

# CLAIM FORM

FOR UNLAWFUL POLITICAL DISCRIMINATION IN CONNECTION WITH ANY ASPECT OF EMPLOYMENT WITH AGENCIES OF COOK COUNTY UNDER THE JURISDICTION OF THE PRESIDENT OF THE BOARD OF COMMISSIONERS

Pursuant to the  
SUPPLEMENTAL RELIEF ORDER FOR COOK COUNTY  
Entered in *Shakman, et al. v. Democratic Organization of Cook County, et al.*  
(the “Shakman Case”)

COMPLETED CLAIM FORMS MUST BE RECEIVED BY THE  
SHAKMAN COMPLIANCE ADMINISTRATOR  
BY AUGUST 3, 2007

Any individual who believes that she or he was a victim of unlawful political discrimination in connection with hiring, promotion, overtime or for any other aspect of employment with Cook County may file a completed Claim Form by August 3, 2007 (the “Claim Deadline”) to be considered for possible money damages.

Completed Claim Forms must be **received** by the Shakman Compliance Administrator by the **August 3, 2007 Claim Deadline**. **Send completed Claim Forms and a signed Release of Claims Against Cook County Form (both forms must be properly notarized) to:**

Julia M. Nowicki  
Office of the Cook County Compliance Administrator  
300 South Wacker Drive, Suite 1700B  
Chicago, IL 60606

## Do I Have a Claim?

Individuals who applied for a job or have a job with one of the County agencies under the jurisdiction of the President who believe that they were victims of unlawful political discrimination in connection with any employment decision by the County that occurred prior to February 2, 2007, may be eligible to receive a monetary award under a settlement agreement in *Shakman, et al. v. Democratic Organization of Cook County, et al.* A list of County agencies covered by the settlement agreement is located at the end of these instructions. Agencies not covered by the settlement agreement include the Cook County Assessor, Cook County Clerk, Cook County Sheriff, Department of Corrections, Clerk of the Circuit Court of Cook County, Cook County Treasurer, Cook County Recorder of Deeds, Cook County State’s Attorney and the Forest Preserve District of Cook County.

Employment decisions include, but are not limited to, any decision involving hiring, firing, promotion, job assignment, transfer, other disciplinary action and overtime.

Unlawful political discrimination means the making of any employment decision by the County because of any political reason or factors such as an individual's political affiliation, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or political sponsorship or recommendations.

Individuals who believe they were the subject of unlawful political discrimination in connection with any employment decision by the County may make a "Claim" by submitting a Claim Form and a Release of Claims Against Cook County Form.

Under federal law, certain limitations periods apply to claims that a person was the victim of unlawful political discrimination. In general, the agreed limitations period for filing claims under the Supplemental Relief Order is August 28, 2004 through February 2, 2007. This limitations period can be extended under certain circumstances. Individuals submitting a Claim based on events that occurred before August 28, 2004 must set forth facts showing one of the following to justify extending the limitations period as to their claim:

1. Facts showing why the class member could not have discovered his or her claim before August 28, 2004;
2. Facts that would support a claim for fraudulent concealment;
3. Facts that would support a claim for equitable tolling of the limitations period;
4. Facts that show that the County or its employees did something to hide the discrimination from you or to convince you not to file suit.

If your Claim involves unlawful political discrimination that took place after February 2, 2007, do not use this Claim Form. For such claims, see the Supplemental Relief Order.

### **Instructions for Completing the Claim Form**

Individuals who would like to submit a Claim and to be considered for a monetary award must complete both a Claim Form and Release of Claims Against Cook County Form.

**The Compliance Administrator will deny your claim if you do not submit both Forms.**

Claim Forms should include as much detail as possible showing the evidence supporting the individual's claim that she or he was a victim of unlawful political discrimination in connection with any aspect of employment with the County.

Anyone submitting a Claim Form must attach any supporting documentation in her or his possession to the Claim Form. This includes documentation supporting the amount of damages the Claimant believes she or he is entitled. If a Claimant does not have any documents in her or his possession, the Claim will still be evaluated on its merits. Documents may be submitted at a later date but only with permission from the Compliance Administrator for good cause shown.

Claimants may only submit one Claim Form, but may allege facts supporting more than one Claim on their Claim Form. The Compliance Administrator will evaluate all of the claims included in the Claim Form.

No statements contained in this Claim Form should be construed as legal advice. The Compliance Administrator is not able to provide legal advice about whether an individual should remain a member of the class or about whether an individual has a Claim. Any individual considering submitting a Claim may consult with a lawyer of her or his choosing.

Class Counsel is not able to provide individual legal advice about claims to persons who may wish to file claims. Any individual who wishes to file a claim may consult with a lawyer of her or his choice about whether to file a claim or whether to “opt-out” of the settlement procedures described in this document and, by doing so, retain her or his right to file a lawsuit.

Class Counsel in the *Shakman* Case (that is, the lawyers who represent the named plaintiffs and classes of plaintiffs in that case) recommend that Claimants send their completed Claim Form and Release of Claims Against Cook County Form to the Compliance Administrator via certified mail, return receipt requested, and keep a copy of the Forms and of any documents that are sent with them.

### **Claim Review Process**

The Compliance Administrator and her staff will review all timely Claim Forms to determine whether the Claimant is entitled to a damage award. As part of her review, the Compliance Administrator may request additional information from Claimants to help her identify valid claims and eliminate those that are not. During the claims review process, Claimants must provide any information and documents reasonably requested by the Compliance Administrator.

Within ninety (90) days of the August 3, 2007 Claim Deadline (the “Claim Review Period”), the Compliance Administrator, in her sole discretion and after consideration of all of the evidence, will determine whether each Claimant is eligible for recovery and, if so, will assign a monetary award to each Claimant based on the relevant information presented to the Compliance Administrator. Claimants should provide all evidence, information, and documents known to them in as much detail as possible in their Claim Forms to assist the Compliance Administrator in assessing claims.

If the Compliance Administrator needs additional time beyond September 4, 2007 to evaluate the merits of a claim, the Compliance Administrator will inform the Claimant of the need for additional time and the date by which the review will be completed.

The Compliance Administrator will notify each Claimant of her decision with respect to the claim by sending a Notice of Determination to each Claimant by September 4, 2007. The Notice of Determination will tell Claimants whether they are entitled to a damage award and, if so, the amount of the award. If the Claimant or the County disagrees with the Compliance Administrator’s determination, the Claimant or the County may file an objection to the Notice of Determination with the United States District Court in the *Shakman* Case within thirty (30) days of the date the Notice of Determination is sent by the Compliance Administrator. The Court will affirm the Compliance Administrator’s decision unless the Court finds that the Compliance Administrator abused her discretion. If neither the Claimant nor the County files an objection within the thirty (30) days, the Compliance Administrator’s decision will become final.

Within thirty (30) days following the Compliance Administrator's determination on all claims, the Compliance Administrator shall provide the Cook County State's Attorney's Office with a list of Claimants eligible for an award, the Claimants' last known mailing addresses, social security numbers of any non-employee, and the amount of each award. Within sixty (60) days of receipt of the Compliance Administrator's list of Claimants and awards, the County will mail a check in the amount of the award to each Claimant who has received an award at her or his last known mailing address; except that if an appeal is taken from an award as described in the preceding paragraph, no payment will be made until the issues involved in the appeal are resolved. Any Claimant who submits a Claim Form thereby agrees to have her or his claim for damages resulting from political discrimination in connection with employment with Cook County decided by the Compliance Administrator. By submitting a Claim Form, Claimants agree to waive their right to file their own lawsuit and to have their claims decided by a court. Claim Forms must be accompanied by a signed **Release of Claims Against Cook County Form**.

**Submitting a Claim Form does not guarantee you a monetary award.**

### **IMPORTANT DATES:**

February 2, 2007	Court Hearing for Final Approval of the Supplemental Relief Order for Cook County
August 3, 2007	Opt-Out Deadline (The "Opt-Out Deadline" is the date by which a person who has a claim against the County for political discrimination must inform the Court in the <i>Shakman</i> Case in writing that he or she elects to be excluded from the settlement and claims procedure described in this document; the Court must have received the written notice by that date.)
August 3, 2007	Claim Form Deadline
September 4, 2007	Compliance Administrator Sends Notice of Determination to Claimants
October 4, 2007	Last Day to File Objection to Notice of Determination with the Court
December 3, 2007	Deadline for County to Pay Claim Awards (for claims for which no objection was filed)

**Cook County Agencies  
Under the Jurisdiction of the President  
Covered By the Supplemental Relief Order**

**OFFICE OF THE PRESIDENT**

Communications and Public Affairs  
Auditor  
Capital Planning And Policy  
Facilities Management

**HUMAN RIGHTS, ETHICS & WOMEN'S  
ISSUES**

Commission on Human Rights  
Board of Ethics  
Commission on Women's Issues

**BUREAU OF ADMINISTRATION**

Animal Control  
Building and Zoning  
Environmental Control  
Highway Department  
Judicial Advisory Council  
Juvenile Temporary Detention Center  
Law Library  
Industrial Engineering  
Medical Examiner  
Planning & Development  
POET  
Public Defender  
Real Estate Management  
Supportive Services  
Veteran's Assistance Commission  
Zoning Board of Appeals

**BUREAU OF FINANCE**

Budget & Management Services  
Comptroller  
Contract Compliance  
Purchasing  
Department of Revenue  
Risk Management

**BUREAU OF HEALTH**

Cermak Health Services  
Ambulatory & Community Health  
Network  
CORE Center  
Oak Forest Hospital  
Provident Hospital  
Department of Public Health  
John H. Stroger, Jr. Hospital

**BUREAU OF INFORMATION  
TECHNOLOGY & AUTOMATION (BITA)**

Central Services  
Management of Information Systems  
Office Technology

**HUMAN RESOURCES**

**INSPECTOR GENERAL**

**SECRETARY TO THE BOARD**

# CLAIM FORM

## SUPPLEMENTAL RELIEF ORDER FOR COOK COUNTY

Date: \_\_\_\_\_

To: Julia M. Nowicki  
Shakman Compliance Administrator  
300 South Wacker Drive  
Suite 1700B  
Chicago, IL 60606

I, \_\_\_\_\_, hereby declare, under penalty of  
perjury pursuant to the laws of the United States, as follows:

**1. Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. Telephone:** \_\_\_\_\_

**3. Social Security Number:** \_\_\_\_\_

**4. Date of Violation(s):** \_\_\_\_\_

**5. What Job(s) or Job-Related Benefit(s) Were You Seeking When You Were the Victim of Political Discrimination:** (For example, the job title of the position you applied for, the number of overtime hours you should have received but for the discrimination, job assignment, suspension, bad review, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

**6. Cook County Department or Agency Involved:**  
\_\_\_\_\_

**7. Facts Supporting Claim(s):** (Provide a narrative description of your claim of political discrimination in connection with your employment or application for employment with Cook County. Include as much detail as possible. The following are examples of the kind of detail you should include if applicable: when you applied for a job or promotion, whether you were interviewed for the job, the names of the interviewers, the date of the interview, conversations you had with people about political sponsorship of the successful applicant, the name of any person who asked you to perform political work in exchange for favorable treatment at work, the name of any person who threatened to retaliate against you if you did not perform political work, etc. Please copy this page and attach additional pages, if necessary.)

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**8. What Damages Did You Suffer and What Relief Are You Seeking?:** (Include as much detail as possible about your damages and the amount you believe you are entitled to recover. For example, the following are examples of the sort of damages that might be applicable: lost wages, lost overtime, burdens associated with reassignment to a new location, etc.)

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**9. Amount of Money Damages Sought:** \$\_\_\_\_\_

**10. Documents That Support Your Claim:** (Identify any documents you believe support your claim of political discrimination and damages and attach copies if the documents are in your possession. You do not have to have documents to be considered for an award. Additional documents may be submitted at a later date, but only with permission from the Shakman Compliance Administrator for good cause.)

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(Signature of Claimant)

Subscribed and Sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007.

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Notary Public

**Release of Claims Against Cook County Form**

By submitting this claim, I, \_\_\_\_\_, hereby agree to have my claim(s) for political discrimination in connection with any aspect of governmental employment with Cook County decided by the Shakman Compliance Administrator as part of the Claim Procedure for Alleged Pre-SRO Violations contained in the Supplemental Relief Order for Cook County. Subject to the terms of the Supplemental Relief Order for Cook County, I release the County of Cook, the Cook County President, the Cook County Board, and all of Cook County’s employees, agents, advisors, and attorneys, and their heirs, executors, administrators, personal or legal representatives, successors, transferees and assigns from any and all claims, causes of action, rights, actions, suits, obligations, debts, demands, judgments, agreements, promises, liabilities, controversies, costs, expenses or attorneys’ fees, of every nature and description whatsoever that have been or could have been asserted in *Shakman, et al. v. Democratic Organization of Cook County, et al.*, 69 C 2145, and whether now known or unknown, suspected or unsuspected, arising out of employment decisions of any kind (including, but not limited to, hiring, promotion, termination, assignments, disciplinary decisions, overtime and the like) made by the County with respect to Class Members prior to the final approval of the Supplemental Relief Order by the Court and based on the claim that those employment decisions were impermissibly motivated by political considerations.

\_\_\_\_\_  
(Signature of Claimant)

Subscribed and sworn to  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public