

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

LaVonne Enoch,

Case No. 0109014528

Charging Party,

ORDER

-v-

Gannett Satellite Information Network, Inc.
& Gannett Co, Inc.,

Respondent,

Charging Party, LaVonne Enoch (Enoch) filed a complaint with the Human Rights Bureau, Department of Labor and Industry (Department), alleging discrimination on the basis of sex (pregnancy) and retaliation in employment by Gannett Satellite Information Network, Inc. & Gannett Co, Inc., the Respondent.

Following an informal investigation, the Department determined that a preponderance of the evidence did not support LaVonne Enoch's allegations of unlawful discrimination. The Department issued a Notice of Dismissal. Enoch filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on May 18, 2011.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Section 49-2-511(2), MCA*. After careful consideration, the Commission unanimously concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion.

If a charging party chooses to commence a civil action in district court, the charging party has 90 days after the date this order is issued to file a complaint in district court, in the district where the alleged violation occurred, and seek appropriate

relief. *Section 49-2-511(3)(a), MCA.* If a charging party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

Alternatively, a party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Sections 2-4-702 and 49-2-511(3)(b), MCA.* This review must be requested within 30 days of the date of this order.

IT IS HEREBY ORDERED, that LaVonne Enoch's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Gannett Satellite Information Network, Inc. & Gannett Co, Inc.

DATED this 20th day of May 2011



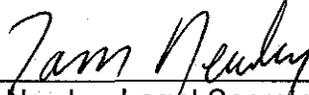
L.M. Minich, Chair
Human Rights Commission

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 20th day of May 2011.

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Tam Newby, Legal Secretary
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