

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington Street, Suite 3040

Chicago, Illinois 60602

Margie ARNOLD, Complainant)	
)	
v.)	Case No. 2010E009
)	
WHEELING PARK DISTRICT,)	Entered: May 13, 2014
Respondent)	

ORDER

On March 4, 2010, Complainant Margie Arnold (“Arnold”) filed a complaint against her former employer, Respondent Wheeling Park District (“Wheeling”), for employment discrimination in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). Arnold alleged in essence that Wheeling had terminated her employment because of her sexual orientation. In response, Wheeling filed a complaint for a declaratory judgment in the Circuit Court of Cook County. *Wheeling Park District v. Arnold*, 10CH14792 (Cook County Apr. 7, 2010). Wheeling claimed, *inter alia*, that Arnold released all claims, including under the Human Rights Ordinance, when she executed a December 14, 2009 Resignation Agreement.

Arnold sought leave to remove her claim to Circuit Court so that it could be heard with Wheeling’s declaratory action. The Cook County Commission on Human Rights (“Commission”) denied that motion, *see Arnold v. Wheeling*, 2010E009 (CCHRC June 3, 2011), and so this matter proceeded in a piecemeal fashion across two different venues.

The Commission has not yet made an evidence determination with respect to this matter, but on February 26, 2014, the Illinois Appellate Court affirmed a decision by the Circuit Court of Cook County that Arnold had indeed entered into a binding contract on December 14, 2009 by which she released her claims pending before the Commission. *Wheeling Park District v. Arnold*, 2014 IL App (1st) 123185, ¶¶ 10, 25 (Feb. 26, 2014). This decision effectively forecloses further proceedings on this matter at the Commission.

There is a binding judgment on the parties that Arnold released the claims pending here. As the Commission explained in *Grigsby v. Office of the Cook County Public Defender*, “[o]nce a claim is released, it is extinguished and cannot form the basis of a complaint before this Commission.” 2010E020, *2 (CCHRC Oct. 28, 2013). Like *Grigsby*, any investigation by the Commission into Arnold’s claims at this point would be futile because no matter what its findings, it cannot establish substantial evidence of a violation of the Human Rights Ordinance. *See id.*

For the foregoing reasons, the Commission hereby orders that complaint 2010E009 be DISMISSED for LACK OF SUBSTANTIAL EVIDENCE of a violation of the Human Rights Ordinance. In accordance with CCHR Pro. R. 480.100(A), either party may file a request for reconsideration with the Commission within 30 days of the date of this order.

May 13, 2014

By delegation:

A handwritten signature in black ink, appearing to read 'Ranjit Hakim', is written over a horizontal line.

Ranjit Hakim
Executive Director of the Cook County
Commission on Human Rights