

**BOARD RECORDS**

**ITEMS BEING HELD IN LOCK-UP**

8/16/2019

BCC MEETING DATE		ITEM NO.	DESCRIPTION OF ITEM	DATE RELEASED AND AUTHORITY
1	1/28/2014	20	Consideration of Proposal for Settlement in the Case of Shannon Baker, as Personal Representative of the Estate of Andrew James Cavanaugh, Deceased, v. Board of County Commissioners, Pinellas County, Florida, State of Florida ,Board of County Commissioners, Pinellas County, Florida, State of Florida, Department of Transportation, and Depositors Insurance Company Circuit Civil Case Number 10-16223-CI-15	NSM - cannot be released (8/15/19)
2	9/10/2015	31	Recommendation to Reject a Proposal for Settlement in the Case of The Richman Group of Florida, Inc. v. Pinellas County Circuit Civil Case No. 14-005608-CI-15.	NSM - can be released (8/15/19)
3	1/12/2016	25	Proposal of Settlement served by the Plaintiff's counsel in the Case of Shannon Baker, as Personal Representative of the Estate of Andrew James Cavanaugh, Deceased, v. Board of County Commissioners, Pinellas County, Florida, State of Florida ,Board of County Commissioners, Pinellas County, Florida, State of Florida, Department of Transportation, and Depositors Insurance Company Circuit Civil Case Number 10-16223-CI-15	NSM - cannot be released (8/15/19)
4	6/6/2017	20	Proposed settlement in the case of Joseph Kranz and Kathryn Kranz v. Pinellas County - Circuit Civil Case No. 16-004021-CI-19 -inverse condemnation matter.	CDP - can be released (8/15/19)
5	6/6/2017	21	Proposed settlement in the case of John Reyner and Monika Reyner v. Pinellas County - Circuit Court Case No. 14-001865-CI-19 - litigation in the stormwater pond known as Lake Sylvia.	NSM - cannot be released (8/15/19)
6	1/9/2018	22	Proposed settlement in the case of Corey Gourdine and Sakiria Gourdine v. Pinellas County; Circuit Civil Case No. 14-006708-CI-13	NSM - cannot be released (8/15/19)
7	2/6/2018	21	Proposed settlement in the case of Samuel J. Shammos III, and Maha Shammos, his wife; Circuit Civil Case No. 15-004290-CI-20	NSM - cannot be released (8/15/19)
8	3/20/2018	25	Proposed Settlement in the case of Jonathan Goulish v. Pinellas County; Circuit Civil Case No. 16-008161-CI-11	CDP - can be released (8/15/19)
9	3/20/2018	26	Proposed Settlement in the case of Joseph Bavlsik and the U.S. Equal Employment Opportunity Commission v. Pinellas County Business Technology Services; EEOC Charge No. 511-2016-02938.	CDP - can be released (8/15/19)
10	4/10/2018	23	Proposed Settlement in the case of Michael Weiner v. Pinellas County Sheriff's Office; Workers Compensation, Office of the Judges of Compensation Claims Case No. 16-024427SLR.	NSM - cannot be released (8/15/19)
11	4/10/2018	24	Proposed Settlement in the case of Natalie Jackson-Fuller v. Pinellas County; U.S. Middle District Case No. 8:16-cv-01590.	KLV - can be released (8/15/19)
12	9/25/2018	30	Proposed settlement in the case Alfonsa Riley v. Pinellas County; U.S. District Court, Middle District, Tampa; Case No. 8:17-cv-1438-T-26JSS	KLV - can be released (8/15/19)
13	9/25/2018	31	Conflict Waiver Pinellas County/Harvard Jolly/Landlease (US) Construction/PTAC/Lovell, Case No. 18-003625CI (Circuit Court , Pinellas County)	
14	10/9/2018	32	Proposed Settlement in the case of Melinda Lamm and Bobby Lamm, Jr. V. Pinellas County; Circuit Civil Case No. 17-004649-CI-7 - allegations of negligence resulting in personal injuries.	NSM - cannot be released (8/15/19)
15	4/9/2019	37	Proposed settlement in the case of David Wall v. Pinellas County Sheriff's Office/Pinellas County Risk Management; Worker's Compensation Case No. 18-024840SLR	NSM - can be released (8/15/19)
16	4/9/2019	38	Proposed settlement in the case of Michael Hinman v. Pinellas County; Circuit Court Case No. 18-006941-CI	JDK - cannot be released (8/15/19)
17	5/7/2019	18	Proposed settlement in the case of Lisa Eutize v. Pinellas County, et al.; Circuit Case no. 18-005998	KLV - can be released (8/15/19)
18	7/23/2019	44	Proposed settlement in the case of Mia Sindt v. Pinellas County; Circuit Civil Case No. 19-001021-CI-8 - allegations of negligence resulting in personal injuries.	JDK - cannot be released (8/15/19)



Staff Report

# 26

File #: 18-298A, Version: 1

Agenda Date: 3/20/2018

**Subject:**

Proposed settlement in the case of Joseph Bavlsik and the U.S. Equal Employment Opportunity Commission v. Pinellas County Business Technology Services; EEOC Charge No. 511-2016-02938.

**Recommended Action:**

Approval of proposed settlement in the case of Joseph Bavlsik and the U.S. Equal Employment Opportunity Commission v. Pinellas County Business Technology Services; EEOC Charge No. 511-2016-02938.

**Strategic Plan:**

N/A

**Summary:**

The above-referenced case is being brought to the Board of County Commissioners for consideration in accordance with the confidential memorandum of March 20, 2018.

**Background Information:**

N/A

**Fiscal Impact:**

Unknown.

**Staff Member Responsible:**

Jewel White, County Attorney  
John A. Powell, Jr., Sr. Assistant County Attorney  
Carole Sanzeri, Sr. Assistant County Attorney

**Partners:**

N/A

**Attachments:**

N/A



## Pinellas County

315 Court Street, 5th Floor  
Assembly Room  
Clearwater, Florida 33756

### Staff Report

File #: 18-298A

Agenda Date: 3/20/2018

#### **Subject:**

Proposed settlement in the case of Joseph Bavlsik and the U.S. Equal Employment Opportunity Commission v. Pinellas County Business Technology Services; EEOC Charge No. 511-2016-02938 – allegations of discrimination.

#### **Recommended Action:**

Approval of proposed settlement in the case of Joseph Bavlsik and the U.S. Equal Employment Opportunity Commission v. Pinellas County Business Technology Services; EEOC Charge No. 511-2016-02938.

#### **Strategic Plan:**

N/A

#### **Summary:**

This is an action arising out of allegations of discrimination based upon Mr. Bavlsik's disability and age in violation of the Age Discrimination in Employment Act (ADEA) and Americans with Disabilities Act (ADA), and includes a claim of retaliation as a result of Mr. Bavlsik's employment termination by Pinellas County Business Technology Services. Mr. Bavlsik submitted his claim to the U.S. Equal Employment Opportunity Commission, Tampa Division.

Mr. Bavlsik was an employee of Pinellas County Business Technology Services (BTS), or its predecessor, for approximately 22 years, and alleged that he was struggling with disabilities and medical issues related with those disabilities. He claims he was chastised and criticized for using his personal time off to attend doctor appointments and was forced to use FMLA, and that he received disparate treatment when compared with his younger and non-disabled colleagues.

BTS denied those claims and allegations. Prior to terminating Mr. Bavlsik, the matter was referred to Paul Valenti, Office of Human Rights, to conduct an investigation into Mr. Bavlsik's claims and allegations. Mr. Valenti found that Mr. Bavlsik's claims could not be established by a preponderance of evidence.

The EEOC investigator conducted his own fact-finding investigation. The Commission determined that the evidence obtained did establish a violation of the ADA in regards to the allegation of discrimination and retaliation due to Mr. Bavlsik's disability but was unable to conclude that there had been any violation of the ADEA.

In an attempt to eliminate the alleged unlawful practices by the informal method of conciliation, the EEOC invited Mr. Bavlsik, his counsel, a representative of BTS and their counsel to a conciliation conference. Progress was such at the conference that the EEOC granted the parties and their counsel additional time to negotiate an amicable resolution.

The EEOC, parties, their representatives and their counsel reached a conditional settlement agreement that would resolve all claims, potential claims, cross-claims and counter-claims. If approved, Pinellas County would pay to Joseph Bavlsik the sum of \$87,500.00 and Mr. Bavlsik would execute a release, releasing Pinellas County from all claims, past, present and future, known and unknown that Mr. Bavlsik might have. Each party has agreed to bear their own attorneys' fees and costs. Mr. Bavlsik, a representative of BTS and the EEOC will execute a Conciliation Agreement prepared by the EEOC once this matter is approved.

**Background Information:**

N/A

**Fiscal Impact:**

Total amount of claims to be paid by the County is \$87,500.00

**Staff Member Responsible:**

Jewel White, County Attorney  
John A. Powell, Jr., Sr. Assistant County Attorney  
Carole Sanzeri, Sr. Assistant County Attorney

**Partners:**

N/A

**Attachments:**

N/A