

5-30-01

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

ALLISON M. HUTH,

AT

EEOC Case No. NMB

Petitioner,

FCHR Case No. 99-U1327

v.

DOAH Case No. 00-4633 mmp-clws

NATIONAL ADMARK CORPORATION,

FCHR Order No. 01-050

Respondent.

FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE

Preliminary Matters

Petitioner Allison M. Huth filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1997), alleging that Respondent National Admark Corporation, committed an unlawful employment practice on the basis of Petitioner's sex (female/sexual harassment) when Petitioner was subjected to sexual harassment in the workplace.

The allegations set forth in the complaint were investigated, and, on October 12, 2000, 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 on January 30, 2001, in Ft. Lauderdale, Florida, before Administrative Law Judge Michael M. Parrish.

Judge Parrish issued a Recommended Order of dismissal, dated May 30, 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 25 day of September, 2001.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Aristides Sosa, Panel Chairperson;
Commissioner Sharon Ofuani; and
Commissioner Keith Roberts

Filed this 25 day of September, 2001,
in Tallahassee, Florida.



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