

9-12-01

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

FILED

02 FEB 13 AM 9:04

Betty J. Davis-Gavin

DWD-CLOS  
AT

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

Petitioner,

EEOC Case NO: 15D970759  
FCHR Case NO: 97-J111  
DOAH Case NO: 01-2204  
FCHR Order NO: 01-071

v.

Wal-Mart Stores Inc.

Respondent.

02 FEB 11 AM 10:08

RECEIVED  
FLORIDA COMMISSION ON  
HUMAN RELATIONS

FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

Petitioner filed a Charge of Discrimination and a Petition for Relief on the bases of race when she was discharged from her job for refusing to cooperate with law enforcement officials during a theft investigation.

A hearing by an Administrative Law Judge was held who recommended that the Petition be dismissed because no discrimination was proven, and the reason for her discharge was not pre-textual.

No exceptions by Petitioner can be found in the file. The Judges Recommend Order refers to the record being transmitted. No transcript is found in the Commission file. A transcript is not needed to decide this case, because exceptions were not filed. In Petitioner's Charge of Discrimination she claims she was discharged because she was accused of theft, and in her Petition For Relief modifies that by claiming she was discharged for not aiding law enforcement officials.

The Judge's Findings of Fact and Conclusions of Law are accepted because there is competent substantial evidence to support the Judge's findings of fact and there is no recognizable error of law as applied to the facts of the case.

### Dismissal

The Petition for Relief is hereby dismissed.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive a notice of appeal within 30 days of the date this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate procedure, Rule 9.110.

DONE AND ORDERED THIS 11<sup>th</sup> DAY OF February 2002  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS

Commissioner Roosevelt Paige, Panel Chairperson  
Commissioner Gayle Cannon  
Commissioner Donna Elam

Filed this 11<sup>th</sup> day of February 2002  
2001

In Tallahassee, Florida.

*Violet Crawford*

Violet Crawford, Clerk

Florida Commission on Human Relations  
325 John Knox Road, Bldg. F, Suite 240  
Tallahassee, FL 32303-4149  
(850) 488-7082

## NOTICE TO COMPLAINANT/ PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

### Copies Furnished:

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Administrative Law Judge, Don W. Davis