

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

JACQUELINE SMITH,

EEOC Case No. 15D202001067

Petitioner,

FCHR Case No. 2021-26160

v.

DOAH Case No. 21-0103

CELLULAR SALES SERVICES GROUP,
LLC,

FCHR Order No. 22-018

Respondent.

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

Preliminary Matters

Jacqueline Smith, Petitioner, filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2019), alleging that Cellular Sales Services Group, LLC, Respondent, committed unlawful employment practices on the bases of Petitioner's disability, national origin, and gender and on the basis of retaliation.

The allegations set forth in the complaint were investigated, and, on December 21, 2020, the Executive Director issued a "Determination: No Reasonable Cause".

On January 11, 2021, 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.

From October 5 through October 7, 2021, a final hearing was conducted before Administrative Law Judge Yolanda Y. Green.

Judge Green issued a Recommended Order of Dismissal, dated December 20, 2021, recommending dismissal of the Petitioner's 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

We find that the Administrative Law Judge's findings of fact are supported by competent and substantial evidence. We adopt the Administrative Law Judge's findings of facts.

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. Accordingly, 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 Employment Discrimination Complaint 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 24 day of February, 2022.

FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Panel Chairperson;
Commissioner Kenyetta Moyé, and
Commissioner Vivian Myrtetus

Filed this 24 day of February, 2022, in Tallahassee, Florida.

Tammy Barton
Clerk
Commission on Human Relations
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Copies furnished to:

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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 24 day of February, 2022.

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