

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

ALISSA R. BAUSSAN,
Plaintiff,

v. CASE NO.

CITY OF ORLANDO,
Defendant.

/

COMPLAINT AND DEMAND FOR JURY TRIAL.

The Plaintiff complains herein regarding being subjected to unlawful discrimination in violation of the Florida Civil Rights Act. The Plaintiff is seeking in excess of \$1,000,000 for emotional and mental anguish and past, present, and future injury to her professional career.

JURISDICTION

1. The jurisdiction of the court is predicated upon Article V of the Florida Constitution. The Court's authority is further predicated upon Chapter 47 and Chapter 760 of the Florida Statutes.
2. Prior to commencing this action, the Plaintiff fully exhausted all administrative remedies required to file a Civil Rights lawsuit in the state of Florida.

VENUE

3. The venue is proper in Orange County, Florida. All violations of the law complained about herein occurred in Orange County, Florida.

PARTIES

4. The Plaintiff in this matter is Alissa Baussan. At all times relevant to this complaint, she was a District Fire Chief with the Orlando Fire Department.
5. The Defendant in this case is the City of Orlando.

FACTUAL ALLEGATIONS

6. The Plaintiff began her employment with the City of Orlando in February 1999. Initially she worked as a civilian employee but later that year she became a Firefighter.
7. In 2005 the Plaintiff was promoted to the rank of Engineer.
8. In 2013 she was promoted again to the rank of Lieutenant. Next, in 2016 the Plaintiff was promoted to the rank of Fire District Chief. The Plaintiff was promoted to each of the ranks because of her hard work, her fund of knowledge and consistent demonstration of competency in the performance of her job duties.
9. The Plaintiff was the first African American woman to be promoted to the Fire District Chief since the inception of the Orlando Fire Department. She was also the first African American/Black woman to be promoted to Engineer and Lieutenant.
10. The Defendant had a total of 28 Fire District Chiefs. The Plaintiff was second in seniority at the time of the October 29, 2023 transfer. She was one of the two female District Chiefs. Jeffrey White was first in seniority.
11. In July of 2022, Defendant hired a new Fire Chief, Charles Salazar. Almost immediately, the new Chief and his Executive Deputy Chief, Ian Davis, began to implement policies and procedures that were discriminatory. These practices disrupted the Plaintiff's previously approved accommodation.
12. Between August 22, 2022, and October 24, 2022, Plaintiff was subjected to a Hostile Work Environment that included but was not limited to baseless disciplinary action and interference with the use of her sick leave. Also in August of 2022, Deputy Chief Preston refused to give the Plaintiff the Lieutenant's exam chairperson Fire Studios laptop, which

all of the male chairpersons were provided to create Emergency Incident Command simulations, including District Chief Revoldt in 2023.

13. On or about October 4, 2022, the Plaintiff requested a meeting with her Chain of Command to discuss the Hostile Work Environment that she was being subjected to.
14. After the initial complaint, the Plaintiff was subjected to further acts of discrimination and retaliation. The additional acts of discrimination prompted the Plaintiff to file a formal complaint of discrimination on January 23, 2023.
15. After the Plaintiff filed a formal complaint, she began to experience a series of retaliatory actions. In April of 2023, she was removed from the Non-Certified Program although it was a part of her job description. Before she was removed from the program she met with Chief Salazar and Lynn Banks on March 2, 2023. During the meeting, the Chief told her that he wanted her to work on the Non-Certified Program. Withstanding this she was excluded from all of the meetings regarding the program. Additionally, several of her traditional job duties were taken away from her and given to White male Chiefs in other divisions who had less seniority than she did.
16. In May of 2023, the recruitment marketing campaign was taken away and given to District Chief Corey Philman of the Logistics Division.
17. On June 7, 2023, Deputy Chief Kevin Preston took the responsibilities of the chairperson and oversight of the Lieutenant's Promotional Exam was taken from the Plaintiff and given to District Chief Revoldt, of the Arson and Bomb Investigation Division.
18. Also, on June 20, 2023, Tysha Resnick, the Fiscal Manager, excluded the Plaintiff from a budget 101 class. At the same time, male District Chiefs were included in the class. Further, after the Plaintiff filed a formal complaint of discrimination, Tysha Resnick

retaliated against her by scrutinizing her time cards and she falsely accused the Plaintiff of reporting her time inaccurately.

19. On October 13, 2023, Deputy Fire Chief Craig Hullette sent out an email announcing transfers within the Department. Defendant decided to transfer Plaintiff to a field position, however, there was no existing vacancy in the Field Operations Bureau. This move departed from the Defendant's established practice of transferring individuals to vacant positions.
20. On or about October 17, 2023, the Plaintiff met with the Defendant's Chief of Labor Relations. Next on October 19, 2023, Lynne Banks informed the Plaintiff that the City of Orlando's Assistant Attorney will be contacting her soon to initiate an investigation. Lynne Banks also told the Plaintiff that she would be required to seek an ADA accommodation. At that point Plaintiff advised Lynne Banks that she made a request in May of 2018, for a 40-hour work week. That request was granted as early as 2018. Withstanding this, the Assistant City Attorney insisted that the Plaintiff file an accommodation request.
21. The proposed transfer also created a hardship for the Plaintiff as it relates to her being able to provide care to a minor child.
22. On October 29, 2023, Chief Salazar rescinded the transfer of a White Fire District Chief, Jeffery White, a White male because he had childcare issues. When Plaintiff became aware that concessions were made for White, she requested that Defendant offer her the same consideration. Chief Salazar, quickly responded to the Plaintiff's request which required her to deplete her personal paid time off.

23. At the beginning of November of 2023, the City Attorney's Office launched an investigation into the allegations made by the Plaintiff. During the investigation, Assistant Chief Fernandez and Deputy Chief Mannual Navarro, were interviewed during the investigation. Chief Navarro's statements supported the Plaintiff's claims of discrimination.
24. The information learned from the investigation was so one-directional, in support of the Plaintiff's claim of unlawful discrimination. Interviews with other female employees who held significant positions of authority were cancelled.

**COUNT I DISPARATE TREATMENT BECAUSE OF DISABILITY
IN VIOLATION OF THE FLORIDA CIVIL RIGHTS ACT**

25. The Plaintiff incorporates by reference the allegations contained within paragraphs 1-24 as though they are fully stated herein.
26. The Plaintiff is a person with a disability. She suffers from an autoimmune disorder.
27. Withstanding her disability the Plaintiff can do her job with or without a reasonable accommodation.
28. The Defendant treated her differently because of her disability.
29. Other non-disabled similarly situated Fire District Chiefs were not constructively demoted by having some of their main duties and responsibilities stripped away and given to other Fire District Chiefs with less seniority than she has.

**COUNT II DISPARATE TREATMENT BECAUSE OF
GENDER/CONSTRUCTIVE DEMOTION
IN VIOLATION OF THE FLORIDA CIVIL RIGHTS ACT**

30. Plaintiff incorporates by reference the allegations contained in paragraphs 1-24 as though fully stated herein.
31. The Plaintiff is a female.

32. The Plaintiff is fully qualified to perform the Duties of the Fire District Chief.
33. The Plaintiff suffered an adverse employment action, when she was constructively demoted when she was transferred from her 40-hour per week position to a 24-hour shift in the Operations Bureau although there were no current vacancies in that Bureau.
34. Additionally, several of the Plaintiff's central job functions were stripped away and given to her male colleagues who had less seniority and limited competency in performing the task they were assigned to perform.
35. The substantial reduction of the Plaintiff's job duties coupled with the Plaintiff's unrequested transfer resulted in her losing substantial prestige and influence within the Orlando Fire Department.

**COUNT III RETALIATORY HOSTILE WORK ENVIRONMENT
IN VIOLATION OF THE FLORIDA CIVIL RIGHTS ACT**

36. The Plaintiff incorporates by reference the allegations contained in paragraphs 1-24 as though fully stated herein.
37. The Plaintiff engaged in protected activity when she informally complained to members of her Chain of Command that she felt that she was being subjected to a Hostile Work Environment because she was a female.
38. After she made her initial complaint, the Plaintiff suffered additional acts of discrimination and retaliation aimed at dissuading her from engaging in protected activity in the future.
39. Due to the series of acts that created an increasingly retaliatory environment the Plaintiff filed a formal internal complaint of harassment and discrimination as more fully discussed in paragraph 20.

40. The Leadership structure of the Orlando Fire Department created a retaliatory Hostile Work Environment for the Plaintiff because she informally and formally complained about unlawful discrimination.

RELIEF SOUGHT

The Plaintiff is seeking all available legal and equitable relief available under the laws of the state of Florida. Specifically, Plaintiff seeks injunctive relief in the form of judgment proscribing all future acts against harassment and discrimination, reasonable attorney fees and cost, compensation for past and future emotional and mental anguish, compensation for loss of enjoyment of life, and compensation for past and future loss earnings.

/s/ Jerry Girley
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