

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

FRANCESCA THOMAS,

EEOC Case No. 15D201900024

Petitioner,

FCHR Case No. 2019-14524

v.

DOAH Case No. 19-3195

SMA BEHAVIORAL HEALTH, INC.,

FCHR Order No. 21-010

Respondent.

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

Preliminary Matters

On September 28, 2018, Petitioner Francesca Thomas filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2018), alleging that Respondent SMA Behavioral Health, Inc., committed an unlawful employment practice against Petitioner on the bases of age, disability, race, and sex.

The allegations set forth in the complaint were investigated, and, on May 7, 2019, the Executive Director issued a determination finding that there was no reasonable cause to believe that an unlawful employment practice had occurred.

On June 11, 2019, Petitioner filed a "Petition for Relief from an Unlawful Employment Practice", pursuing only her disability claim, and the case was transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

A final evidentiary hearing was held in Daytona Beach, Florida, on October 9, 2019, before Administrative Law Judge W. David Watkins.

Judge Watkins issued a Recommended Order, dated December 18, 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

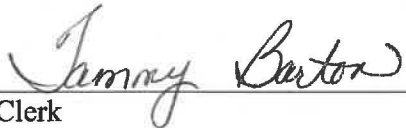
The Petition for Relief and Complaint of Discrimination are DISMISSED with prejudice.

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 25 day of February, 2021.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Larry Hart; and
Commissioner Angela Primiano

Filed this 25 day of February, 2021,
in Tallahassee, Florida.



Clerk

Commission on Human Relations
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Copies furnished to:

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W. David Watkins, 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 25 day of February, 2021.

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