

24th JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON

STATE OF LOUISIANA

NO.

DIVISION

ANGELA PACACCIO

VERSUS

JEFFERSON PARISH

FILED: _____

DEPUTY CLERK

PETITION FOR DAMAGES

**TO THE HONORABLE TWENTY FOURTH JUDICIAL DISTRICT COURT FOR
THE PARISH OF JEFFESON, AND THE JUDGES THEROF:**

NOW INTO COURT, through undersigned counsel, comes Petitioner, **ANGELA
PACACCIO**, a member of the age of majority and resident of the State of Louisiana, who being
subject to the jurisdiction of the Honorable Court, respectfully avers:

1.

Made defendant herein is Jefferson Parish, a political subdivision of the State of
Louisiana capable of suing and being sued, which is subject to the jurisdiction of this Honorable
Court.

2.

Said Defendant is justly and truly indebted unto Plaintiff in reasonable amounts to be
determined at the trial of the matter but in excess of the jurisdictional minimum of this
Honorable Court, to-wit:

3.

On April 21, 1980 Angela Pacaccio was hired by the Jefferson Parish as a Typeset Clerk
II with a beginning salary of \$578.00 per month. During *thirty* years of service Ms. Pacaccio
worked with many Parish Presidents and enjoyed her career with the Jefferson Parish, as evident
by the many promotions and pay raises which Ms. Pacaccio received during her tenure. Ms.
Pacaccio proved to be an outstanding employee, time after time, going above and beyond the
expectations of her classification. Ms. Pacaccio stayed loyal to the many Parish Presidents that
she had the pleasure of working with through her tenure with the Parish of Jefferson. The various
Parish Presidents recommended Ms. Pacaccio for several merit pay raises for her outstanding
work.

4.

On October 29, 2010, after *thirty* years of service for the Jefferson Parish, Ms. Pacaccio decided it was time to retire. Retirement should have been an easy transition for Ms. Pacaccio; after all she did give thirty years of her life to the Jefferson Parish. As Ms. Pacaccio prepared for her retirement she was notified the day prior to her retirement that she was being demoted. Much to her surprise Ms. Pacaccio started to ask questions as to why such a thing was happening especially the day before her retirement and was told that the demotion was already a “done deal.”

5.

Contrary to Jefferson Parish Personnel Rules, Policies and Procedures, at no time did Ms. Pacaccio sign any paper work regarding her demotion. Thus, the Parish’s unilateral actions are illegal.

6.

Ms. Pacaccio’s demoted position paid far less than her pre-demotion salary. Not only was Ms. Pacaccio demoted, but to date she has not received payment for the hundreds of hours of accrued annual, sick and compensatory leave hours.

7.

The accrued leave payment Jefferson Parish owes Ms. Pacaccio should be based on the salary Ms. Pacaccio was making prior to the *illegal* demotion, not the salary she was to make after the illegal demotion.

8.

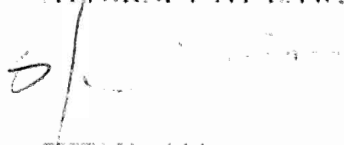
Jefferson Parish is liable unto Ms. Pacaccio for the underlying amount of accrued annual, sick and compensatory leave hours pursuant to at least Jefferson Parish custom and policy, Jefferson Parish Personnel Rules, Policies and Procedures, LSA-R.S. 23:631 and LSA-C.C. art. 2592; and for exemplary damages, penalty wages and all costs associated with the necessity of the filing of this law suit, including reasonable attorney’s fees. pursuant to at least LSA-R.S. 23:631.

WHEREFORE, Petitioner prays that Defendant be served with copies of this petition for damages, and be duly cited to appear and answer the same, and that, after legal delays and all due proceedings, there be judgment in her favor and against Defendant, compelling Defendant to

pay Petitioner for the full value of her accrued annual, sick and compensatory leave, in amounts to be determined at the trial and found reasonable in the premises, together with legal interest on all said amounts from date of judicial demand until paid in full, all costs and disbursements of these proceedings, together with exemplary damages, penalty wages, reasonable attorneys' fees and costs, and all other general and equitable relief as the court may deem fit.

Respectfully submitted,

CARLE N. FINLEY,
ATTORNEY-AT-LAW, L.C.



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