

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

FILED
2010 OCT 27 A 11: 52
DIVISION OF
ADMINISTRATIVE
HEARINGS

PETA-GAYE MORRIS,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2009-01308

v.

DOAH Case No. 10-1797

AIRTRAN AIRWAYS, INC.,

FCHR Order No. 10-082

Respondent.

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

Preliminary Matters

Petitioner Peta-Gaye Morris filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2007), alleging that Respondent AirTran Airways, Inc., committed unlawful employment practices on the bases of Petitioner's race (Black) and retaliation by subjecting Petitioner to different terms and conditions of employment and by terminating Petitioner.

The allegations set forth in the complaint were investigated, and, on July 31, 2009, 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 Lauderdale Lakes and Tallahassee, Florida, on July 9, 2010, before Administrative Law Judge Edward T. Bauer.

Judge Bauer issued a Recommended Order of dismissal, dated August 18, 2010.

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 26th day of October, 2010.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Donna Elam, Panel Chairperson;
Commissioner Darcell Streeter; and
Commissioner Mario M. Valle

Filed this 26th day of October, 2010,
in Tallahassee, Florida.



Violet Crawford, Clerk
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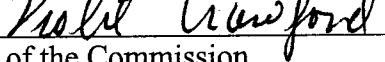
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Edward T. Bauer, Administrative Law Judge, DOAH

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 26th day of October, 2010.

By: 
Clerk of the Commission
Florida Commission on Human Relations