** is a retired Episcopal priest. He is the founder, Pres/CEO of St. Edmund's Redevelopment Corporation, a non-profit community development organization that has developed over \$106,000,000 of multi-family affordable housing in Chicago's Washington Park neighborhood. He holds five earned degrees including a Ph.D. in Political Science from Howard University and is a graduate of the Advanced Management Development Program (ADMP) in Real Estate from the Harvard University School of Design. He's a former Associate Country Director of the United States Peace Corps in Kenya and Country Director in Mauritania. He serves on numerous corporate, civic and cultural boards.



**Anjali Waikar** has dedicated her career to advancing the rights of the underserved for over two decades. She has advocated on a range of social justice issues, including on behalf of: individual low-income, HIV-infected people who risked losing basic government subsidies like food stamps, housing vouchers and Medicaid coverage in the late 1990s and early 2000s; immigrants and other racial and ethnic communities facing unlawful post-9/11 racial profiling and other draconian police practices; and families and children in Flint, Michigan, whose government failed to protect them from ongoing exposure to lead contaminated drinking water. Anjali has served on several boards and commissions, including the Massachusetts State Advisory Committee of the U.S. Commission on Civil Rights, and as a board member of GirlForward. Currently, Anjali oversees the day-to-day operations and management of the Litigation Team at Natural Resources Defense Council, an international nonprofit organization that works to protect the public health and environment. Anjali holds a law degree from Northeastern University School of Law in Boston, and a bachelor's degree from Wesleyan University in Middletown, Connecticut. She was born and raised on the far south side of Chicago as the daughter of Indian immigrants.

# COMMISSION TRENDS

The Cook County Commission on Human Rights tracks metrics related to the complaint and investigation process and outreach and training efforts. Below is just a brief glimpse of the Commission's work that is tracked.

Performance Metrics	FY 2020	FY 2021
New Cases Filed	13	59
Intakes Processed	324	480
Cases Closed	10	30
Training Attendees	No Data	1002
New or Refined Guidance Documents	No Data	22

A filed case means a formal complaint filed with the Commission, using the Commission's Complaint Form and alleging discrimination, harassment, or another violation of one of the ordinances enforced by the Commission.

A processed intake means a call, email, or in-person inquiry requesting information on how to file a complaint, where to file a complaint, or if the Commission has legal authority to accept a complaint. Investigators process intakes as the potential starting point of a formal complaint.

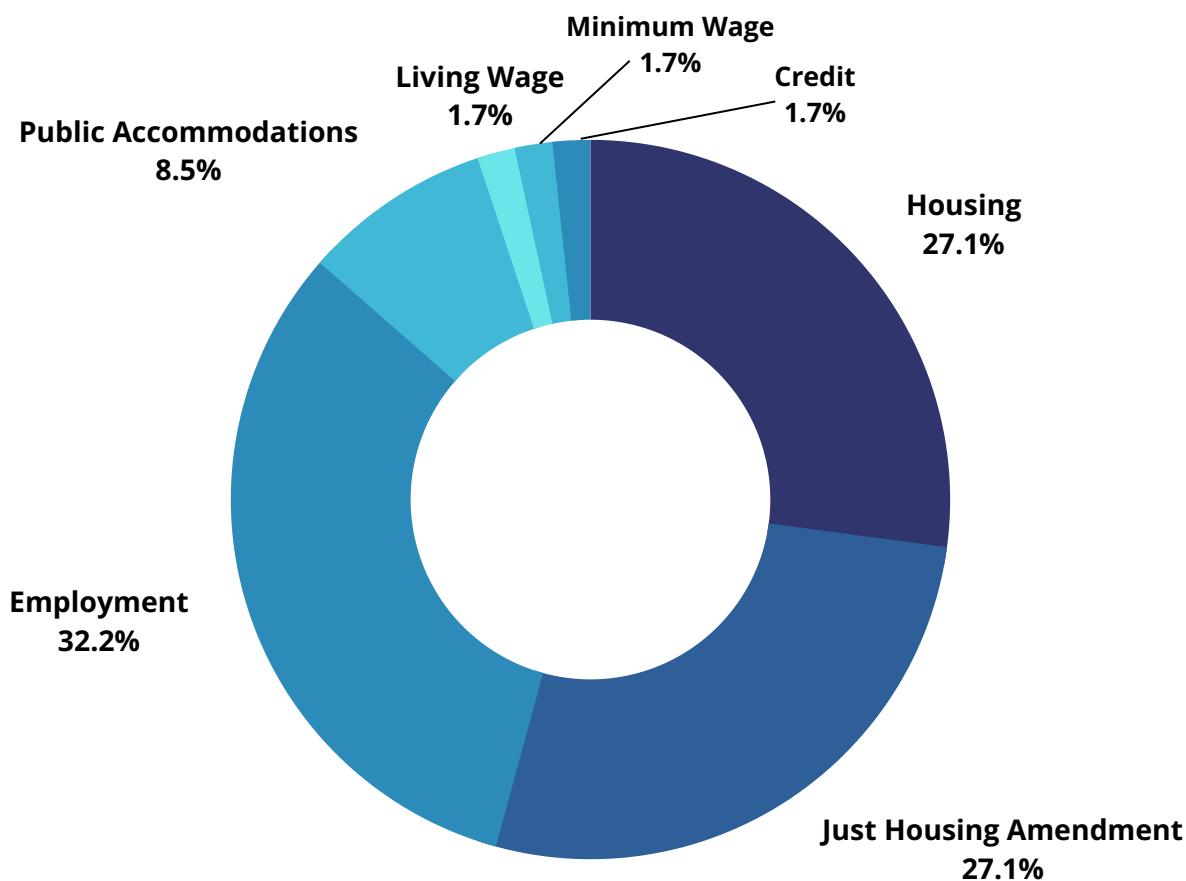
New or refined guidance documents include the Commission's Complaint Forms, Commission-issued reports, Frequently Asked Question (FAQ) documents and flyers pertaining to specific ordinances and foreign language translated workplace postings.

# COMMISSION TRENDS

The noticeable increases in New Cases Filed, Intakes Processed, and Cases Closed between FY 2020 and FY 2021 are primarily attributable to the associated impacts of the COVID-19 pandemic, including extended periods of time during which there was an eviction moratorium and businesses were closed. This caused fewer housing and employment complaints, which have now returned to anticipated levels.

In FY 2021, the three most frequent complaint instances were in the areas of employment, which includes the Cook County Minimum Wage and Earned Sick Leave Ordinances, housing, and specific violations of the Just Housing Amendment.

Increased outreach efforts are the result of expanded online training offerings and digital communications. Training attendees significantly increased as the direct result of outreach with Cook County Health regarding the COVID-19 Vaccination Rights for Employees and Employer Obligations Ordinance, which went into effect on July 1, 2021. The Commission anticipates continued growth in the number of Cook County residents reached with the return of in-person outreach events.



# REPORT ON INVESTIGATIONS

## **Human Rights Investigations Overview:**

A complaint is filed with the Commission, which is then reviewed for required content and jurisdiction. The Commission notifies the respondent and requires a response to the complaint allegations from the respondent. The complaint is assigned to an Investigator, who conducts a neutral fact-finding investigation that may include interviewing the parties and other witnesses, obtaining and reviewing documents and other physical evidence, and submitting written questionnaires.

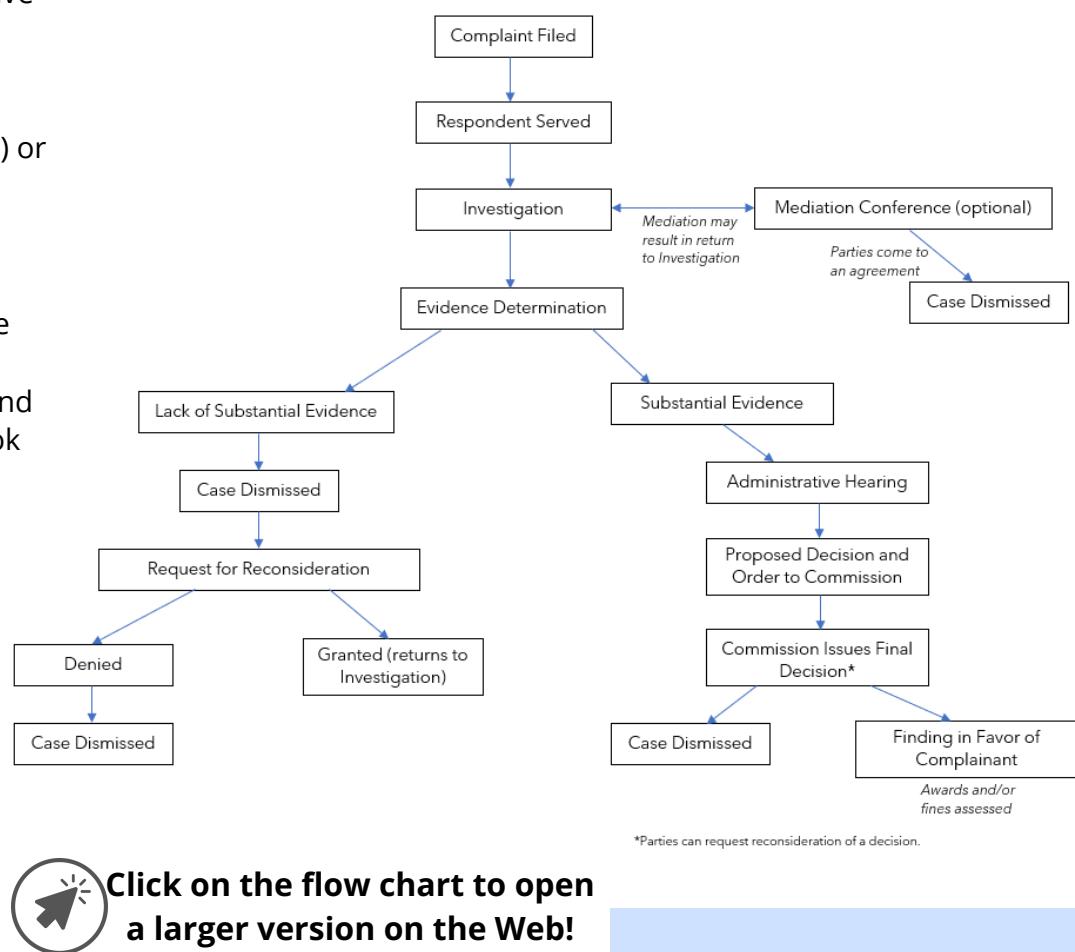
It is possible, at this point, that both parties agree to attend a mediation conference, in which they may reach an agreement. The Commission is thankful for our partnership with [Center for Conflict Resolution](#), who conduct mediation conferences for us. Although the Commission prefers parties to attend mediation conferences voluntarily, it does have the power to require mediation at its discretion.

At the end of the neutral fact-finding investigation, the Commission determines, based on the evidence, whether there is substantial evidence that a violation of the associated ordinance has occurred. If the Commission finds substantial evidence of an ordinance violation, the Commission will send the parties in that matter to an administrative hearing. Similar to a civil case in circuit or federal court, the administrative law judge overseeing the hearing ensures that the respondent has received due process, allows for discovery, and written and oral arguments before providing a recommendation of findings and any remedies or relief to the Commission.

The Commission then reviews the administrative

law judge's recommendation and votes to adopt the recommended finding(s) or request additional information to make its final decision.

The Commission has the authority to order any party who has been found to have violated the Cook County Human Rights Ordinance to provide remedies and/or pay assessed fines. Lastly, the Commission may grant complainant's leave to enforce its decision in circuit court if the respondent fails to adhere to the Commission's decision.



**Click on the flow chart to open  
a larger version on the Web!**

### ***Unique to the Cook County Commission on Human Rights:***

Cook County has several significant and unique protections for residents. The [Cook County Human Rights Ordinance](#) includes protections from discrimination based on race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, **source of income (including use of a Housing Choice Voucher), housing status, gender identity, or criminal history.**

This includes protection based on housing status, which includes the type of housing in which an individual resides and the status of having or not having a fixed residence; and source of income protections, which includes the lawful manner by which an individual supports themselves, such as participating in the Housing Choice Voucher Program. These extend beyond federal protections and provide additional support to Cook County residents.

A valued aspect of the Commission's investigation outcomes is the **significant number of cases that are resolved through mediation and settlement**. In 2021, 21 out of 59 cases were settled, almost 36% of all cases filed with the Commission. This is beneficial for several reasons. First, it represents a mutually agreed upon satisfactory result for both parties. Instead of a punitive process, it promotes repair between the parties and works to create shared respect amongst Cook County residents. Second, it reduces the number of complaints that are referred to administrative hearing. This reduces the length of time to complaint resolutions and lessens cost burdens to the parties and Cook County Government.

### ***Updates to the Complaint Process:***

During 2021, the Commission made several amendments to the complaint process to ensure broad understanding and remove potential barriers from accessing the Commission. The preliminary Complaint Information Sheet and notarization requirement associated with complaint filing have been eliminated.

Additionally, complaints related to the COVID-19 Vaccination Rights for Employees and Employer Obligations Ordinance were accepted through the amended Earned Sick Leave Complaint Form. An updated Complaint Process Flow Chart was made available on our website, increasing transparency on how the Commission handles complaints.

**36%**

*of all cases filed with the Commission reach a settlement that is acceptable to both parties. We attribute this to our partnership with Center for Conflict Resolution and the hard work of our Investigators.*

# OUTREACH & TRAINING

2021 was an exciting year for the Cook County Commission on Human Rights, because there was the addition of an Outreach and Training Coordinator to the Department of Human Rights and Ethics. Starting in July 2021, the role of the Outreach and Training Coordinator has the ongoing goals of:

- Providing training to Cook County stakeholders regarding the Commission's enforced ordinances and nuances of more recent amendments.
- Establishing and maintaining effective relationships with representatives of partner government agencies and community and civic organizations.
- Developing outreach materials and associated content, such as reports, flyers, newsletters, and webpages.

## **Outreach:**

- Prepared the reports "2021 Evaluation and Report: Just Housing Amendment to the Human Rights Ordinance" and "Report: Needs of Afghan Refugees and Asylum Seekers in Cook County."
- Provided multilingual outreach regarding the COVID-19 Vaccination Rights for Employees and Employer Obligations Ordinance using new Outreach Toolkits, webpages, and flyers through a partnership with Cook County Health.
- Supported outreach efforts regarding the Just Housing Amendment to the Human Rights Ordinance using new training materials, Outreach Toolkits, and translated guidance documents, with the partnership of many government agencies and community and advocacy organizations.

## **Training:**

- Between the months of August and November, provided ten training sessions to community organizations regarding rights and responsibilities for Cook County residents and the Commission's functions.
- Prepared for increased training efforts in 2022 by hosting 23 introductory meetings to discuss the Commission's work and potential collaborations.
- Began giving short trainings on the [Commission's Facebook page](#).



# JUST HOUSING AMENDMENT

In most counties in the United States, it is legal for an individual with any extent of justice involvement, even just an arrest, to be unfairly denied housing. In much of the United States, individuals with prior justice involvement are faced with questions regarding criminal history on initial housing applications, are denied housing based on arrest records, and are frequently denied housing for conviction records from several decades ago.



**Cook County is one of few counties in the United States that prohibits denial of housing based on an individual's justice involvement.** In 2019, Cook County passed the [Just Housing Amendment \(JHA\)](#), to ensure that Cook County residents with prior justice involvement can access safe, stable, and affordable housing. Enforcement of the JHA began on February 1, 2020. The JHA applies to real estate transactions, including the sale, rental, lease, and sublease renewal of residential properties.

The JHA prohibits landlords from denying a housing application based on juvenile or adult arrest records and requires landlords who require a criminal background check to limit their lookback period to review only convictions in the preceding three years and to conduct an individualized assessment before denying any application for housing. Individualized assessments are a set of questions that give context to recent convictions and allow landlords to understand why an individual is prepared to be a tenant and return to our communities.

The screening requirements associated with the JHA, including individualized assessments, support landlords to assess applicants consistently and have clear communications regarding the tenant selection criteria. There are limited exceptions to the JHA, including current sex offenders required to register under the Sex Offender Registration Act (or similar law in another jurisdiction) and current child sex offenders under residency restriction.

The JHA is a unique and progressive area of enforcement compared to those that exist in other jurisdictions and agencies. There have been a significant number of complaints related to lack of compliance with the JHA, which the Commission is working to remedy with additional outreach, training, and specific enforcement actions.

# CONCLUSIONS & GOALS



**From our yearly review, the Cook County Commission on Human Rights presents the following conclusions:**

- The Commission has experienced a return to pre-pandemic levels of intakes and complaints, with an understanding that some areas of discrimination and harassment are currently underreported.
- The Commission continues to support an increase in the number of complaints that reach settlement between complainants and respondents, which often results in a satisfactory result for all involved.
- The Commission is prioritizing increased outreach and training opportunities for Cook County residents and community and civic organizations with the broader goal of establishing effective relationships.



**The Cook County Commission on Human Rights presents the following goals for the next year:**

- The use of innovative enforcement strategies, including the promotion of County-wide resolutions and coordination with pertinent community groups and corporations, to uphold and encourage compliance with Cook County's ordinances.
- The implementation of a data-driven Case Management System, which will increase the efficiency and integrity of our ongoing investigations and better inform enforcement and policy changes.
- The development of a Strategic Plan, with accompanying refined Mission and Vision for the Commission.

# ACKNOWLEDGEMENTS

This work would not be possible without the efforts of the Cook County Board President, the Cook County Board of Commissioners, Cook County elected officials, Cook County employees, and the people of Cook County.

## **Human Rights Commissioners:**

Jack Block, Esq.

Ceylan Eatherton, Esq.

S. Mayumi Grigsby, Esq., Vice Chair

Angie Cowan Hamada, Esq., Chair

Gia Orr, M.S., M.Ed

Amber Smock, M.F.A.

Sufyan Sohel, Esq.

Rev. Richard L. Tolliver, Ph.D.

Anjali Waikar, Esq.

## **Staff:**

Sisavanh Baker, Esq., Director

Jennifer King, Esq., Deputy Director

*We thank you for your efforts in making Cook County a place free of discrimination and harassment.*

## Contact

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Human Rights**

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