

**October 1—December 31, 2004**

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## Staff Changes

In August, the Commission staff said farewell to long-time hearing officer Christi Sundberg. Christi's part-time hearing officer position has now been filled by Julie Steinmeyer. Julie attended the University of Florida and received a B.S. in advertising in 1986. She worked in the advertising field as an account executive for two years before returning to her alma mater for law school and receiving a J.D. in 1991. After law school graduation, Julie was employed with Hopping, Green and Sams with a primary focus in the areas of environmental, regulatory, and administrative law. Subsequently Julie worked as in-house counsel at Gulf Atlantic Insurance Services. Accordingly, her practice shifted to insurance law but remained primarily in the regulatory arena. Julie has a son and daughter. Her hobbies include tennis, reading, and bike riding and she is actively involved in her church and in her children's school.

The Commission welcomed Sandra Reed to the staff in November. Sandra hails from Georgia and is the mother of three children, two boys and a girl. Sandra is busy cross training in many areas of the Commission's organization but is currently the pleasant voice you hear when you call the Commission and is also responsible for administrative duties, including purchasing, invoice processing, and general staff support. Sandra enjoys spending time with her family and shopping with her daughter.

The Commission also welcomes Juselly French to our staff. Juselly's journey to the Commission began in her hometown of Bogotá, Columbia, where she practiced law as a corporate financial attorney for more than a decade. Following their recent marriage, Juselly and her husband moved to Tallahassee. Although she left behind the green mountains and flavors of Columbia, she is enjoying her new life in Florida with her husband and their Italian greyhound, Theo. Juselly will be assisting the Commission's legal, word processing, and elections staffs. She plans to continue her legal career after she attends law school and becomes a member of the Florida Bar.

## Coming Soon: PERC News Via Email

The Commission hopes to soon be able to publish the PERC News in an email format. To assist in this conversion, we ask that our readers send an email to [suzanne.choppin@perc.state.fl.us](mailto:suzanne.choppin@perc.state.fl.us) advising of the email address at which you prefer to receive the News.

### PERC NEWS

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## First DCA Disapproves of Retroactive Application of *Dickens*

by Jerry W. Chatham, Hearing Officer

The Florida District Court of Appeal, First District, issued an opinion January 7, 2005, in *Department of Corrections v. Chesnut*, 30 Fla. L. Weekly D1606 (Fla. 1st DCA Jan. 7, 2005), declining to make its prior decision in *Dickens v. Department of Juvenile Justice*, 830 So. 2d 135 (Fla. 1st DCA 2002), retroactive. Chesnut, a fourteen year employee allegedly committed sexual harassment misconduct while he was in a job position in the career service system, was reclassified to a position in the selected exempt service while under investigation, and was then dismissed. Chesnut was informed by his employer that he had no right to appeal his dismissal because of his SES status. Over a year later, Chesnut filed a request for a name clearing hearing before the Division of Administrative Hearings, after he learned that the Department had notified a law enforcement licensing agency that he had been fired for sexual misconduct on the job. Chesnut prevailed at DOAH on his petition, but the Department declined to adopt the DOAH recommendation that Chesnut's name be cleared. Chesnut did not appeal that order.

In *Dickens*, decided three years after Chesnut was dismissed, the court held that a person alleged to have committed misconduct while in the career service but who was fired after reclassification to an exempt position retained his appeal rights. Upon learning of *Dickens*, Chesnut filed a career service appeal, and prevailed before the Commission, which concluded: (1) the doctrine of equitable tolling made the appeal timely because of the misinformation that Chesnut had been given about his appeal right, and (2) it was bound by the prior factual findings of the DOAH judge. However, the court reversed the Commission's order on the ground that *Dickens* is not retroactive, the doctrine of equitable tolling did not apply, and Chesnut had not filed a timely appeal after he was dismissed, regardless of the misinformation given to him by the Department.

\* \* \* \* \*

## Agency Disciplinary Notices in Career Service Cases Do Not Require Strict, Fine Precision

by Joey D. Rix, Hearing Officer

In *Wright-Simpson v. Department of Corrections*, 30 Fla. L. Weekly D108a (Fla. 4th DCA Dec. 29, 2004), the Fourth District Court of Appeal recently affirmed a Commission final order upholding the termination of a Department of Corrections probation officer for conduct unbecoming a public employee. Wright-Simpson was charged with intentionally submitting an affidavit to a federal district court in a discrimination lawsuit falsely claiming that she had worked overtime for DOC without being paid from March 2001 to April 2002.

On appeal, Wright-Simpson argued that DOC's final action letter failed to apprise her that she was being charged with violation of rules and regulations relating to the filing of a false affidavit in federal court. In rejecting Wright-Simpson's argument, the court pointed to the long-standing principle that disciplinary notices in state career service cases need not adhere to the fine precision required of pleadings in courts. Rather, the standard for determining sufficiency is whether the disciplinary letters are clear enough to apprise the employee of the proposed action and the facts upon which it hinges. The court found that the final action letter provided to Wright-Simpson clearly placed her on notice that DOC was charging that she either falsified her timesheets or the affidavit she filed in federal court, that this inconsistency resulted in a DOC investigation, and that she failed to answer questions relating to her work attendance.



## Career Service Cases

### ***Chambers v. Department of Corrections, 19 FCSR 291 (2004).***

Dismissal of a correctional officer demoted for willful violation of rules and regulations by the use of racial slurs affirmed. Mitigation not warranted.

### ***Smith v. Department of Children and Families, 19 FCSR 296 (2004).***

Security officer's dismissal for failure to properly escort visitors in a building that housed the criminally insane and leaving fellow officers on a duty call without proper notice affirmed. Mitigation not warranted.

### ***Steward v. Department of Juvenile Justice, 19 FCSR 301 (2004).***

Court liaison's ten-day suspension for negligence by falling asleep on duty affirmed.

### ***Lucas v. Department of Agriculture and Consumer Services, 19 FCSR 304 (2004).***

Suspension of vegetable terminal market inspector for poor performance in the preparation of vegetable inspection certificates affirmed.

### ***Jetton v. Department of Corrections, 19 FCSR 306b (2004).***

Dismissal of correctional officer for giving false testimony during an investigatory interview affirmed. Mitigation not warranted.

### ***Morning v. Department of Corrections, 19 FCSR 308 (2004).***

Appeal of suspension dismissed where the agency withdrew the suspension and paid the employee back pay after the appeal was filed.

### ***Coleman v. Department of Corrections, 19 FCSR 311 (2004).***

Suspension of correctional probation officer for failure to properly supervise a probationer affirmed. Workload was not a mitigating factor in the officer's suspension and, thus, mitigation was not warranted.

### ***Howard v. Department of Corrections, 19 FCSR 314 (2004).***

Five-day suspension of correctional officer for carrying a weapon in response to a request for assistance without the express authorization of a supervisor vacated. Back pay awarded.

### ***Laster v. Department of Corrections, 19 FCSR 331a (2004).***

Appeal dismissed as untimely where the employee mailed appeal eleven days after receiving notice of his suspension and the appeal was received by the Commission seven days after the mailing. The Commission dismissed the appeal after finding that there were no extraordinary circumstances allowing an untimely appeal and that it was improper for the employee to assume that the Commission would receive the appeal three days after it was mailed so as to be received within the fourteen-day filing period.

### ***Carillo v. Department of Revenue, 19 FCSR 316 (2004).***

Dismissal of tax auditor III for poor performance and insubordination affirmed where the employee had excessive absenteeism and failed to comply with requirements of a leave monitoring plan.

### ***Lucas v. Department of Agriculture and Consumer Services, 19 FCSR 323 (2004).***

Suspension of fruit and vegetable terminal market inspector for poor performance affirmed where inspector left work early without following instructions not to leave until he determined there was no more work to be performed that day.

### ***Johnson v. Department of Corrections, 19 FCSR 322 (2004).***

Appeal of discharge of correctional officer trainee based on the results of a drug test dismissed because trainee did not have career service status at the time of his discharge.

### ***Behrman v. Department of Corrections, 19 FCSR 326b (2004).***

Appeal dismissed where the agency rescinded the employee's dismissal, reinstated him as a correctional officer, and made him whole.

### ***Easter v. Department of Children and Families, 19 FCSR 332 (2004).***

Dismissal of protective investigator for conduct unbecoming a public employee for making rude and discourteous statements to a caller reporting alleged abuse affirmed.

### ***Patterson v. Department of Education, Case No. CS-2004-224 (Dec. 3, 2004).***

Appeal dismissed for lack of jurisdiction where employee had voluntarily resigned from employment.

### ***Starks v. Department of Juvenile Justice, Case No. CS-2004-209 (Dec. 9, 2004).***

Thirty-workday suspension of juvenile detention officer who conducted strip search of detainee without reasonable suspicion of contraband in violation of agency policy and procedures affirmed.

### ***Johnson v. Department of Juvenile Justice, Case No. CS-2004-230 (Dec. 14, 2004).***

Dismissal of juvenile detention officer for negligently failing to use proper restraint technique on client affirmed.

### ***Santana v. Department of Juvenile Justice, Case No. CS-2004-234 (Dec. 15, 2004).***

Career service appeal of employee who previously filed whistleblower

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complaint regarding his termination dismissed pursuant to election of remedies provision in Section 447.401, Florida Statutes.

***Wilburn v. Department of Juvenile Justice*, Case No. CS-2004-251 (Dec. 23, 2004).**

Dismissal of juvenile detention officer for negligence, violation of rules, and conduct unbecoming a public employee affirmed where the employee used improper restraint techniques and unauthorized force during an incident with a detainee.

to bargain over impact of management decision to temporarily transfer dual certified law enforcement officers from road patrol to understaffed detention center after five recent inmate suicides. A majority of the Commission held that there was adequate opportunity for notice and impact bargaining since the overcrowded conditions and understaffing problems occurred well before the transfers, and the decision to transfer was made ten days after the last suicide. The dissenting Commissioner opined that the Sheriff's Office had established exigent circumstances for the temporary four-week transfer, and there was no duty to bargain impact.

***City of Lake Worth v. Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc.*, Case No. CB-2004-167 (Nov. 16, 2004).**

General Counsel's summary dismissal affirmed. City contended that the union engaged in bad faith bargaining in July 2003 when it accepted \$250,000 from the City to fund items such as salaries as part of the collective bargaining agreement and then filed a grievance in May 2004 seeking to supplement the salary of a unit employee. The fact that the union filed a grievance alleging a violation of the contractual pay plan ten months after reaching the agreement does not, standing alone, evince bad faith bargaining. The pay rate dispute is properly resolved through grievance arbitration.

***Health Care Workers Council of the United Steelworkers of America, AFL-CIO, CLC (USWA) v. West Orange Healthcare District*, Case No. CA-2004-011 (Nov. 18, 2004).**

Unfair labor practice and post-election objections dismissed where the District had not engaged in any unlawful conduct or participated in activities which required conducting new elections.

***Broward Teachers Union v. School Board of Broward County, Florida*, Case No. CA-2004-113 (Nov. 18, 2004).**

Exigent circumstances justified School Board's unilateral change of personal reason and sick leave policy for a limited period where teachers engaged in a "sick out." The purpose of the change was to deal with circumstances if a large number of teachers did not report to work as threatened. School Board was awarded attorney's fees and costs because union knew or should have known that the policy change was only a temporary measure to counter an imminent "sick out."

***DeMoss v. Service Employees International Union*, Case No. CB-2004-156 (Nov. 23, 2004).**

Union did not commit an unfair labor practice by the manner in which it conducted merger of one local with another. Specifically, the union provided sufficient notice to unit members regarding the proposed merger, unit members had ample opportunity to discuss the proposed changes at various meetings, and the voting procedure utilized by the union afforded unit employees a fair opportunity to choose whether they wanted to substitute one local for another.

***International Union of Police Associations, AFL-CIO v. State of Florida, Department of Management Services*, Case No. CA-2004-157 and *International Union of Police Associations, AFL-CIO v. Florida Police Benevolent Association*, Case No. CB-2004-202 (Dec. 6, 2004).**

Commission denied charging party's request for injunctive relief without prejudice to renewing its motion upon issuance of the hearing officer's recommended order in unfair labor practice cases.



***De'Shamar v. Fraternal Order of Police, Sanford Lodge 140*, Case No. CB-2004-203 (Nov. 4, 2004).**

Employee filed an unfair labor practice charge alleging intimidating and aggressive speech from a union representative was intended to influence him to not withdraw from the union. The Commission found that the speech of the representative was protected as free speech and was not threatening or intimidating.

***Coastal Florida Police Benevolent Association v. Brevard County Sheriff's Office*, Case No. CA-2004-032 (Nov. 16, 2004).**

Sheriff's Office committed an unfair labor practice by failing to provide union with reasonable notice and opportunity

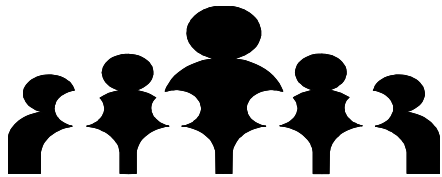
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**AFSCME Florida Public Employees Council 79 v. John Ellis Bush, As Governor of the State of Florida, Case No. CA-2004-152 (Dec. 22, 2004).**

Commission reinstated an amended charge summarily dismissed by the General Counsel upon finding that the allegation that AFSCME had not received notice of and an opportunity to request impact bargaining regarding a reduction in position level classifications was included in the charge itself and not only in the supporting documents.

## Representation Cases



**Quincy Professional Fire Fighters, Local 4343 v. City of Quincy v. Florida Police Benevolent Association, Inc., Case No. RA-2004-014 (Oct. 11, 2004).**

Recognition-acknowledgment petition seeking to substitute Local 4343 for the PBA as the representative of a unit of firefighters granted. Certification 1509 issued, certifications 536 and 686 revoked.

**Teamsters Local Union 385 v. Sheriff of Putnam County, Case No. RC-2004-056 (Oct. 13, 2004).**

Representation-certification petition seeking to represent a unit of law enforcement deputies granted.

**West Central Florida Police Benevolent Association v. City of Mulberry v. Hillsborough County Police Benevolent Association, Inc., A Charter of the Florida Police Benevolent Association, Inc., Case No. RC-2004-054 (Oct. 25, 2004).**

Consent election agreement for unit of law enforcement officers in the classifications of patrol officer, detective, corporal, and sergeant approved.

**National Conference of Firemen & Oilers, et al. v. Dorothy H. Wilken, Clerk of the Circuit Court, Fifteenth Judicial Circuit, Palm Beach County, Case No. RC-2004-039 (Nov. 1, 2004).**

Representation-certification petition seeking to represent a white-collar bargaining unit of employees of the clerk of court granted. The clerk and senior director were excluded as managerial employees and certain administrative assistants were excluded as confidential employees.

**Deland Professional Firefighters, Local 4347, IAFF v. City of Deland, Case No. RC-2004-060 (Nov. 1, 2004).**

Representation-certification petition seeking to represent a rank-and-file unit of fire-suppression employees granted.

**Florida Public Employees, Council 79, AFSCME, AFL-CIO v. Washington County District School Board, Case No. RA-2004-011 (Nov. 2, 2004).**

Recognition-acknowledgment petition seeking certification of a unit of bus drivers, bus aides, and mechanics granted. Certification 1517.

**United Food & Commercial Workers International, AFL-CIO, CLC v. City of Mulberry, Florida, Case No. RC-2004-075 (Nov. 10, 2004).**

Representation-certification petition dismissed where petition was a copy rather than the original document. Copies are insufficient because they do not contain the union representative's original signature denoting that the statements contained therein are true. Fur-

ther, the named petitioner was not registered with the Commission.

**National Conference of Firemen & Oilers, Service Employees International Union, Local 1227, AFL-CIO, CLC v. Dorothy H. Wilken, Clerk of the Circuit Court, Fifteenth Judicial Circuit, Palm Beach County, Case No. EL-2004-063 (Nov. 16, 2004).**

Commission directed that an on-site election be conducted because the bargaining unit was substantial in size and had not been previously defined.

**Florida State Lodge, Fraternal Order of Police, Inc. v. Town of Davie v. Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO, Case Nos. RC-2004-025 and RC-2004-026 (Nov. 16, 2004).**

Wall-to-wall bargaining unit of non-supervisory blue-collar and white-collar employees approved.

**Transport Workers Union of America, Local 291, AFL-CIO v. Miami-Dade County, Florida (Miami-Dade Transit Authority) v. Miami-Dade County, Florida, Employees Local 199 of the American Federation of State, County and Municipal Employees, AFL-CIO, Case No. UC-2004-014 (Nov. 19, 2004).**

Unit clarification petition seeking to include the classification of transit parking enforcement specialist in a unit of transit employees granted.

**Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO v. Village of North Palm Beach, Florida, Case No. RC-2004-052 (Nov. 22, 2004).**

Consent election agreement seeking to represent a unit of non-professional, non-supervisory employees approved.

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**Teamsters Local Union No. 385 v. City of Maitland**, Case No. RC-2004-063 (Nov. 22, 2004).

Consent election agreement seeking to represent a unit of police lieutenants approved.

**Truck Drivers, Warehousemen and Helpers, Local Union 512 v. Town of Baldwin**, Case No. RC-2004-062 (Nov. 23, 2004).

Consent election agreement seeking to represent a unit of rank-and-file law enforcement personnel granted.

**Communications Workers of America, AFL-CIO, CLC v. City of Bradenton**, Case No. RC-2004-078 (Nov. 23, 2004).

Representation-certification petition seeking to represent unit comprised of 911 dispatchers and communications supervisors dismissed as facially inappropriate overfragmentation.

**In re Government Supervisors Association of Florida, OPEIU, Local 100, AFL-CIO and City of Naples**, Case No. UC-2004-022 (Nov. 23, 2004).

Commission considered motion filed thirty days after issuance of final order verifying election results as a petition to clarify unit description due to a scrivener's error. Petition was granted and unit description clarified to reflect correct name of classification.

**In re Petition of the SEIU Local 8, To Amend Certification No. 131**, Case No. AC-2004-006 (Dec. 6, 2004).

Petition to amend certification 131 to substitute Local 8 for Local 1220 of the SEIU approved.

**Key Biscayne Professional Fire Fighters Association, Local 3638 v. Village of Key Biscayne**, Case No. RA-2004-013 (Dec. 6, 2004).

Recognition-acknowledgement petition seeking certification of a super-

visory unit of fire captains granted. Certification 1524.

**Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO v. Broward County Sheriff's Office v. Florida State Lodge, Fraternal Order of Police**, Case No. RC-2004-072 (Dec. 7, 2004).

Consent election agreement seeking to represent a unit of correctional lieutenants approved.

**United Food & Commercial Workers International, AFL-CIO, CLC v. City of Mulberry, Florida**, Case No. RC-2004-082 (Dec. 13, 2004).

Representation-certification petition dismissed where the named employee organization was not registered with the Commission.

**Communications Workers of America, AFL-CIO v. City of Jacksonville v. Professional Association of City Employees, Inc.**, Case No. RC-2004-070 (Dec. 20, 2004).

Representation-certification petition seeking to represent a unit of professional employees granted. The Commission denied PACE's motion to stay the proceedings based upon allegations in a pending unfair labor practice case that the City engaged in bad faith bargaining by disputing the identity of PACE's president. Inasmuch as the parties have been unable to consummate a contract for nearly three years, the City's actions which cover only the last several months would not have such a negative impact on employees that it would render a fair election impossible.

**Coastal Florida Public Employees Association v. City of Flagler Beach**, Case No. RC-2004-077 (Dec. 20, 2004).

Consent election agreement seeking to represent a unit of nonsupervisory, nonprofessional employees approved.

**Florida Police Benevolent Association, Inc. v. Desoto County Sheriff's Office**, Case No. RA-2004-016 (Dec. 21, 2004).

Recognition-acknowledgment petition seeking certification of a unit of rank-and-file law enforcement officers granted. Certification 1526.

**Florida Police Benevolent Association, Inc. v. Desoto County Sheriff's Office**, Case No. RA-2004-017 (Dec. 21, 2004).

Recognition-acknowledgment petition seeking certification of a supervisory unit of law enforcement officers granted. Certification 1527.

**Communication Workers of America, AFL-CIO, CLC v. City of Port Richey**, Case Nos. RC-2004-048 and RC-2004-080 (Dec. 21, 2004).

Consent election agreements seeking to represent a wall-to-wall rank-and-file unit and supervisory unit approved.

**Florida Police Benevolent Association, Inc. v. Desoto County Sheriff's Office**, Case Nos. RA-2004-018 and RA-2004-019 (Dec. 27, 2004).

Recognition-acknowledgment petitions seeking certification of rank-and-file and supervisory units of sworn correctional personnel granted. Certifications 1530 and 1531.

**Orlando International Airport Professional Firefighters, Local 4389, IAFF v. Greater Orlando Aviation Authority**, Case No. RC-2004-069 (Dec. 30, 2004).

Consent election agreement seeking to represent a unit of fire suppression and rescue employees approved.

**Florida State Lodge, Fraternal Order of Police, Inc. v. Charlotte County Sheriff's Office v. Florida Police Benevolent Association, Inc.**, Case No. RC-2004-076 (Dec. 30, 2004).

Consent election agreement seeking to represent a unit of rank-and-file law

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enforcement personnel approved.

***International Union of Painters and Allied Trades, AFL-CIO, Local Union 2301, Case Nos. UC-2004-021 and UC-2004-024 (Dec. 30, 2004).***

Unit clarification petitions seeking to modify the bargaining unit description to reflect certain title changes and to add newly created classifications granted.

failed to show a lack of promotion due to his whistle-blower activity.



## Veterans' Preference Cases

***Mallor v. Miami-Dade County School Board, Case No. VP-2004-006 (Oct. 13, 2004).***

Complainant alleged that he was not provided with a veteran's preference. Commission found that the charging party was not a veteran as defined by statute because he never served in the U.S. military during a time of war, so the preference does not apply to him and that, even if the preference did apply, the other applicant was more qualified. Therefore, his complaint was dismissed.

***Cagle v. St. Johns County School Board, Case No. VP-04-020 (Dec. 27, 2004).***

Veteran's preference complaint by teacher dismissed where the complainant was an annual contract employee whose contract was not renewed due to her inadequate performance. The Commission rejected the complainant's argument that she had been employed pursuant to a continuing service contract simply because she had prevailed in a prior veteran's preference complaint. The Commission's prior final order only contemplated that she would be employed under the same terms as any new hire, i.e. as an annual contract teacher. Further, the complainant's argument that she was dismissed in retaliation for successfully prosecuting her prior veteran's preference complaint was more appropriately considered under the Commission's unfair labor practice jurisdiction.



## Whistle-Blower Case

***Smith v. Department of Children and Families, Case No. WB-2004-005 (Nov. 5, 2004).***

Commission upheld the hearing officer's recommendation that the employee




\* \* \* \* \*

## Union Account Disclosure Ruling Affirmed

On March 9, 2004, the Commission issued a final order delineating the scope of union income and expense account disclosures under Section 447.305(5), Florida Statutes. *Clarke v. Transport Workers Union of America, Local #291*, 30 FPER ¶ 63 (2004) (Reported in January 1-March 31, 2004 issue of PERC NEWS). The Commission held that the income and expense accounts which employee organizations are required to disclose to its members or the Commission must include the underlying supporting documents. The Commission's decision was appealed and on December 15, 2004, the Third District Court of Appeal affirmed the Commission without opinion. *Clarke v. Transport Workers Union of America, Local #291*, Case Nos. 3D04-819 and 3D04-852 (Fla. 3rd DCA, Dec. 15, 2004).



## ORDER FORM FOR PERC'S PUBLICATIONS

1. Commission's Annual Report: 1980 – 1992..... (\$10.00ea.) \_\_\_\_\_  
(NOTE: \$10.00 for **each** yearly report) (1990 – 1991 is **one** book) \_\_\_\_\_ yr.
2. Appellate Decisions (PERC Collective Bargaining Cases) May 1989..... (\$10.00ea.) \_\_\_\_\_  
Appellate Decisions (PERC Labor Cases – 1989–1997)..... (\$5.00ea.) \_\_\_\_\_  
Appellate Decisions (PERC Labor Cases – 1998)..... (\$5.00ea.) \_\_\_\_\_  
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Appellate Decisions (PERC Labor Cases – 2002)..... (\$5.00ea.) \_\_\_\_\_  
Appellate Decisions (PERC Labor Cases – 2003)..... (\$5.00ea.) \_\_\_\_\_
3. Practical Handbook of Florida's Public Employment Collective Bargaining Law  ..... (\$3.00ea.) \_\_\_\_\_
4. Substantive Developments in Grievance Arbitration (updated through October 1986) ..... (\$10.00ea.) \_\_\_\_\_
5. Scope of Bargaining ..... (\$10.00ea.) \_\_\_\_\_
6. Career Service Appeals Under Service First  ..... (\$2.00ea.) \_\_\_\_\_
7. Appellate Decisions in Career Service Cases (1970 to the present) in a binder  ..... (\$10.50ea.) \_\_\_\_\_
8. The Cumulative Digest (Volumes 1-10 of the FCSR)..... (\$7.00ea.) \_\_\_\_\_
9. Commission's Florida Career Service Reporter:  
July 1 – December 31, 1986) (1 issue) ..... (\$20.00ea.) \_\_\_\_\_  
Jan. 1 – Dec. 31, 1987 (4 issues) \$40.00yr. \_\_\_\_\_ Jan. 1 – Dec. 31, 1988 (4 issues) \$40.00yr. \_\_\_\_\_  
Jan. 1 – Dec. 31, 1989 (4 issues) \$40.00yr. \_\_\_\_\_ Jan. 1 – Dec. 31, 1990 (4 issues) \$40.00yr. \_\_\_\_\_  
Jan. 1 – Dec. 31, 1991 (4 issues) \$40.00yr. \_\_\_\_\_ Jan. 1 – Dec. 31, 1992 (4 issues) \$40.00yr. \_\_\_\_\_  
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Jan. 1 – Dec. 31, 1997 (4 issues) \$40.00yr. \_\_\_\_\_ Jan. 1 – June 30, 1998 (2 issues) \$20.00yr. \_\_\_\_\_  
(Individual issues, please mark below) ..... (\$12.50ea.) \_\_\_\_\_  
January-March (1st issue) \_\_\_\_\_yr. April-June (2nd issue) \_\_\_\_\_yr.  
July-September (3rd issue) \_\_\_\_\_yr. October-December (4th issue) \_\_\_\_\_yr.

**\*For orders for the Florida Career Service Reporter [after the July-September 1998 issue], please contact the Florida Administrative Law Reports at: (352) 375-8036**

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## Elections Verified and Certifications Issued

*Quincy Professional Fire Fighters, Local 4343 v. City of Quincy v. Florida Police Benevolent Association, Inc.*, Case No. RA-2004-014; Certification 1509 issued 10/11/2004 to Local 4343.

*West Central Florida Police Benevolent Association, Inc. v. City of Bartow v. Teamsters, Chauffeurs and Helpers, Local Union No. 79*, Case No. EL-2004-050; Election 9/14 - 10/05/2004; Union (West Central Florida PBA) won; Certification 1512 issued 10/21/2004.

*Teamsters Local Union No. 385 v. City of Edgewater, Florida v. Florida State Lodge, Fraternal Order of Police, Inc.*, Case No. EL-2004-048; Election 9/16 - 10/07/2004; Union (FOP) won.

*Florida State Lodge, Fraternal Order of Police, Inc. v. City of Indian Harbour Beach v. Coastal Florida Police Benevolent Association, Inc.*, Case No. EL-2004-052; Election 9/16 - 10/07/2004; Union (FOP) won; Certification 1513 issued 10/25/2004.

*Clermont Professional Firefighters, IAFF, Local 4350 v. City of Clermont*, Case No. EL-2004-047; Election 9/16 - 10/07/2004; Union won; Certification 1514 issued 10/25/2004.

*Clermont Professional Firefighters, IAFF, Local 4350 v. City of Clermont*, Case No. EL-2004-049; Election 9/16 - 10/07/2004; Union won; Certification 1515 issued 10/25/2004.

*International Union of Operating Engineers, Local 487 v. Okeechobee County*, Case No. EL-2004-051; Election 9/23 - 10/14/2004; Union won; Certification 1516 issued 11/01/2004.

*Florida Public Employees Council 79, AFSCME v. Washington County School Board*, Case No. RA-2004-011; Certification 1517 issued 11/2/2004.

*Teamsters Local Union No. 385 v. City of Maitland*, Case No. EL-2004-053; Election 10/6 - 10/28/2004; Union won; Certification 1518 issued 11/16/2004.

*Teamsters Local Union No. 769, affiliated with International Brotherhood of Teamsters, AFL-CIO v. City of Fort Lauderdale v. Florida State Lodge, Fraternal Order of Police, Inc.*, Case No. EL-2004-040; Election 10/27/2004; Union (Teamsters) won; Certification 1519 issued 11/16/2004.

*Pinellas County Police Benevolent Association, Inc. v. City of Largo v. Pinellas Lodge No. 43, Fraternal Order of Police*, Case No. EL-2004-057; Election 10/12 - 11/02/2004; Union (FOP) won; Certification 1520 issued 11/18/2004.

*Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO v. City of Fort Lauderdale*, Case No. EL-2004-055; Election 10/19 - 11/10/2004; Union won; Certification 1521 issued 11/30/2004.

*Teamsters Local Union No. 385 v. City of Ocoee v. Florida Police Benevolent Association, Inc.*, Case No. EL-2004-058; Election 10/21 - 11/10/2004; Union (Teamsters) won; Certification 1522 issued 11/30/2004.

(Continued from page 10)

*Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO v. City of Fort Lauderdale*, Case No. EL-2004-054; Election 10/19 - 11/10/2004; Union won; Certification 1523 issued 11/30/2004.

*Key Biscayne Professional Fire Fighters Association, Local 3638 v. Village of Key Biscayne*, Case No. RA-2004-013; Certification 1524 issued 12/6/2004.

*Teamsters Local Union No. 385 v. Sheriff of Putnam County*, Case No. EL-2004-059; Election 11/09 - 11/30/2004; Union won; Certification 1525 issued 12/16/2004.

*Florida Police Benevolent Association, Inc. v. DeSoto County Sheriff's Department*, Case No. RA-2004-016; Certification 1526 issued 12/21/2004.

*Florida Police Benevolent Association, Inc. v. DeSoto County Sheriff's Department*, Case No. RA-2004-017; Certification 1527 issued 12/21/2004.

*Florida State Lodge, Fraternal Order of Police, Inc. v. Town of Golden Beach v. Dade County Police Benevolent Association*, Case No. EL-2004-060; Election 11/16 - 12/07/2004; Union (FOP) won; Certification 1528 issued 12/23/2004.

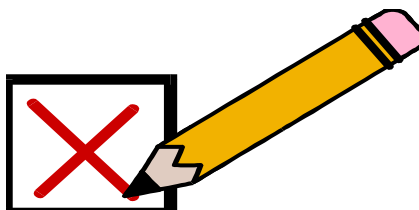
*West Central Florida Police Benevolent Association v. City of Mulberry v. Hillsborough County Police Benevolent Association, Inc., A Charter of the Florida Police Benevolent Association, Inc.*, Case No. EL-2004-061; Election 11/16 - 12/07/2004; Union won; Certification 1529 issued 12/23/2004.

*Florida State Lodge, Fraternal Order of Police, Inc. v. The Board of County Commissioners, Broward County, Florida v. Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO*, Case No. EL-2004-062; Election 11/23 - 12/14/2004; Union (Federation) won.

*National Conference of Firemen and Oilers, Service Employees International Union, Local 1227, AFL-CIO, CLC v. Dorothy H. Wilken, Clerk of the Circuit Court, Fifteenth Judicial Circuit, Palm Beach County*, Case No. EL-2004-063; Election 12/14/2004; Union lost.

*Deland Professional Firefighters, Local 4347, IAFF v. City of Deland*, Case No. EL-2004-064; Election 11/29 - 12/21/2004; Union won.

*Florida Police Benevolent Association, Inc. v. DeSoto County Sheriff's Office*, Case Nos. RA-2004-018 and 019; Certifications 1530 and 1531 issued 12/27/2004.





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