

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

KATHERINE CLARK,)	
Charging Party,)	
)	CASE NO. 0001009307
v.)	
)	ORDER DISMISSING OBJECTION
INTERNAL MEDICINE ASSOCIATES)	
OF BOZEMAN,)	
Respondent.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on March 19, 2001. The matter was before the Commission for consideration of the Charging Party's objection to the dismissal of the complaint. Oral argument was requested. Appearing before the Commission were Penelope S. Strong, attorney for the Charging Party, and Jon J. Kudrna, attorney for Respondent.

After consideration of the record and arguments advanced by the parties, the Commission finds that the Human Rights Bureau properly dismissed the matter. Although Charging Party established a prima facie case of sex discrimination on account of pregnancy, the record supports the Investigator's finding that Respondent had a legitimate business reason for requesting that Charging Party inform them of when she planned to return to work, or provide medical documentation stating why she could not return to work. The Investigator did not abuse her discretion when she found that Respondent terminated Charging Party when she continued to refuse to comply with its request 24.9.1714(3), ARM. Accordingly, the notice of dismissal and notice of right to file civil action in district court must be affirmed.

IT IS HEREBY ORDERED, that the Charging Party's objection is unanimously overruled and the notice of dismissal is affirmed.

Dated this __ day of March, 2001.

Gloria "Patt" Etchart, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **ORDER DISMISSING OBJECTION** was served on the following persons by U. S. Mail, postage prepaid on the _____ day of March, 2001.

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