**Section 300.1220 Filing of a Complaint, Investigation and Service**

a) An employee or an employee's representative may file a complaint with the Department alleging unlawful retaliation by submitting a complaint on a form provided by the Department. Complaints shall be filed within one year from the date of the alleged discriminatory action.

b) The Department will notify the employer of the existence of the complaint and provide the employer an opportunity to submit a response to the complaint along with any documentation necessary for the Department's investigation of the complaint.

c) If an employer fails to answer the complaint or fails to answer all material allegations contained in the complaint, any unanswered allegations shall be deemed admitted to be true.

d) The Department will review the information provided by the parties in order to determine whether unlawful retaliation has occurred. If the review demonstrates there is reason to believe the Act has not been violated, the complaint will be dismissed. If the review demonstrates that there is reason to believe the Act has been violated, the matter will be set for a formal administrative hearing. The Department will notify both parties of its determination and may issue appropriate orders.

e) Service of any document under this Section shall be in accordance with Section 300.940(c).

f) All hearings held under this Section shall be conducted pursuant to Subpart G.

(Source: Added at 38 Ill. Reg. 18517, effective August 22, 2014)