

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington, Suite 3040

Chicago, Illinois 60602

Maria MOSQUEDA, Complainant)	
)	
v.)	Case No. 2011E018
)	
CHASE PRODUCTS CO., Respondent)	Entered: March 6, 2014
)	

ORDER

On May 11, 2011, Complainant Maria Mosqueda (“Mosqueda”) filed a complaint against her former employer Respondent Chase Products Company (“Chase”), for sexual harassment in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on February 18, 2014, Mosqueda represented to Commission staff that she wished to withdraw her complaint. To effect Mosqueda’s wishes, Commission staff mailed her a Withdrawal Request Form on February 18, 2014. Commission staff advised Mosqueda in a letter accompanying this form that if she did not execute and return the form (or contact the Commission to rescind her request) by March 4, 2014, her complaint would be dismissed on the basis of her oral representation.

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 waives this requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdrawal with a voluntary action. *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, Commission staff advised Mosqueda that if she did not return the written Withdrawal Request Form by March 4, 2014, her complaint would be dismissed based on her oral statement. March 4, 2014 has passed without any contact from Mosqueda, and, as such, the Commission presumes from the combination of Mosqueda’s oral statements 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.

For the foregoing reasons, the Commission hereby grants Mosqueda's request to withdraw her complaint and orders that complaint 2011E018 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

March 6, 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