

FLORIDA COMMISSION ON HUMAN RELATIONS

3211 n Knox Road, Suite 240, Building  
Tallahassee, Florida 32303-4149

980095 01-3219 05

CHARGE OF DISCRIMINATION

FCHR No. FILED

(Indicate Mr., Ms., or Mrs.)

Social Security Number: 267-85-0482  
Date of Birth: AUG 15 1954  
8-17-77

Mr. Ahzyha Corey Wallace

Street Address

Home Telephone Number (area code): 407-321-4256  
DIVISION OF ADMINISTRATIVE HEARINGS

1100 Scot Avenue,

City, State, and Zip Code

Work (if possible to call you there)

Sanford, Florida 32771

Name of the employer, labor organization, employment agency, apprenticeship committee, government agency, or other person who discriminated against you.

Name of Employer: Checkers

No. of Employees: 15+

Telephone No. (area code): 407-330-5296

Street Address

City, State, and Zip Code

County: Seminole

4345 S.W. Lake Mary BLVD.

Lake Mary, Florida 32771

TYPE OF DISCRIMINATION BASED ON (Check appropriate box(es))

RACE  COLOR  SEX  RELIGION  DISABILITY   
NATIONAL ORIGIN  AGE  MARITAL STATUS  RETALIATION

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, year) 12-10-96

OTHER PARTICULARS ARE (If additional space is needed, attach extra sheet(s):

Plaintiff was employed by Checkers Restaurant, Lake Mary Blvd., Lake Mary, Florida. Plaintiff believes Checkers engaged in acts of intentional discrimination against him with respect to compensation, terms, conditions and privileges of employment by denying promotional opportunities and transfer opportunities for which he was otherwise qualified and had applied, on the basis of plaintiff's race and color.

RECEIVED  
FLORIDA COMMISSION ON  
HUMAN RELATIONS  
1997 OCT -6 PM 5:02

Amends  
Charge  
of  
Discrim.

I REQUEST TO BE AFFORDED FULL RELIEF TO WHICH I AM ENTITLED TO UNDER THE LAW(S).

I advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SIGNATURE OF COMPLAINANT

DATE 10/3/97

NOTARY- (Required for Filing)  
SUBSCRIBED AND SWORN TO BEFORE ME

Felicia A. Green Personally Known To Me  
OFFICIAL NOTARY SEAL  
FELICIA A GREEN  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC400942  
MY COMMISSION EXP. AUG. 17, 1998

3rd OF October 1997

Ahzyha C. Wallace

**FLORIDA COMMISSION ON HUMAN RELATIONS**

325 John Knox Road, Suite 240, Building F

Tallahassee, Florida 32303-4149

*Robert Mowbray*  
R. Jones  
J. Ready  
**FILED**  
01 AUG 16 AM 8:51  
DIVISION OF ADMINISTRATIVE HEARINGS

<b>CHARGE OF DISCRIMINATION</b>		<b>FCHR No. 98-0095-Amended</b>	
Name (Indicate Mr., Ms., or Mrs.) Mr. Ahzyha Corey Wallace		Social Security Number	Date of Birth
Street Address 1100 Scott Avenue		Home Telephone Number (area code) 407-321-4256	
City, State, and Zip Code Sanford, FL 32771		Work (if possible to call you there)	

List the employer, labor organization, employment agency, apprenticeship committee, government agency, or other person who discriminated against you.

Name Checkers	No. of Employees 15+	Telephone No. (area code) 407-330-5296
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Street Address 4345 SW Lake Mary Blvd.	City, State, and Zip Code Lake Mary, FL 32771	County Seminole
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CAUSE OF DISCRIMINATION BASED ON [Check appropriate box (es)]	DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, year) 12/10/96
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> DISABILITY <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> MARITAL STATUS <input type="checkbox"/> RETALIATION	98 OCT 28

**THE PARTICULARS ARE** (If additional space is needed, attach extra sheet(s):

**I. PERSONAL HARM:**  
On December 10, 1996, I was terminated from my position as a Crewmember. Prior to my termination, I was subjected to different terms and conditions of employment with regard to compensation, and privileges of employment; I also was denied promotional opportunities. After asking for several meetings with manager Kathy, I reported to work early on Dec. 10, 1996. Upon reporting to work, I was sent home + told not to come back until after the investigation of the complaint of being called a nigger. I had a meeting with Kathy approximately 2 weeks later. At this meeting talk of being transferred to the Sanford store was discussed, upon approval of Miguel and Charlotte. When I called the Sanford store on 1/6/97 to find the time to come to work, I was told not to come in. Called Kathy + was then told I was terminated.

**II. RESPONDENT'S REASON FOR PERSONAL HARM:**  
No reason was given.

**III. DISCRIMINATION STATEMENT:**  
I believe I have been discriminated against because of my race, black. I believe my rights have been violated under the Florida Civil Rights Act of 1992 as amended.

- While employed with the company, I inquired about promotional opportunities; I was told by a manager, that, in addition to on-the-job performance, I had to take a test for each stage of promotion. I was required take two tests; initially a passing score was 90% but I after I scored a 90 on the first exam, I was told the passing score was 100%. Subsequently, I was not promoted based on my test performance.
- However, my co-workers, who were not African-American, were promoted despite not scoring required 100% on the exam; they were promoted based on their on-the-job performance.

**I REQUEST TO BE AFFORDED FULL RELIEF TO WHICH I AM ENTITLED TO UNDER THE LAW(S).**

I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SIGNATURE OF COMPLAINANT: *Ahzyha Corey Wallace*  
DATE: *10/26/98*

NOTARY- (Required for Filing)  
SUBSCRIBED AND SWORN TO BEFORE ME  
Sara L Allan  
My Commission CC695074  
Expires November 28, 2001  
*26th* OF *October*, 19 *98*  
*Sara L Allan*

W420-003-77-297-0

STATE OF FLORIDA  
FLORIDA COMMISSION ON HUMAN RELATIONS

FILED

01 AUG 16 AM 8:54

AHZYHA COREY WALLACE,  
Plaintiff,

Case Number FCHR 98-0095  
OF  
ADMINISTRATIVE  
HEARINGS

vs.

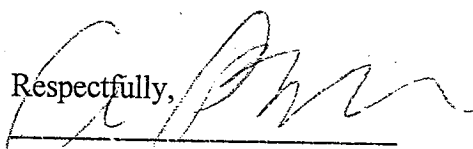
GATES McDONALD & COMPANY,  
A Corporation d/b/a CHECKERS DRIVE-  
IN RESTAURANTS.  
Defendant.

AMENDMENT TO CHARGE OF DISCRIMINATION

COMES NOW, the charging party, Ahzyha Corey Wallace, and, for purposes of clarification, wishes the commission to take note that his charge of discrimination includes not only the compensation, terms, conditions and privileges of employment (pay rate and promotional and transfer opportunities), but also wrongful termination, on the basis of intentional, unlawful discrimination based upon race or color.

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Ken Weiss, Esq., Checkers, Inc., 14255 49<sup>th</sup> Street, North, Building #1, Clearwater, Florida 33762 this the 3rd day of August, 1998

Respectfully,

  
A. CLIFTON BLACK  
903 W. Emmett Street  
Kissimmee, FL. 34741  
407-932-1115  
Fla. Bar No. 145837  
Attorney for Ahzyha Corey Wallace