

This decision must be sent both first class and certified mail, return receipt requested, overnight delivery or hand delivered within ten (10) days of the filing date of this complaint. Attach additional pages if needed according to the outline below.

Level I Hearing Decision

Complaint of: (name of complainant)

Patricia Crawford

Date, Time and Place of Hearing:

August 31, 2011: 9:50 am: Kennesaw
Elementary School Conference Room

Names and titles of witnesses (if any):

Renee Mclemore
Special Education Paraprofessional

David Parker
Assistant Principal

Kathryn Seeling
School Secretary

Findings of Fact:

On March 11, all Cobb County Employees received the *Snow Days Make-up Procedure* from Dr. Donald Dunnigan, Chief Human Resources Officer. . At the local school a faculty meeting was held where the process and procedures were clearly delineated. After that faculty meeting, reminders to staff were sent via e-mail on March 21, 22, 23, 24, 25, 28, 29, 30, 31 and April 1, 11, 12 as well as May 16, 18, 19, 20,21, 23,24.

On May 31, the school secretary, Kathryn Seeling emailed you at 9:11 a.m to remind you that you had not turned in your make-up hours sheet. You were emailed again on June 8, 2011. This e-mail clearly stated the absolute last date for submission of paperwork was June 30 and failure to turn in the documentation would result in a pay deduction. Dr. Crawford emptied this email on June 21, 2011 at 3:00 pm. On June 14, 2011 Ms. Seeling sent another email to you with the same reminder. You emptied this email on June 21, 2011 at 3:00 pm. On July 20, 2011, you were sent a copy of an e-mail to payroll stating that there would be a full deduct for the 3 snow days. You read this email at 8:07 am. It was not until August 1, that you responded, when you called the office and spoke to the secretary, upset that money had been deducted from your check. You requested the secretary call payroll and tell them a mistake had been made by our office. The secretary relayed she did not have the authority to do that. You also called payroll for reinstatement of the monies deducted. Payroll directed you back to the local school.

I spoke with you on August 2, 2011. I explained to you that the issue was failure to complete the documentation in a timely manner, according to the procedures outlined by Human Resources. I also explained that unless directed by the Chief Officer of Human Resources to accept late documentation, I could not ethically violate the written procedures that he sent to all employees affected by the snow days. I suggested you call Dr. Dunnigan. At 1:19 pm I received an e-mail from you relating that you had talked to Dr. Dunnigan and he stated that if I "was willing to allow me (Dr. Crawford) to fill out paperwork again verifying that I did make up the 3 snow days he would accept it." This is not an accurate statement. I also spoke to Dr. Dunnigan and Tim Baker regarding this issue. I was told verbally and in writing that no documentation would be accepted after June 30, 2011. Over 8000 Cobb County employees complied with the outlined procedure. Exceptions would not be made for late paperwork.

You were given copies of these emails.

You called Ms. McLemore as a witness. She did not recall seeing your documentation sheet nor did she recall hearing you talk about turning it in. The date you stated in the complaint that you turned in the documentation was May 24. According to school records you were absent on May 24, 2011. (See attached.)

Dr. David Parker testified relating to the e-mail reminders sent as well as to the faculty meeting date for discussing the make-up procedure.

Ms. Kathryn Seeling described the system used to keep up with the documentation for make-up days. She related you were treated the same as other employees. Seven employees got the May 31, 2011 e-mail. Two employees (including yourself) did not complete documentation by the deadline of June 30, 2011. Ms. Seeling reported she went through her files numerous times to make certain she had not missed something. No document was found.

Decision:

The decision of the Level I complaint is that Patricia Crawford did not submit the paperwork for make-up of snow days by the required date of June 30, 2011.

Reasons for this decision:

The responsibility for maintaining and turning in the paperwork for make-up of snow days falls to each employee. Directions were clear and repeated often. Reminders were timely and evidence shows that Dr. Crawford received the e-mails sent by Ms. Seeling. Dr. Crawford was not even present at school the date she states she turned in her documentation.

Name and Position of Administrator Level
Signature of

Wanda Floyd, Principal

