

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

TINA GAINNEY,

EEOC Case No. 15D201700251

Petitioner,

FCHR Case No. 2017-00390

v.

DOAH Case No. 17-4689

PARALLON ENTERPRISES LLC-HSC
ORANGE PARK,

FCHR Order No. 18-027

Respondent.

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

Preliminary Matters

Petitioner Tina Gainey filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2016), alleging that Respondent Parallon Enterprises LLC-HSC Orange Park committed unlawful employment practices on the basis of Petitioner's national origin (Hispanic) by failing to promote Petitioner and by failing to provide training to Petitioner.

Prior to the issuance of an investigatory determination by the Commission, 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 Pensacola and Tallahassee, Florida, on December 19, 2017, before Administrative Law Judge Garnett W. Chisenhall.

Judge Chisenhall issued a Recommended Order of dismissal, dated March 5, 2018.

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

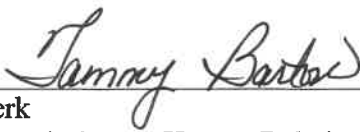
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 17 day of May, 2018.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Tony Jenkins, Panel Chairperson;
Commissioner Latanya Peterson; and
Commissioner Gilbert M. Singer

Filed this 17 day of May, 2018,
in Tallahassee, Florida.


Clerk
Commission on Human Relations
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Copies furnished to:

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Orange Park
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Messer Caparello, P.A.
2618 Centennial Place
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Garnett W. Chisenhall, 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 17 day of May, 2018.

By: Tammy Barton
Clerk of the Commission
Florida Commission on Human Relations