

STATE OF FLORIDA  
COMMISSION ON HUMAN RELATIONS

BONIA BAPTISTE,

EEOC Case No. 15D202100007

Petitioner,

FCHR Case No. 2021-26716

v.

DOAH Case No. 21-1406

DEPARTMENT OF JUVENILE  
JUSTICE,

FCHR Order No. 22-007

Respondent.

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

Preliminary Matters

Bonia Baptiste, Petitioner, filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (2020), alleging that Department of Juvenile Justice, Respondent, committed unlawful employment practices on the bases of Petitioner's race, color, national origin, gender, and age; and on the basis of retaliation.

The allegations set forth in the complaint were investigated, and, on March 31, 2021, the Executive Director issued a "Determination: No Reasonable Cause".

On April 23, 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.

On June 30, 2021 and on July 30, 2021, a final hearing was conducted, via Zoom video conference, before Administrative Law Judge J. Bruce Culpepper.

Judge Culpepper issued a Recommended Order of Dismissal, dated November 22, 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 the Administrative Law Judge's findings of fact to be supported by competent, substantial evidence.

Accordingly, 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

On December 9, 2021, Petitioner filed a document titled "Baptiste's Exceptions to DOAH Recommended Order". The Commission has stated, "It is well settled that it is the Administrative Law Judge's function 'to consider all of the evidence presented and reach ultimate conclusions of fact based on competent substantial evidence by resolving conflicts, judging the credibility of witnesses and drawing permissible inferences therefrom. If the evidence presented supports two inconsistent findings, it is the Administrative Law Judge's role to decide between them.' Beckton v. Department of Children and Family Services, 21 F.A.L.R. 1735, at 1736 (FCHR 1998), citing Maggio v. Martin Marietta Aerospace, 9 F.A.L.R. 2168, at 2171 (FCHR 1986)." Barr v. Columbia Ocala Regional Medical Center, 22 F.A.L.R. 1729, at 1730 (FCHR 1999). Accord, Bowles v. Jackson County Hospital Corporation, FCHR Order No. 05-135 (December 6, 2005) and Eaves v. IMT-LB Central Florida Portfolio, LLC, FCHR Order No. 11-029 (March 17, 2011) and Taylor v. Universal Studios, FCHR Order No. 14-007 (March 26, 2014).

Petitioner's exceptions except to facts found and inferences drawn by the Administrative Law Judge from the evidence. Therefore, Petitioner's exceptions are rejected.

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 27 day of January, 2022.  
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Angela Primiano, Panel Chairperson;  
Commissioner Libby Farmer; and  
Commissioner Larry Hart

Filed this 27 day of January, 2022, in Tallahassee, Florida.

Tammy Barton  
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J. Bruce Culpepper, 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 27 day of January, 2022.

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