

Business Operations
Ofelia San Pedro, Deputy Superintendent

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT - - THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND RONALD BAKER AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 1184 - - AAA CASE NO: 32 390 00474 07

LINK TO DISTRICT STRATEGIC PLAN: NEGOTIATE AND DEVELOP CONTRACTS WITH EACH BARGAINING UNIT

On March 14, 2007, the School Board took action to suspend and initiate dismissal proceedings against Ronald Baker from further employment with the School Board for just cause, including but not limited to conduct unbecoming of a School Board employee; and violation of School Board Rules 6Gx13- 4A-1.08, *Violence in the Workplace*; 6Gx13- 4A-1.21, *Responsibilities and Duties* and 6Gx13- 4A-1.213, *Code of Ethics*. AFSCME, on behalf of the employee, filed a grievance challenging the discipline and requested an arbitration hearing on the termination.

This case was scheduled for hearing before an Arbitrator on July 8, 2008. However, prior to the hearing, the parties reached a tentative Settlement Agreement, subject to School Board approval. The tentative Settlement Agreement provides that the School Board will 1) will suspend Mr. Baker without pay for two weeks; 2) pay him one (1) month back pay; and 3) reinstate him to his prior position of Custodian. In turn, Mr. Baker will waive any and all other claims for back pay until his reinstatement.

Upon consultation with the Office of Professional Standards, and with their approval, it is recommended that the Settlement Agreement be approved as achieving the objective sought by the School Board in this matter. Approval of the Settlement Agreement, forwarded under separate cover to the School Board, will obviate the need for further legal action.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the Settlement Agreement between The School Board of Miami-Dade County, Florida, AFSCME and Ronald Baker to resolve in its entirety AAA Case No. 32 390 00808 07.

OSP:jmg

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