

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

AMPARO ECHARTE,

EEOC Case No. 15D201700157

Petitioner,

FCHR Case No. 2017-00198

v.

DOAH Case No. 17-3267

FRONTGATE,

FCHR Order No. 17-076

Respondent.

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

Preliminary Matters

Petitioner Amparo Echarte 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 Frontgate committed an unlawful employment practice by terminating Petitioner from employment in retaliation for Petitioner's filing of a Worker's Compensation claim.

The allegations set forth in the complaint were investigated, and, on May 25, 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.

The case was assigned to Administrative Law Judge Robert L. Kilbride.

Upon consideration of "Respondent's Motion to Dismiss for Lack of Jurisdiction," Judge Kilbride issued a Recommended Order of Dismissal and Notice of Cancellation of Hearing, dated July 28, 2017.

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

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 and Notice of Cancellation of Hearing.

Dismissal

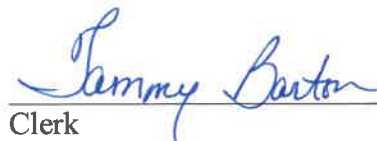
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 12 day of October, 2017.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Rebecca Steele, Panel Chairperson;
Commissioner Derick Daniel; and
Commissioner Latanya Peterson

Filed this 12 day of October, 2017,
in Tallahassee, Florida.



Clerk
Commission on Human Relations
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Copies furnished to:

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Tampa, FL 33602

Robert L. Kilbride, 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 12 day of October, 2017.

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