

SUPREME COURT OF MONTANA

CEnTech Corp. v. Sprow

331 Mont. 98 (Mont. 2006) · No. No. 05-280 · Decided February 7, 2006

SUMMARY

The Supreme Court of Montana held that Heidi Sprow did not plead sex-based wage discrimination regarding her full-time employment. The court concluded that the administrative hearing examiner and Human Rights Commission exceeded their authority by introducing and adjudicating the full-time wage-disparity issue, which was not included in the timely complaint or pre-hearing order. The court affirmed the district court's reversal of the agency decision in Sprow's favor.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	Justice W. William Leaphart; W. William Leaphart; John Warner; Jim Rice; James C. Nelson; Brian Morris
JURISDICTION	Montana
DECIDED	February 7, 2006
DOCKET	No. 05-280
DISPOSITION	affirmed
PROCEDURAL POSTURE	Sprow appealed the Montana Eighteenth Judicial District Court's reversal of the Human Rights Commission's order affirming an administrative decision in her favor on a sex-based wage-discrimination claim.
STANDARD OF REVIEW	The court reviews Human Rights Commission factual findings for clear error and reviews the agency's interpretations of law for correctness. It applies the same standard when reviewing a district court order affirming or reversing an administrative decision.
PRECEDENTIAL VALUE	Published Montana Supreme Court opinion; precedential
PARTIES	Heidi Sprow v. CEnTech Corporation

TOPICS

- employment discrimination
- wage and hour
- judicial review of agency action
- pleadings
- appellate procedure

PRACTICE AREAS

employment discrimination

administrative law

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether Sprow's complaint pleaded sex discrimination with regard to her full-time employment and wages.
2. Whether the Hearings Bureau and Human Rights Commission acted beyond their authority by adding and adjudicating the unpleaded full-time wage-discrimination issue.

HOLDINGS

1. Sprow did not plead sex discrimination relating to her full-time wages. Her complaint referred to full-time employment only as background and challenged the disparity between her part-time wage and the wage of a male part-time coworker.
2. The Hearings Bureau erred by inserting the full-time wage-discrimination issue into the pleadings, and the Human Rights Commission erred by remanding the case to provide CEnTech an opportunity to defend an issue that had not been pleaded.

KEY QUOTATIONS

"We hold that Sprow did not plead wage disparity in her full-time employment, the Hearings Bureau erred by inserting the issue into the pleadings in the 2000 decision, and the HRC erred in its 2004 order by concluding that Sprow alleged full-time wage disparity." (128 P.3d at 1040)

FACTUAL BACKGROUND

CEnTech initially employed Heidi Sprow full-time at \$7.50 per hour, but she later requested part-time status and was reduced to \$6.00 per hour. A male part-time coworker earned \$7.00 per hour, prompting Sprow to file a sex-discrimination complaint alleging discriminatory part-time pay. The administrative proceedings later expanded to address alleged discrimination in full-time wages, although that theory was not expressly pleaded in the original complaint or pre-hearing order.

PROCEDURAL HISTORY

Sprow filed a discrimination complaint with the Montana Department of Labor and Industry alleging that CEnTech paid her less than a male part-time coworker. The Hearings Bureau found in her favor, including a full-time wage-discrimination theory that was not expressly alleged in the original complaint. After remand and further proceedings, the Human Rights Commission again ruled for Sprow. The Eighteenth Judicial District Court reversed, concluding that the full-time issue was not pleaded and that the agency exceeded its authority; the Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Campbell v. Garden City Plumbing and Heating, Inc., 2004 MT 231, 322 Mont. 434, 97 P.3d 546

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