

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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BEVERLY THOMPSON, )  
Charging Party, )  
 ) CASE NO. 0001009164  
vs. )  
 ) **ORDER AFFIRMING DISMISSAL**  
KALISPELL REGIONAL HOSPITAL )  
Respondent. )

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The above-captioned matter came before the Montana Human Rights Commission (Commission) on September 20, 2001. The matter was before the Commission for consideration of the Charging Party’s objection to the dismissal of the complaint. Oral argument was not requested and the matter was considered on the record.

After reviewing the record, the Commission finds that the Human Rights Bureau properly dismissed the matter. The records shows that Charging Party filed a complaint alleging employment discrimination based upon her disabilities of diabetes and cerebral palsy. The record shows that the complaint was filed on February 14, 2000 with the Equal Employment Opportunity Commission (EEOC). The EEOC conducted an investigation and determined a no-cause finding. The record shows that no hearing was held by the Montana Department of Labor and Industry (Department) during the twelve (12) months following the filing of the complaint. The records shows that the Department dismissed the complaint pursuant to 49-2-509(3)(d), Montana Code Annotated, because a hearing was not held within twelve (12) months after the complaint was filed. The Department did not abuse its discretion when it dismissed the complaint. 24.9.1714(3), ARM. Accordingly, the notice of dismissal 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 October, 2001.

\_\_\_\_\_  
Gary Hindoien, 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 AFFIRMING DISMISSAL** was served on the following persons by U. S. Mail, postage prepaid on the \_\_\_\_\_ day of October, 2001.

Beverly Thompson  
1717 S Woodland Drive #31  
Kalispell, MT 59901

Kalispell Regional Hospital  
Human Resource Officer  
310 Sunnyview Lane  
Kalispell, MT 59901

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Farah Davidson, Human Rights Bureau