

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

DAVID RIGGINS,

EEOC Case No. 15D201700119

Petitioner,

FCHR Case No. 2017-00091

v.

DOAH Case No. 17-3106

HILLSBOROUGH COUNTY,

FCHR Order No. 18-010

Respondent.

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

Preliminary Matters

Petitioner David Riggins filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2016), alleging that Respondent Hillsborough County, committed unlawful employment practices on the basis of Petitioner's disability by failing to return Petitioner to his former position, decreasing his salary, and retaliating against him.

The allegations set forth in the complaint were investigated, and, on May 12, 2017, 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.

An evidentiary hearing was held by video teleconference at sites in Tampa and Tallahassee, Florida, on October 3, 2017, before Administrative Law Judge J. Bruce Culpepper.

Judge Culpepper issued a Recommended Order of dismissal, dated November 29, 2017.

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 8 day of February, 2018.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Rebecca Steele, Panel Chairperson;
Commissioner Derick Daniel; and
Commissioner Jay Pichard

Filed this 8 day of February, 2018 in
Tallahassee, Florida.

Sammy Barton

Clerk
Commission on Human Relations
4075 Esplanade Way, Room 110
Tallahassee, FL 32399
(850) 488-7082

COPIES FURNISHED:

David Riggins
1052 Axlewood Circle
Brandon, Florida 33511

Hillsborough County
c/o Stephen M. Todd, Esquire
Hillsborough County Attorney's Office
Post Office Box 1110
Tampa, Florida 33601

J. Bruce Culpepper, Administrative Law judge

Radhika Puri, 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 February, 2018.

By: Jammy Bartow
Clerk of the Commission
Florida Commission on Human Relations