

3-22-02

A+

02 SEP -6 AM 9:11  
FILED  
DIVISION OF ADMINISTRATIVE  
HEARINGS

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

CLYDE A. JEFFERSON,

EEOC Case No. N/A

Petitioner,

FCHR Case No. 97-2710

v.

DOAH Case No. 01-3670

LINK-CWS

RYAN COMPANIES,

FCHR Order No. 02-047

Respondent.

FINAL ORDER DISMISSING PETITION FOR  
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

Preliminary Matters

Petitioner Clyde A. Jefferson 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 Ryan Companies committed an unlawful employment practice on the basis of Petitioner's disability (brace worn on left leg), when it terminated Petitioner from his position.

The allegations set forth in the complaint were investigated, and, on August 2, 2001, the Executive Director issued his determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

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

An evidentiary hearing was held in Fort Lauderdale, Florida, on January 23, 2002, before Administrative Law Judge Linda M. Rigot.

Judge Rigot issued a Recommended Order of dismissal, dated March 22, 2002.

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

We find the Administrative Law Judge's findings of fact to be supported by competent substantial evidence.

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

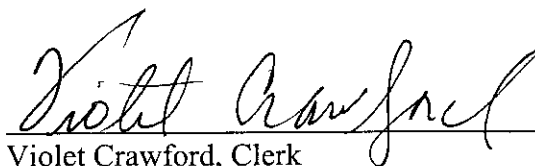
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 5<sup>th</sup> day of September, 2002.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Keith Roberts, Panel Chairperson;  
Commissioner Juan Montes; and  
Commissioner Aletta Shutes

Filed this 5<sup>th</sup> day of September, 2002,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
(850) 488-7082