



FCHR STATEMENT OF AGENCY ORGANIZATION AND OPERATION [ALL-IN-ONE DOCUMENT]

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FCHR STATEMENT OF AGENCY ORGANIZATION AND OPERATION

AUTHOR: *Florida Commission on Human Relations*

LINK: <http://fchr.state.fl.us>



0 | FRONT MATTER

**THE FLORIDA COMMISSION ON HUMAN RELATIONS
STATEMENT OF AGENCY ORGANIZATION AND OPERATION**

Betty Easley Conference Center

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(Florida Commission on Human Relations)



1 | INTRO

The Florida Commission on Human Relations (FCHR or Commission) is responsible for receiving, investigating, seeking to conciliate, holding hearings on and acting upon complaints alleging discriminatory practices in employment, public accommodations and housing, as well as retaliation against state employee whistle blowers. The FCHR is comprised of a Chair, a Vice Chair and 10 members (commissioners) appointed for four-year terms by the Governor and subject to confirmation by the Florida Senate. The commissioners appoint an executive director, who may employ such other personnel as is necessary to adequately perform the functions of the FCHR within budgetary limitations. The FCHR is funded by both General Revenue and Trust Fund dollars. The FCHR is administratively assigned to the Department of Management Services; however, it is not subject to the control, supervision or direction of the department and operates as an independent agency.

The FCHR acts upon complaints alleging any discriminatory practice, as defined by the Florida Civil Rights Act of 1992 (Part I, Chapter 760, Florida Statutes), the Florida Fair Housing Act (Part II, Chapter 760, Florida Statutes) and the Whistle-blower's Act (section 112.31895, Florida Statutes). The FCHR is the entry point into the administrative process for these claims. After the FCHR issues a determination regarding whether there is reasonable cause to believe that discrimination has occurred, complainants may file a petition for relief for an evidentiary hearing before an administrative law judge (ALJ) at the Division of Administrative Hearings (DOAH). Once the ALJ issues a recommended order, the FCHR will issue its final order. An adversely affected party may appeal to the appropriate District Court of Appeal for appellate review. For whistle-blower complaints, the complainant, after receipt of a Notice of Termination of the Investigation, may file a complaint against the employer-agency regarding the alleged prohibited personnel action with the Public Employees Relations Commission. Judicial review of any final order of the FCHR shall be as provided in section 120.68, Florida Statutes.

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2 | CLERK OF THE COMMISSION AND GENERAL INFORMATION

The Clerk of the Commission receives and maintains all legal documents filed with the FCHR; assembles, certifies and transmits records to administrative and appellate courts for review; and responds to requests for information. Tammy Barton is the Clerk of the Commission. The Clerk of the Commission can be reached at: 4075 Esplanade Way, Room 110, Tallahassee, Florida 32399; (850) 488-7082; tammy.barton@fchr.myflorida.com.

All complaints, petitions for relief, and appeals from final Commission action may be mailed, sent by facsimile to (850) 487-1007 or emailed to fchrinfo@fchr.myflorida.com. The party who elects to file a document by electronic transmission shall be responsible for any delay, disruption or interruption of the electronic signals and must accept full risk that the document may not be properly filed with the Commission as a result. The filing date for an electronically transmitted document shall be the date the Commission receives the complete document. Any document received by the Clerk or other agent of the Commission after 5:00 p.m. (Eastern Time) shall be filed as of 8:00 a.m. on the next regular business day. The location of the principal office of the Commission is: 4075 Esplanade Way, Room 110, Tallahassee, Florida 32399. The office is open from 8:00 a.m. to 5:00 p.m. (Eastern Time) of each business day.

All requests for specific forms, information or answers to any questions may be directed to the Office of Customer Service. Telephonic inquiries may be made at (850) 488-7082, and requests may also be emailed to fchrinfo@fchr.myflorida.com.

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3 | STATUTORY PROVISIONS AND RULES

The following statutory chapters and rule chapters directly govern FCHR proceedings:

- (a) Florida Civil Rights Act of 1992, sections 760.01-760.11 and 509.092, Florida Statutes;
- (b) Whistle-blower's Act, sections 112.3187-112.31895, Florida Statutes;
- (c) Fair Housing Act, sections 760.20-760.37, Florida Statutes;
- (d) Section 760.60, Florida Statutes;
- (e) Chapter 120, Florida Statutes; and
- (f) Florida Administrative Code Chapter 60Y

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4 | INSPECTION AND COPYING OF RECORDS

Pursuant to chapter 119, Florida Statutes, public records which are not otherwise confidential may be inspected during normal business hours. All complaints filed with the FCHR and all records and documents in the custody of the FCHR which relate to and identify a particular person, including a complainant, employer, employment agency, labor organization or joint labor-management committee shall be confidential and shall not be disclosed by the FCHR, except to the parties. This restriction does not apply to any record or document which is part of the records of any hearing or court proceeding. Copies will be furnished upon payment, as provided in chapter 119, Florida Statutes. Final Orders may be reproduced from the FCHR's website: http://fchr.state.fl.us/complaints__1/final_orders, or the official records docket at DOAH's website: www.doah.state.fl.us.

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5 | PUBLIC ACCESS TO PROCEEDINGS

Except where restricted by law, all meetings of the FCHR's Commissioners are open to the public.

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APPENDIX



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ORIGINAL SOURCE

<u>#</u>	<u>Item</u>	<u>Link</u>
1	Original Source	FCHR.MyFlorida.com

INTERACTIVE VERSION

<u>#</u>	<u>Item</u>	<u>Link</u>
1	Web	TextBookDiscrimination.com/Handbooks/FCHR/Org/AllInOne

ADDITIONAL RESOURCES

<u>#</u>	<u>Item</u>	<u>Link</u>
1	Charges	TextBookDiscrimination.com/Reports/COD/
2	Determinations	TextBookDiscrimination.com/Reports/D/
3	PFRs	TextBookDiscrimination.com/Reports/PFR/
4	Recommended Orders	TextBookDiscrimination.com/Reports/RO/
5	Final Orders	TextBookDiscrimination.com/Reports/FO/

CONTACT INFORMATION

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Congratulations! You're now **booked up** on the **FCHR's Statement of Agency Organization and Operation!**

