

**BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA**

Case No.: 0041011064

SHIRLEY WEDLAKE,  
Charging Party,

-v-

NORTHWESTERN ENERGY,  
Respondent

**ORDER AFFIRMING NOTICE  
OF DISMISSAL**

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On November 15, 2004, 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. Charging Party, Shirley Wedlake (Wedlake), filed objections with the Montana Human Rights Commission (Commission). The Commission considered the matter on January 21, 2005.

In the Final Investigative Report (FIR), the Human Rights Bureau Investigator determined a preponderance of the evidence did not support Wedlake's assertion that her employer, Respondent, Northwestern Energy, unlawfully discriminated because of disability and had failed to provide her with reasonable accommodation.

After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is supported by the record and 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) (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 January 2005.

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Chair Gary Hindoien  
Human Rights Commission

## CERTIFICATE OF SERVICE

The undersigned 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 \_\_\_\_ 2005.

SHIRLEY WEDLAKE  
PO BOX 4865  
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WAYNE HARPER  
NORTHWESTERN ENERGY  
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Montana Human Rights Bureau