

YOUR HUMAN RIGHTS IN COOK COUNTY

A Guide to Cook County Commission
on Human Rights

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INTRODUCTION

The Cook County Commission on Human Rights (“the Commission”) works to prevent discrimination and harassment in many areas of life for everyone in Cook County:



Work



Housing



Accessibility



Minimum Wage



Paid Leave

Even though laws about human rights are often similar from place to place, there are some differences across cities, counties and states, which is why you may have a lot of questions at first - and why we made this guide!

This guide will help you understand:

- Cook County's human rights (what your rights are)
- Where to file a complaint
- How the complaint filing process works
- What the role of the Commission is.

If you have any questions or don't understand something in this guide, please reach out to us. We are happy to help.

What are Human Rights Commissions?

Human Rights Commissions are typically governmental agencies that are established to investigate, protect, promote and expand local and international human and civil rights.

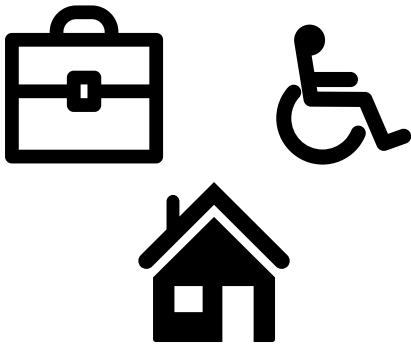
Human Rights Commissions are generally given the authority (from a state or local government) to conduct neutral investigations and analyze evidence in non-criminal complaints (also called claims and cases) of discrimination or harassment.

In Cook County, our Commission is a diverse group of eleven volunteers. They are experienced and committed to human and civil rights, fair compensation for labor, and safe and fair treatment in the workplace and the public.



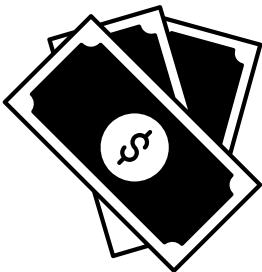
Cook County Human Rights Laws

Here are several of the laws that the Commission oversees and some of the protections they provide:



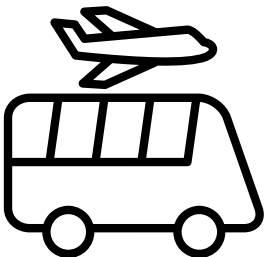
Cook County Human Rights Ordinance

- Protects against discrimination or harassment based on many aspects of identity in the areas of
 - Employment
 - Housing
 - Public accommodations
 - Access to County facilities, services, and programs
 - Credit transactions



Cook County Minimum Wage Ordinance

- Sets the County's minimum wage
- Protects against employers stealing tips and/or charging fake fees
- Requires the minimum wage notice to be posted in a place employees can see it



Cook County Paid Leave Ordinance

- Sets requirements for employees' paid leave for Cook County employers - at least 1 hour per 40 hours worked
- Requires the paid leave notice to be posted in a place employees can see it

WHERE TO FILE A COMPLAINT



One of the most common questions that we receive at the Commission is: Can I file a complaint? And, as will be further explained in Section 3, you are always welcome to file a complaint with the Commission for no cost. However, we want to save you from any unnecessary burden, effort, or time by ensuring your complaint is filed at the **correct agency** and answering any questions you have before filing. As such, we strongly advise you to **review the below information** or **call our office**.

Jurisdiction
ju·ris·dic·tion
: the authority of a sovereign power to govern or legislate.

How the Commission typically uses this term: the area within which a law applies.



Cook County's flag: "I Will"

[Cook County, Illinois](#) includes the City of Chicago, 133 municipalities, and unincorporated Cook County. Our office serves Cook County, but some municipalities within Cook County have their own laws, regulations, and rules. That sometimes means that our jurisdiction and ordinances may not apply in those areas.

For example, the City of Chicago has an agency like the Cook County Commission on Human Rights that serves Chicago, the Chicago Commission on Human Relations, and they have similar ordinances, including a Human Rights Ordinance. Because their laws have the same protections as us in many areas, if you live or work in the City of Chicago, it is possible that you should file your complaint with the Chicago Commission on Human Relations (or another city agency).

If you file a complaint with us and we do not have jurisdiction, it may mean that your complaint will be dismissed based on jurisdiction ("Lack of Jurisdiction" or "LOJ"). This does not mean your complaint is not valid or not a potential violation, but it means you will need to pursue your complaint with a different government agency.

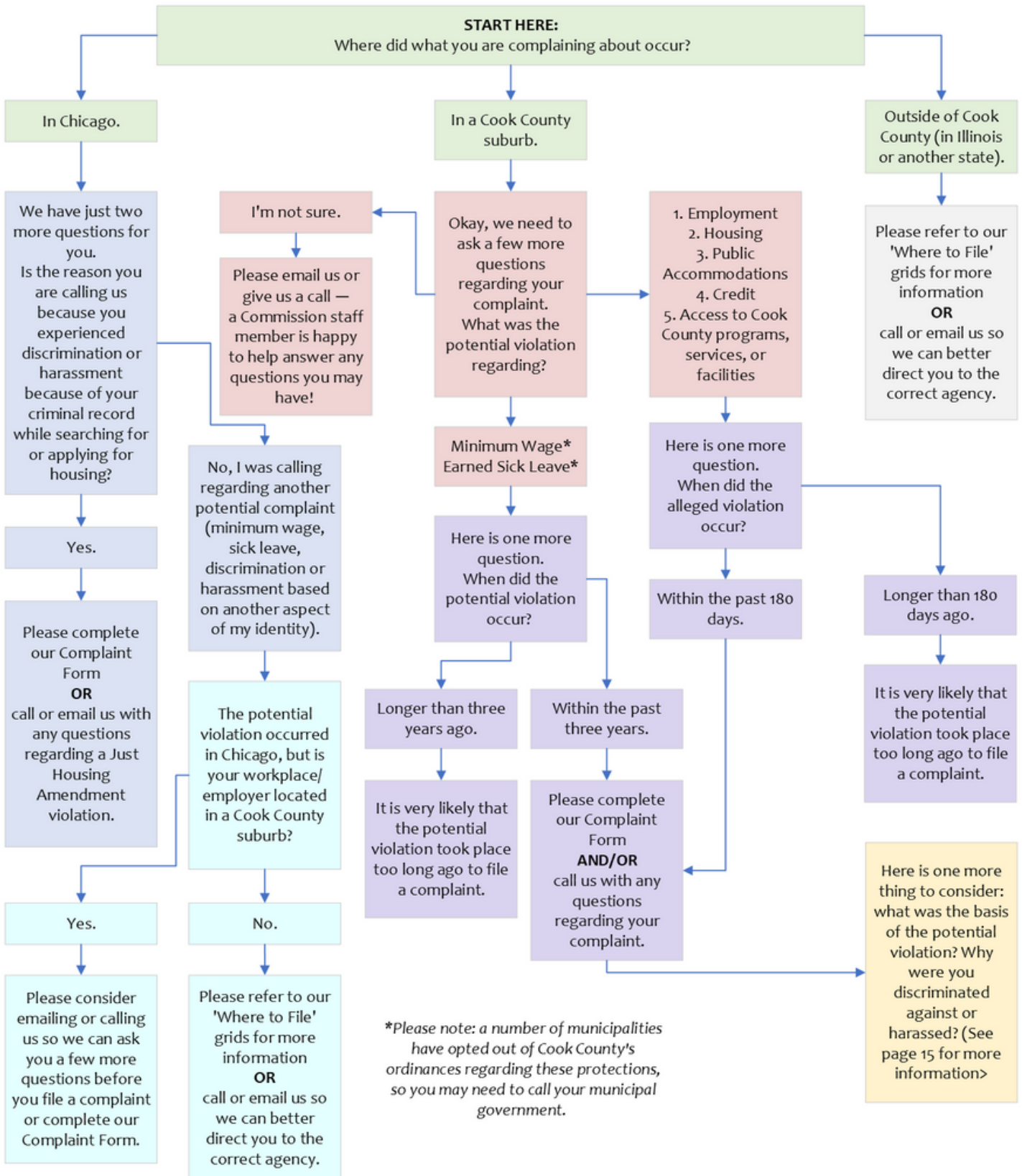


What does "unincorporated Cook County" mean?

Unincorporated Cook County means the areas of Cook County that are not within another jurisdiction, such as a village, township, or city.

Before Filing Branching Chart

This chart is intended to answer a few of the questions you may have before potentially filing a complaint with the Commission.



To read the full image description of this chart, visit: [Before Filing Branching Chart](#).

Where to File Charts

These charts help explain which types of discrimination agencies cover in what geographic areas. The charts include the time limit for filing a complaint and contact information for each agency. This is general guidance and does not guarantee coverage. Certain exceptions and limitations may apply. You may be able to file your claim with more than one agency. Please call with questions.

Where to File Housing Discrimination/Harassment Claims

Where to File Employment Discrimination/Harassment Claims

Where to File Public Accommodations Discrimination Claims

Where to File Labor Violation Claims (Minimum Wage, Paid Leave, etc.)



FILING A COMPLAINT

How can you file a complaint?

You can always file a complaint regarding an alleged violation of Cook County's Human Rights Ordinance, Minimum Wage Ordinance, Paid Leave Ordinance, and Living Wage Ordinance for free using our webpage, [File a Complaint with Commission on Human Rights](#). You may prepare your own complaint or have an attorney prepare one for you.

What if you have questions about where to file or if ordinances apply to where you live or work?

Call us before filing a complaint form to make sure we are the right office to help you.

What should a complaint include?

A complaint must contain the following:

- A statement of the facts alleged to constitute a violation;
- The date(s) of the alleged violation;
- The city and state where the alleged discriminatory acts occurred;
- The basis of the discrimination; and
- Signature of Complainant and their attorney/representative, if applicable.



What does "the basis of the discrimination" mean?

It means the group, class, or category to which you belong that is the reason you were harassed or discriminated against. For example, you may have been illegally terminated from your job because you are 50 years of age. This would be considered unlawful discrimination and the basis of that discrimination is *age*.

Here are a few more examples:

- A person who is blind and uses a service animal was denied entrance into a store because they have an animal. The basis of discrimination in this instance would be because of the *individual's disability*.
- A qualified person is denied a promotion because their supervisor does not like that they are gay. The basis of discrimination in this instance would be because of the individual's *sexual orientation*.

When can you file a complaint?

Commission Ordinance	Timeframe for Filing a Complaint
Cook County Human Rights Ordinance	Within 180 days of the date of the alleged violation
Cook County Minimum Wage Ordinance	Within 3 years of the date of the alleged violation
Cook County Paid Leave Ordinance	Within 3 years of the date of the alleged violation
Cook County Living Wage Ordinance	Within 3 years of the date of the alleged violation

What if a violation is ongoing?

According to the Commission's Procedural Rules (Section 420.100 (A)), if the alleged violation is of a continuing nature, the date of occurrence may be any date subsequent to the commencement of the violation, up to and including the date on which it may have ceased. Examples of this might be **advertisements** for housing where the landlord says applicants with arrests records are not considered or ongoing discrimination in the **employment** context.

Why would you file a complaint? What are the benefits of filing?

If there is a finding of violation on your complaint, the Commission can order the other side to provide relief or remedy. Relief or remedy is meant to compensate you for the illegal harm you experienced. A few examples of reliefs/remedies are to pay compensatory money damages to you; to hire, reinstate, or promote you; to lease an apartment to you; to allow you to fully access the Court system.

Here is the full list of remedies outlined in Cook County's Human Rights Ordinance:

Relief may include, but is not limited to, an order to:

- Cease the illegal conduct complained of and to take steps to alleviate the effect of the illegal conduct complained of.
- Pay actual damages, as reasonably determined by the Commission, for injury or loss suffered.
- Hire, reinstate, or upgrade the Complainant, with or without back pay, or to provide such fringe benefits as the Complainant may have been denied.
- Sell or lease housing in question to the Complainant.

- Admit the Complainant to a public accommodation.
- Extend to the Complainant the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the Respondent.
- Pay the Complainant all or a portion of the costs, including reasonable attorney's fees, expert witness fees, witness fees, and duplicating costs, incurred in pursuing the complaint before the Commission or at any stage of judicial review.
- Take such action as may be necessary to make the Complainant whole, including, but not limited to, awards of interest on the actual damages and back pay from the date of the violation.
- File with the Commission a report as to the manner of compliance.
- Post in a conspicuous place notices which the Commission may publish or cause to be published setting forth requirements for compliance with this article or other relevant information which the Commission determines necessary to explain this article.
- Pay a fine of not less than \$100.00 and not more than \$500.00 for each offense. Every day that a violation shall continue shall constitute a separate and distinct offense.

Here is the full list of remedies associated with Cook County's Minimum Wage Ordinance:

The Commission can order anyone who has violated the Cook County Minimum Wage Ordinance:

- To pay back wages.
- To reinstate a wrongfully terminated Complainant.
- To give a required notice or make a required posting.
- To disqualify a Respondent from County benefits including licensing and property tax incentives.
- To cease and desist violating the Ordinance.
- The Commission may also levy fines of \$500.00 to \$1,000.00 for each offense.



Here is the full list of remedies associated with Cook County's Paid Leave Ordinance:

The Commission can order anyone who has violated the Cook County Paid Leave Ordinance:

- To pay lost wages.
- To provide compensatory paid leave.
- To reinstate a wrongfully terminated Complainant.
- To give a required notice or make a required posting.
- To cease and desist violating the Ordinance.
- The Commission may also levy fines of up to \$1,000.00 per violation.

We also hear other reasons why an individual might file a complaint.

These reasons include:

- Wanting to prevent others from experiencing similar discrimination.
- Serving as a warning or prevention against others who might potentially discriminate or harass.
- Regaining power from what is an otherwise painful or difficult situation.

What our Investigators hear from Complainants:

- It's not fair what happened to me.
- I want someone to know my side of the story.
- I don't want this to happen to someone else.
- I want peace of mind that I did all I could.
- It's important to stand up for what I believe in.

These are all important reasons to potentially file a complaint with the Commission.

What cannot result from complaint filing? What is not an available remedy?

The Commission's complaint process is not a criminal process, it is not like filing a report with the Cook County Sheriff's Office or police. Our complaint process will not result in bringing charges, arrests, orders of protection, etc.

Additionally, our complaint process will not address wrongful behavior that is not covered by the Ordinances that we are responsible to enforce. For example, landlords are prohibited from lockouts (without following the proper eviction process in Cook County), but the Commission is not responsible for the enforcement of the Cook County Residential Tenant Landlord Ordinance, so we have no available complaint process or remedies associated with this wrongful behavior.

Remedies that are not available are any that are not specifically detailed in the Ordinances that we are responsible to enforce (as listed on pages 9-11).

What is considered "good" documentation of a potential instance of discrimination or harassment?

As is noted in other Commission resources, it is always a good idea to document any instances of discrimination or harassment. "Good" documentation, meaning documentation that will best support your complaint of discrimination or harassment, is any written or recorded documentation of the discrimination or harassment.

As a few examples, "good" documentation might include:

- An email exchange between you and the individual or company
- A conversation over text between you and the individual or company
- A print or online advertisement
- A workplace sign or posting
- A voicemail left by an individual or company.



What does being responsive during the Complaint Process look like?

A significant part of being responsive during the Complaint Process is sending responses to the Commission in a timely manner and copying the other party on specific communications.

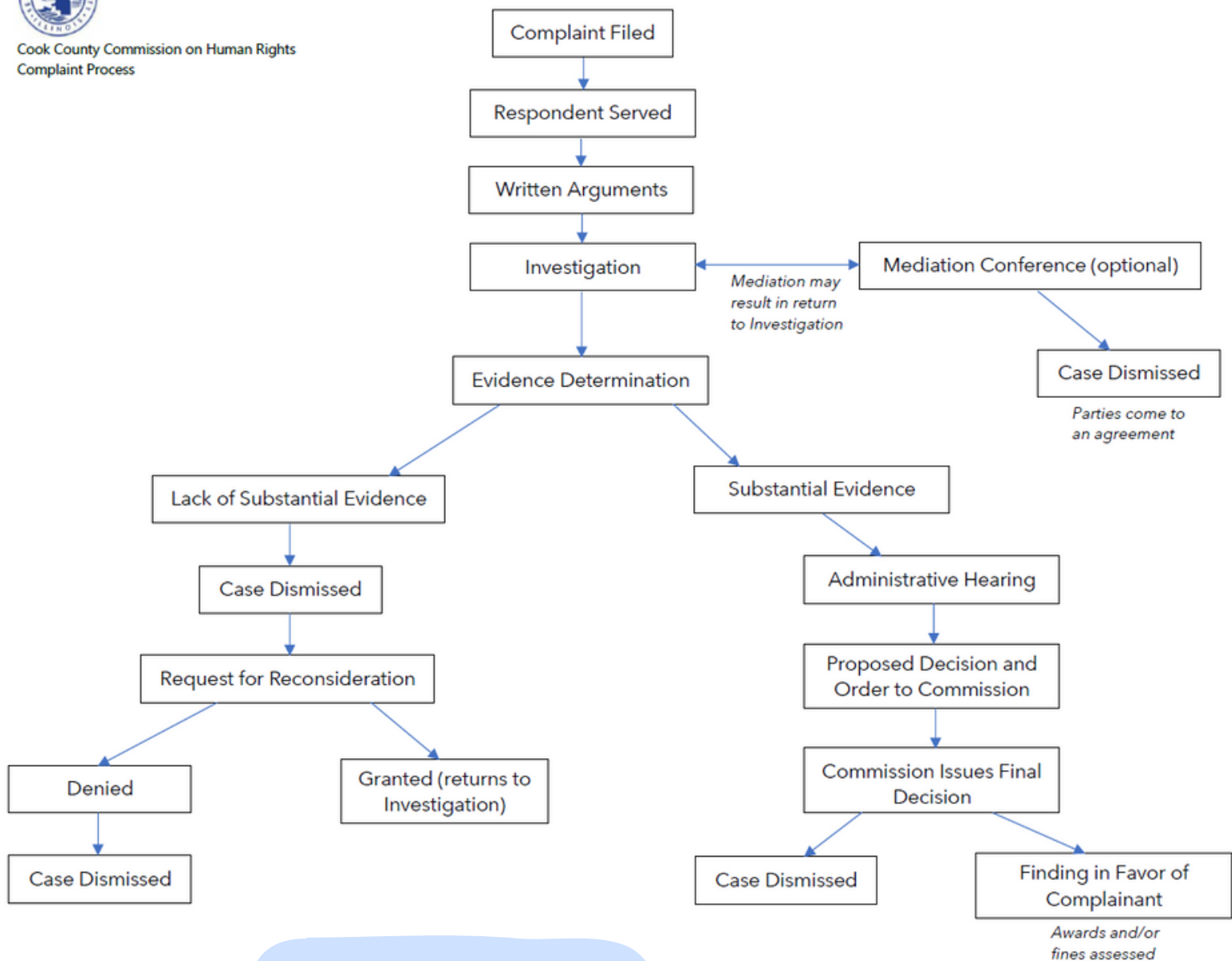
This includes **providing any and all** written arguments (responses, requests, Verified **Responses**, etc.), Complainant's reply (if any), requests for additional time, complaint withdrawals, and motions to dismiss or defer. **If there are any other documents, including written communications about the complaint, as part of the case thus far, those should be included as well.**

THE COMPLAINT PROCESS

Here is the Complaint Process Flow Chart:



Cook County Commission on Human Rights
Complaint Process



A clearer version of this chart is available in the "Downloads" section on our website: [Complaint Process Flow Chart](#).

Here is a description of the Complaint Process Flow Chart:

Complaint Filed (arrow to) Respondent Served (arrow to) Written Arguments (arrow to) Investigation leads to two options: [First option] Mediation Conference (Which may result in return to Investigation) (arrow to) Case Dismissed (Because parties came to an agreement); [second option] Evidence Determination.

Evidence Determination leads to two options: [First option] Lack of Substantial Evidence (arrow to) Case Dismissed (arrow to) Request for Reconsideration, which is either Denied or Granted (and then returns to Investigation). [Second option] Finding of Substantial Evidence (arrow to) Administrative Hearing (arrow to) Proposed Decision and Order to Commission (arrow to) Commission Issues Final Decision, which either leads to Case Dismissed or Finding in Favor of Complainant (and awards and/or fines assessed).

All cases do not go through every stage of the Complaint Process: a complaint can be withdrawn or get resolved at any point in the process.

If you would like to watch or listen to a description of the complaint process, you can do so at ["Complaint Process."](#)



As a Complainant, what do you need to provide to the Commission as part of the complaint process?

As a Complainant, you need to provide to the Commission:

- A complete complaint form, including:
 - A statement of the facts alleged to constitute a violation of the Cook County Human Rights Ordinance
 - The date of the alleged violation
 - The city and state where the alleged discriminatory acts occurred
 - The basis of the discrimination
 - Signature of Complainant or their attorney/representative.
- Contact information where you can be reached (email preferred).
- Contact information for your attorney/representative (email preferred).
- Responses to questions and any actions requested by Commission Investigators.

As a general guideline, the Commission will contact you whenever any information is needed or if we have a status update, and you do not need to reach out to us to check on the status of your complaint.

As a Respondent, what do you need to provide to the Commission as part of the complaint process?

As a Respondent, you need to provide to the Commission:

- Contact information where you can be reached (email preferred).
- Contact information for your attorney/representative (email preferred).
- Response to the Complaint.
- Responses to questions and any actions requested by Commission Investigators.

Complainants and Respondents are required to attend any mediation, conferences, or hearings ordered by the Commission. Parties that do not appear may face penalties.

As a Complainant, what can you do while you are going through the Investigation stage?

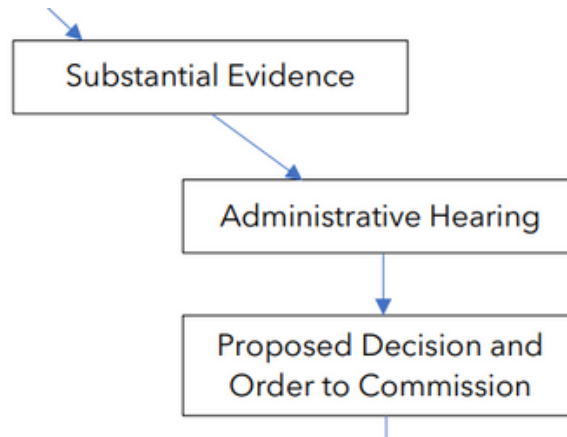
You can:

- Decide you would like to pursue mediation instead of proceeding with the investigation.
- Decide you would prefer to be represented by an attorney and inform the Commission of this change.
- Provide the Commission with notice of any change in address or any prolonged absence from your current address, so that you can be located when necessary.
- Provide the Commission with necessary information and be available for interviews and conferences upon reasonable notice or request by the Commission.
- Wait for the Commission to contact you regarding any update to your complaint.
- Withdraw your complaint.

Please be aware: If a Complainant or a Respondent cannot be located or does not adequately respond to reasonable requests by the Commission, the Commission may dismiss the Complaint or default the Respondent as the case may be.

What is an administrative hearing?

Commission Investigators undertake a neutral fact-finding investigation of all complaints filed with the Commission. As is visible in the Complaint Process Flow Chart, if the investigation finds substantial evidence of a violation of an Ordinance, the Commission will send the complaint to an Administrative Law Judge to hear motions and receive evidence or testimony to make a recommendation on the violation.



The administrative hearing process is a lot like a civil case in the Circuit Court of Cook County but is under authority of government agencies and designed to be easier for parties, especially those representing themselves. “Administrative hearings establish a record of facts...that work towards a resolution.” The Cook County Department of Administrative Hearings is an independent, quasi-judicial body that conducts “administrative adjudication proceedings for departments, agencies, boards, and commissions of the County.”

An Administrative Law Judge is a specially trained licensed attorney who conducts administrative hearings. Administrative Law Judges have at least 5 years of legal experience and undergo training to ensure that citizens are treated fairly in the administrative proceedings. To ensure independence, Administrative Law Judges are not employees of Cook County.

What are some things you can you expect during the Administrative Hearing process?

During an Administrative Hearing, you should expect to:

- Respond to Orders in a timely manner.
- Engage in Discovery.

You may also (optional and case dependent):

- Retain an attorney to represent you.
- Provide evidence or testify.



INTERACTING WITH THE COMMISSION

Here are a few more pieces of information that will support a smooth complaint process with the Commission:

- The Commission prefers to receive information **via email**. We also accept information by phone, fax, mail, and printed and dropped off in person, but our preference is to receive correspondence by email.
- The more cooperative you are in answering the investigator's questions and providing the requested information, the smoother (and likely quicker) your investigation will go.
- The Commission does **not** require a duplication of documents. We do **not** require a courtesy copy.
- The Commission **may acknowledge publicly** the existence of a Complaint, including the case number, the identities of the parties, the type of case, and the stage of proceedings at which it is pending, unless the Commission deems it necessary to withhold this information for good cause. A party may request, in writing, that the Commission not include the party's name in any public acknowledgment. The party must state the reasons for any such request.
- When a settlement amount is shared with the Commission, we share that information in reporting, but it is shared as a **total amount** of settlements within the reporting period and is not tied to a specific case or other identifiable information. You can absolutely expect **confidentiality** regarding agreements made between Complainants and Respondents for complaints filed with the Commission.
- There are certain pieces of information that the Commission **cannot legally** keep confidential, including information that is requested via FOIA and court orders.
- Final Orders of the Commission are published on the Commission's website because these decisions are precedential (meaning it will potentially be referred to in future complaints/cases). This means there can no longer be confidentiality related to the decisions.

If you have questions regarding any of the information presented in this guide or any of the Commission's procedures, please do not hesitate to contact us by email (human.rights@cookcountyil.gov) or phone (312-603-1100). **We are striving for equity and trust in Cook County, and we are working towards that by being transparent and available to answer your questions.**

ACKNOWLEDGEMENTS

The Commission extends our sincere thanks to the Cook County Human Rights Commissioners, who volunteer their time to further human rights in Cook County. 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.

The Commission Guide is a resource but may not be appropriate in all situations and is not a substitute for legal advice. Please consult an attorney for legal questions and advice. Edits may be made to this guide as pertinent and appropriate.



Contact

Cook County Commission on Human Rights

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<https://www.cookcountyil.gov/agency/commission-human-rights>

APPENDIX

Appendix A: List of Abbreviations

Abbreviation	Meaning
ABA	American Bar Association
ADA	Americans with Disabilities Act
AFFH	Affirmatively Further Fair Housing
ALJ	Administrative Law Judge
BACP	City of Chicago Business Affairs and Consumer Protection
CCCHR	Cook County Commission on Human Rights
CCDPH	Cook County Department of Public Health
CCHR	Chicago Commission on Human Relations
CMS	Case Management System
COVID-19	Coronavirus disease
CPI	Consumer price index
CY	Current Year
DOL	U.S. Department of Labor
EEOC	U.S. Equal Employment Opportunity Commission
FOIA	Freedom of Information Act
FY	Fiscal Year
HRO	Human Rights Ordinance
IDHR	Illinois Department of Human Rights
IGO	Intergovernmental organization
IDOL	Illinois Department of Labor
LOJ	Lack of Jurisdiction
MOU	Memorandum of Understanding
MWO	Minimum Wage Ordinance
NGO	Non-governmental organization
OALJ	Office of Administrative Law Judges
OLS	City of Chicago Office of Labor Standards
OSHA	Occupational Safety and Health Administration
OUP	Cook County Offices Under the President
PII	Personally identifiable information
UDHR	Universal Declaration of Human Rights
UN	United Nations
WHD	Wage and Hour Division (DOL)

Appendix B: Commission Resources

Commission Resources	What Would I Find Here	Link to Access
CCCHR Main Webpage	Links to all Ordinance pages, newsletter subscription, our contact information	CCCHR Main
CCCHR Reports & Guidance Documents Webpage	CCCHR Annual and Quarterly Reports, JHA Reports, Source of Income Memo, Where to File Grids	CCCHR Reports & Guidance Documents
Commission on Human Rights Meetings & Commissioners Webpage	List of current Commissioners, Commission meeting schedule, notice and agenda for upcoming Commission meeting	Meetings & Commissioners
Cook County Earned Sick Leave Ordinance	Cook County Earned Sick Leave Ordinance	Earned Sick Leave Ordinance Legislative Text
Cook County Human Rights Ordinance	Cook County Human Rights Ordinance	Human Rights Ordinance Legislative Text
Cook County Living Wage Ordinance	Cook County Living Wage Ordinance	Living Wage Ordinance Legislative Text
Cook County Minimum Wage Ordinance	Cook County Minimum Wage Ordinance	Minimum Wage Legislative Text
Decisions of the Commission on Human Rights	Decisions and orders of the Commission	CCCHR Decisions
Paid Leave Ordinance & Regulations Webpage	Link to the Ordinance text, CCCHR Paid Leave Rules, Earned Sick Leave required workplace notice	Paid Leave Ordinance & Regulations
Paid Leave Ordinance Rules	Paid Leave Ordinance Rules	Paid Leave Rules
File a Complaint with the Commission Webpage	CCCHR Complaint Form	CCCHR Complaint Filing
Human Rights Ordinance & Regulations Webpage	Link to the Ordinance text, CCCHR Procedural Rules, Complaint Form	Human Rights Ordinance & Regulations
Human Rights Ordinance Procedural Rules	Human Rights Ordinance Procedural Rules	Human Rights Ordinance Procedural Rules
Human Rights Training Videos & Resources	Fair Housing Video Collection, other CCCHR training videos	Human Rights Training Videos
Just Housing Amendment to the Human Rights Ordinance Webpage	Frequently Asked Questions, Sample Notices, Process and Individualized Assessment Tool, Definitions, JHA Reports	Just Housing Amendment
Living Wage Ordinance & Regulations Webpage	Link to the Ordinance text, current FY Living Wage Memo, Living Wage Protocol & Complaint Form	Living Wage Ordinance & Regulations
Living Wage Ordinance Protocol	Living Wage Ordinance Protocol	Living Wage Ordinance Protocol
Minimum Wage Ordinance & Regulations Webpage	Link to the Ordinance text, Frequently Asked Questions, Minimum Wage required workplace notice	Minimum Wage Ordinance & Regulations
Minimum Wage Ordinance Rules	Minimum Wage Ordinance Rules	Minimum Wage Ordinance Legislative Text