



# MEMORANDUM

Office of the City Attorney

040760

Phone: 334-5011/Fax 334-2229  
Box 46

**TO:** Mayor and City Commissioners

**DATE:** December 13, 2004

**FROM:** City Attorney

**CONSENT**


**SUBJECT:** FCHR Charge No. 200500392  
Deneace Joshua vs. the City of Gainesville

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Recommendation: The City Commission authorize the City Attorney, and/or special counsel if insurance coverage is available, to represent the City in the case styled Deneace Joshua vs. the City of Gainesville; FCHR Charge No.: 200500392.

On November 29, 2004, the City of Gainesville received a Notice of Filing of Complaint of Discrimination from the Florida Commission on Human Relations. Ms. Deneace Joshua alleges discrimination based on gender, race and retaliation after not receiving a salary increase when the pay study review was completed for the City.

Prepared by:

  
Elizabeth A. Waratuke,  
Litigation Attorney

Submitted by:

  
Marion J. Radson,  
City Attorney

EAW/cgow

**FLORIDA COMMISSION ON HUMAN RELATIONS**  
209 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301

**CHARGE OF DISCRIMINATION**

Complaint #

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

Ms. Deneace Joshua

Social Security# 263-08-9261

Telephone # Home: (386) 462-5808  
Other: (352) 334-5000 x5864

Street Address:  
**PO Box 546**

City, State, and Zip Code  
**Alachua, FL 32616**

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

City of Gainesville

Approximately 100

Name

No. of employees

PO Box 490

Gainesville

FL 32602

Street Address

City

State

Zip Code

(352) 334-5707

Alachua

Telephone Number

County

Cause of Discrimination Based on:

Date Most Recent or Continuing Discrimination Took Place:

National Origin  Religion  Gender (female)

Race (Black)  Color  Marital Status

November 24, 2003

Disability  Retaliation  Age

**Personal Harm: No salary increase after the November 2003 global salary review for the City of Gainesville after I formally complained of discrimination and retaliation by the City to the Florida Commission on Human Relations and the Equal Employment Opportunity Commission .**

**Reason for Adverse Action: I received a notice from Human Resources stating that my job warrants review, but the employer has not followed up on the matter.**

**Discriminatory Statement(s): I believe I have been retaliated against pursuant to Chapter 760 of the Florida Civil Rights Act and/or Title VII of the Federal Civil Rights Act for the following reasons:**

Several City employees involved in the recent salary analysis were also decision makers on salary range increases in the past. I made formal complaints to the Florida Commission on Human Relations and the Equal Employment Opportunity Commission about not receiving a salary increase because of my race (Black) and gender (female), and that is why I believe I am being discriminated against and retaliated against. Out of all Managers and Professionals within the Community Development, I am the only employee who has not received a salary range increase.

**NOTARIZED SIGNATURE**

Mary Weisner  
Jacqueline Hart Wilkie  
(Witnesses)


X Deneace M Joshua  
(Complainant)  
X Nov. 16, 2004  
(Date)

**STATE OF FLORIDA  
COUNTY OF ALACHUA**

BEFORE ME, the undersigned authority, personally appeared DENEACE MARIE JOSHUA  
to me well known (or who produced FDL as identification), and s/he acknowledged  
before me that s/he is the person who signed the above and foregoing complaint.

WITNESS my hand and seal of my office, in Gainesville, Alachua County, Florida,  
this 16 day of NOV, A.D. 2004.

Jill Weisner  
Notary Public, State at Large  
My commission expires 8/3/07

 **Jill Weisner**  
My Commission DD231050  
Expires August 03, 2007

