

Office of Human Resources
Paul M. Cholak, Chief Personnel Officer

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
MIAMI-DADE COUNTY PUBLIC SCHOOLS adv. FRANK GRIMALDI
MIAMI-DADE CIRCUIT COURT CASE NO. 01-25213-CA-01
AAA CASE NO. 32-390 0018300**

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

On July 21, 2001, an arbitrator issued an Opinion and Award ruling that Mr. Frank Grimaldi (Grievant) was entitled to compensation for overtime, credential pay and an athletic supplement. On October 22, 2001, an action was filed in the Circuit Court for Miami-Dade County challenging the arbitrator's award. The Circuit Court action challenging the arbitrator's ruling has been scheduled for hearing during the one week trial period commencing July 5, 2005.

The parties have reached a tentative Settlement Agreement, subject to School Board approval. Under the terms of the Settlement Agreement, the School Board will pay the Grievant \$98,759 plus post judgment interest between \$29,100 and \$29,600, to be negotiated, for the total settlement of all claims, including costs and attorney's fees.

A memorandum explaining the settlement terms will be submitted to the Board under separate cover.

Administration is in agreement with this course of action. Acceptance of the Settlement Agreement will obviate the requirement for further legal actions in this matter.

This item does not appear in the published Agenda. There is good cause to vary from the agenda in order to eliminate the necessity and cost of preparation for the hearing currently scheduled for July 5, 2005 and to stop the accrual of further interest on the arbitration award.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the Settlement Agreement in an amount not to exceed \$128,359 between The School Board of Miami-Dade County, Florida and Frank Grimaldi to resolve in its entirety Miami-Dade Circuit Court Case No. 01-25213-CA-01 and AAA Case No. 32-390 0018300.

PMC:jmg

**GOOD CAUSE
D-34**