

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington, Suite 3040
Chicago, Illinois 60602

| | | |
|-----------------------------|---|---------------------------|
| Sandra PANOZZO, Complainant |) | |
| |) | |
| v. |) | Case No. 2010E048 |
| |) | |
| DEL MAR BUILDERS Respondent |) | Entered: January 13, 2014 |
| |) | |

ORDER

On November 19, 2010, Complainant Sandra Panozzo (“Panozzo”) filed a complaint against her former employer Respondent Del Mar Builders (“Del Mar Builders”), alleging sexual harassment and age discrimination during the course of her employment with Del Mar Builders. 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 investigate Panozzo’s allegations due to her failure to cooperate with its investigation.

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 22, 2013, and again on October 24, 2013, an investigator from the Commission working on Panozzo’s case attempted to contact her at the phone number Panozzo listed on her complaint. Each time, the investigator received the automated outgoing message that this number was not accepting calls. Panozzo had provided contact information for her mother in the event that the Commission could not reach her and so, on October 24, 2013, the

investigator called Panozzo's mother at the number Panozzo had provided on the complaint intake sheet only to discover that this number was also out of service.

Having failed to contact Panozzo telephonically, the Commission followed up on October 25, 2013, with a certified letter to Panozzo at both her last known address and her mother's last known address. In response, on November 7, 2013, Panozzo called the Commission's investigator for her case. Panozzo provided the investigator with a new phone number, but also indicated that she was contemplating withdrawing her complaint and would call the investigator by November 12, 2013 with a decision as to whether the Commission should proceed with its investigation.

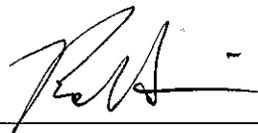
Panozzo did not call on November 12, 2013. When the investigator for the Commission attempted to follow up with Panozzo at her new phone number, he got only a busy signal. Multiple calls on November 19, 2013, November 21, 2013 and December 2, 2013 all achieved the same result.

Having succeeded by post once before, the Commission sent Panozzo a second letter on December 3, 2013, asking her to call its investigator by December 11, 2013, and providing a withdraw form if indeed her decision was to not pursue her claim. This letter did not elicit a written or oral response from Panozzo, and so on December 27, 2013, the Commission sent Panozzo a third certified letter. This last letter warned Panozzo that if she did not contact the Commission's investigator by January 10, 2014, the Commission would dismiss her complaint for failure to cooperate. Despite this, January 10, 2014 has passed without any further written or oral communication from Panozzo. As such, the Commission cannot proceed with its investigation of her complaint.

For the foregoing reasons, the Commission orders that complaint 2010E048 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.

January 13, 2014

By delegation:



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