

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

DEBBIE SMITH,

Petitioner,

FCHR Case No. 2018-05285

v.

DOAH Case No. 18-5292

ESCAMBIA COUNTY CLINIC (ECC)  
d/b/a COMMUNITY HEALTH NORTHWEST  
FLORIDA,

FCHR Order No. 19-031

Respondent.

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

Preliminary Matters

Petitioner Debbie Smith 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 Escambia County Clinic (ECC) d/b/a Community Health Northwest Florida, committed unlawful employment practices on the basis of Petitioner's race, religion, age, and disability by terminating Petitioner's employment.

The allegations set forth in the complaint were investigated, and, on August 28, 2018, 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 by video teleconference at sites in Pensacola and Tallahassee, Florida, on December 3, 2018, before Administrative Law Judge Garnett Chisenhall.

Judge Chisenhall issued a Recommended Order of dismissal, dated February 15, 2019.

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 16 day of May, 2019.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Mario Garza;  
Commissioner Latanya Peterson, Panel Chairperson; and  
Commissioner Jay Pichard

Filed this 16 day of May, 2019 in  
Tallahassee, Florida.

Tammy Barton  
Clerk  
Commission on Human Relations  
4075 Esplanade Way, Room 110  
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COPIES FURNISHED:

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Pensacola, Florida 32503

Escambia County Clinic (ECC)  
d/b/a Community Health Northwest Florida  
c/o Elmer C. Ignacio, Esquire  
Sniffen & Spellman, P.A.  
123 North Monroe Street  
Tallahassee, Florida 32301

Garnett Chisenhall, Administrative Law judge

Radhika Puri, Legal Advisor Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 16 day of May, 2019.

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