

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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STEVEN SCHREDER,	)	
CHARGING PARTY,	)	
	)	CASE NO. 0001009024
vs.	)	
	)	ORDER AFFIRMING
MONTANA DAKOTA UTILITIES INC.,	)	ORDER GRANTING SUMMARY
RESPONDENT.	)	JUDGMENT AND DISMISSING
	)	CONTESTED CASE

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The above-captioned matter came before the Montana Human Rights Commission (Commission) on January 17, 2001. The matter was before the Commission for consideration of charging party's appeal from the Hearing Examiner's Order of October 2, 2000 Granting Summary Judgment and Dismissing Contested Case. Oral argument was not requested and the matter was considered on the record.

After consideration of the record, the Commission concludes that the Hearing Examiner did not err as a matter of law in concluding that the department lacked jurisdiction to consider charging party's complaint because it was untimely. Charging party admitted in his sworn complaint and in his deposition that respondent's last discriminatory act occurred more than 180 days before charging party filed his complaint with the Human Rights Bureau. Pursuant to Section 49-2-501(4)(b),MCA, a Human Rights complaint must be filed within 180 days after the alleged unlawful discriminatory practice occurred. Charging party's complaint was untimely and the department lacked jurisdiction to consider the complaint. Accordingly, the Hearing Examiner properly granted summary judgment for the respondent and dismissed the matter.

IT IS HEREBY ORDERED, that the Hearing Examiner's Order Granting Summary Judgment and Dismissing Contested Case is unanimously affirmed.

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».

«ADDRESS»

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