



**SPECIAL EXECUTIVE COMMITTEE MEETING
MINUTES**

**Tuesday, March 28, 2017 at 9 a.m.
15506 County Line Road, Suite 103
Spring Hill, FL 34610**

Committee Members Present: Dr. Steve Kanakis, Chair; Gus Guadagnino, Pat McHugh

Committee Members Present via Phone: None

Committee Members Excused: None

Coalition Staff Present: Pattie Eacobacci, Jim Farrelly, Jak Jakubauskas, Betsy Kier

Others Present: Steve Lee, Attorney; Audrey Stasko, Jeff Webb

I. Call to Order – Dr. Steve Kanakis, Chair

Dr. Kanakis called this Special Executive Committee meeting to order at 9:04 a.m. in order to hear a grievance filed by Ms. Stasko on February 22, 2017. The purpose of this meeting is to confirm or reverse the decision made by the Executive Director to terminate Ms. Stasko's employment.

II. Executive Committee Review of Grievance Document

Dr. Kanakis requested that a few minutes be taken to review the grievance prior to hearing testimony.

III. Executive Committee Review of Pertinent Coalition Personnel Policy and Procedures

After reviewing, Dr. Kanakis stated that we are here to affirm or reverse the direction of the Executive Director based on insubordination due to refusal to give up office key. Policy is clear with either termination or reinstatement of employment and now a resolution to reach one of these two (2) choices must be made.

IV. Additional Comments from Grievant

Mr. Lee inquired if Ms. Stasko had another resolution in mind. Ms. Stasko stated she would not work in this environment due to the incident that occurred on Monday, February 21, 2017. Due to her hard work, she does not wish to have any negativity over her career. She believes the entire incident was handled incorrectly, as stated in her grievance.

Mr. Lee inquired what the Coalition's policy was regarding inquiries on past employees. Mr. Farrelly replied that inquiries are only provided with the position held, hire date and last day

of employment, and if asked, if the employee was eligible to be re-hired. If someone inquired about Ms. Stasko, Mr. Farrelly stated they would be informed she was the Communications Specialist, her dates of employment and she would be eligible for re-hiring.

Mr. Lee inquired if this standard would be placed in Ms. Stasko's file, would she agree to that. Ms. Stasko stated yes, but insubordination is wrong as is being bullied and threatened into giving up her keys or resigning. It is hard to grasp something like being followed into an office and held against your will - it is not OK; that is why she was terminated. She was placed in a tough situation that needs to be addressed as toxic to the organization as a whole. Mr. Lee stated the management of the Board is not for her to decide; whether to take action with Mr. Farrelly or not is up to the Board.

Ms. Stasko stated yes to Mr. Lee's inquiry about placing the standard of information into her file. She then inquired that if the information in her file will not be adjusted, will this matter regarding her dismissal go to the Board as a whole as something that should be reviewed. In response, Mr. Lee stated the grievance is to hear the employment review and the only possible outcome is to sustain or reverse the decision. Ms. Stasko stated she would like the decision reversed, but she will not work under Mr. Farrelly where toxicity is allowed and protected.

V. Comments from Respondent

Mr. Farrelly read the following statement: "My attorney has directed me to restrict my comments at this Grievance Review to the one and only matter subject to employee grievance that is whether the involuntary termination complied with board policy. I will only state that I fully refute the grievant's portrayal of circumstances related to this grievance.

In response to the single matter subject to employee grievance, the grievant refused the repeated requests, then the repeated directions of her supervisor - the agency's Executive Director, for surrender of Coalition-issued property, a key accessing all locked, internal Coalition offices. As specifically defined by Coalition board policy, this action unquestionably constitutes insubordination - a board approved basis of employee termination."

At this time, in response to a question from Mr. Lee, Mr. Farrelly stated that Mr. Lee is not his attorney. Mr. Lee concurred.

VI. Executive Committee Discussion

Dr. Kanakis inquired if anyone had questions. Mr. Guadagnino stated he is not ready to make any decision until he has spoken with his attorney as he is not an expert in this field. There are two (2) strong contradicting statements and he has only hearsay to go on and is not sure he can make a good decision unless he knows of his legal rights. He stated he would like to postpone the hearing.

Dr. Kanakis stated this is an evidentiary hearing. He stated a lot of time has already been spent on this issue.

Mr. Guadagnino stated his life and career as a public figure is a concern to him and he needs to protect himself.

Attorney Lee stated the Committee can take action by a vote of 2 - 1, but there are no motions pending.

Mr. Guadagnino stated, as a Board member, he needs the respect to get the time he needs and he will make a decision within 3-4 weeks. He stated he wants a decision that is amicable for all.

Dr. Kanakis inquired if Ms. Stasko has a resolution.

Mr. Guadagnino moved to adjourn and convene the hearing in 30 days to have time to review. Mr. McHugh stated he cannot second the motion because two (2) people will be kept in limbo; the attorney has offered two (2) options - reverse or maintain. Mr. Guadagnino's motion was defeated due to a lack of a second.

Mr. Lee stated the employee is unhappy and wants a review by someone other than the Executive Director. She has indicated she does not want the job back and is asking for the Committee to take action with regard to Mr. Farrelly which is beyond the scope of this hearing. The Board may take action on that or not.

Ms. Stasko stated she had no intention to resign, but she won't work with someone who bullies. She doesn't know where to go from here. The insubordination grounds are not fair.

Mr. Farrelly stated that as the defendant in this grievance and for the record, words have been shared today by Ms. Stasko that will be reflected in the minutes and are simply allegations. As the CEO for the past ten (10) years, he stated this organization has functioned via respecting others and their views, leading to accomplishments. His perspective is that this issue can be resolved.

Mr. Guadagnino stated he needs to get legal advice and can obtain it within 30 days. Mr. Farrelly stated he was comfortable with the delay.

Dr. Kanakis stated that punishing Mr. Farrelly is beyond the scope of this hearing. Something acceptable should be determined. As Ms. Stasko has stated she is not coming back, Dr. Kanakis inquired if the objectionable term "insubordination" can be removed.

Mr. Lee inquired of Ms. Stasko - what would you propose? Employment is terminated, what term would be better and a fair description of what happened. Ms. Stasko stated she would like a good reference. Mr. Lee informed her no references are given, just basic information. Ms. Stasko stated her termination memo says insubordination. She explained the termination

came abruptly and unfairly. She did a good job and had good reviews including from the Board. It is unfair that she is forced into this situation. She does not know how to rectify the situation, but doesn't think this is acceptable and she should not have to suffer because of Mr. Farrelly's actions. Her reason was put into the grievance that Mr. Farrelly acted unethically. Dr. Kanakis stated that is not grievable for employment and he wants to resolve the employment issue.

Ms. Stasko stated there was talk of a specific deal that wasn't brought to the Executive Committee. Mr. McHugh stated that was an independent action on his part between himself and Ms. Stasko, but they could not come to a satisfactory agreement.

Dr. Kanakis stated that Mr. McHugh acted solely independently.

Ms. Stasko requested the proposal be put in front of the committee today for a vote.

Mr. McHugh stated he did not find it appropriate to propose.

Ms. Stasko stated the suggestions were emailed to her by Mr. McHugh and stated the following: the Coalition would be responsible for reimbursing her back pay to her termination date including health care benefits and she would have the opportunity to resign in two (2) months with a letter of recommendation. She would work from home under Ms. Betsy Kier as her direct supervisor and not Mr. Farrelly.

Mr. McHugh stated this was proposed by himself independently. Dr. Kanakis stated Ms. Stasko's resignation would need to be immediate, but had no problem with back pay or health benefits.

Mr. Guadagnino stated as a business owner, if an employee is let go as was directed by the Executive Director, and expects to get paid, it may open up a Pandora's Box. Will other employees expect the same? Dr. Kanakis agreed.

Ms. Stasko stated it comes down to the incident with the key and goes hand in hand with demand for her resignation. Mr. Farrelly did not have the right to bully me into giving back the key; she would have just left early that day, as she originally planned to do. She was threatened with "you will resign", but she did not want to resign and there is no legal authority to force an employee to resign.

Dr. Kanakis inquired why Mr. Farrelly requested the key. Mr. Farrelly re-stated that, on the advice of his attorney, he has no further comment today.

The Committee again discussed postponing the hearing, which Ms. Stasko was OK with. Mr. Guadagnino requested it be postponed for two (2) weeks. Mr. McHugh stated he does not see the facts changing or another choice presented. The Committee will still make a decision to change or keep the grievance; the only change is Mr. Guadagnino will have consulted his attorney.

The meeting was adjourned for ten (10) minutes at 9:48 a.m.

Dr. Kanakis reconvened the grievance hearing at 10:00 am.

Dr. Kanakis inquired if there was a motion or further discussion. Mr. McHugh moved to deny the grievance; Dr. Kanakis seconded the motion. All were in favor with the exception of Mr. Guadagnino who abstained. The motion carried.

VII. Resolution of Grievance

Dr. Kanakis informed Ms. Stasko that her grievance is denied. The action of the Executive Director is affirmed.

VIII. Adjournment

Dr. Kanakis requested a motion to adjourn this special meeting of the Executive Committee; Mr. Guadagnino so moved and the meeting was adjourned at 10:02 a.m. without further discussion.

Respectfully submitted by,

Jak Jakubauskas
Administrative Assistant I