


**MEMORANDUM**

**August 3, 2009**

**TO:** The Honorable Chair and Members of The School Board of Miami Dade County, Florida

**FROM:** Alberto M. Carvalho, Superintendent of Schools 

**SUBJECT:** **APPROVAL OF SETTLEMENT AGREEMENT - - THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND LESLIE BROWN AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL 1184 - - AAA CASE NO: 32 390 00666 08 AND AAA CASE NO: 32 390 00868 08 (Associated with Agenda Item D-10, Board Meeting of August 5, 2009)**

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The attached Agenda Item D-10 is being withdrawn from the August 5, 2009 Agenda because the parties have been unable to finalize the necessary settlement documents before the scheduled Board meeting.

AMC:jmg  
M158

Attachment

cc: School Board Attorney  
Superintendent's Cabinet

Financial Services  
Richard H. Hinds, Chief Financial Officer

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

On September 10, 2008, the School Board took action to suspend Leslie Brown, a School Bus Driver, for ten (10) calendar days for just cause, including but not limited to violation of School Board Rule 6Gx13- 4A-1.21, *Responsibilities and Duties*. AFSCME, on behalf of the employee, filed a grievance challenging the discipline and requested an arbitration hearing on the suspension. Additionally, AFSCME filed a separate grievance challenging the investigation process.

The parties have reached a settlement subject to School Board approval that will resolve the issues in both matters. The tentative settlement agreement provides that the School Board will: 1) suspend Ms. Brown for five (5) calendar days; and 2) reimburse Ms. Brown for the balance of suspended work days. In turn, AFSCME and Ms. Brown will withdraw all other grievances.

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 Leslie Brown to resolve in its entirety AAA CASE NO. 32 390 00666 08 and AAA CASE NO. 32 390 00868 08.

RHH:jmg

**D-10**  
**WITHDRAWN**  
(August 3, 2009)