

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington Street, Suite 3040
Chicago, Illinois 60602

Alejandro ROJAS, Complainant)	
)	
v.)	Case No. 2013E007
)	
PACTIV LLC, Respondent)	Entered: April 22, 2014
)	

ORDER

On February 21, 2013, Complainant Alejandro Rojas (“Rojas”) filed a complaint against his former employer, Respondent Pactiv LLC, for race and national origin-based employment discrimination 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 April 8, 2014, Rojas represented to Commission staff that he wished to withdraw his complaint. To effect Rojas’ wishes, Commission staff mailed him a Withdrawal Request Form the same day. Commission staff advised Rojas in a letter accompanying this form that if he did not execute and return the form (or contact the Commission to rescind his request) by April 21, 2014, his complaint would be dismissed on the basis of his oral representation.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” 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 withdraw 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 Rojas that if he did not return the written Withdrawal Request Form by April 21, 2014, his complaint would be dismissed based on his oral statement. April 21, 2014 has passed without any contact from Rojas, and, as such, the Commission presumes from the combination of Rojas’ oral statements and his actions since, that he has made a knowing and voluntary request to withdraw his complaint which should be granted pursuant to the Commission’s Procedural Rules.

For the foregoing reasons, the Commission hereby grants Rojas' request to withdraw his complaint and orders that complaint 2013E007 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

April 22, 2014

By delegation:

A handwritten signature in black ink, appearing to read 'RH', is written over a horizontal line.

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