

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED
4/18/2025 12:04 AM
Mariyana T. Spyropoulos
CIRCUIT CLERK
COOK COUNTY, IL
2025L005261
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MICHELLE KOLOSSO

v.

PLANNED PARENTHOOD OF ILLINOIS

2025L005261

No. _____

CIVIL ACTION COVER SHEET - CASE INITIATION

A Civil Action Cover Sheet - Case Initiation shall be filed with the complaint in all civil actions. The information contained herein is for administrative purposes only and cannot be introduced into evidence. Please check the box in front of the appropriate case type which best characterizes your action. Only one (1) case type may be checked with this cover sheet.

Jury Demand Yes No

PERSONAL INJURY/WRONGFUL DEATH

CASE TYPES:

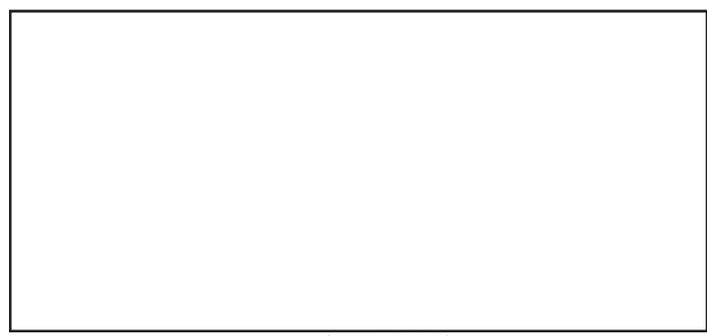
- 027 Motor Vehicle
- 040 Medical Malpractice
- 047 Asbestos
- 048 Dram Shop
- 049 Product Liability
- 051 Construction Injuries
(including Structural Work Act, Road Construction Injuries Act and negligence)
- 052 Railroad/FELA
- 053 Pediatric Lead Exposure
- 061 Other Personal Injury/Wrongful Death
- 063 Intentional Tort
- 064 Miscellaneous Statutory Action
(Please Specify Below**)
- 065 Premises Liability
- 078 Fen-phen/Redux Litigation
- 199 Silicone Implant

TAX & MISCELLANEOUS REMEDIES

CASE TYPES:

- 007 Confessions of Judgment
- 008 Replevin
- 009 Tax
- 015 Condemnation
- 017 Detinue
- 029 Unemployment Compensation
- 031 Foreign Transcript
- 036 Administrative Review Action
- 085 Petition to Register Foreign Judgment
- 099 All Other Extraordinary Remedies

By: Daniel S. Gajda, Esq.
(Attorney) (Pro Se)



(FILE STAMP)

COMMERCIAL LITIGATION

CASE TYPES:

- 002 Breach of Contract
- 070 Professional Malpractice
(other than legal or medical)
- 071 Fraud (other than legal or medical)
- 072 Consumer Fraud
- 073 Breach of Warranty
- 074 Statutory Action
(Please specify below.**)
- 075 Other Commercial Litigation
(Please specify below.**)
- 076 Retaliatory Discharge

OTHER ACTIONS

CASE TYPES:

- 062 Property Damage
- 066 Legal Malpractice
- 077 Libel/Slander
- 079 Petition for Qualified Orders
- 084 Petition to Issue Subpoena
- 100 Petition for Discovery

** Illinois Human Rights Act (775 ILCS 5/1-101 et seq.)

Primary Email: danielgajda@gmail.com

Secondary Email: _____

Tertiary Email: _____

Pro Se Only: I have read and agree to the terms of the Clerk's Office Electronic Notice Policy and choose to opt in to electronic notice form the Clerk's Office for this case at this email address: _____

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
LAW DIVISION**

MICHELLE KOLOSSO,)
)
 Plaintiffs,) 2025L005261
)
 v.)
)
 PLANNED PARENTHOOD OF ILLINOIS,)
)
 Defendant.) JURY DEMANDED

**VERIFIED COMPLAINT FOR DISABILITY DISCRIMINATION, HARASSMENT,
AND RETALIATION**

Plaintiff, Michelle Kolosso (“Kolosso”), by and through her attorney, Daniel S. Gajda, of The Law Office of Daniel S. Gajda, respectfully files her complaint for disability discrimination, harassment, and retaliation under the Illinois Human Rights Act (775 ILCS 5/1-101 et seq.) (“the Act”) against Defendant, Planned Parenthood of Illinois (“Planned Parenthood”), regarding its failure to accommodate Plaintiff, harassment against Plaintiff, and retaliation against Plaintiff for engaging in protected activity, and in support thereof, states as follows:

INTRODUCTION

1. Kolosso brings this complaint for disability discrimination, harassment, and retaliation against Planned Parenthood for its failure to accommodate Plaintiff, harassment against Plaintiff, and retaliation against Plaintiff for engaging in protected activity.

2. Kolosso filed a complaint with the Illinois Department of Human Rights (“IDHR”) on or about April 26, 2024, and IDHR mailed a Notice of Dismissal to the undersigned, postage dated January 17, 2024. (Attached as Exhibit A).

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THE PARTIES

3. Plaintiff, Michelle Kolosso, is an individual who resides in Cook County, Illinois.

4. Defendant, Planned Parenthood, is a 501(c)(4) not-for-profit organization, located in Cook County, Illinois.

JURISDICTION AND VENUE

5. This Court has jurisdiction over the claims under the Illinois Code of Civil Procedure, 735 ILCS 5/2-209 and under the Act.

6. Venue is proper under 735 ILCS § 5/2-101(1) because the Defendant is located in Cook County.

FACTUAL BACKGROUND

7. Kolosso was hired by Defendant on July 7, 2014, as a Family Planning Clinician, and is an Advanced Practice Nurse.

8. Kolosso's responsibilities included seeing patients in the clinic and treating the patients for various conditions or infections, counseling patients regarding their health, some telehealth services, and responding to patients over the phone.

9. Kolosso reported to Andrea Hastings ("Hastings") who was her direct supervisor, where Hastings worked as the Lead Clinician.

10. On or about May 17, 2023, Kolosso experienced a serious workplace injury that caused significant damage to her back and other areas, including, but not limited to, strains, tears, hip dysplasia, and other serious medical issues.

11. Kolosso began a medical leave following the accident and has not been returned to work by Planned Parenthood since.

12. Kolosso's serious injuries caused her to be disabled pursuant to the Act.

13. Kolosso informed Defendant of her disability when she requested disability leave following the injuries on May 17, 2023.

14. Kolosso's disability is not transient and will require continued medical attention, surgeries, and treatment in order to ameliorate her ongoing conditions.

15. In or around June 2023, Kolosso initiated the interactive process and requested various accommodations from Defendant in order to return to work, including, but not limited to, requesting light duty.

16. Planned Parenthood failed to grant Kolosso her requested accommodations or effective, alternative accommodations in order to permit Kolosso to return to the workplace full time.

17. Defendant had granted light duty to various employees, including other Family Planning Clinicians, prior to denying Plaintiff's request for light duty.

18. Hastings, as Planned Parenthood's Lead Clinician, made statements to Plaintiff that she would need to be at full-duty in order to return to work and that Kolosso was not permitted to use her "injury as an excuse to get a new job" in response to Kolosso's accommodation requests.

19. Kolosso requested to work in other available roles for which she was qualified but Defendant would not permit Kolosso to work in those alternative roles, or identify other comparable, available roles for which she was qualified.

20. From about July 2023 to August 2023, Kolosso continued to request and discuss potential accommodations for her current position to no avail as Defendant was unwilling to discuss potential accommodations further and continued to request additional medical documentation, and Defendant refused to consider alternative roles for which Kolosso was qualified.

21. In or around August 2023, Defendant denied Kolosso's requests to return to work, and in September 2023, Planned Parenthood unilaterally suspended the interactive process and put on hold the accommodations Kolosso was discussing with Defendant.

22. In or around January 2024, Planned Parenthood stated that it could only offer Plaintiff one alternative position as a Patient Access Specialist, which would have been a demotion with a significant pay cut.

23. Kolosso's pay as a Family Planning Physician was \$68.41 per hour, with the offered position of Patient Access Specialist pay at \$23.73 per hour, or about a 65% reduction in pay in order to return to work.

24. In or around February 2024, Defendant demanded to know whether Kolosso would accept the demotion and pay cut, and refused to discuss potential accommodations for her current position any further when Kolosso requested to continue the interactive process to identify reasonable accommodations that would permit her to remain in her position.

25. Following the discussion, and Defendant's unreasonable offer to return to work with a demotion and significant pay cut, Defendant changed Kolosso's status from "Workman's Comp" to "Unpaid Leave" in their human resources system.

26. Defendant subjected Kolosso to harassment throughout Kolosso's efforts to return to work, and subjected her to retaliation in response to Kolosso engaging in protected activity.

27. Defendant has failed to return Plaintiff to work following Plaintiff's requests for accommodations and alternative positions.

28. Plaintiff has suffered, and continues to suffer significant damages due to Defendant's actions, delays, and denials.

**COUNT I
DISABILITY DISCRIMINATION, HARASSMENT, AND RETALIATION**

29. Plaintiffs restate and realleges paragraphs 1 through 28 as paragraph 29 of this Complaint.

30. Plaintiff is disabled pursuant to the Act.

31. Defendant was aware that Plaintiff was disabled.

32. Plaintiff requested accommodations which were not provided by Defendant.

33. Plaintiff has not been permitted by Defendant to return to work with accommodations, and Defendant has failed to engage in good faith in the interactive process.

34. Defendant subjected Plaintiff to harassment throughout her employment with Defendant following her injury, disability, and accommodation requests, including, but not limited to, her efforts to return to work.

35. Defendant further retaliated against Plaintiff for engaging in protected activity.

36. Plaintiff suffered significant damages as a result of Defendant's actions.

WHEREFORE, Plaintiff respectfully requests this Court enters judgment against Defendant, and in favor of Plaintiffs, for all damages, attorney's fees, costs, and all other relief deemed just and necessary.

JURY DEMANDED

Respectfully submitted,

by: /s Daniel S. Gajda
Plaintiff's Attorney

Under penalties as provided by law pursuant to 735 ILCS 5/1-109 the above signed certifies that the statements set forth herein are true and correct.

Daniel S. Gajda
Cook County Attorney No. 18361
The Law Office of Daniel S. Gajda
(630) 639-6214
danielgajda@gmail.com

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF:
MICHELLE KOLOSSO,

COMPLAINANT,

AND
PLANNED PARENTHOOD,

RESPONDENT.

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CHARGE NO. 2024CF2421
EEOC NO. 21BA41204

NOTICE OF DISMISSAL

For Complainant

Daniel S Gajda
The Law Office of Daniel S. Gajda
548 Hawthorne Ave
Bartlett, IL 60103

For Respondent

Heather A. Bailey
Amundsen Davis, LLC
150 N Michigan Ave.
Suite 3300
Chicago, IL 60601

DISMISSAL / NOTICE DATE: January 16, 2025

The Director of the DEPARTMENT OF HUMAN RIGHTS (Department) has entered the findings identified in the in the enclosed investigation report.

DISMISSAL

YOU ARE HEREBY NOTIFIED that based upon the enclosed investigation report, the Department has determined that there is a **LACK SUBSTANTIAL EVIDENCE** in support of the allegation(s) identified in the enclosed investigation report (**see investigation report**).

Accordingly, pursuant to Section 7A-102(D) of the Act (775 ILCS 5/1-101 et seq.) and the Department's Rules and Regulations, (56 Ill. Adm. Code. Chapter II, 2520.560) the charge is HEREBY DISMISSED

PROCEDURE:

1. If Complainant disagrees with this action, Complainant may:
 - a. **REQUEST FOR REVIEW:** Seek review of this dismissal before the Illinois Human Rights Commission (Commission), by filing a "Request for Review" with the Commission by the request for review filing deadline date below. Respondent will be notified by the Commission if a Request for Review is filed. You can file the Request for Review by email, mail, personal delivery, or fax to:

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Illinois Human Rights Commission
Michael A. Bilandic Building
160 N. LaSalle Street, Suite N-1000
Chicago, IL 60601
Email: HRC.News@illinois.gov
Fax: (312) 814-6517

REQUEST FOR REVIEW FILING DEADLINE DATE: April 21, 2025

You may review or request a copy of your investigation file, after the Department's completion of the investigation, to help prepare your Request for Review. The Department will provide you with a specific date and time for you to review your investigation file. Files larger than fifty (50) pages will be sent to an outside vendor for copying. The Department is not responsible for the fees charged by the vendor. Call (312) 814-6262 to make arrangements.

OR

- b. CIVIL ACTION: Commence a civil action in the appropriate state circuit court within ninety (90) days after receipt of this Notice. The civil action should be filed in the circuit court in the county where the civil rights violation was allegedly committed. If you intend to exhaust your State remedies, please notify the Equal Employment Opportunity Commission (EEOC) immediately. The EEOC generally adopts the Department's findings. The Appellate Courts in *Watkins v. Office of the State Public Defender*, ___ Ill. App. 3d ___, 976 N.E.2d 387 (1st Dist. 2012) and *Lynch v. Department of Transportation*, ___ Ill. App. 3d ___, 979 N.E.2d 113 (4th Dist. 2012), have held that discrimination complaints brought under the Act against the State of Illinois in the Illinois Circuit Court are barred by the State Lawsuit Immunity Act. (745 ILCS 5/1 et seq.). Complainants are encouraged to consult with an attorney prior to commencing a civil action in the Circuit Court against the State of Illinois.

2. For Equal Employment Opportunity Commission (**EEOC**) cross-filed charges **ONLY**:

Complainant has the right to request that the EEOC perform a Substantial Weight Review (SWR) if:

- a. An EEOC charge number is cited above;

AND

- b. The charge alleges violations of federal laws enforced by the EEOC;

AND

- c. Complainant submits to EEOC a written and signed request for a Substantial Weight Review within fifteen (15) days of either:

- i. Receipt of this notice, if Complainant does NOT file a "Request for Review" with the Human Rights Commission (HRC);

OR

- ii. Receipt of the HRC's final notice/order if Complainant filed a "Request for Review" with the HRC. (This means that if you made a "Request for Review" with the HRC, you must wait to request a SWR from EEOC until after you receive notice of resolution of the HRC review, which may take many months up to a year or more).

EEOC will not honor any request for a Substantial Weight Review that does not meet requirements (a), (b) and (c) above. If you have a pending "Request for Review" with HRC and you make a request for SWR with EEOC before you receive a final notice/order from the HRC, you will be asked to re-submit your request for SWR after you receive notice of resolution from the HRC.

Page 3
Notice of Dismissal
Charge No. 2024CF2421

If you choose to file a request for a Substantial Weight Review, and the allegation(s) occurred in one of the following counties: **Alexander, Bond, Calhoun, Clinton, Greene, Jackson, Jersey, Macoupin, Madison, Monroe, Perry, Pulaski, Randolph, St. Clair, Union, or Washington**, you may email your request for a Substantial Weight Review to, or mail it to:

EEOC
Attn: State, Local, and Tribal Programs Manager
Robert A. Young Federal Building
1222 Spruce St., Rm 8.100,
St. Louis, MO 63103.
Email: Joseph.Wilson@eeoc.gov

For allegation(s) that occurred in **all other Illinois counties**, you may email your request for a Substantial Weight Review, or mail it to:

EEOC
Attn: State, Local, and Tribal Programs Manager
John C. Kluczynski Federal Building
230 South Dearborn Street, Suite 1866
Chicago, Illinois 60604.
Email: Sherice.Galloway@eeoc.gov

PLEASE NOTE: The Department cannot provide any legal advice or assistance. Please contact legal counsel, your city clerk, or your county clerk with any questions.

DEPARTMENT OF HUMAN RIGHTS
James L. Bennett
Director

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