



E-AGENDA MANAGER

## Duval County Public Schools

---

August 10, 2016, Special Board Meeting - Grievance Committee

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

ATTENDANCE AT THIS SPECIAL MEETING OF THE DUVAL COUNTY SCHOOL BOARD: Chairman Ashley Smith Juarez and Board Members Constance S. Hall and Scott Shine were present. 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 11:05 a.m.

[APPROVAL OF THE AGENDA](#)

Motions:

That the Duval County School Board  
Grievance Committee approve the  
August 10, 2016, agenda as submitted - PASS  
August 8, 2016.

Vote Results

Motion: Connie Hall	
Second: Scott Shine	
Rebecca Couch	- Not Present
Cheryl Grymes	- Not Present
Connie Hall	- Aye
Ashley Juarez	- Aye
Scott Shine	- Aye
Paula Wright	- Not Present

## GRIEVANCES TO BE DISCUSSED

### [CONTINUATION OF STEP III GRIEVANCE BY DUVAL TEACHERS UNITED/UNITED OFFICE PERSONNEL OF DUVAL \(DTU/UOPD\) - JIMMY WARD](#)

Minutes:

Present:

Ashley Smith Juarez, Chairman  
 Scott Shine, Board Member  
 Dr. Constance S. Hall, Board Member  
 Wendy Byndloss, Attorney, Office of General Counsel  
 Michael Wedner, Attorney, Office of General Counsel  
 Karen Chastain, Chief of Legal Services

*The Grievant, Jimmy Ward, was not present.*

Ms. Karen Chastain, Chief of Legal Services, reminded the Subcommittee that the Step III grievance hearing for this agenda item was held on May 11, 2016, which approved Mr. Ward's grievance. At that hearing, the Subcommittee recessed in order to later approve the draft final order which is the purpose of the current hearing. The Grievant, Jimmie Ward (not present), sent his comments to the District the previous evening, which Ms. Chastain included in the materials the Subcommittee received.

Ms. Chastain recommends each side receives 2 minutes to present their side. Since Mr. Ward was not present, it would only be the District presenting in this case. She can then provide guidance to the Subcommittee as they deliberate to consider the draft order.

Ms. Byndloss, Attorney for the Office of General Counsel, argued that the comments the Grievant wished to add to the draft order were not relevant and should not be added.

Motions:

That the Grievance Committee of the School Board of Duval County, Florida move to accept the original draft order. - PASS

Vote Results

Motion: Scott Shine

Second: Connie Hall

Rebecca Couch - Not Present

Cheryl Grymes - Not Present

Connie Hall - Aye

Ashley Juarez - Aye

Scott Shine - Aye

Paula Wright - Not Present

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

Minutes:

Present:

Ashley Smith Juarez, Chairman

Scott Shine, Board Member

Dr. Constance S. Hall, Board Member

Wendy Byndloss, Attorney, Office of General Counsel

Michael Wedner, Attorney, Office of General Counsel

Keith Gooch, Supervisor, Information Technology

James Moore, Supervisor, Information Security

Stephen McLaughlin, Supervisor, Information Technology

Steve Motolenich, Director, Information Management

Vicky Olson, Grievant

Mr. Ron Burris, Business Manager, Northeast Florida Public Employees' Local 630

Jim Culbert, Executive Director, Technology Services

Karen Chastain, Chief of Legal Services

Ms. Chastain, Chief of Legal Services, reminded the Subcommittee that

the Step III Grievance hearing on May 11, 2016, was recessed so both parties would be able to provide:

1. A joint stipulation regarding the agreed upon record
2. Each party's witness list
3. Each party's exhibits (whether agreed upon or not)

Documents were provided in a binder for the Subcommittee's review and the Step III Grievance will continue at this hearing.

Mr. Burris, Union Representative for Ms. Olson, argued the District did not honor the directive of the final order that was handed down at the previous grievance hearing for Ms. Olson that was initially filed on November 18, 2013. The final order indicated that Ms. Olson was to be reassigned with full-time duties to support the System Center Operations Manager (SCOM) only, with job functions consistent with that assignment. Mr. Burris claimed that never occurred. Instead, Ms. Olson is assigned to the Network Operations Center (NOC) and Help Desk, as well as doing duties in the SCOM.

Through questioning witnesses, Ms. Byndloss established that SCOM refers to an application of duties that is set up to monitor servers within the District. NOC refers to a physical location within the Information Technology (IT) Department.

Ms. Olson's grievance objected to a report she was asked to do that would assist in monitoring the health of the servers within the District, stating it was not part of her job duties. Ms. Byndloss established that the report was part of Ms. Olson's duties. Ms. Olson was sent to training that would show her how to generate the entire report. The purpose of the report is to try to prevent problems rather than fix them after servers have gone down.

Through questioning witnesses, Mr. Wedner established that phone calls would need to be made to complete the required report which is part of the job requirements. Ms. Olson attended two weeks worth of training at New Horizons that would enable her to know how to complete the requested report. The cost of the training was approximately \$5,000. The report from New Horizons showed Ms. Olson did not attend any of the lab sessions for the training which would have provided hands-on experience. Witnesses testified that Ms. Olson has a tendency to say the Board says certain tasks are not within her job description or object whenever asked to do something.

Through questioning witnesses, Mr. Burris clarified the types of tasks performed in NOC. To complete the required report, making phone calls or sending emails would need to be done to collect information the system would not be able to generate. These are the tasks the Grievant objects to doing. Testimony revealed that New Horizons communicated to IT that the Grievant did not attend labs during her training with them although the documentation for that was not included in the materials given to the Subcommittee. IT has been restructured so multiple people know how to

do multiple jobs, so if one person leaves or retires, others can fill in until a replacement is put in place. After the ruling on the Grievant's last hearing, she was assigned duties only to SCOM, which take very little time.

Notation for the record: Both parties have no objection to the report submitted into the record. The Grievant's representation objects to the job description for Senior Computer Specialist due to the classification of the tasks listed.

During deliberations, the Subcommittee agreed that IT is a quickly evolving entity which creates limitations. Chairman Smith Juarez asked Ms. Chastain if there is an opportunity for the grievance committee to amend the prior order issued by the Subcommittee earlier in the year. Ms. Chastain explained that it is a "stand alone" grievance that is not tied to the earlier order.

Motions:

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

Vote Results

Motion: Scott Shine

Second: Connie Hall

Rebecca Couch - Not Present

Cheryl Grymes - Not Present

Connie Hall - Aye

Ashley Juarez - Aye

Scott Shine - Aye

Paula Wright - Not Present

ADJOURNMENT

[ADJOURNMENT](#)

Minutes:

The hearing was adjourned at 12:29 p.m.

LBL

---

Superintendent

---

Chairman