Jocelyn Nelson (Nelson) filed a complaint against the City and County of Butte Silver Bow (Butte) with the Department of Labor and Industry alleging she was discriminated against based on her gender when Butte terminated her employment. Nelson also alleges Butte retaliated against her. The Hearings Bureau (Bureau) held a contested case hearing pursuant to § 49-2-505, MCA. Following the hearing, the hearing officer determined that Butte did not discriminate or retaliate against Nelson because it had a legitimate reason for terminating her employment.


After careful and due consideration, the Commission concludes the Bureau's decision in this matter is supported by competent substantial evidence and the conclusions of law are correct. The Commission affirms the Bureau's decision and hereby adopts and incorporates the decision in its entirety.

A person who has exhausted all administrative remedies available within an agency and who is aggrieved by a final agency decision in a contested case is entitled
to file a petition for judicial review within 30 days after service of this final agency
decision. Mont. Code Ann. § 2-4-702. The petition must be filed in the district where the
petitioner resides or has the petitioner’s principal place of business, or where the
agency maintains its principal office.

DATED this ____ day of November 2009.

________________________
Chair Ryan C. Rusche
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 November ____, 2009.

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