

50 FAR 236 | 12/5/2024 | NOTICE OF RULE CHANGE

DEPARTMENT DEPARTMENT OF MANAGEMENT SERVICES

AGENCY FLORIDA COMMISSION ON HUMAN RELATIONS

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RULE NO 60Y-4.016

TITLE Assignment of Hearings

NOTICE Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 50 No. 200, October 11, 2024 issue of the Florida Administrative Register.



FULL TEXT OF THE RULE CHANGE

60Y-4.016 Assignment of Hearings.

(1) A hearing upon a Petition for Relief from an Unlawful Employment Practice, a Housing Discrimination Practice or a Public Accommodation Practice, pursuant to Rules 60Y-5.008, 60Y-8.001 and 60Y-10.005, F.A.C., respectively shall be conducted by an Administrative Law Judge designated by the Division of Administrative Hearings unless, prior to service of the Notice of Hearing pursuant to Rule 60Y-4.021, F.A.C., the Chairperson or Chair of the Panel designates a Commissioner as the hearing officer or directs that the hearing be conducted by the Commission or Panel, in the instance of employment and public accommodation discrimination cases in which a Notice of Determination of Reasonable Cause has been issued, or directs the hearing be conducted by an employee of the Commission, in the instance of a housing discrimination case. ~~The Commission, a Panel, or a Commissioner can hear an employment or public accommodations case (instead of an ALJ) if the Commission has issued a "cause" determination — Section 760.11(6), F.S. An employee of the Commission could be assigned to hear a housing discrimination case (instead of an ALJ) — Section 760.30(2), F.S.~~

(2) No change.

(3) No change.

Rulemaking Authority 760.06(12), 760.11(14), 760.31(5) FS.
 Law Implemented 120.53, 760.03(5), 760.06, 760.11(6), 760.30(2) FS.
 History-New 11-2-78, Formerly 9D-8.16, Amended 2-4-82, 6-16-83, Formerly 22T-8.16, 22T-8.016, Amended 2-5-04, ____.

