

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

JOHN W. RAY,)	
Charging Party,)	CASE NO. 0001009036
)	
v.)	ORDER AFFIRMING
)	FINAL AGENCY DECISION
MONTANA TECH of the)	OF DISMISSAL
UNIVERSITY OF MONTANA,)	
Respondent.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on May 17, 2002, for consideration of Charging Party's appeal from the Final Agency Decision issued on January 16, 2002. Appearing before the Commission were James Reynolds, attorney for Charging Party, and David Aronofsky, attorney for Respondent.

After consideration of the entire record and the oral arguments of both parties, the Commission agrees with the Hearing Examiner's conclusion that Respondent did not illegally discriminate against Charging Party in his employment. The Commission agrees with the Hearing Examiner that Charging Party proved prima facie cases of employment discrimination based upon political belief and marital status, but that Respondent provided legitimate, non-discriminatory business reasons for the decision to not renew Charging Party as department head, and Charging Party was unable to prove the reasons were pretext for discrimination. The Hearing Examiner properly dismissed Charging Party's claims against Respondent Montana Tech of the University of Montana.

A party may appeal from this order by filing a petition for judicial review with the district court no later than thirty (30) days from the service of this order pursuant to § 2-4-701, et. seq., MCA.

IT IS HEREBY ORDERED that Charging Party's appeal of the Final Agency Decision is DENIED and the Final Agency Decision is AFFIRMED in its entirety.

Dated this ____ day of May, 2002.

Gary Hindoien, Chair,
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **ORDER AFFIRMING FINAL AGENCY DECISION OF DISMISSAL** was served on the following persons by U. S. Mail, postage prepaid on the _____ day of May, 2002.

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Human Rights Bureau