

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

LAUREN ALEXIS MITCHELL,

Petitioner,

v.

AEROTEK,

Respondent.

EEOC No. 15D202100624

FCHR No. 202129443

DOAH No. 22-0016

FCHR Order No. 22-043

**FINAL ORDER DISMISSING PETITION FOR RELIEF
FROM A DISCRIMINATORY EMPLOYMENT PRACTICE**

Preliminary Matters

Lauren Alexis Mitchell, 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 Aerotek, Respondent, committed unlawful employment practices on the basis of Petitioner's disability and on basis of retaliation.

The allegations set forth in the complaint were investigated, and on December 6, 2021, the Executive Director issued a "Determination: No Reasonable Cause" in the case.

On January 3, 2022, Petitioner filed a Petition for Relief from an Unlawful Employment Practice transmitted to the Division of Administrative Hearings for the conduct of a formal proceeding.

On March 8, 2022, a hearing was held before Administrative Law Judge Lisa Shearer Nelson, using Zoom technology.

On April 5, 2022, Judge Nelson issued a Recommended Order.

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 not filed with the Commission. In the absence of a transcript of the proceeding before the Administrative Law Judge, the Recommended Order is the only evidence for the Commission to consider. See National Industries, Inc. v. Commission on Human Relations, et al., 527 So. 2d 894, at 897, 898 (Fla. 5th DCA 1988). Accord, Coleman v. Daytona Beach, Ocean Center Parking Garage, FCHR Order No. 14-034 (September 10, 2014), Gantz, et al. v. Zion's Hope, Inc., d/b/a Holy Land Experience, FCHR Order No. 11-048 (June 6, 2011), and Hall v. Villages of West Oaks HOA, FCHR Order No. 08-007 (January 14, 2008).

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

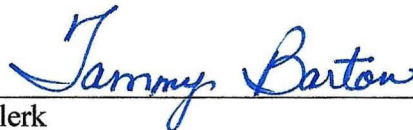
The Petition for Relief and Employment Discrimination Complaint are DISMISSED with prejudice.

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 2 day of June, 2022.
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Darrick McGhee, Chairperson of the Panel;
Commissioner Libby Farmer; and
Commissioner Mario Garza

Filed this 2 day of June, 2022, in Tallahassee, Florida.



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

Copies furnished to:

Lauren Alexis Mitchell
495 Mercury Avenue S.E., Apt 205
Palm Bay, Florida 32909

Aerotek
c/o Nelson Mullins Riley & Scarborough LLP
Lee E. Wedekind, III, Esquire
50 North Laura Street, Suite 4100
Jacksonville, Florida 32202

Aerotek
c/o Mary C. Brisco-Hall, Esquire
Nelson Mullins Riley & Scarborough LLP
100 South Charles Street, Suite 1600
Baltimore, Maryland 21201

Lisa Shearer Nelson, 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 2 day of June, 2022.

By: Jimmy Barta
Clerk of the Commission
Florida Commission on Human Relations