

11-28-01

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

AT

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TERRY B. HILLMAN,

EEOC Case No. 15D970931

Petitioner,

FCHR Case No. 97-S145

v.

DOAH Case No. 01-2904

CHEM-POLYMER CORPORATION,

FCHR Order No. 02-002

Respondent.

WFG-Closed

FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

Preliminary Matters

Petitioner Terry B. Hillman filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1995), alleging that Respondent Chem-Polymer Corporation committed an unlawful employment practice on the basis of Petitioner's age when it terminated Petitioner from his position.

Petitioner filed a Petition for Relief from an Unlawful Employment Practice and the Commission transmitted the case to the Division of Administrative Hearings for the conduct of a formal proceeding.

Prior to the conduct of a formal proceeding, Administrative Law Judge William F. Quattlebaum issued a Recommended Order of Dismissal, dated August 25, 2000.

The Commission issued an Order Remanding Petition for Relief From an Unlawful Employment Practice, filed on May 23, 2001.

An evidentiary hearing was held telephonically in Ft. Myers and Tallahassee, Florida, on October 10, 2001, before Judge Quattlebaum.

Judge Quattlebaum issued a Recommended Order of dismissal, dated November 28, 2001.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Recommended Order.

Findings of Fact

A transcript of the proceeding before the Administrative Law Judge was not filed with the Commission.

We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

We find the Administrative Law Judge's application of the law to the facts to result in a correct disposition of the matter.

We adopt the Administrative Law Judge's conclusions of law.

Exceptions

Neither party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

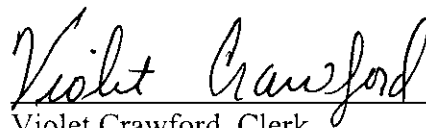
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

The parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive 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 9.110.

DONE AND ORDERED this 20th day of March, 2002.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

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

Filed this 20th day of March, 2002,
in Tallahassee, Florida.



Violet Crawford, Clerk
Commission on Human Relations
325 John Knox Rd., Bldg. K
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 to:

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William F. Quattlebaum, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel