

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

VANESSA WILLIAMS,

EEOC Case No. NONE

Petitioner,

FCHR Case No. 2012-00828

v.

DOAH Case No. 12-2958

CRACKER BARREL OLD COUNTRY
STORE,

FCHR Order No. 14-012

Respondent.

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

Preliminary Matters

Petitioner Vanessa Williams filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2011), alleging that Respondent Cracker Barrel Old Country Store committed unlawful employment practices on the bases of Petitioner's race (Black) and National Origin (not specified in complaint) by harassing Petitioner, by treating employees outside Petitioner's protected classes more favorably, by denying Petitioner promotion and by terminating Petitioner from employment.

The allegations set forth in the complaint were investigated, and, on July 25, 2012, the Executive Director issued a determination finding that there was 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 Jacksonville, Florida, on March 19 and 20, 2013, before Administrative Law Judge Lawrence P. Stevenson.

Judge Stevenson issued a Recommended Order of dismissal, dated January 30, 2014.

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 16th day of April, 2014.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Mario M. Valle, Panel Chairperson;
Commissioner Tony Jenkins; and
Commissioner Rebecca Steele

Filed this 16th day of April, 2014,
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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Cracker Barrel Old Country Store
c/o John E. Duvall, Esq.
c/o R. Michelle Tatum, Esq.
Ford and Harrison, LLP
Post Office Box 41566
Jacksonville, FL 32203

Lawrence P. Stevenson, 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 16th day of April, 2014.

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