

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

FILED
2009 JUN -11 A 10:58
DIVISION OF
ADMINISTRATIVE
HEARINGS

MAUREEN KUCHAR,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2008-00384

v.

DOAH Case No. 08-2578

CREDITORS INTERCHANGE, LLC,

FCHR Order No. 09-046

Respondent.

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

Preliminary Matters

Petitioner Maureen Kuchar 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 Creditors Interchange, LLC, committed unlawful employment practices on the bases of Petitioner's age (DOB: 4-28-55) and sex (female) by subjecting Petitioner to harassment (including sexual harassment) and age-specific jokes, thereby creating a hostile work environment and resulting in Petitioner's constructive discharge. Petitioner also alleged unlawful retaliation.

The allegations set forth in the complaint were investigated, and, on April 22, 2008, 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 by video teleconference at sites in Tallahassee and Lauderdale Lakes, Florida, on November 24, 2008, before Administrative Law Judge Eleanor M. Hunter.

Judge Hunter issued a Recommended Order of dismissal, dated March 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 party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

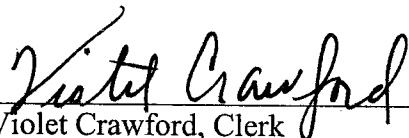
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 3rd day of June, 2009.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Gilbert M. Singer, Panel Chairperson;
Commissioner Onelia A. Fajardo; and
Commissioner Anice R. Prosser

Filed this 3rd day of June, 2009,
in Tallahassee, Florida.



Violet Crawford, Clerk
Commission on Human Relations
2009 Apalachee Parkway, Suite 200
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Copies furnished to:

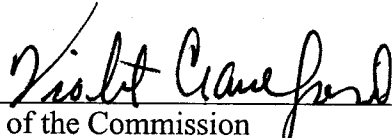
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300 South Orange Avenue, Suite 1300
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Eleanor M. Hunter, Administrative Law Judge, DOAH

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 3rd day of June, 2009.

By: 
Clerk of the Commission
Florida Commission on Human Relations