



Board of Commissioners of Cook County

118 North Clark Street
Chicago, IL

Legislation Text

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PROPOSED ORDINANCE AMENDMENT

HEALTHY WORKFORCE AND HEALTH CARE ACCESS AMENDMENT

WHEREAS, in addition to the various protections offered under the Cook County Human Rights Ordinance (“CCHRO”), the CCHRO also prohibits persons from engaging in unlawful discrimination in the provision or distribution of any Cook County (“County”) facilities, services or programs; and

WHEREAS, the CCHRO defines unlawful discrimination as “discrimination against a person because of the actual or perceived status, practice, or expression of that person’s race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity or house status; or the actual or perceived association with such a person;” and

WHEREAS, while the CCHRO currently prohibits discrimination in the provision or distribution of any County facilities, services or programs based upon national origin and other protected classes, the provisions of the CCHRO do not specifically cover immigration status or documentation of immigration status; and

WHEREAS, expansion of the definition of unlawful discrimination in the CCHRO to prohibit discrimination of persons based upon immigrant status or documentation of immigrant status in the application of County services or programs ensures the equal provision of County services; and

WHEREAS, expansion of the definition of unlawful discrimination in the CCHRO to prohibit discrimination of persons based upon immigrant status provides further confidence in the County’s provision of health services and is also beneficial to the protection of the public health of all County residents.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of Cook County that Chapter 42 Human Relations, Section 42-39, of the Cook County Code shall be amended as follows:

Sec. 42-39. - County facilities, services and programs.

(a) *Prohibition.* No person shall engage in unlawful discrimination in the provision or distribution of any Cook County ("County") facilities, services, or programs. For purposes of this section, “unlawful discrimination” shall include immigration status, unless consideration of immigration status is required by Federal or State law.

(b) *Exception.* The Cook County Commission on Human Rights ("Commission") as defined in Section 42-34 shall adopt rules specifying any exceptions to the prohibition contained in this section based on bona fide considerations of public policy.

(c) *Sexual harassment.*

(1) No person shall engage in sexual harassment in the provision or distribution of any County facilities, services, or programs.

(2) When used in this subsection, the term "sexual harassment" means any unwelcome sexual advance, request for sexual favors, or conduct of a sexual nature when:

- a. Submission to such conduct is an explicit or implicit term or condition of an individual's use of County facilities, or the provision of County services or programs;
- b. Submission to or rejection of such conduct by an individual is used as the basis for any decision affecting the provision or allocation of County services or programs, or the use of County facilities; or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's access to County services, programs, or facilities, or the conduct creates an intimidating, hostile, or offensive environment for the provision of County services or programs, or in the use of County facilities.

Effective date: This ordinance shall be in effect immediately upon adoption.