Juvenile Welfare Board Meeting: 1979: 05: 14: Minutes

Juvenile Welfare Board of Pinellas County.

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JUVENILE WELFARE BOARD

Minutes of hearing continuance of May 14, 1979

PRESENT: Mr. Joseph R. Ponds, Jr., Vice Chairman; Mrs. James D. Eckert, Secretary; Mrs. Helen W. Herman; Mrs. H.W. Holland; and Dr. Gus Sakkis. Also present: Dr. Raymond L. Edwards, Executive Director; Mr. Frank P. Glackin, Attorney at Law; Ms. Charlene G. Bennett; and Mr. Frank H. Bass, Jr., Attorney at Law (representing Ms. Bennett).

The Board met to continue hearing testimony in the suspension of Ms. Bennett. Mr. Bass, as attorney for Ms. Bennett, made his opening argument and then called Ms. Bennett and three staff members as witnesses. Mr. Glackin was afforded the right of cross-examination. After the defense rested, both Mr. Glackin and Mr. Bass presented closing arguments.

The Board then deliberated. Mr. Joseph R. Ponds, Acting Chairman, announced the decision of the Board to uphold the action of the director in suspending Ms. Charlene G. Bennett effective April 20, 1979 at 4:30 p.m. Upon polling of the Board, the vote was four in favor of upholding the suspension and one against upholding such suspension. The hearing having been concluded, the meeting was terminated. (See addenda)

[Signature]
Mrs. James D. Eckert, Secretary
ADMINISTRATIVE HEARING

BEFORE

JUVENILE WELFARE BOARD
Pinellas County, Florida

RE: Charlene Bennett

FINAL ORDER

The Board having met in special sessions on May 8, 1979 and May 14, 1979 concerning the suspension of Ms. Charlene G. Bennett by Dr. Raymond L. Edwards, pursuant to Juvenile Welfare Board's Personnel Practices Manual, Paragraph II, F, 7, and the Board having heard testimony from Dr. Edwards, Ms. Bennett and eleven other personnel and further having heard argument from Frank P. Glackin, Jr. as attorney for the Board and Frank H. Bass, Jr. as attorney for Ms. Bennett, and being otherwise fully advised in the premises, the decision of the Board is as follows:

1. The Board has determined that Charlene Bennett is guilty of gross misconduct within the purview of Juvenile Welfare Board's Personnel Practices Manual.

2. The Board adopts as its definition of "gross misconduct" the statutory law of Florida relating to unemployment compensation claims, to wit:

"Misconduct includes conduct evincing such willful or wanton disregard of an employer's interests as to constitute a deliberate violation or disregard of the standards of conduct which an employer may expect of an employee or carelessness or negligence of such a degree or reoccurrence as to manifest culpability,
wrongful intent or evil design, or to show an intention and substantial disregard of the employer's interests or of the employee's duties and obligations."

3. The Board finds, as a matter of fact, that Ms. Bennett's conduct towards Dr. Edwards was a premeditated, overt and malicious course of conduct with intent to discredit him before the members of his staff.

4. The Board further finds that Ms. Bennett's criticism of Dr. Edwards' personal and professional activities must be considered to be destructive and not constructive towards the entire Juvenile Welfare Board as well as the Executive Director.

5. The Board further finds that the so-called open letter to Dr. Edwards was intentionally made available to and therefore published to other staff members of the Juvenile Welfare Board by Ms. Bennett and could only be considered destructive so far as Dr. Edwards' effectiveness as the Executive Director of the Board is concerned and disruptive to the entire organization.

Accordingly, the Board voted upon a four to one decision to uphold the suspension of Ms. Bennett effective April 20, 1979.

FOR THE BOARD:

Joseph R. Pond, Jr.
Acting Chairman

Board members Eckert, Holland Sakkis concur.
Board member Herman dissents.
I dissent from the decision of the majority of the Juvenile Welfare Board, which met in special sessions on May 8, 1979 and May 14, 1979 concerning the suspension of Ms. Charlene G. Bennett for two reasons, as follows:

1. The Board, except for the Acting Chairman, was not fully advised, in advance, of the rules of the hearing.

2. No definition of "Gross Misconduct" is included in Juvenile Welfare Board's Personnel Practices Manual. Although a definition of "gross misconduct" as set forth in statutory law of Florida relating to unemployment compensation claims was read into the record during the hearing, no specific definition of "gross misconduct" was adopted by the Board during its private deliberations.

Helen W. Herman
Juvenile Welfare Board

I request that this dissent be made a part of the FINAL ORDER.