



ADMINISTRATIVE RULES OF MONTANA



24.8.201 FILING OF COMPLAINTS

- (1) A complaint may be filed with the Human Rights Bureau by or on behalf of any aggrieved party. Complaints must be filed with the Human Rights Bureau by mail addressed to the Human Rights Bureau, P.O. Box 1728, Helena, MT 59624-1728; personal delivery to 33 South Last Chance Gulch, Suite 2B, Helena, MT 59601; or fax to (406) 443-3234.
- (2) A complaint must be filed within 180 days after the alleged act of discrimination occurred or was discovered.
- (3) A complaint is considered to be filed on the date it is received by the Human Rights Bureau, either by mail, hand-delivery, or facsimile. If the last day of the time limit falls upon a Saturday, Sunday, legal holiday, or the department offices are closed on such day, the time limit will run until the end of the next day when the department offices are open.
 - (a) In the case of a complaint which is deferred or transmitted to the Human Rights Bureau by any government agency pursuant to any agreement entered into between the agency and the department, the complaint is deemed filed for the purpose of determining the timeliness of a complaint pursuant to 49-2-501, MCA, as of the date it was filed with the agency which deferred or transmitted the complaint. The time period the Human Rights Bureau has to complete its informal investigation pursuant to 49-2-504, MCA, or for the commission or the department's Office of Administrative Hearings to conduct a hearing pursuant to 49-2-512, MCA, runs from the date the complaint is transferred by the deferring governmental agency to the Human Rights Bureau.
- (4) When the department has reason to believe that a person is or has been engaging in a discriminatory practice in violation of the act, the commissioner may file a complaint on behalf of the department pursuant to 49-2-210(1), MCA. A complaint filed by the commissioner may seek relief authorized by law for any and all persons adversely affected by the practice or actions.

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

Implementing statute(s): 49-2-210, 49-2-501, 49-2-504, 49-3-315, MCA

History: NEW, 2002 MAR p. 2908, Eff. 10/18/02; AMD, 2008 MAR p. 2636, Eff. 12/25/08; AMD, 2017 MAR p. 91, Eff. 1/7/17.