**Section 2520.640 Nature of Cooperative Agreements**

A cooperative agreement executed by and between the Department and a local agency may provide for any of the following arrangements, separately or in combination:

a) Dual-filing of local charges – The local agency may transfer to the Department a charge that it has docketed and over which the Department has jurisdiction. The charges shall be accepted by the Department and docketed as Department charges if received by the Department within 180 days following the alleged discrimination and if they meet the requirements of the Act and the Department's rules. Upon acceptance of a charge, the Department will notify the local agency of the docket number it has assigned to the charge.

b) Referral of Department charges – The Department may refer to the local agency charges that the Department has received that allege violations also within the jurisdiction of the local agency. The local agency shall promptly notify the Department whether it has accepted the referred charge and, if so, the docket number it has assigned to the charge. If a local agency accepts a charge, the Department shall defer processing the charge until the local agency completes its investigation and issues findings as to the charge. A local agency's notarization ("perfection") of the charge for purposes of the local agency's investigation shall not equate to "perfection" for the Department. Upon receiving the local agency's findings, the Department shall provide the complainant the opportunity to perfect the charge and to have the Department investigate the complainant's charge. If within 35 days after receiving notice that the complainant may perfect the charge with the Department, the complainant does not notify the Department of the complainant's election to perfect the charge with the Department, the Department may close the complainant's unperfected charge. If the complainant elects to perfect the charge with the Department, at its discretion the Department may adopt the findings of the local agency.

c) Transfer of non-jurisdictional charges – The Department and the local agency may agree to transfer, from one to the other, any charges either may receive that are not within the recipient's jurisdiction but may be within the other's jurisdiction. The agreement shall provide that the transferee will accept and docket a charge if it meets its lawful requirements for a charge and if the transfer is received within its lawful time requirement for the filing of a charge. The transferee will further agree to promptly notify the transferor whether it has accepted and docketed the charge and, if so, the assigned docket number.

(Source: Amended at 33 Ill. Reg. 11311, effective July 20, 2009)