

THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

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M. C. A. D.  
& MARK GRIFFIN,  
Complainants

v.

DOCKET NO. 01-BEM-2433

EASTERN CONTRACTORS AND  
S & R CONSTRUCTION CO.,  
Respondents

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M.C.A.D. & CLARENCE LEFTWITCH,  
Complainants

v.

DOCKET NO. 01-BEM-2434

EASTERN CONTRACTORS, INC.,  
Respondent

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DECISION OF THE FULL COMMISSION

On October 8, 2008, Hearing Officer Judith Kaplan issued a decision in favor of Complainants in the above-entitled matters. Respondents were duly notified of the decision and their appeal rights. Eastern Contractors filed a Notice of Appeal to the Full Commission on October 20, 2008.<sup>1</sup> The Commission's Rules of Procedure require that an aggrieved party must file a Notice of Appeal to the Full Commission, pursuant to 804 C.M.R. 1.23(1). The Commission's Rules of Procedure further require that an aggrieved party must file a Petition for Review within 30 days of receipt of the decision of the single commissioner or hearing officer, setting forth:

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<sup>1</sup> S & R Construction Co. did not file a Notice of Appeal.

(a) facts showing the appellant to be aggrieved; (b) All matters alleged to have been erroneously decided; (c) all other matters on which the appellant relies and (d) the relief sought.

While Eastern Contractors filed a timely Notice of Appeal, it has failed to file a timely Petition for Review. We conclude that Eastern Contractors' appeal shall be dismissed for failure to comport with the Commission's requirement of filing a timely Petition for Review.

Whereas Eastern Contractors, Inc. has failed to perfect its appeal by filing a timely Petition for Review, the appeal is dismissed. Accordingly, the decision of the hearing officer is final and binding.

SO ORDERED, this 4th day of May, 2009.

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MALCOLM S. MEDLEY,  
Chairman

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SUNILA THOMAS-GEORGE,  
Commissioner

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MARTIN S. EBEL,  
Commissioner