



Duval County Public Schools

April 23, 2015, Committee Meeting - Grievance

Ms. Cheryl Grymes, Chairman
Ms. Ashley Smith Juarez, Vice-Chairman
Ms. Becki Couch
Mr. Jason Fischer
Dr. Constance S. Hall
Mr. Scott Shine
Ms. Paula D. Wright
Dr. Nikolai Vitti, Superintendent

ATTENDANCE AT THIS GRIEVANCE COMMITTEE MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present with the exception of Vice-Chairman Ashley Smith Juarez. Ms. Karen Chastain, Chief Officer of Legal Services, was also present.

CALL MEETING TO ORDER

[Call Meeting To Order](#)

Minutes: The meeting was called to order at 9:10 a.m.

GRIEVANCES TO BE DISCUSSED

[FINAL ORDER OF GRIEVANCE BY LABORER INTERNATIONAL UNION OF NORTH AMERICAN \(LIUNA\) LOCAL 630 - VICKY OLSON](#)

Minutes:

Chairman Grymes explained the process.

Present for this Grievance Hearing were:

Grievance Committee Members:

Ms. Cheryl Grymes
Ms. Paula Wright
Mr. Scott Shine

Present on behalf of Staff:

Mr. Michael Wedner, Senior Assistant General Counsel, Office of General Counsel
Ms. Sonita Young, Assistant Superintendent, Human Services
Mr. James Culbert, Executive Director, Information Technology

Present on behalf of Grievant:

Ms. Vicky Olson, Senior Computer Specialist, Grievant
Mr. Dan Williams, Attorney
Mr. Kip Hamilton, Senior Computer Specialist/Steward Local 630

Others Present:

Ms. Karen Chastain, Chief Officer, Legal Services
Mr. Brian McDuffie, Executive Director, Policy & Compliance

The Committee met to rule on the Final Order put together by Ms. Chastain. Board Member Shine wanted to state for the record that he is voting in favor of the Final Order due to lack of evidence and that this matter needs to be addressed outside of this hearing. The Board is to partly own the process along with management.

Board Member Paula Wright left the meeting at 9:20 a.m.

Motions:

That the Grievance Committee of the School Board of Duval County, Florida enter a final order in the Step III Grievance filed by Vicky Olson, an employee governed by the LIUNA Collective Bargaining Agreement. - PASS

Vote Results

Motion: Scott Shine

Second: Paula Wright

Rebecca Couch - Not Present

Jason Fischer - Not Present

Cheryl Grymes - Aye

Connie Hall - Not Present

Ashley Juarez	- Not Present
Scott Shine	- Aye
Paula Wright	- Aye

[STEP III GRIEVANCE BY LABORERS INTERNATIONAL UNION OF NORTH AMERICA \(LIUNA\)
LOCAL 630 - SHEILA WEEKS](#)

Minutes:

Chairman Grymes explained the process.

Present for this Grievance Hearing were:

Grievance Committee Members:

Ms. Cheryl Grymes
Ms. Becki Couch
Dr. Constance S. Hall
Mr. Jason Fischer (arrived at 10:00 a.m.)
Mr. Scott Shine

Present on behalf of Staff:

Ms. Wendy Byndloss, Assistant General Counsel, Office of General Counsel
Ms. Sonita Young, Assistant Superintendent, Human Services
Mr. David Ford, Executive Director, Risk Management

Present on behalf of Grievant:

Ms. Sheila Weeks, Accountant I, Grievant
Mr. Kip Hamilton, Senior Computer Specialist/Steward Local 630

Others Present:

Mr. Brian McDuffie, Executive Director, Policy & Compliance

The Committee ruled in favor of Ms. Weeks' grievance held on March 9, 2015 but requested additional information before entering the Final Order. The Committee is here today to consider the information before voting on the Final Order.

After voting to approve the Final Order, the Committee reconvened to clarify the rate of compensation and number of hours through amendments to the proposed Final Order.

Motions:

That the Grievance Committee of the
School Board of Duval County, Florida

enter a final order in the Step III Grievance filed by Sheila Weeks, an employee governed by the LIUNA Collective Bargaining Agreement. - PASS

Vote Results

Motion: Rebecca Couch

Second: Connie Hall

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes - Aye

Connie Hall - Aye

Ashley Juarez - Not Present

Scott Shine - Aye

Paula Wright - Not Present

Motions:

The Grievance Committee of the School Board of Duval County, Florida reconvened to amend Item 6 in the Final Order in the Step III Grievance filed by Sheila Weeks, an employee governed by the LIUNA Collective Bargaining Agreement by replacing it with the following language: -
Therefore Ms. Weeks will be paid for 249 hours of out-of-class pay within 10 days from the date of this Order.

Vote Results

Motion: Jason Fischer

Second: Scott Shine

Motions:

That the Grievance Committee of the School Board of Duval County, Florida

amend the previous amendment by adding additional language to say: at the Coordinator rate. - PASS

Vote Results

Motion: Jason Fischer

Second: Rebecca Couch

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes - Aye

Connie Hall - Aye

Ashley Juarez - Not Present

Scott Shine - Aye

Paula Wright - Not Present

Motions:

That the Grievance Committee of the School Board of Duval County, Florida enter a Final Order in the Step III Grievance filed by Sheila Weeks, an employee governed by the LIUNA Collective Bargaining Agreement as amended in Item 6 to read: Therefore Ms. Weeks will be paid at the Coordinator rate for 249 hours of out-of-class pay within 10 days from the date of this Order. - PASS

Vote Results

Motion:

Second:

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes - Aye

Connie Hall - Aye

Ashley Juarez - Not Present

Scott Shine	- Aye
Paula Wright	- Not Present

[STEP III GRIEVANCE BY LABORERS INTERNATIONAL UNION OF NORTH AMERICA \(LIUNA\)
LOCAL 630 - SHEILA KENDRICK](#)

Minutes: Chairman Grymes explained the process.

Present for this Grievance Hearing were:

Grievance Committee Members:

Ms. Cheryl Grymes
Ms. Becki Couch
Dr. Constance S. Hall
Mr. Jason Fischer
Mr. Scott Shine

Present on behalf of Staff:

Ms. Wendy Byndloss, Assistant General Counsel, Office of General Counsel
Ms. Sonita Young, Assistant Superintendent, Human Services
Mr. David Ford, Executive Director, General Services/Risk Management
Mr. Stephen Bright, Executive Director, Business Services
Ms. Cindy Hill, Executive Director, Business Services
Ms. Melissa Coppedge, Supervisor, Human Resources

Present on behalf of Grievant:

Ms. Sheila Kendrick, Grievant
Mr. Dan Williams, Attorney
Mr. Kip Hamilton, Senior Computer Specialist/Steward Local 630
Mr. David Jeff Brannen, Senior Computer Specialist/LIUNA

Others Present:

Mr. Brian McDuffie, Executive Director, Policy & Compliance

Mr. Williams explained to the Committee that Sections 21.5 and 21.7 of the Collective Bargaining Agreement (CBA) pertain to potential changes to job descriptions by the Employer and what the protocol is when that happens. He then called Mr. Jeff Brannen to testify to his involvement in the negotiations of the CBA and more specifically, to Sections 21.5 and 21.7. Mr. Brannen explained that originally Section 21.7 was just the first paragraph pertaining to just Computer Specialists; however, in time additional paragraphs were added to include other departments as well. The purpose of the paragraph is to prevent employers from adding responsibilities to the job description without increasing the salaries.

Ms. Kendrick testified that Human Resources sent out a notice indicating certain college courses and additional credit hours would be required for certain positions. Her supervisor sent an e-mail to Ms. Young in Human Resources to note that the changes to the positions were not approved by

the union and there is not a Memorandum of Understanding (MOU). The Accountants feel the changes made are very significant.

Ms. Byndloss then spoke on behalf of staff arguing that the case is about a right that has long been considered a management right. Management has a right, according to Florida state statute, to set job specifications. The Grievant is asking to take that right away. Although the District is required to give notice whenever changes are made, it is not required to give the union final say in those changes. It would be very burdensome if the District were to enter into a new agreement whenever a change is made. The District argues that Section 21.7 has nothing to do with accountant positions; it only applies to computer specialists.

It was noted that the grievance is about revisions to the job description, not job duties. Many of the job descriptions that have been changed in the last few years had not been changed since the 70's or 80's. None of these changes made in the last several years involved compensation or classification. The District doesn't think the changes made have much significance. The union has never requested an MOU on any of these classifications. The Grievant participated in team development in February 2008 and there was no where in her paperwork where she had a complaint about the job descriptions.

There was back and forth discussion by both sides as to whether Section 21.7 of the CBA pertained only to Computer Specialists or if it applied to other positions as well, such as Accountants.

Mr. Williams' argument included concern that the District would add job responsibilities and treat them as revisions to job descriptions in order to avoid paying higher salaries for higher level work.

The Committee asked both sides questions for clarification. Topics included how a newly implemented test would affect current employees and use of certain words such as "strong" and "supervisor" in the Accountant I job description.

Board Member Couch noted that if the Comparative summary document would have been provided to the Committee ahead of time instead of at the meeting, it would have made the whole process easier.

Mr. Williams wanted to get clarification with the Board that the main question at this hearing is whether Section 21.7 applies specifically to just Computer Specialists or if it applies to other areas as well. The Board may want to be careful about expanding the discussion to include whether changes made to the job description is significant or not for purposes of setting precedent.

Board Member Fischer moved to request orders from each side. Board Member Couch seconded. Board Member Shine opined that he is not seeing the standard of evidence but will support the motion. After the vote, the Committee asked that both sides submit their Proposed Order for consideration 14 calendar days prior to the next Grievance

hearing.

Motions:

That the Grievance Committee of the Duval County School Board request proposed orders from each side to consider when the Committee reconvenes. - PASS

Vote Results

Motion: Jason Fischer

Second: Rebecca Couch

Rebecca Couch - Aye

Jason Fischer - Aye

Cheryl Grymes - Aye

Connie Hall - Aye

Ashley Juarez - Not Present

Scott Shine - Aye

Paula Wright - Not Present

ADJOURNMENT

[Adjournment](#)

Minutes:

The meeting was adjourned at 12:17 p.m.

LBL

Superintendent

Chairman