

Financial Services
Richard H. Hinds, Chief Financial Officer

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT - - THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND MICHAEL A. HOWARD AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 1184 (AFSCME), AAA CASE NO: 32 390 00505 09

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

On May 20, 2009, the School Board took action to suspend without pay and initiate dismissal proceedings against Michael A. Howard, a Lead Custodian, for just cause. The charges included non-performance and deficient performance of job responsibilities; gross insubordination; and violation of School Board Rules 6Gx13- 4A-1.21, *Responsibilities and Duties*, and 6Gx13- 4A-1.213, *Code of Ethics*. AFSCME, on behalf of the employee, filed an appeal challenging the discipline and timely requested an arbitration hearing on the matter.

The parties have reached a Settlement Agreement subject to School Board approval that will resolve the issues in this case. Upon consultation with the Office of Professional Standards, and with their approval, it is recommended that the Settlement Agreement be approved in its entirety, the essential terms of which includes an approximate six month suspension without pay, demotion and reinstatement.

Approval of the Settlement Agreement, forwarded under separate cover to the School Board, will obviate the need for further legal action and is in the best interest of 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, AFSCME and Michael A. Howard to resolve in its entirety AAA CASE NO. 32 390 00505 09.

RHH:md