

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

HOWARD B. WILLIAMS,

EEOC Case No. N/A

Petitioner,

FCHR Case No. 2018-03071

v.

DOAH Case No. 18-5953

CRST TRUCKING CO. – CRST  
EXPEDITED,

FCHR Order No. 19-034

Respondent.

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

Preliminary Matters

On October 6, 2017, Petitioner Howard B. Williams filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2017), alleging that Respondent CRST Trucking Co.-CRST Expedited, committed an unlawful employment practice against Petitioner based on his age, by failing him on his medical examination and subsequently not re-hiring him.

The allegations set forth in the complaint were investigated, and, on July 5, 2018, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

On July 16, 2018, Petitioner filed a Petition for Relief from an Employment Practice, and the case was transmitted to the Division of Administrative Hearings on November 14, 2018, for the conduct of a formal proceeding.

An evidentiary hearing was held via webcast and a telephone conference in Morganton, North Carolina, and Tallahassee, Florida, on January 17, 2019, before Administrative Law Judge Garnett W. Chisenhall.

Judge Chisenhall issued a Recommended Order of dismissal, dated February 26, 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 party filed exceptions to the Administrative Law Judge's Recommended Order.

Dismissal

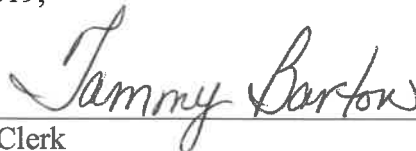
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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

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



Clerk

Commission on Human Relations  
4075 Esplanade Way, Room 110  
Tallahassee, FL 32399  
(850) 488-7082

Copies furnished to:

Howard Williams  
2471 Watering Place  
Morganton, North Carolina 28655

CRST Trucking Co. – CRST Expedited  
c/o Elizabeth B. Burgess, Esquire  
Carr Allison PA  
305 South Gadsden Street  
Tallahassee, Florida 32301

Garnett W. Chisenhall, Administrative Law Judge, DOAH

Sarah Stewart, Legal Advisor for 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: Jimmy Barton  
Clerk of the Commission  
Florida Commission on Human Relations