

**STATE OF FLORIDA
PUBLIC EMPLOYEES RELATIONS COMMISSION**

**SANTA ROSA PROFESSIONAL
EDUCATORS,**)
)
)
 Employee Organization,)
)
 v.)
)
DISTRICT SCHOOL BOARD OF)
SANTA ROSA COUNTY, FLORIDA,)
)
 Public Employer.)
_____)

Case No. SM-2017-10

**Special Magistrate
Robert B. Hoffman**

**NOTICE OF REJECTION OF
SPECIAL MAGISTRATE’S RECOMMENDATIONS**

COMES NOW Public Employer, District School Board of Santa Rosa County, Florida (hereinafter the “Board”), by and through its undersigned attorneys, pursuant to Section 447.403(3), Florida Statutes, and Rule 60CC-3.008, Florida Administrative Code, and files its Notice of Rejection of Special Magistrate’s Recommendations as follows:

1. On July 10, 2017, Special Magistrate Robert B. Hoffman transmitted his recommended decision to the parties.
2. The Board rejects the following recommendations for the reasons stated:
 - A. Recommendation Regarding Appendix D – Salary Schedule Certificated Personnel and Education Support Employees

The Special Magistrate recommends that the following increases be awarded to Certificated Personnel and Education Support Employees [hereinafter “Chart A”]:

Grandfathered	Instructional	Highly Effective	2.85%
Grandfathered	Instructional	Effective	2.50%
Performance	Instructional	Highly Effective	3.05%
Performance	Instructional	Effective	2.50%
N/A	Educational Support	Highly Effective/Effective	2.50%

This recommendation is rejected for various reasons, including, but not limited to, the recommendation is incorrectly based on misinformation presented by SRPE at the May 11, 2017, hearing which incorrectly represented financial information and falsely characterized the budgeting process. Moreover, the Special Magistrate disregarded the evidence presented at the hearing, including, but not limited to, unrebutted evidence which establishes that the Board is very competitive in the way it compensates bargaining unit employees, and that the Board's wage proposals are generous in view of its financial position resulting from State appropriations.

B. Recommendation Regarding Appendix D – Retroactivity of Wage Increases

In his report, the Special Magistrate recommends that the wage increases set forth in Chart A be effective July 1, 2016. The Special Magistrate's recommendation disregards the blatant refusal of SRPE to commence bargaining in a timely fashion, SRPE's refusal to bargain in good faith, SRPE's disregard of the serious negative impact of protracting negotiations into a subsequent fiscal year (with the assumption that an increase will be made retroactive to a preceding fiscal year), and dismissed the Board's reasonable Memorandum of Understanding proposal which would have avoided the serious negative impact retroactivity causes. Moreover, the Special Magistrate's recommendation results in the Board incurring costs and administrative burdens which are the direct result of the recommendation.

RESPECTFULLY SUBMITTED this 17th day of July, 2017.

Respectfully submitted,

By: /s/ John F. Dickinson

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Attorneys for Public Employer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rejection of Special Magistrate's Recommendations has been served this 17th day of July, 2017, via electronic mail upon the following:

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/s/ John F. Dickinson
Attorney

Public Employees Relations Commission

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Case No.:	New Case
Document:	Case Filed (ePERC) - Impasse
Title:	Notice of Rejection of Special Magistrate's Recommendations SM-2017-10
Date Filed:	07/17/2017
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NOTE: It is your responsibility to serve a copy of your pleading or paper on the other parties in this case.