

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**  
69 West Washington Street, Suite 3040  
Chicago, Illinois 60602

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Jeannette HERNANDEZ, Complainant	)	
	)	
	)	Case No. 2015E012
v.	)	
	)	
Amy BOWEN, Respondent	)	Entered: November 17, 2015
	)	

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**ORDER OF DISMISSAL**

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On July 15, 2015, Complainant Jeannette Hernandez (“Hernandez”) filed a complaint against her former employer, Respondent Amy Bowen (“Bowen”), alleging that Bowen terminated Hernandez’s employment because Hernandez was pregnant. Bowen responded to the allegation on September 16, 2015, by, *inter alia*, producing documentary evidence showing that the decision to replace Hernandez was made before Hernandez alleged that she informed Bowen of her pregnancy. As part of its investigation into Hernandez’s complaint, the Cook County Commission on Human Rights (“Commission”) obtained additional documentary evidence from Bowen and other witnesses tending to corroborate Bowen’s representation that she was unaware that Hernandez was pregnant at the time the decision was made to replace her. Nonetheless, the Commission had not yet issued an evidentiary determination order in this matter when on November 16, 2015, Hernandez orally represented to Commission staff that she wished to withdraw her complaint.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” CCHR Pro. R. 420.160. If the request is knowingly and voluntarily made, the Commission approves the request and enters an order dismissing the complaint. *Id.* The Commission’s Procedural Rules typically require that a complainant’s request to withdraw be in writing and signed by the complainant or his or her attorney of record, *see id.*, however, the Commission has waived this requirement where the conduct of the complainant is such that the Commission is satisfied that the oral request to withdraw is knowingly and voluntarily made. *See, e.g., Austin v. Sears, Roebuck & Co.*, 2010PA001 (CCHRC Feb. 5, 2014); *Carter v. Cook County Sheriff’s Office*, 2011E020 (CCHRC Oct. 21, 2013); *Mallette v. Cook County Health & Hospitals System*, 2012E012 (CCHRC Jan. 6, 2014).

Here, the Commission investigator assigned to this matter made Hernandez aware of the existence of extensive unfavorable documentary evidence on October 29, 2015. At that time, Hernandez told the investigator that she wanted to withdraw her complaint. The investigator provided Hernandez with a blank withdrawal request form. On November 10, 2015, Hernandez informed the investigator that she was reviewing the case with an unnamed advisor. And on

November 16, 2015, Hernandez orally reasserted her desire to withdraw in a telephone call with the Commission investigator.

Hernandez has taken a number of weeks to consider her decision and has consulted with a third party about whether or not to proceed. Under these circumstances, the Commission is satisfied that her decision to withdraw is knowing and voluntary, even in the absence of the execution of the standardized form that the Commission typically uses for this purpose.

For the foregoing reasons, the Commission hereby grants Hernandez's request to withdraw her complaint and orders that Complaint No. 2015E012 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

November 17, 2015

By delegation:

A handwritten signature in black ink, appearing to read 'Ranjit Hakim', with a horizontal line extending to the right.

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