

**STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS**

| | | |
|--|---|-------------------------|
| PRISCILLA M. YOUNG, |) | EEOC Case No. 15D950718 |
| Petitioner, |) | FCHR Case No. 95-1298 |
| |) | DOAH Case No. 99-000518 |
| vs. |) | FCHR Order No. 01-004 |
| |) | |
| B.A.T. MANAGEMENT FOUNDATION, INC., D/B/A ORLANDO HEALTH CARE CENTER, |) | |
| Respondent |) | |

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

Preliminary Matters

Petitioner Priscilla M. Young filed a complaint of discrimination pursuant to the Florida Civil Rights Act of 1992, Sections 760.01 - 760.11, Florida Statutes (1993), alleging that Respondent BAT Management Foundation, Inc., d/b/a Orlando Health Care Center committed an unlawful employment practice on the basis of retaliation for speaking on behalf of minority employees when it terminated her from her position. The allegations set forth in the complaint were investigated, and, on November 23, 1998, the Executive Director issued his 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 by teleconference, on April 26, 2000, before Administrative Law Judge Arnold H. Pollock, sitting in Tallahassee, Florida, with the parties participating from Orlando, Florida. Judge Pollock issued a Recommended Order of dismissal, dated June 13, 2000. 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. We adopt the Administrative Law Judge's findings of fact.

Conclusions of Law

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.

Exceptions

Neither party 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 to appeal is found in Section 120.68, Florida Statutes, and in the Florida Rules of Appellate Procedure 9.110.

NOTICE TO COMPLAINANT / PETITIONER

As your complaint was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "substantial weight review" by EEOC, you must request it in writing within 15 days of your receipt of this Order.

Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, FL 33131.

DONE AND ORDERED this 8th day of February, 2001
FOR THE FLORIDA COMMISSION ON HUMAN RELATIONS:

Commissioner Clareth Brooks; and
Commissioner Rita Craig; and
Commissioner Sharon Ofuani;

Filed this 8th day of February, 2001,
in Tallahassee, Florida

/s/

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

Copies furnished to:

Priscilla M. Young
312 Lime Avenue
Orlando, FL 3280

Jefferson M. Braswell, Esq.
Scruggs & Carmichael, P.A.
One Southeast First Avenue
P.O. Box 21309
Gainesville, FL 32602

Arnold H. Pollock, Administrative Law Judge, DOAH

James Mallue, Legal Advisor for Commission Panel

By: /s/
Azizi Coleman,
Clerk of the Commission
Florida Commission on Human Relations