

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

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|---------------------------------|---|----------------------------|
| Jennifer LAGIOIA, Complainant |) | |
| |) | |
| |) | Case No. 2011E035 |
| v. |) | |
| |) | |
| SUNRISE GRILL & CATERING, INC., |) | Entered: November 19, 2014 |
| Respondent |) | |

ORDER

On November 7, 2011, Complainant Jennifer LaGioia (“LaGioia”) filed a complaint against her former employer, Respondent Sunrise Grill & Catering, Inc. (“Sunrise”), alleging that she was sexually harassed while working at Sunrise and terminated for opposing the alleged harassment. Such allegations, if proven to be true, would violate the Cook County Human Rights Ordinance (“Human Rights Ordinance”), however, the Cook County Commission on Human Rights (“Commission”) has been unable to complete its investigation of LaGioia’s allegations due to her failure to cooperate.

Pursuant to the Commission’s Procedural Rules:

Complainants and Respondents have the responsibility to promptly provide the Commission with notice of any change in address or any prolonged absence from their current address so that they can be located when necessary at any time while a Complaint is pending before the Commission. In addition, Complainants and Respondents are responsible for providing the Commission with necessary information and being available for interviews and conferences upon reasonable notice or request by the Commission. 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 at their last known addresses.

CCHR Pro. R. 440.125.

Here, on October 16, 2014, a Commission investigator spoke by telephone with LaGioia’s attorney, Anthony Pinelli (“Pinelli”), requesting a follow-up interview with LaGioia regarding her complaint. Pinelli indicated that he had not been in contact with his client for some time, but that he would reach out to her immediately. Having not heard from LaGioia or her attorney, the Commission followed up on October 27, 2014, with a letter to Pinelli, again

requesting an interview with LaGioia. The Commission warned that if LaGioia did not contact the Commission by November 10, 2014, the Commission would be forced to dismiss her complaint for failure to cooperate. Pinelli provided the Commission with a copy of his October 29, 2014 letter to his client, relaying the request for LaGioia to contact the Commission by November 10, 2014. On November 14, 2014, Pinelli left a message with the Commission's lead investigator for this matter stating that Pinelli had still not heard back from his client. With LaGioia out of touch with both the Commission and her attorney, the Commission cannot proceed with its investigation and must assign its scarce public resources elsewhere.

For the foregoing reasons, the Commission orders that complaint 2011E035 be DISMISSED for FAILURE TO COOPERATE. 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.

November 19, 2014

By delegation:

A handwritten signature in black ink, appearing to read "R. Hakim", written in a cursive style.

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