

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

MCAD & RUTH HOWARD,
Complainants

v.

DOCKET NO. 98-BEM-0709

MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY,
Respondent

DECISION OF THE FULL COMMISSION

On June 3, 2004, Hearing Officer Judith Kaplan issued a decision in favor of Respondent in the above-entitled matter. Complainant was duly notified of the decision and her appeal rights. Complainant filed a Notice of Appeal on June 16, 2004.

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:

- (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 Complainant filed a timely Notice of Appeal, she failed to file a Petition for Review in compliance with the Commission's regulations. We conclude that Complainant's appeal shall be dismissed for failure to comport with the Commission's requirement of filing a timely Petition for Review.

Whereas Complainant has failed to perfect her 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 28th day of July 2004.

Cynthia A. Tucker,
Commissioner

Walter J. Sullivan, Jr.
Commissioner