



ADMINISTRATIVE RULES OF MONTANA



24.8.207 NOTICE OF FILING OF COMPLAINTS

- (1) Within ten business days of the filing of a complaint, the Human Rights Bureau shall serve notice of filing upon the parties by mail. The notice shall:
 - (a) acknowledge the filing of the complaint and state the date that the complaint was filed;
 - (b) include a copy of the complaint;
 - (c) advise the parties of the time limits applicable to complaint processing;
 - (d) in cases filed pursuant to 49-2-305, MCA (housing cases), advise the parties of their right to commence a civil action under 49-2-510(4)(a), MCA, in an appropriate district court, not later than two years after an alleged unlawful discriminatory practice under 49-2-305, MCA, occurred or was discovered or within two years of the breach of a conciliation agreement entered into under 49-2-504(1)(a), MCA. The notice shall state that the computation of this two-year period excludes any time during which a proceeding is pending under 49-2-510, MCA, with respect to a complaint based on the alleged discriminatory housing practice. The notice shall also state that the time period includes the time during which an action arising from a breach of a conciliation agreement is pending;
 - (e) in cases filed pursuant to 49-2-303, MCA (employment cases), advise the parties of the respondent's obligation to preserve all personnel records relevant to the complaint until the final disposition of the complaint, pursuant to ARM 24.8.107;
 - (f) advise the parties of their right to receive a copy of all other information submitted with the complaint and during the investigation and right to review their file subject to the provisions of ARM 24.8.210; and
 - (g) advise the parties that retaliation against any person because the person made a complaint or testified, assisted or participated in an investigation, a conciliation, or an administrative proceeding, is a discriminatory practice that is prohibited under 49-2-301, MCA.

Authorizing statute(s): 49-2-204, 49-3-106, MCA

Implementing statute(s): 49-2-301, 49-2-303, 49-2-305, 49-2-504, 49-2-510, 49-3-315, MCA

History: NEW, 2002 MAR p. 2908, Eff. 10/18/02; AMD, 2008 MAR p. 2636, Eff. 12/25/08.