

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

MICHAEL MCMAHON,)	
CHARGING PARTY,)	
)	CASE NO. 0001009204
vs.)	
)	ORDER AFFIRMING
U. S. WEST,)	DISMISSAL
RESPONDENT.)	

The above-captioned matter came before the Montana Human Rights Commission (Commission) on January 16, 2001. The matter was before the Commission for consideration of the charging party's objection to the dismissal of the complaint. Appearing before the Commission were Palmer Hoovestal, attorney for charging party, and Oliver Goe, attorney for respondent.

After consideration of the record and the arguments advanced by the parties, the Commission finds that the investigator did not abuse her discretion in dismissing the complaint. The record shows that charging party stated a prima facie of discrimination in employment on account of his gender. However, credible evidence in the record supports the investigator's finding that respondent had a legitimate non-discriminatory reason for firing charging party because of charging party's poor performance as a supervisor and his failure to act promptly to put a stop to sexually harassing behavior in the workplace. The record shows that charging party had received training in handling discr

Dated this __ day of «month», «year».

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 **«document name»** was served on the following persons by U. S. Mail, postage prepaid on the day of «month», «year».

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