

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**

69 West Washington Street, Suite 3040  
Chicago, Illinois 60602

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Angela IKPEAMA, Complainant	)	
	)	
v.	)	Case No. 2013E004
	)	
CERMAK HEALTH SERVICES OF COOK	)	Entered: May 9, 2014
COUNTY, Respondent	)	

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**ORDER**

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On or about February 8, 2013, Complainant Angela Ikpeama (“Ikpeama”) filed a complaint against her former employer, Respondent Cermak Health Services of Cook County (“Cermak”), for retaliation and national origin-based employment discrimination. Ikpeama alleged that Cermak violated the Cook County Human Rights Ordinance (“Human Rights Ordinance”) when Cermak terminated her on December 14, 2012. The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but Complainant’s attorney provided the Commission with information about a parallel investigation initiated by Ikpeama with the Illinois Department of Human Rights (“IDHR”).

The Human Rights Ordinance offers persons and entities doing business or residing in Cook County a host of protections against unlawful discrimination in the areas of employment, housing, public accommodations, credit transactions and access to County services, programs and contracts. *See* Cook County Code of Ordinances (“County Code”), §§ 42-35–42-40. In enforcing the County’s anti-discrimination laws, this Commission has concurrent jurisdiction over allegations of unlawful discrimination with IDHR (which investigates alleged discrimination for violations of state laws) and the U.S. Equal Employment Opportunity Commission (“EEOC”) (which investigates alleged discrimination violations of federal laws).

Nonetheless, the Commission’s Procedural Rules allow for the Commission to defer its investigation in favor or an investigation or adjudication by either of these entities. Specifically:

The Commission on its own initiative may defer investigation of a timely filed Complaint when the same Complaint, or a substantially similar Complaint, has been filed by the Complainant with another similar administrative agency. . . . The following is a non-exhaustive list of factors which the Commission may consider in determining whether to exercise its discretion to defer an investigation:

- (A) Conservation of administrative resources;
- (B) Complainant's right to a timely investigation;
- (C) Minimization of Respondent's burden;
- (D) Procedural or investigative status of charges/complaints filed with the administrative agency as evidenced by one or more of the following: completion of document exchange, witness interviews, response to questionnaires, and the holding of fact-finding conferences; and
- (E) Administrative agency backlog.

CCHR Pro. R. 440.105.

Here, Ikpeama filed substantially the same complaint against Cermak with IDHR on or about January 30, 2013, *i.e.* prior to filing the complaint that is pending with this Commission. In her IDHR complaint, Ikpeama alleges that she was placed on administrative leave and subsequently discharged because of her national origin and previous allegations of retaliation. Allowing IDHR to complete its investigation would certainly conserve this Commission's administrative resources and would minimize the burden to the Respondent of providing the same responses, interviews, evidence, *etc.* to two different human rights commissions on the same set of allegations. The Commission might still push ahead with an independent investigation if it were convinced that it could investigate Ikpeama's claims in a timely fashion. The Commission, however, is still working through a significant backlog of cases and deferring its investigation now in favor of IDHR's investigation would not be the cause of additional delay for Ikpeama.

The Commission typically defers its investigation in exactly these conditions. *See, e.g., Austin v. Cook County*, 2011E022 (CCHRC Mar. 20, 2014); *Walters v. Allied Barton*, 2013E015 (CCHRC Apr. 21, 2014); *Wickman v. Wellness Healthcare Partners*, 2014E005 (CCHRC May 5, 2014). When "the Commission defers its investigation of a Complaint in favor of the investigation or adjudication of the same Complaint, or a substantially similar Complaint, with another similar administrative agency . . . the factual findings and conclusions of law of that other similar administrative agency shall be binding on the parties to the Complaint pending before the Commission unless the Commission orders otherwise." CCHR Pro. R. 440.105.

For the foregoing reasons, the Commission hereby on its own motion defers this matter in favor of IDHR matter 2013CF2050. Either party may petition the Commission to re-open this matter after the completion of the parallel investigation or related adjudication, but pending such a petition, the Commission orders that complaint 2013E004 pending before this Commission be DISMISSED pursuant to a DEFERRAL.

May 9, 2014

By delegation:



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