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A School-Year Case-Study Perspective on Employment Law Issues
National Business Officers Association Annual Meeting

Presented by Heather J. Broadwater and Liane Faermann




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August

- Teacher expected to return on August 15th
- Calls supervisor to say she is pregnant and will not be reporting to work on the 15th

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September

- Teacher and Teacher's Assistant are not getting along
- Division head proposes moving Teacher's Assistant to Athletic Department clerk
- Clerk position historically has maximum pay that is below the TA's current compensation

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October

- Until this year, Director of Development had a private office overlooking the School's main entrance
- This year, we changed the workspace layout and she now works from a larger room, that shares space with her two assistants and has no windows
- She informs the business officer that she needs "her office back"
- She has started missing time as a result of the office change
- During the prior Spring, she was one of the most vocal opponents to the new layout


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November

- Teacher who applied for Department Head position has been difficult and uncooperative since new Department Head hired
- The Teacher been vocal in criticism to colleagues, the Board, and parents
- Teacher has requested FMLA for surgery on his knee
- New Department Head would prefer that the teacher not return




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December

- We learn that an Employee posted on Facebook pictures from a “pimps and hos” party he attended





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January

- Two days before we are scheduled to return from December break, a Board member calls the business office to complain about a video her daughter was watching on Facebook
- Video was a “viral video” type parody of Miley Cyrus’ “Wrecking Ball” video and VMA Awards performance
- Video was filmed during music/band class period

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February

- Employee informs supervisor that she is beginning cancer treatment
- Fails to return FMLA Certification, despite multiple requests and reminders
- She is much-beloved teacher who has taught at the School for over 25 years
- Has a strong reputation as a great teacher, but has been “slipping” some recently, especially as treatments began

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March

- We're distributing employee contracts for next year
- Head of School is not ready to give contract to math teacher and may decide to not give a contract

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April

- Auction season is here!
- Development coordinator is working frantically
- Supervisor sees e-mails from her at all hours of the night, even when she has worked all day, including working through lunch

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May

- Parent calls to say “I don’t want to go on record as telling you this, but my son told me that he and other students thought the English teacher was drunk in class”

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