

COOK COUNTY COMMISSION ON HUMAN RIGHTS

69 West Washington, Suite 3040
Chicago, Illinois 60602

IN THE MATTER OF:)	
)	
Dean SCAROS, Complainant)	Case No. 2013E003
)	
and)	Entered: March 19, 2014
)	
PAY-EASE, LLC, Respondent)	
)	
)	

ORDER

On January 31, 2013, Dean Scaros filed a complaint with the Cook County Commission on Human Rights (“Commission”), alleging that his former employer, Respondent Pay-Ease LLC (“Pay-Ease”), engaged in age discrimination when they terminated his employment, among other adverse employment actions. During the course of its investigation, the Commission learned that this matter is outside of its jurisdiction under the Cook County Human Rights Ordinance (“Human Rights Ordinance”).

The Human Rights Ordinance offers persons and entities doing business or residing in Cook County a host of protections against unlawful discrimination in the areas of employment, housing, public accommodations, credit transactions and access to County services, programs and contracts. See Cook County Code of Ordinances (“County Code”), §§ 42-35–42-40. The Commission, however, must defer to the superior jurisdiction of any other equally protective local human rights commissions operating within any one of the over 130 municipalities within Cook County. Specifically, the Human Rights Ordinance states that:

If a municipal ordinance regulates conduct, which is prohibited under this article and provides remedies, this article shall not apply within that municipal jurisdiction with respect to such conduct. In all other circumstances, this article shall be enforceable within the municipal jurisdiction to the extent permitted under the Illinois Constitution.

Id. at § 42-43(b). The City of Chicago has its own Human Rights Ordinance, which regulates and provides remedies for employment discrimination on the basis of age. Where the Chicago Commission on Human Relations has jurisdiction over an alleged violation, this Commission does not. See *Blakemore v. Walgreens*, 2013PA005 (CCHRC Sept. 10, 2013) (dismissing race-based public accommodation complaint on jurisdictional grounds).

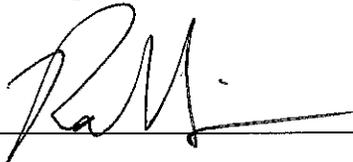
Here, the Commission's investigation shows that at the time that Scaros worked for Pay-Ease, Pay-Ease was located within the City of Chicago. In an interview with Commission staff, Scaros stated that the Pay-Ease office from which he worked from 2006 until his termination on August 6, 2012 was located at 101 W. Grand Avenue, Suite 400, Chicago, Illinois. Scaros Interview (Mar. 13, 2014). Pay-Ease's agent Al Giudice confirmed the same, stating that Pay-Ease moved to its current Northbrook location after Scaros's employment had ended. Giudice Interview (Mar. 11, 2014). That is to say, at the time of the alleged discrimination, all parties (and by extension, all injuries) were located within the City of Chicago and subject to the jurisdiction of the Chicago Commission on Human Relations.

The jurisdiction of the Commission is established at the time of the alleged violation of the Human Rights Ordinance. A complainant can no more wait for a respondent to move into the Commission's jurisdiction than a respondent can escape it by re-locating after the filing a complaint.

For the foregoing reasons, the Commission orders that complaint 2013E003 be **DISMISSED** for **LACK OF JURISDICTION**. 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.

March 19, 2014

By delegation:



Ranjit Hakim
Executive Director of the Cook Commission
on Human Rights