

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

FILED

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GLORIA J. BIAS-GIBBS,

Petitioner,

v.

JUPITER MEDICAL CENTER,

Respondent.

EEOC Case No.

FCHR Case No. 2007-00741

DOAH Case No. 07-4785

FCHR Order No. 08-042

DIVISION OF  
ADMINISTRATIVE  
HEARINGS

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

Preliminary Matters

Petitioner Gloria J. Bias-Gibbs filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2005), alleging that Respondent Jupiter Medical Center committed unlawful employment practices on the basis of Petitioner's race (African American) by subjecting Petitioner to different terms and conditions of employment than white employees; by subjecting Petitioner to disparate treatment with regard to promotional advancement, training, transfers, and pay; by placing Petitioner under closer scrutiny than white employees; and, as a result of this treatment, by compelling Petitioner to resign from her job.

The allegations set forth in the complaint were investigated, and, on September 13, 2007, the Executive Director issued his 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 Tallahassee and West Palm Beach, Florida, on December 11, 2007, before Administrative Law Judge John G. Van Laningham.

Judge Van Laningham issued a Recommended Order of dismissal, dated April 24, 2008.

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 party 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<sup>th</sup> day of July, 2008.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Donna Elam, Panel Chairperson;  
Commissioner Anice R. Prosser; and  
Commissioner Mario M. Valle

Filed this 8<sup>th</sup> day of July, 2008,  
in Tallahassee, Florida.



Violet Crawford, Clerk  
Commission on Human Relations  
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John G. Van Laningham, 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<sup>th</sup> day of July, 2008.

By: *Violet Crawford*  
Clerk of the Commission  
Florida Commission on Human Relations