

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

DORETHA PEARSON,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2012-00419

v.

DOAH Case No. 12-1702

MRMC-MUNROE REGIONAL
HEALTH SYSTEMS, INC.,

FCHR Order No. 13-039

Respondent.

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

Preliminary Matters

Petitioner Doretha Pearson filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2010), alleging that Respondent MRMC-Munroe Regional Health Systems, Inc., committed unlawful employment practices on the bases of Petitioner's race (not identified in the complaint, but in the Amended Recommended Order found to be African-American), color, disability, and on the basis of retaliation when it terminated Petitioner from employment.

The allegations set forth in the complaint were investigated, and, on May 10, 2012, 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.

An evidentiary hearing was held in Ocala, Florida, on October 9, 2012, before Administrative Law Judge Barbara J. Staros.

Judge Staros issued a Recommended Order of dismissal, dated December 11, 2012.

The Commission issued an "Order Remanding Case to Administrative Law Judge for Re-Issuance of Recommended Order," FCHR Order No. 13-015, dated February 26, 2013, remanding the case to the Administrative Law Judge because of concerns over the correctness of the address to which the Recommended Order had been mailed to Petitioner.

Judge Staros re-issued the order, now entitled, "Amended Recommended Order," dated February 26, 2013.

The Commission panel designated below considered the record of this matter and determined the action to be taken on the Amended 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 Amended 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 8th day of May, 2013.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Gilbert M. Singer, Panel Chairperson;
Commissioner Michell Long; and
Commissioner Mario M. Valle

Filed this 8th day of May, 2013,
in Tallahassee, Florida.

_____/s/_____
Violet Crawford, Clerk
Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, FL 32301
(850) 488-7082

Copies furnished to:

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450 East Las Olas Boulevard, Ste. 800
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Barbara J. Staros, 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 8th day of May, 2013.

By: _____/s/_____
Clerk of the Commission
Florida Commission on Human Relations