

(State or local Agency, if any)

and EEOC

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

Ms. Desiree Lily Roth

HOME TELEPHONE NO. (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

New Smyrna Beach, FL 32168 Volusia

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
Daytona Int'l Airport Alice

NO. OF EMPLOYEES/MEMBERS

23

TELEPHONE NUMBER (Include Area Code)

904

STREET ADDRESS

CITY, STATE AND ZIP CODE

700 Catalina Drive Suite 110 Daytona Beach, FL 32114

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

CAUSE OF DISCRIMINATION BASED ON (Check appropriate boxes)

RACE COLOR SEX RELIGION NATIONAL ORIGIN
 AGE RETALIATION OTHER (Specify)

DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month, day, year)

2/94

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

FROM June 1993 to February 1994 Kenneth J. Modzelewski, ASSISTANT CHIEF OF AIRPORT POLICE AT DAYTONA BEACH INTERNATIONAL AIRPORT HAS MADE SEXUAL HARASSMENT AND RACIAL DISCRIMINATORY REMARKS AND ACTIONS TOWARDS ME AT MY JOB SUCH AS:

1. DEMEANING COMMENTS BECAUSE OF MY PREGNANCY SUCH AS "THOSE PANTS ARE AWFULLY TIGHT ON YOU" or "YOUR GETTING SO BIG YOUR FAT BEHIND WON'T BE ABLE TO FIT BACK IN UNIFORM" AND THAT I WOULD HAVE TO LOSE WEIGHT QUICKLY AFTER MY DELIVERY BECAUSE THE OFFICE DIDN'T HAVE A UNIFORM TO FIT ME THAT IT WAS MY "TUFF LUCK" HE ALSO STATED "THE QUICKER I GET IN UNIFORM THE QUICKER I KEEP MY JOB". (WITNESSES OFFICERS WES GONZALEZ, CALVIN LEE, OPERATION AGENTS ROBERT GREGG AND MAXINE KILGORE AND SECRETARY LISA STAUFFER). ALSO KEN STATED AFTER A CLOSED DOOR MEETING THAT "THIS IS THE FIRST TIME A FEMALE CAME OUT OF HIS OFFICE AND WASN'T CRYING. (Kathrine Prescott)

2. KEN WOULDN'T HELP ME HAVE THE MILITARY DRILL WEEKEND I NEEDED OFF SO HE STATED IT WAS MY PROBLEM. HE TOLD ME THAT I HAD TO ARRANGE SCHEDULE CHANGES WITH WHO EVER WOULD COVER FOR ME AND THAT IT WAS A HASSLE FOR HIM. WHEN I DIDN'T SUCCEED HE THREATEN ME STATED BECAUSE I WAS PREGNANT AND NEEDED MY MILITARY DRILL DATES OFF THAT I WAS A PROBLEM AND MY JOB WAS ON THE LINE. (OFFICER FREDERICK M. ROBERTS, AGENT MAXINE KILGORE).

3. KEN WOULDN'T GRANT ME ANY SCHOOLING SAYING WE (THE AIRPORT) DIDN'T HAVE ENOUGH FUNDING BUT HE OK'ed SEVERAL OFFICERS AND OPERATION AGENTS SCHOOLING RIGHT AFTER I ASKED. (AGENT DAVE POLLARD / ALAN BERTLAUME / DON GONZALEZ)

I also want this charge filed with the EEOC.
I will advise the agencies 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.

I declare under penalty of perjury that the foregoing is true and correct.

NOTARY - (When necessary to meet 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.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) 4-26-94

OFFICIAL NOTARY SEAL
MARION ANDERSON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC347939
COMMISSION EXP. FEB. 13 1998

4/26/94

Desiree Lily Roth
Charging Party (Signature)

4. KEN WOULD THREATEN ME THAT IF I DIDN'T DO WHAT HE ORDERED ME TO DO AT WORK THAT I WOULD LOSE MY JOB. HE MADE ME RUN NAMES ON THE FCIC/NCIC/CJIS COMPUTER FOR HIS LEISURE TO SEE ABOUT THE PEOPLE'S BACKGROUNDS HE DID IT TO THE TAXI DRIVERS, PEOPLE GETTING PARKING PERMITS, AFTER PHONE CALLS HE WOULD COME INTO THE COMMUNICATION CENTER AND HAVE ME RUN NAMES FOR HIM, (OFFICER CALVIN LEE, SHIRLEY RUSSELL, RICK BARTOLOMEU)

5. HE WOULD GET WHO EVER WAS ACTING SECRETARY WHEN I WAS OFF TO CALL ME BECAUSE HE MISPLACED THE (1) 1994 PARKING PERMITS (2) CHIEF'S PAPERWORK BLAMING ME. HE WOULD TALK TO ME ON THOSE TWO OCCURENCES TELLING ME I LOST THE ITEMS AND OR THAT I WAS LYING THAT I DIDN'T GIVE IT TO HIM. (HE WOULD CALL ME AT MY PRIVATE RESIDENCE.)

6. KEN STATED THAT THE NAACP WAS WANTING A " TO HIRE AN UNCERTIFIED NIGGER AND THAT WAS WHY HE HIRED WES GONZALEZ SO HE WOULDN'T HAVE TO. THEN HE STATED " NOW I HAVE ME A PREGNANT BITCH WITH SPANISH DESCENT "



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Miami District Office

1 Biscayne Tower, Suite 2700
2 South Biscayne Boulevard
Miami, FL 33131-1805
PH: (305) 536-4491
TDD: (305) 536-5721
FAX: (305) 536-4011

EEOC Charge No.: 150 94 2626

Desiree Lilyroth

Charging Party

New Smyrna Beach, FL 32168

County of Volusia
Daytona Beach International Airport
123 West Indiana Avenue
DeLand, FL 32720-4607

Respondent

LETTER OF DETERMINATION

I issue the following determination on the merits of this charge.

Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964, as amended, and timeliness, deferral and all other requirements for coverage have been met.

Charging Party alleged that she was discriminated against in violation of Title VII of the Civil Rights Act of 1964, as amended, in that she was harassed by her supervisor because of her sex, her pregnancy, and national origin, Hispanic.

Examination of the evidence indicates that the Charging Party was subjected to a hostile work environment on the basis of her sex, female, her pregnancy and her national origin, Hispanic. I have determined that the corroborating evidence obtained during the investigation establishes that there is reasonable cause to believe that a violation of the statute has occurred.

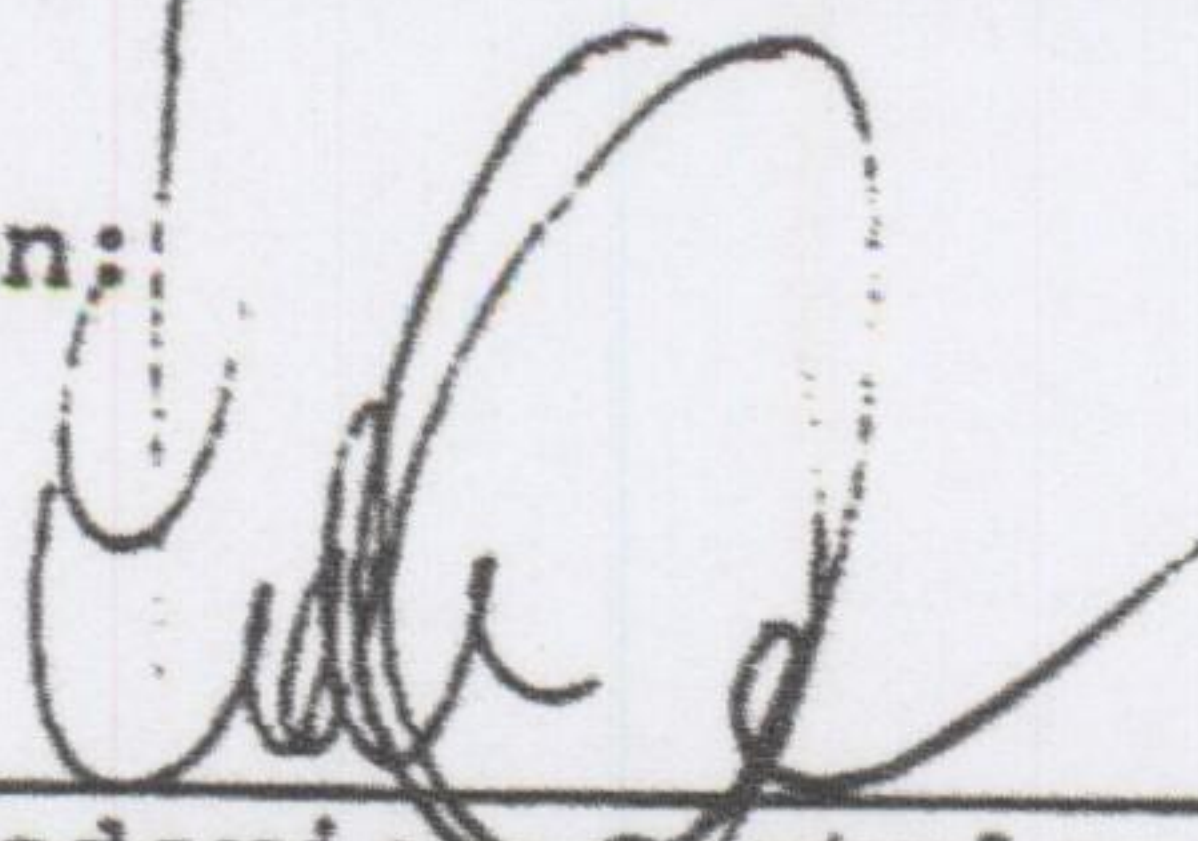
Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The confidentiality provisions of Sections 706 and 709 of Title VII and the Commission Regulations apply to information obtained during conciliation.

Letter of Determination
EEOC Charge No. 150942626
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If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission.

On Behalf of the Commission:

04-15-96
Date



Federico Costales
District Director

Enclosure: Invitation to Conciliate

cc: Respondent Representative

Michael D. Lary
Personnel Director
Personnel Department
County of Volusia
123 W. Indiana Avenue
DeLand, FL 32720-4607

Charging Party Representative

Michael Politis, Esq.
Vasilaros & Politis
154 South Halifax Avenue
Daytona Beach, FL 32118