**Section 320.300 Jurisdiction**

a) At the time of filing, the Department shall determine initially whether the allegations in the complaint sufficiently state a claim under the Act so that the Department can proceed with the investigation.

b) If, at the time of filing, or at any subsequent time, it is determined that there is a lack of jurisdiction, the complaint shall be dismissed. All parties shall be notified of the dismissal pursuant to Section 320.500.

c) If, at the time of filing, or at any subsequent time while the matter is pending with the Department of Labor, it is determined that the subject matter of the complaint also alleges a violation of the Illinois Human Rights Act, the Department may refer the complaint to the Department of Human Rights to be processed pursuant to 56 Ill. Adm. Code 325 (Joint rules of the Departments of Labor and Human Rights on the investigation of Equal Pay Act cases).

(Source: Amended at 40 Ill. Reg. 229, effective December 21, 2015)