



MEMORANDUM:

TO: MEMBERS, TCC BOARD OF TRUSTEES

FROM: WILLIAM D. LAW, JR.
WDL
PRESIDENT

DATE: OCTOBER 19, 2009

SUBJECT: EMPLOYEE TERMINATION

Mr. Gary Crawford previously held the position of Assistant Controller at Tallahassee Community College until he was terminated for poor performance on June 13, 2009, ratified at the September 21, 2009 meeting of the Board.

The action of the college to terminate Mr. Crawford included all of the following:

- A number of interchanges – both verbal and in writing – between Mr. Crawford and his supervisor, Mr. Jerry Schilling focusing on a issues of concern from both a process/ response perspective as well as a technical knowledge standpoint;
- A number of similar exchanges that included Vice President Teresa Smith, including a series of meetings to provide direct guidance on the management of Accounts Receivable, Accounts Payable, bank reconciliations, general ledger and travel;
- Reassignment of Cashier's Office responsibility from Mr. Crawford to Mr. Bill Spiers in an attempt to allow Mr. Crawford to focus on other matters;
- Reassignment of the Payroll functions from Mr. Crawford's area of responsibility to the responsibility of the Director of Human Resources, again in an effort to address continuing concerns and to reduce the workload of Mr. Crawford;
- Reassignment of an OPS employee familiar with the student accounting system to Mr. Crawford to assist with the accounts receivable system; Mr. Crawford sent the employee back to his home department without conferring with either his supervisor, Mr. Schilling or Dr. Smith;
- The creation of a Performance Improvement Plan for Mr. Crawford on April 21, 2009 in order to carefully document the expectations for the position and to allow for Mr. Crawford to document his activities in support of the established priorities;
 - Mr. Crawford would not sign the Performance Improvement Plan;
 - Mr. Crawford did not comply with the carefully laid out terms of the plan;
- Repeated interaction with Mr. Crawford concerning basic tenets of the responsibilities of the Assistant Controller position; these interactions raised significant doubts concerning Mr. Crawford's technical knowledge and background;
 - Mr. Crawford's insistence that the college operates on a cash basis of accounting, when in fact the college is on an accrual basis of accounting;

- Mr. Crawford undertook to transfer \$2,000,000 from the college's money market account to the checking account without a corresponding journal entry to record the movement of the funds;
- Mr. Crawford's incorrect understanding that it was acceptable to have a negative cash balance in a PECO account;
- Mr. Crawford failed to demonstrate his understanding that his position was responsible for files critical to the monitoring of contractor payments and the related calculation of amounts to be reported for construction purposes;
- Even following the receipt by the college of an unfavorable audit, Mr. Crawford refused to engage the seriousness of the response needed to correct the deficiencies; despite direct guidance from VP Smith, bank reconciliations – a responsibility specific to the Assistant Controller's position – were determined to be improperly reconciled and had not been properly reconciled for an entire year;
- Other college staff had outlined concerns in performing their responsibilities due to inadequate or lack of response by Mr. Crawford; at least eight such incidents had been addressed by the vice president between February 12th and April 15th 2009; the Performance Improvement Plan was put in place the following week;
- In response to Mr. Crawford's repeated assertions regarding the need for more staff, VP Smith requested that Mr. Crawford produce a staffing analysis and specify staffing needs for his area of responsibility; no such analysis was produced;
- Subsequent to Mr. Crawford's termination in the normal practices of securing files and documents, Mr. Crawford's computer was quarantined; an examination of the computer evidenced significant online activity unrelated to college business or to his duties and responsibilities during the workday; such activity included extensive access to pornographic web sites, including desktop 'shortcuts' to a number of favored sites;
- As late as September 28th, the Controller uncovered a folder in Mr. Crawford's office that contained both cash and checks (dated in the February/ March timeframe) that were to be deposited and accounted for by Mr. Crawford.

In hearing Mr. Crawford's appeal at my level, he focused exclusively on the fact that the workload for his position was untenable. He commented that he felt he was doing the work of four people and that expectations were unreasonable. Mr. Crawford would not accept any responsibility for the specific items outlined in his interactions with Dr. Smith or Mr. Schilling.

Despite my firm belief that the actions of the college were documented and justified, I did offer Mr. Crawford an opportunity to resign from the college, rather than being terminated; Mr. Crawford rejected my offer.

Finally, please know that college personnel have been in constant contact with the college attorney throughout this process. Mr. Mabile reviewed the activities of all involved in the weeks and months leading up to the issuance of the Performance Improvement Plan. Attorney Mabile was also consulted closely when Mr. Crawford failed to fulfill the plan and in the subsequent actions taken by the college leading up to and including the termination.

I met independently with Mr. Mabile to review the file, the actions of all involved, the efforts made to remediate the situation, and the steps necessary to terminate Mr. Crawford's employment.

I need to further advise the Board that despite all of the detail and process outlined above, Mr. Crawford has alleged that his termination was the result of age and gender bias and has filed a complaint with the Florida Commission on Human Relations. The College is in the process of contesting that allegation.

SUMMARY: Despite many months of effort, despite rearranging duties and responsibilities, despite many meetings and conferences and despite a written remediation plan, Mr. Gary Crawford repeatedly failed to carry out the duties of the assistant controller at a level of competence consistent with the college's needs. Mr. Crawford was afforded every avenue available to him under college policy and procedure to address the expectations and his concerns. Consequently, upon recommendation of his supervisors I directed that Mr. Crawford be removed from his employment at the college.

MOTION: Moved that the Board of Trustees affirm the decision to termination Mr. Crawford's employment.



MEMORANDUM

TO: Dr. William D. Law, President

FROM: Renae Tolson, Human Resource Director

DATE: October 6, 2009

RE: Gary Crawford – Summary of Actions and Dispensations

April, 21, 2009 - Mr. Crawford was placed on a Performance Improvement Plan due to specific areas of concerns with his job performance.

May 3, 2009 - Mr. Crawford wrote Vice President, Teresa Smith and Assistant Vice President, Jerry Schilling in response to his Performance Review and Performance Improvement Plan stating sex and age discrimination.

June 2, 2009 – Mr. Crawford was notified that due to continued deficiencies and an apparent unwillingness to take immediate positive steps toward improved performance, his employment with Tallahassee Community College was to be terminated effective June 13, 2009.

June 7, 2009 – Mr. Crawford filed an appeal to the President.

June 13, 2009 – Mr. Crawford was terminated.

June 25, 2009 – Mr. Crawford met with Dr. William D. Law, President, regarding appeal of termination.

July 1, 2009 – Mr. Crawford declined offer to resign his position.

July 10, 2009 – Dr. William D. Law presented Mr. Crawford with a proposal regarding his health insurance and resignation.

August 9, 2009 – Mr. Crawford declined offer to resign his position.

September 2, 2009 – Letter was sent to Mr. Crawford upholding termination decision.

September 14, 2009 - Mr. Crawford sent written request to continue his grievance process before the Board of Trustees.