

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

ALEJANDRO LORENZO,

EEOC Case No. 510200701345

Petitioner,

FCHR Case No. 2008-00896

v.

DOAH Case No. 08-1433

MIAMI-DADE COUNTY,

FCHR Order No. 09-105

Respondent.

2009 NOV 25 A 10 33
DIVISION OF
ADMINISTRATIVE
HEARINGS
FILED

**FINAL ORDER DISMISSING PETITION FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Preliminary Matters

Petitioner Alejandro Lorenzo filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2005), alleging that Respondent Miami-Dade County committed an unlawful employment practice on the basis of Petitioner's National Origin (Hispanic) by demoting Petitioner from the position of Waste Truck Driver to the position of Waste Collector.

The allegations set forth in the complaint were investigated by the Equal Employment Opportunity Commission.

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 by video teleconference at sites in Tallahassee and Miami, Florida, on April 27, 2009, before Administrative Law Judge Robert E. Meale.

Judge Meale issued a Recommended Order of dismissal, dated September 11, 2009.

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 of the parties 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 24th day of November, 2009.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Mario M. Valle, Panel Chairperson;
Commissioner Gayle Cannon; and
Commissioner Patty Ball Thomas

Filed this 24th day of November, 2009,
in Tallahassee, Florida.



Violet Crawford, Clerk
Commission on Human Relations
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Copies furnished to:

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Robert E. Meale, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 24th day of November, 2009.

By: *Violet Crawford*
Clerk of the Commission
Florida Commission on Human Relations