



**SUMMARY OF THE MEMORANDUM OF UNDERSTANDING**  
**between**  
**THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**and**  
**THE CHICAGO COMMISSION ON HUMAN RELATIONS**  
**August 1999**

The Equal Employment Opportunity Commission ("EEOC") and the Chicago Commission on Human Relations ("CCHR") have entered into an agreement in order to minimize duplication in the processing of discrimination cases by the two agencies and to promote efficiency in administering and enforcing the laws each one implements. The following summarizes the agencies' agreement.

**Coverage** -- The agreement covers substantially-similar cases which the complainant files at both agencies. It does not cause a complaint at one agency to be filed at the other.

**Determination of Cases Covered by the Agreement** -- The agencies review complaints which appear similar; they compare the parties named and the bases and harms alleged in each complaint. Decisions about how to proceed are made on a case-by-case basis.

**Parallel-Filed Cases** -- Complaints which are substantially similar ("parallel-filed" cases) shall be subject to deferral by one agency.

**Differing Cases** -- Where cases which are similar but include, for example, some differing alleged harms, issues and/or bases of discrimination, one agency may not be able to defer to the other. In such instances the agencies will attempt to work jointly. Joint work may include sharing information and holding joint interviews and settlement conferences.

**Who Proceeds** -- When the agencies identify a parallel-filed case, the EEOC's priorities determine how the agencies shall process the case. In general:

**The EEOC proceeds** with cases which it deems to be its high priorities; the CCHR defers its work on those cases.

**CCHR proceeds** with other cases; the EEOC defers its work on those cases. CCHR waits for the parties to try to settle the case through the EEOC mediation system, when applicable.

**Notice to Parties** -- Once a decision is made, the agencies send the parties notices about which agency shall defer and which agency shall proceed. The agencies also notify the parties when they decide to work jointly. Subsequent notices in parallel-filed cases shall inform the parties of the next steps for that case.

**Settling** -- If a settlement is being negotiated at the processing agency, that agency will attempt to have the parties include the case filed at the other agency covered by the agreement. This may

mean having the parties' agreement meet both agencies' settlement requirements or may mean that the complainant will withdraw his or her case at the deferring agency.

**Investigation Completed** -- When the processing agency completes its investigation of the case, it makes a determination about whether or not there is "reasonable cause" (EEOC) or "substantial evidence" (CCHR) and informs the parties and the deferring agency of those results. The deferring agency then determines its next step which is described, in general, below:

**EEOC finds Reasonable Cause** -- CCHR reviews the information EEOC collected in the investigation and decides whether it shall dismiss the case for lack of substantial evidence, conduct further investigation, find that there is substantial evidence of a violation, or take other steps as appropriate. The EEOC tries to conciliate the case and tries to have the CCHR case resolved at the same time. If the case does not conciliate and if either the EEOC or the complainant files in federal court, CCHR shall dismiss the case.

**EEOC finds No Reasonable Cause** -- CCHR reviews the information EEOC collected in the investigation and decides whether it shall dismiss the case for lack of substantial evidence, conduct further investigation, find that there is substantial evidence of a violation, or take other steps as appropriate. If the complainant files the case in federal court, the CCHR shall dismiss the case.

**CCHR finds Substantial Evidence** -- CCHR tries to conciliate the case and tries to have the EEOC case resolved at the same time. If the case does not conciliate, the EEOC shall decide whether it shall dismiss the case for lack of substantial evidence, conduct further investigation, find that there is substantial evidence of a violation, or take other steps as appropriate. If the EEOC or the complainant files the case in federal court, CCHR shall dismiss the case.

**CCHR finds No Substantial Evidence** -- EEOC reviews the information CCHR collected in the investigation and decides whether it shall dismiss the case for lack of reasonable cause, conduct further investigation, find that there is reasonable cause of a violation, or take other steps as appropriate.

**Lack of Jurisdiction** -- If one agency finds that it does not have jurisdiction over a case, the other agency shall independently assess its jurisdiction over the case and may or may not proceed as application of its own jurisdictional requirements mandates.

**Amending Complaint** -- If a complainant decides to amend his or her complaints, he or she will be counseled to do so at both agencies. Amending the complaint at one agency does not automatically amend the complaint at the other one.

**Failure to Cooperate** -- If the processing agency notifies the complainant in a parallel-filed case that he or she is subject to a possible dismissal for failure to cooperate, failure to respond or failure to prosecute, the notification shall inform the complainant that failure to comply with the processing agency's requirements may be grounds for the deferring Agency to dismiss the case as well.