

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

MAURICE G. HARGROVE, SR.,

EEOC Case No. 15D201600185

Petitioner,

FCHR Case No. 2016-00313

v.

DOAH Case No. 16-3635

AMERICAN STAFF MANAGEMENT, INC.,

FCHR Order No. 16-061

Respondent.

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

Preliminary Matters

Petitioner Maurice G. Hargrove, Sr., filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2014), alleging that Respondent American Staff Management, Inc., committed unlawful employment practices on the basis of Petitioner's disability by failing to provide Petitioner a reasonable accommodation and by terminating Petitioner from employment.

The allegations set forth in the complaint were investigated, and, on June 15, 2016, the Executive Director issued a 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.

The matter was assigned to Administrative Law Judge Garnett W. Chisenhall.

Prior to an evidentiary hearing in the case, Judge Chisenhall considered Respondent's motion to dismiss.

In response to Respondent's motion to dismiss, Judge Chisenhall issued a Recommended Order of Dismissal, dated September 28, 2016, finding that by executing a "General Release of All Claims," Petitioner released Respondent from the claim that was the basis of Petitioner's charge of discrimination.

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

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 of Dismissal.

Dismissal

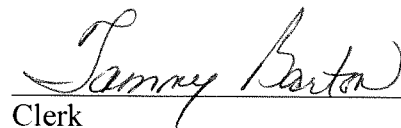
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 8 day of December, 2016.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Rebecca Steele, Panel Chairperson;  
Commissioner Derick Daniel; and  
Commissioner Gilbert M. Singer

Filed this 8 day of December, 2016,  
in Tallahassee, Florida.

  
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Clerk  
Commission on Human Relations  
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Copies furnished to:

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Garnett W. Chisenhall, 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 8 day of December, 2016.

By: Tommy Burton  
Clerk of the Commission  
Florida Commission on Human Relations