

CHAP DISCRIMINATION

Please have the attached by the Attorney General at 1074; See Privacy Act Statement before completing this form.

ENCL	CHARGE NUMBER <i>Per Title VII</i>
<input type="checkbox"/> FEPA	151971004
<input checked="" type="checkbox"/> EEOC	

FLORIDA COMMISSION ON HUMAN REL.
State or local Agency, if any

FILED
00 AUG 14 AM 8:52
ADMINISTRATIVE HEARINGS

NAME (Indicate Mr., Ms., Mrs.) Ms. Florestine Pierce	HOME TELEPHONE (Include Area Code) (813) 247-8006
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STREET ADDRESS 3113 E. 11th Avenue, Tampa, FL 33605	CITY, STATE AND ZIP CODE Tampa, FL 33605
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NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME County Of Hillsborough Sheriff Dept	NUMBER OF EMPLOYEES, MEMBERS Cat B (101-200)	TELEPHONE (Include Area Code) (813) 247-8000
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STREET ADDRESS 2008 8th Avenue, Tampa, FL 33605	CITY, STATE AND ZIP CODE Tampa, FL 33605
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NAME	TELEPHONE NUMBER (Include Area Code)
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STREET ADDRESS	CITY, STATE AND ZIP CODE
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CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))	DATE DISCRIMINATION TOOK PLACE
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)	EARLIEST LATEST 05/28/96 05/28/96 <input type="checkbox"/> CONTINUING ACTION

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

I. PERSONAL HARM:

I was terminated from my position of Detention Deputy on May 28, 1996 for Commission of a Misdemeanor - Injurious to the Sheriff's Office. I have been employed by Respondent since September 1980.

II. RESPONDENT'S REASON(S) FOR ADVERSE ACTION(S):

Sheriff Cal Henderson upheld the decision of the disciplinary board to terminate me.

III. DISCRIMINATION STATEMENT:

I believe I have been discriminated against because of my race (Black) and my sex (female) in violation of Title VII of the Civil Rights Act (Title VII) of 1964, as amended.

<input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - (When necessary for State and Local Requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
I declare under penalty of perjury that the foregoing is true and correct. Date <u>5/11/97</u> Charging Party (Signature)	SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)

FLORIDA

CASE NAME Pierce vs County Of

CITY/COUNTY OF Tampa

CASE NUMBER 151971004

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DIVISION OF
ADMINISTRATIVE
HEARINGS

AFFIDAVIT

I, Florestine Pierce being first duly sworn upon my oath affirm and hereby declare that this
(Name)

I have been given assurances by an Agent of the U.S. Equal Employment Opportunity Commission that this Affidavit will be considered confidential by the United States Government and will not be disclosed as long as the case remains open unless it becomes necessary for the Government to produce the affidavit in a formal proceeding. Upon the closing of this case, the Affidavit may be subject to disclosure in accordance with Agency policy.

I am 40 years of age, my gender is Female and my racial identity is Black.
(sex) (race)

I reside at 3113 E. 11th Avenue
(Number/Street)

City of Tampa, County of _____

State of FL, Zip Code 33605.

My telephone number is (including area code) (813) 247-7106.

My statement concerns County Of Hillsborough Sheriff Dept which is
(Name of Union/Company/Agency)

located at 2008 8th Avenue
(Number/Street)

in Tampa FL 33605
(City) (State) (Zip)

My job classification is (if applicable) Detention Deputy/Baliff
(job title)

My immediate supervisor is (if applicable) Marlyn Nassif,
(Name) (job title)

I was hired by the Sheriff's Office in September 1980 as a Deputy in the corrections department. My husband (caucasian) of 11 years, also is an employee of the Hillsborough County Sheriff's Office.

On December 24, 1995, I was involved in a domestic incident with my husband, outside of working hours in my home, while I was on vacation. In the incident, my husband was injured with my service firearm and taken to the emergency room. He was released later the same day.

I was supposed to return to work on or about January 8, 1996. I was informed by my Corporal, Marilyn Nassief, that I was on paid administrative leave. She called me later that afternoon and told me that there had been a change, I was to report to personnel on January 9, 1996. I received the Notice of Investigation on January 22, 1996 from the Sheriff's Office. I remained working in personnel during the investigation. On March 5, 1996, I received a Notice of Continuation from Internal Affairs Division (IAD), stating that they were waiting on the State Attorney's Office regarding filing charges. I still remained working in the personnel department. On March 29, 1996, I received notice from IAD that the investigation had been completed and forwarded to my district/division.

FP Page 1 of 3
(initials)

AFFIDAVIT (cont.)

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HEARINGS

On April 7, 1996, I went to court on the Misdemeanor - Negligence charge. I pled no contest to the charge and was given 6 months probation, by the court. The State Attorney withheld prosecution provided I seek counselling. I continued to work in the personnel department with the Sheriff's Office. I did not have my law enforcement certificate revoked.

On May 28, 1996, I had my hearing with Sheriff Cal Henderson. He upheld the decision of the Disciplinary Board, who is in the chain of command relating to disciplinary actions, which was to terminate me. I filed an appeal with Civil Service Review Board (CSRB) in June of 1996. The CSRB stated that they do not have the authority to hear dismissals, but they would do mine. The Sheriff's Office then filed for summary judgement, which they granted. I had my hearing in August 1996, at which time, the CSRB upheld the decision by the Sheriff's Office.

Deputy Patricia (LNU), (white female), was involved in a domestic violence incident where I believe there was personal injury and I believe also involved her service firearm. She was not terminated, she was only demoted. To the best of my knowledge, the incident occurred prior to January 1, 1996.

Corporal Gilbert Valdes, (Male, non-black hispanic), on May 18, 1993 was charged with negligence associated with safety of person/property and use and handling of weapons and was given a written reprimand. No personal injury was involved.

Deputy Givin Garcia, (Male, non-black), was charged on October 19, 1994, with use and handling of weapons and was given a one day suspension. No personal injury was involved.

Deputy Sydney K. Potter, (Male, non-black), on October 19, 1994, was charged with use and handling of weapons and was given a letter of reprimand. No personal injury was involved.

** Text Continued on Attached Sheet(s) **

I have read and had an opportunity to correct this Affidavit consisting of 2 handwritten typed pages and swear that these facts are true and correct to the best of my knowledge and belief.

Augustine Pierce

Subscribed and sworn to before me
this 1st day of May 1997.

Deborah J. Collins

Equal Employment Opportunity Commission
Affidavit, Additional Text

It was known that I was married to a caucasian man for 11 years. I had never had any disciplianry actions, for any reason, prior to my termination. My job performance has always been excellent. I do not deny my responsibility for the incident. I believe I was treated unfairly. I believe I should have been given a lesser degree of discipline.

I believe I was discriminated against because I am a Black female married to a white male, in violation of Title VII of the Civil Rights Act (Title VII) of 1964.