

Business Operations
Ofelia San Pedro, Deputy Superintendent

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND
MAHMOUD E. BRYCE and THE AMERICAN FEDERATION OF
STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME),
LOCAL 1184 - AAA CASE No. 32 390 00242 05**

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

At its regularly scheduled meeting of January 19, 2005, the School Board took action to suspend and initiate dismissal proceedings against Mahmoud E. Bryce, a Custodian, for violation of School Board Rules 6Gx13- 4-1.01, *Absences and Leaves*, and 6Gx13- 4A-1.21, *Responsibilities and Duties*, and for insubordination. The employee timely requested an arbitration hearing on the matter.

This case was scheduled for hearing before an Arbitrator on September 20, 2005. Prior to the hearing, the parties reached a tentative Settlement Agreement subject to School Board approval, providing for the employee's reinstatement to employment by the Board, subject to the following terms and conditions:

1. The employee will be required to comply with all requirements and pre-conditions for clearance by the Office of Professional Standards for re-employment;
2. The employee will be suspended without pay for time served, from the date of his last employment when the Board took action at its January 19, 2005 School Board meeting, until a date following the Board's approval at its October 19, 2005 School Board meeting, when the employee complies with the aforesaid re-employment requirements, and is cleared for reinstatement. The employee's employment record will reflect that the suspension without pay is a disciplinary sanction for violation of the School Board's policies as outlined in the Settlement Agreement;
3. The employee will be subject to a Last Chance Agreement for a period of one (1) year, whereby the employee will be subject to termination without recourse if it is again substantiated that he violated School Board rules or policies.

4. The employee will waive any and all claims to back pay from his last date of employment up to the date of reinstatement as a custodian, and
5. The employee will not be assigned to his former worksite location, but will be reinstated at a site to be determined by the District.

This office recommends that the Settlement Agreement be accepted in its entirety. Administration concurs with this recommendation. Acceptance and approval of the Settlement Agreement will obviate the need for further litigation by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the Settlement Agreement between The School Board of Miami-Dade County, Florida and Mahmoud E. Bryce to resolve in its entirety AAA Case No. 32 390 00242 05.

OSP:jmg