

Office of Professional Standards
Maria Teresa Rojas, Assistant Superintendent

**SUBJECT: RECOMMENDED SUSPENSION WITHOUT PAY OF EMPLOYEE
FOR 10 CALENDAR DAYS PENDING APPEAL
ELIAR CHING – CUSTODIAN
WESTLAND HIALEAH SENIOR HIGH SCHOOL**

**LINK TO DISTRICT
STRATEGIC PLAN: IMPROVE EFFECTIVENESS OF INSTRUCTION
AND EFFICIENCY OF OPERATIONS**

On November 3, 2009, the following letter was sent to Mr. Eliar Ching:

This is to notify you that the Superintendent of Schools will be recommending to The School Board of Miami-Dade County, Florida, at its scheduled meeting of November 17, 2009, that the School Board suspend you without pay from your current position as Custodian at Westland Hialeah Senior High School, for 10 calendar days, effective at the close of the workday, November 17, 2009, for just cause, including, but not limited to: violation of School Board Rules 6Gx13- 4-1.08, Violence in the Workplace and 6Gx13- 4A-1.21, Responsibilities and Duties. This action is taken in accordance with Sections 1001.32(2), 1012.22(1)(f), and 447.209, Florida Statutes; and Articles II and XI of the **Contract between the Miami-Dade County Public Schools and the American Federation of State, County, and Municipal Employees (AFSCME)**.

If you wish to contest your suspension, you must request in writing within 20 calendar days of notice of the Board action, a hearing or grievance/arbitration proceeding. The grievance/arbitration proceeding is regulated by Articles VII and XI of the AFSCME Contract. Your selection of one appeal method waives the right to select the other appeal method in the future. If you select arbitration, you must also notify AFSCME of your selection and obtain AFSCME's written concurrence.

If the School Board accepts (or approves) the Superintendent's recommendation, you will be notified of the School Board's action.

RECOMMENDED: That effective November 17, 2009, at the close of the workday, the School Board suspend Mr. Eliar Ching, Custodian at Westland Hialeah Senior High School, for 10 calendar days without pay, pending the outcome of a hearing or grievance/arbitration process, if requested.

MTR