

ARTICLE V -- DEFINITIONS

Terms used in this Agreement shall be defined as follows:

Section 1. School Board -- The School Board of Miami-Dade County, Florida, the duly-elected board established under Florida Statutes, Chapter 230.03(2), which has the responsibility for the organization and control of the public schools of Miami-Dade County.

Section 2. AFSCME, Local 1184 -- The American Federation of State, County, and Municipal Employees (AFSCME), Local 1184, which has been granted the right to represent exclusively the members of the bargaining unit.

Section 3. Agreement -- The document which delineates the items and terms which were mutually-agreed to as the result of collective bargaining, including "Memoranda of Understanding" which have been specifically incorporated in this Agreement.

Section 4. Unit -- That group of personnel, supervisory, and technical employees determined by the Employer and AFSCME, Local 1184 and approved by the Florida Public Employees Relations Commission (PERC) to be appropriate for the purpose of collective bargaining. See Appendix I.

Section 5. Job Description -- The written document describing the duties and responsibilities of each job in the unit.

Section 6. Work Location -- The school center or other responsibility center location to which the employee is instructed to report to work by the administrative supervisor. For the employee in the Operations Department, it shall normally mean the school or building in which the employee is regularly employed. For the employee in Facilities Operations, it shall normally mean the Maintenance Satellite to which the employee is assigned or other school or responsibility center, as assigned. For the employee in the Stores and Distribution Department, Audio Visual Distribution, and Mail Service Departments, it shall mean the warehouse in which the employee is regularly employed. For the employee in the Transportation Department, it shall mean the terminal to which the employee is regularly assigned, or, if the driver is assigned a bus and route(s) and allowed to park the bus at the driver's home, the work location shall be that geographical location of the first student bus stop on the first run and the last student bus stop on the last run of the assigned route(s).

Section 7. Rules -- Rules established by the administration, under authority granted by State Law and the School Board.

Section 8. Miami-Dade County Public Schools -- All public schools now existing or established in the future which lie wholly within the legally-established boundaries for the county of Miami-Dade.

Section 9. Certification -- The designation by PERC of an employee organization as the exclusive representative of the employees in an appropriate bargaining unit.

Section 10. PERC -- The Public Employees Relations Commission created by Florida Statutes, Chapter 447.003.

Section 11. Exclusive Bargaining Agent -- The unit recognized by the public employer and

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certified by PERC as that designated or selected by a majority of public employees as their representative for purposes of collective bargaining.

Section 12. Superintendent -- The secretary and executive officer of the Miami-Dade County School Board who is responsible for the administration of the schools and for supervision of instruction in the Miami-Dade County Public Schools.

Section 13. State Regulations -- That body of regulations adopted by the Department of Education of the state of Florida to clarify and implement state statutes which relate to education in the state of Florida.

Section 14. Administrative Directives -- That body of administrative directives adopted by the administration to implement Board Rules.

Section 15. Established Practice -- A practice which has gained general acceptance through use.

Section 16. Collective Bargaining -- The performance of the mutual obligations of the public employer and the bargaining agent of the employee organization to meet at reasonable times, to negotiate in good faith, and to execute a written contract with respect to agreements reached concerning the determination of the wages, hours of work, and terms and conditions of employment.

Section 17. Working Hours -- Those specified hours when employees are expected to be present and performing assigned duties. This includes any break period.

Section 18. Workday -- The total number of hours an employee is expected to be present and performing assigned duties.

Section 19. Emergency -- Any situation which is not routine or generally anticipated.

Section 20. Job Classification -- The grade or classification in which the employee is currently assigned.

Section 21. Fiscal Year -- July 1 of one year through June 30 of the following year.

Section 22. Strike -- The concerted failure to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work; the concerted submission of resignations; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer, for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment, or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure to report for work after the expiration of a collective bargaining agreement; and picketing in furtherance of a work stoppage.

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Section 23. Division -- The administrative unit to which departments and sections are administratively responsible.

Section 24. Departments -- The operational units within a division.

Section 25. Sections -- The subdivisions of operational units within a department.

Section 26. Seniority -- The length of continuous service in any job in the bargaining unit.

Section 27. Unauthorized Absence -- Any absence without pay which has not been requested by the employee and approved by the supervisor, in writing, at least five days in advance.

Employees are required to notify the work location, prior to the beginning of the workday, when they are unable to report to work or intend to be absent.

Absences of the employee, where notice of absence is made prior to the start of the workday, but are not covered by the employee having accrued sick or personal leave, shall be charged as unauthorized absence and may result in disciplinary action in accordance with Article XI. Upon the employee reporting back to work, the employee shall be apprised of the unauthorized leave status; however, if the employee can demonstrate that there were extenuating circumstances (e.g., hospitalization or other unanticipated emergency), then consideration will be given to changing the status of leave. The work location supervisor has the authority to change an unauthorized leave; however, nothing herein precludes requested leave being determined to be unauthorized where the employee does not have available sick or sufficient personal leave.

Section 28. Approved Personal Leave Without Pay -- Any leave of absence without pay, not to exceed 30 days, granted to full-time permanent employees of the Miami-Dade County Public School system, which has been requested, in writing, by the employee at least five days prior to the date of the requested leave, and approved, in writing, by the Superintendent or his/her designee. Personal leave without pay may not be used until all authorized personal leave has been used.

Section 29. Full-Time Permanent Employees -- Those employees covered under this Contract who are regularly scheduled to work more than 30 hours per week on either a 10-month or 12-month basis.

Section 30. Full-Time Probationary Employees -- Newly-hired or newly-promoted employees covered under this Contract who are within the first three calendar months of employment in their position and who are regularly scheduled to work more than 30 hours per week on either a 10-month or 12-month basis.

Section 31. Part-Time Permanent Employees -- Those employees covered under this Contract who are regularly scheduled to work 30 or fewer hours per week on either a 10-month or 12-month basis. The number of regularly-scheduled working hours shall be finalized for the school year no later than the last working day in October.

Section 32. Part-Time Probationary Employees -- Newly-hired or newly-promoted employees

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covered under this Contract who are within the first three calendar months of employment in their position and who are regularly scheduled to work 30 or fewer hours per week on either a 10-month or 12-month basis.

Section 33. Hourly and Substitute Employees -- Those persons covered under this Contract who are employed on an hourly basis or as substitutes, as defined in Appendix III, Section B.

Section 34. Drug Screening -- Drug and/or alcohol screening is a unique process conducted under certain circumstances and by the protocol enumerated in the Drug-Free Work Place Policy Technical Guide.

Section 35. Days -- As referred to in the time limits herein, days shall mean working days, except where otherwise specified.