

Enid Weisman, Assistant Superintendent
Human Resources, Recruiting, Performance Management, and Labor Relations

**SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT
THE SCHOOL BOARD OF MIAMI-DADE COUNTY,
FLORIDA, AND DONTRELL K. PRAY and THE AMERICAN
FEDERATION OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES (AFSCME), LOCAL 1184 – FMCS CASE No.
110930-59198-3**

**LINK TO STRATEGIC
FRAMEWORK: SCHOOL/DISTRICT LEADERSHIP**

At its regularly scheduled meeting of August 3, 2011, the School Board took action to suspend and initiate dismissal proceedings against Dontrell K. Pray, a Custodian, for violation of School Board Policy 4210, Standards of Ethical Conduct, and for insubordination. The employee and the Union timely requested an arbitration hearing on the matter.

This case was scheduled for hearing before an Arbitrator on June 11, 2012. 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 suspended without pay for time served, from the date of his last employment when the Board took action at its August 3, 2011, School Board meeting, until a date following the Board's approval at its July 18, 2012, School Board meeting;
2. 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 determined that he violated School Board rules or policies; and
3. 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.

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 Dontrell K. Pray and The American Federation of State, County and Municipal Employees, Local 1184, to resolve in its entirety FMCS Case No. 110930-59198-3.

EW:md