



02 08 2011 Grievance Hearing No. 269 - V. Hillman

For ADA assistance, contact the Office of Equity and Compliance, 534-0781, at least 3 business days before the meeting.

Call to Meeting to Order

Acceptance of Agenda

1. [Accept 02 08 2011 Grievance Agenda](#)

Motions:

Motion to accept Grievance No. 269 Agenda. - PASS

Vote Results

Motion: Frank O'Reilly

Second: Hazel Sellers

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Debra Wright - Aye

Grievance

## 2. [SPEAKERS](#)

Minutes:

Valerie Hillman spoke on her request for prior years of service credit. Her previous employer, Sears, was not forthcoming in substantiating her work experience. Ms. Hillman was unaware of the prior years experience credit until several years after she had been with the District.

Lee Littlefield, PEA Representative, stated there is a loss of trust of the employee with the employer.

## 3. [Grievance No. 269 - Valerie Hillman](#)

Attachment: [Grievance #269 - V. Hillman.pdf](#)

Minutes:

- Mr. Littlefield spoke on the possible right of the Human Resource Department to extend the time limit in filing for verification; it is not limited to 90 days. When Valerie was hired, the new employee group training was not in effect. It is Valerie's recollection that there was no mention of past credit experience opportunities. Mr. Littlefield believes the grievance should be granted because there is no documentation to confirm or deny that she was told to turn in experience credit. He stated that the Board has the authority to grant the grievance and extend the filing time beyond the 90-day period.
- Don Wilson, Attorney representing the Superintendent, stated that the Polk Education Association (PEA) claims that administration made a mistake with Ms. Hillman's new hire process. The mistake was made because the employee waited nine (9) years to apply for her credit experience.

Three reasons to deny grievance:

1. Current bargaining language states you have to file within 90 days and that only experience at schools is eligible for credit.
2. Very specific language in the bargaining agreement covering errors. PEA and District staff worked long hours developing the language addressing overpayment and underpayment issues. A federal mediator was used twice in the bargaining process. Now PEA is asking that we overlook the CBA and the long hours devoted to creating the procedures to correct payment issues and grant a 9-year waiver. There is not sufficient information provided to grant the relief sought. If an error is found (either over/under) within 24 months, the employee will be compensated or the district will be reimbursed. If an overage error is found after 24 months, the employee does not have to reimburse the District. If the District has underpaid someone, the district will pay the employee the shortage. If an error is

found after 72 months, no future salary or wage adjustments will be made.

3. The experience submitted by the former employer lacks sufficient information to support any years of credit: type of work, quality of work, full or part time, etc.

Mrs. Sellers commented that the Board has consistently ruled in favor of policy, to do otherwise now would raise several concerns.

Motions:

Motion to uphold Superintendent's  
Recommendation to deny Grievance No. 269, - PASS  
Valerie Hillman.

Vote Results

Motion: Frank O'Reilly

Second: Hazel Sellers

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Debra Wright - Aye

Adjournment

The Grievance adjourned at 3:15 PM. Minutes were approved and attested this 22nd day of February, 2011.

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Kay Fields, Board Chair

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Sherrie B. Nickell, Ed. D, Superintendent