

Enid Weisman, Chief Human Capital Officer
Office of Human Capital Management

SUBJECT: APPROVAL OF SETTLEMENT AGREEMENT

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA,
AND LEONARD U. BROWN and THE AMERICAN FEDERATION
OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME),
LOCAL 1184 – FMCS CASE No. 130311-53961-3**

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

On February 13, 2013, the School Board took action to suspend without pay and initiate dismissal proceedings against Grievant Leonard U. Brown, a head custodian with the school district, for just cause including but not limited to, misconduct in office and violation of School Board Policies 4210, Standards of Ethical Conduct and 4210.01, Code of Ethics. This action was taken in accordance with §§1001.32(2), 1012.22(1)(f), 1012.40, and 447.209 Florida Statutes, and Articles II and XI of the Contract between Miami-Dade County Public Schools and AFSCME.

After the Grievant timely requested a hearing appealing the Board's action but prior to the arbitration hearing, Grievant agreed to the imposition of the relief requested by the School Board as set forth in a tentative Settlement Agreement. The essential terms of the Agreement are as follows: Grievant shall be reinstated to his position as a head custodian with the Miami-Dade County Public Schools effective as of September 4, 2013; Grievant's suspension from employment from February 13, 2013 through September 3, 2013, shall constitute a suspension for time-served; Grievant will be subject to a Last Chance Agreement for a period of one (1) year; and Grievant shall receive no compensation or back-pay for the period of his suspension from employment.

This office is in agreement with the proposed settlement. Upon consultation with administration, it is recommended that the proposed Agreement be accepted as achieving the objective sought by the School Board in this case. Acceptance of the Agreement, forwarded under separate cover to the Board, is in the School Board's best interests, and will obviate the need for further legal actions by the School Board.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the proposed Settlement Agreement in the case of The School Board of Miami-Dade County, Florida v. Leonard U. Brown, FMCS Case No. 130311-53961-3 suspending Grievant without pay for the period of his suspension, which he has already served, and reinstating him to his position as a Head Custodian with the School Board, under the conditions specified in the Agreement.

EW:am

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