

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

LEANNE LEIN,

Charging Party,

-v-

U-HAUL SHOP,

Respondent.

Case No.: 0051011339

ORDER

On June 13, 2005, the Department of Labor and Industry's Human Rights Bureau issued a Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party, Leanne Lein (Lein), filed objections with the Montana Human Rights Commission. The Commission considered Charging Party's objections without oral argument on September 14, 2005.

In this matter, the Human Rights Bureau determined that a preponderance of the evidence did not support Lein's complaint of discrimination against her former employer, U-Haul Shop. Lein alleged that she was subject to a hostile work environment and that she did not receive a raise based on her gender. In discussion, the Commission noted for the record that it no way endorsed the permissive and unprofessional attitude of U-Haul reflected in the record; however, the Commission ultimately finds that the Charging Party should have reported the objectionable behavior. After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is sufficiently supported by the record and there was no abuse of discretion in the issuance of a Notice of Dismissal. *Mont. Code Ann. § 49-2-509(4) (2003); 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) (2003); 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**. The Commission adopts the determination of the Human Rights Bureau and the Notice of Dismissal is affirmed.

DATED this ____ day of September 2005.

Chair Franke Wilmer
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this _____day of September, 2005.

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