

THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

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MASSACHUSETTS COMMISSION  
AGAINST DISCRIMINATION  
and ANA ANDINO,  
ET AL,

Complainants

v.

95-SEM-0046 et al.

MASSACHUSETTS DEPARTMENT OF  
TRANSITIONAL ASSISTANCE,  
Respondent

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DECISION OF THE FULL COMMISSION

This matter came before us following a decision of Hearing Officer Kenneth B. Grooms in favor of the Respondent. Following an evidentiary hearing, the Hearing Officer concluded that Respondent did not engage in unlawful discrimination with respect to the class of Complainants in this matter. Complainants then filed a timely appeal to the Full Commission.

The responsibilities of the Full Commission are outlined by statute, the Commission's Rules of Procedure (804 CMR 1.00 *et seq.*) and relevant case law. It is the duty of the Full Commission to review the record of proceedings before the Hearing Commissioner or Hearing Officer. M.G.L. c. 151B, §5. The Hearing Officer's findings of fact must be supported by substantial evidence, which is defined as "...such evidence as a reasonable mind might accept as adequate to support a finding..." Katz v. MCAD, 365 Mass. 357, 365 (1974); M.G.L. c. 30A. It is the responsibility of the Hearing Officer to evaluate the credibility of witnesses and to weigh the evidence when deciding disputed questions of fact, and the Full Commission defers to these