

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

GLEND A BAKER,

EEOC No. 15D201900920

Petitioner,

FCHR No. 201919272

v.

DOAH Case No. 20-4117

COVENANT HOSPICE, INC.,

FCHR Order No. 21-035

Respondent.

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

Preliminary Matters

Petitioner, Glenda Baker, 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, Covenant Hospice, Inc., committed unlawful employment practices on the bases of Petitioner's age (over 40) and race (African American) and also committed retaliation.

The allegations set forth in the complaint were investigated, and, on August 7, 2020, the Executive Director issued an amended 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 on November 19, 2020. Administrative Law Judge Yolanda Y. Green presided over the hearing.

Judge Green issued a Recommended Order, dated February 22, 2021, recommending that the Commission dismiss the Petition for Relief.

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

A transcript of the proceeding before the Administrative Law Judge was filed with the Commission. 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 of appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED this 23 day of June, 2021.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Larry Hart; and
Commissioner Jay Pichard

Filed this 23 day of June, 2021,
in Tallahassee, Florida.

Tammy Barton

Clerk

Commission on Human Relations
4075 Esplanade Way, Room 110
Tallahassee, FL 32399
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Copies furnished to:

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Covenant Hospice, Inc.
c/o Russell F. Van Sickle, Esquire
Beggs & Lane, RLLP
501 Commendencia Street
Pensacola, FL 32502

Yolanda Y. Green, Administrative Law Judge, DOAH

John Scotese, Legal Advisor for Commission Panel

I HEREBY CERTIFY that a copy of the foregoing has been mailed to the above listed addressees this 23 day of June, 2021.

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