

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

Darlene Haney,
Complainant

v.

DOCKET NO. 99-BPA-0463

Fenway Texaco &
Texaco, Inc.,
Respondents

DECISION OF THE FULL COMMISSION

On March 9, 2006, the Commission issued the Decision of Hearing Officer Betty Waxman, dated March 8, 2006, in favor of Respondents in the above-entitled matter. Complainant was duly notified of the decision and of her right of appeal to the Full Commission. On March 21, 2006, Counsel for Complainant filed a Notice of Appeal to the Full Commission, noting that his appearance was limited to the purpose of filing said Notice, in order to preserve Complainant's right of appeal.

The Commission's Rules of Procedure at 804 C.M.R. 1.23(1) also require that, in addition to a Notice of Appeal, an aggrieved party must file with the Commission, a Petition for Review within 30 days of receipt of the decision of the hearing officer, setting forth:

- (1) facts showing the appellant to be aggrieved;
- (2) all matters alleged to have been erroneously decided;
- (3) all other matters on which the appellant relies; and
- (4) the relief to which the appellant believes he/she is entitled, which relief may be requested in the alternative.

To date the Commission has not received a Petition for Review from Complainant as required by 804 C.M.R 1.23. As a result of this failure to perfect her appeal in accordance with Commission regulations, Complainant's appeal is hereby dismissed. Accordingly, the decision of the hearing officer is final and binding.

So Ordered this 22nd day of November, 2006.

WALTER J. SULLIVAN, JR.
Commissioner

CYNTHIA A. TUCKER
Commissioner