**Section 1620.525 20-63 Complainant's Right to Testify**

a) For purposes of this Section, "Complainant" means a 20-63 Complainant.

b) Notification

1) If the complaint is based in whole or in part upon allegations of sexual harassment involving one or more Complainants, the Attorney General shall, at least 4 weeks before the scheduled hearing, file with the Commission and disclose to the other party a list of Complainants whom the Attorney General does not intend to call as witnesses to testify. For each such non-called Complainant, the Attorney General shall separately provide to the Commission either:

A) a copy of the Attorney General's notification to the Complainant of the Complainant's right to testify at and on the date of the hearing and a copy of the Complainant's response, if any; or

B) if notice of the hearing and the right to testify was not given, the Complainant's contact information.

2) If the Attorney General provided the information under subsection (b)(1)(B), the Chair, Executive Director, or administrative law judge shall, within 5 business days of receipt of the contact information, notify the Complainant of the date and location of the hearing and of Complainant's right to testify. The Chair, Executive Director, or administrative law judge will have a continuing duty to notify any non-called Complainant who has expressed an interest in exercising their right to testify of any schedule changes.

c) A non-called Complainant shall notify the Commission of Complainant's intention to testify and the identity of the accompanying support person, if any, at least two weeks before the scheduled hearing, and the Commission shall then notify the parties.

d) A Complainant who testifies pursuant to this Section may be accompanied while testifying by a single union representative, attorney, co-worker, or other support person who is not involved in the investigation. The accompanying person may not be present at the hearing for any other purpose.

e) Unless otherwise called as a witness by a party, Complainant may testify only with respect to the allegations of sexual harassment involving Complainant.

f) The Complainant's right to testify does not include the right to otherwise be present during the hearing.

(Source: Added at 47 Ill. Reg. 12045, effective July 31, 2023)