

**IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY**

HANNAH WARD,

CASE NO.

Plaintiff,

vs.

**THE CITY OF DAYTONA BEACH,
FLORIDA, a Municipality,**

Defendant.

_____ /

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, HANNAH WARD (hereinafter referred to as “Plaintiff”), by and through her undersigned counsel, hereby sues Defendant, THE CITY OF DAYTONA BEACH, FLORIDA, a Municipality (hereinafter referred to as “Defendant”), and states as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of \$50,000.00.
2. Venue lies within Volusia County because a substantial part of the events giving rise to this claim arose in Daytona Beach, Florida, which lies in this Judicial District.

INTRODUCTION

3. This is an action brought pursuant to the Florida Civil Rights Act (FCRA) for claims of discrimination based on her sex and retaliation. Plaintiff seeks to recover front pay, back pay, compensatory damages, emotional distress damages, punitive damages, injunctive relief, reasonable attorneys’ fees and costs, and any other relief to which Plaintiff is entitled, including but not limited to, equitable relief.

4. Plaintiff has complied with all conditions precedent to the filing of this suit required by 42 U.S.C. § 2000(e)-5(f)(3) and Florida Statutes, Chapter 760. A Charge of Discrimination was dual filed by Plaintiff with the Equal Employment Opportunity Commission and the Florida Commission on Human Relations in a deferral State within 300 days of the alleged unlawful employment practice. Plaintiff has received her Right to Sue, and this lawsuit is timely filed within 90 days.

5. Defendant is an “employer” as defined by the laws under which this action is brought and employs hundreds of employees.

6. All conditions precedent to bringing this action have occurred.

PARTIES AND GENERAL ALLEGATIONS

7. At all times material, Plaintiff worked for Defendant in Volusia County, Florida, and specifically, Daytona Beach, Florida.

8. Defendant is a municipal corporation organized and existing under the laws of the State of Florida.

9. Defendant is an “Employer” as that term is defined by the Florida Civil Rights Act.

10. At all times material, Defendant acted in a willful manner, with malice and with reckless disregard for Plaintiff’s protected rights.

11. At all times material, Plaintiff was qualified to perform and did her job duties within the legitimate expectations of Defendant.

12. Plaintiff has been required to retain the undersigned counsel to represent her in this action and is obligated to pay them a reasonable fee for her services.

13. Plaintiff requests a jury trial on all counts herein.

FACTS

14. Plaintiff is a female who began her employment with Defendant on May 1, 2017, as a Planner. At the time of her hire, during the tenure of former City Manager Jim Chisholm, the Planner position was housed within the Development and Administrative Services Department. Following the appointment of the current City Manager, Deric Feacher, the department was renamed the Growth Management & Planning Department.

15. Throughout her employment, Plaintiff consistently performed her duties in a satisfactory and professional manner and received positive feedback regarding her performance.

16. Plaintiff reported directly to the Planning Director, a male, and worked within a department where nearly all division and department heads were male, with only one female serving in a division head position.

17. In December 2018, Defendant designated Plaintiff as the Technical Review Team (“TRT”) Coordinator. This function is a core responsibility of the Planning Manager position.

18. On or about August 16, 2018, Plaintiff applied for the Planning Manager position. Defendant denied her application, claiming she lacked certain certifications and experience, but failed to re-advertise or permanently fill the position for several years thereafter.

19. Between 2018 and 2023, Plaintiff continued to perform significant components of the Planning Manager’s duties, including the TRT Coordinator responsibilities, without additional compensation or the managerial title.

20. By 2021, Plaintiff had obtained the approval for the necessary certifications that Defendant previously claimed she lacked. On June 16, 2021, Plaintiff informed the Planning Director that she had obtained approval of her AICP certification application, and on September 10, 2021, she notified both the Planning Director and Deputy City Manager that her professional experience essays had been approved as part of the AICP certification process.

21. Despite Plaintiff's continued pursuit of the necessary qualifications and longstanding interest in the Planning Manager position, Defendant failed to consider or promote her. Instead, on April 27, 2023, the Planning Director requested that a male co-worker be reclassified as Planning Manager. Although that co-worker had been fully qualified when the position was previously advertised in 2018, he did not apply for the role, nor did he express interest in the position during Plaintiff's tenure. He was briefly assigned the TRT Coordinator responsibilities in 2018, but those duties were removed from him and reassigned to Plaintiff after he demonstrated inadequate preparation and performance in TRT meetings.

22. Defendant did not advertise or post the Planning Manager position either internally or externally, even though management, including the Planning Director, Deputy City Manager, and Principal Planner, knew Plaintiff had long expressed interest in the position and would meet the experience requirement within days, on May 1, 2023, her sixth employment anniversary.

23. On May 22, 2023, Defendant publicly announced that Plaintiff had officially obtained her AICP certification, which fully qualified her for the Planning Manager position.

24. On June 9, 2023, Plaintiff subsequently expressed her disappointment and frustration to the Planning Director, emphasizing that she had performed the duties of the Planning Manager for years and now met all qualifications of the position.

25. The Planning Director dismissed Plaintiff's concerns and asserted, falsely, that she did not wish to work the hours required for the position.

26. Plaintiff reasonably believed that Defendant favored male employees for leadership positions and had no genuine intention of promoting qualified female employees.

27. As a result of Defendant's repeated failures to provide advancement opportunities to women, Plaintiff requested to reduce her hours to part-time and tendered a resignation effective May 1, 2024, marking her seventh employment anniversary.

28. Defendant elected not to offer Plaintiff benefits during her part-time status.

29. Despite the recent promotion of a male employee to the Planning Manager on April 27, 2023, with an effective date of August 28, 2023, and despite a reduction of Plaintiff's employment to part-time, she continued to perform the duties of the TRT Coordinator, a core responsibility of the Planning Manager's role, until mid-November 2023.

30. On November 14, 2023, Plaintiff met in person with the City Manager. During this meeting, the City Manager acknowledged that he was aware of a "good ol' boys" management culture within the Growth Management and Planning Department. Plaintiff informed him that she had chosen to leave her employment because she had been denied advancement opportunities and excluded from consideration for the Planning Manager role, despite being fully qualified and already performing the job's key functions.

31. Following the meeting, on November 22, 2023, Plaintiff emailed the City's Human Resources Director, copying the City Manager, to request information about filing a gender discrimination complaint on behalf of the Planning Department.

32. Shortly thereafter, the Planning Director became aware of Plaintiff's intent to file a discrimination complaint and began inquiring about the matter with other female employees, including those copied on Plaintiff's HR communication.

33. Plaintiff learned from a co-worker that the Planning Director was seeking details about her discrimination complaint, despite having no authorization to do so and not being copied on any related communications.

34. Following these events, Plaintiff was subjected to retaliation, including increased scrutiny of her work, isolation from colleagues, demeaning treatment during meetings, and exclusion from departmental discussions.

35. On December 21, 2023, Plaintiff complained to the Planning Director about the Deputy City Manager's conduct and reported that the work environment was becoming hostile.

36. That same day, Plaintiff contacted the City's EEOC Coordinator to express concerns that her prior communications had not been kept confidential and that she feared further retaliation for raising gender discrimination concerns.

37. Despite these complaints, Defendant failed to take prompt or effective remedial action.

38. On December 27, 2023, another female employee, Malissa McCreedy, submitted a written complaint directly to the City Manager reporting gender bias and identifying a "patriarchy culture" within the department. Ms. McCreedy resigned from her position shortly thereafter.

39. Another female employee, Rose Askew, also sought transfer out of the department after experiencing similar issues.

40. Plaintiff continued to experience an increasingly hostile and retaliatory work environment following her protected activity.

41. On or about January 10, 2024, Plaintiff again complained to the City Manager that she felt isolated, disregarded, and dismissed because of her complaints. The City Manager responded dismissively and failed to take corrective action.

42. The retaliation and hostile treatment caused Plaintiff significant emotional distress and mental exhaustion, culminating in a breakdown on or about March 19, 2024, after continued mistreatment by senior management.

43. Plaintiff was unable to return to work following this breakdown and was effectively constructively discharged.

44. The ongoing and pervasive harassment that Plaintiff endured in Defendant's workplace caused her to suffer significant emotional distress, mental anguish, and physical discomfort.

45. Defendant's actions were intentional, willful, and malicious.

COUNT ONE
FCRA- SEX DISCRIMINATION

46. Plaintiff re-alleges and adopts the allegations stated in Paragraphs 1–45.

47. Plaintiff is a member of a protected class under the Florida Civil Rights Act, because she is female.

48. By the conduct described above, Defendant engaged in unlawful employment practices and discriminated against Plaintiff on account of her sex by subjecting her to disparate treatment in conduct and work, in violation of the Florida Civil Rights Act.

49. Men were not treated in this manner, and if Plaintiff were a man, she would never have been harassed and discriminated against.

50. Defendant knew, or should have known, of the discrimination.

51. The discrimination described above was done willfully, maliciously, and with reckless disregard for Plaintiff's rights under state law.

52. As a result of Defendant's unlawful discrimination, Plaintiff has suffered and continues to suffer damages.

WHEREFORE, Plaintiff prays for a trial by jury and all legal and equitable relief allowed by law, including:

- a. Back pay and benefits;

- b. Interest on back pay;
- c. Front pay and/or lost earning capacity;
- d. Compensatory damages, emotional distress damages;
- e. Injunctive relief and reinstatement;
- f. Prejudgment interest;
- g. Punitive damages;
- h. Costs and attorney's fees;
- i. Such other relief as the Court may deem just and proper; and
- j. Judgment for supplemental damages to offset the tax impact of lump sum damages awarded as provided under state law.

COUNT TWO
FCRA- HARASSMENT

53. Plaintiff re-alleges and adopts the allegations stated in Paragraphs 1–45.

54. Plaintiff is a member of a protected class under the Florida Civil Rights Act because she is female.

55. Defendant, through its managers and employees, harassed Plaintiff on the basis of her sex.

56. The harassment suffered by Plaintiff was severe and pervasive and created a discriminatorily hostile, retaliatory, and abusive working environment.

57. By the conduct described above, Defendant engaged in unlawful employment practices and harassed, retaliated against, and discriminated against Plaintiff on account of her sex in violation of the Florida Civil Rights Act.

58. Defendant knew, or should have known, of the harassment and failed to take remedial action to stop it.

59. As a result of Defendant's unlawful harassment, Plaintiff has suffered and continues to suffer damages.

WHEREFORE, Plaintiff prays for a trial by jury and all legal and equitable relief allowed by law, including:

- a. Back pay and benefits;
- b. Interest on back pay;
- c. Front pay and/or lost earning capacity;
- d. Compensatory damages, emotional distress damages;
- e. Injunctive relief and reinstatement;
- f. Prejudgment interest;
- g. Punitive damages;
- h. Costs and attorney's fees;
- i. Such other relief as the Court may deem just and proper; and
- j. Judgment for supplemental damages to offset the tax impact of lump sum damages awarded as provided under state law.

COUNT THREE
FCRA – RETALIATION

60. Plaintiff re-alleges and adopts the allegations stated in Paragraphs 1-45.

61. Plaintiff is a member of a protected class under the Florida Civil Rights Act because she is female.

62. Plaintiff engaged in protected activity when she reported discriminatory, hostile, and retaliatory conduct in Defendant's workplace to Defendant's Planning Director, City Manager, Human Resources, and EEOC Coordinator on multiple occasions.

63. On November 14, 2023, Plaintiff engaged in protected activity when she raised concerns of gender discrimination to Defendant's City Manager, explaining that she had not been considered for the Planning Manager position despite performing the core duties of that role and meeting the qualifications.

64. On November 22, 2023, Plaintiff engaged in protected activity when she notified Defendant's Human Resources Department and City Manager of her intent to file a formal complaint of gender discrimination and requested information regarding the process to do so.

65. Defendant dismissed Plaintiff's complaints and failed to take prompt remedial action. Instead, Defendant retaliated against Plaintiff by subjecting her to isolation, increased scrutiny, demeaning conduct, and exclusion from departmental communications and discussions.

66. By the conduct described above, Defendants engaged in unlawful employment practices and retaliated against Plaintiff because she engaged in protected activity, in violation of the Florida Civil Rights Act.

67. Defendants knew, or should have known, of the retaliation and discrimination.

68. As a result of Defendants' unlawful retaliation, Plaintiff has suffered and continues to suffer damages.

WHEREFORE, Plaintiff prays for a trial by jury and all legal and equitable relief allowed by law, including:

- a. Back pay and benefits;
- b. Interest on back pay;
- c. Front pay and/or lost earning capacity;
- d. Compensatory damages, emotional distress damages;
- e. Injunctive relief and reinstatement;

- f. Prejudgment interest;
- g. Punitive damages;
- h. Costs and attorney's fees;
- i. Such other relief as the Court may deem just and proper; and
- j. Judgment for supplemental damages to offset the tax impact of lump sum damages awarded as provided under state law.

Respectfully submitted this 11th day of December, 2025.

CHANFRAU & CHANFRAU

/s/ Kelly H. Chanfrau

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