

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

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| BELEN SANCHEZ, |) | |
| |) | |
| Charging Party |) | Cause No. 0031010528 |
| |) | |
| vs. |) | ORDER AFFIRMING |
| |) | NOTICE OF DISMISSAL |
| |) | |
| HOLLAND & HART, LLP. |) | |
| |) | |
| Respondent. |) | |

On October 30, 2003, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. On November 14, 2003, Belen Sanchez (Charging Party) filed an objection to Notice of Dismissal with the Montana Human Rights Commission (Commission). Oral argument was not requested. The Commission considered the matter on January 15, 2004.

In the Final Investigative Report, the investigator determined that Charging Party's complaint was not supported by a preponderance of the evidence. The investigator recommended a finding of no reasonable cause to believe unlawful discrimination occurred.

In Charging Party's brief to the Commission, Charging Party argued she was treated differently than her co-workers based on her national origin. In response, Holland & Hart, LLP (Respondent) contended there was no evidence of unlawful discrimination. Additionally, Respondent argued Charging Party did not complain (on the basis of protected class status) and therefore, the Respondent was under no obligation to promptly address the issue.

After careful and due consideration, the Commission concludes the findings of the Human Rights Bureau are supported by the record and, therefore, there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont. 24.9.1714(3)*

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont. Code Ann. § 49-2-509(5) and Admin. R. Mont. 24.9.1714(5)* If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled and Notice of Dismissal is Affirmed.

Dated this _____ day of January 2004

Mr. Gary Hindoiien, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersign employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on January _____ 2004.

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