

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington, Suite 3040
Chicago, Illinois 60602

Jeanette MALLETTE, Complainant)

v.)

COOK COUNTY HEALTH & HOSPITAL)
SYSTEMS, Respondent)

Case No. 2012E012

Entered: January 6, 2013

ORDER

On March 21, 2012, Complainant Jeanette Mallette (“Mallette”) filed a complaint against Respondent Cook County Health & Hospital Systems (“CCHHS”) for an alleged violation of the Cook County Human Rights Ordinance related to differential discipline. The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on December 17, 2013, Mallette represented to Commission staff that she wished to withdraw her complaint. Commission staff provided Mallette with a Withdrawal Request Form for her execution on December 17, 2013.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time prior to an Evidence Determination by the Commission.” CCHR Pro. R. 480.160. 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 the requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdraw with a voluntary action. *See, e.g., Carter v. Cook County Sheriff’s Office*, 2011E020 (Oct. 21, 2013).

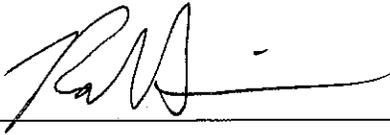
Here, Commission staff advised Mallette that if she did not return the written Withdrawal Request Form by January 3, 2013, her complaint would be dismissed based on her oral statement.¹ This deadline has passed without any further contact from Mallette. As such, the Commission presumes from the combination of her oral statement and her actions since that she has made a knowing and voluntary request to withdraw her complaint which should be granted pursuant to the Commission’s Procedural Rules. *See id.* at *1.

¹ Mallette was also advised that she could contact the Commission to withdraw her oral request. The tracking feature of the U.S. Postal Service shows that notice of the Commission’s December 17, 2013 certified letter was left for Mallette on December 19, 2013.

For the foregoing reasons, the Commission hereby grants Mallette's request to withdraw her complaint and orders that complaint 2012E012 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

January 6, 2013

By delegation:



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