



February 28, 2018, 11:00 AM
Epicenter, 13805 58th Street N., Clearwater, FL
Conference Dial: 1-800-501-8979
Conference Code: 268-7509#

Executive Committee (Special Meeting)

Agenda

I. Welcome and IntroductionsJack Geller, Chair

II. Action/Discussion Items

1. Edward Peachey's Employment.....Page 2

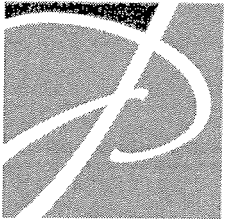
III. Other Administrative Matters

(Items of urgency not meeting the seven-day guideline for review)

IV. Public Comments

V. Adjournment





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FILE NO. 139686

February 22, 2018

Via US Mail:

Ed Peck
Chairman
Executive Committee
CareerSource Tampa Bay
4902 Eisenhower Blvd.
Suite 250
Tampa, FL 33634

Jack Geller, Esq.
Chairman
Executive Committee
CareerSource Pinellas
13805 58th St. North
Suite 2-140
Clearwater, FL 33760

Re: Ed Peachey

**FOR SETTLEMENT PURPOSES ONLY
NOT ADMISSIBLE UNDER ANY CIRCUMSTANCES**

Dear Sirs:

Our law firm represents Ed Peachey, President and CEO of CareerSource Tampa Bay and Career Source Pinellas. Mr. Peachey has been the victim of a vendetta by the local media which has repeatedly made false accusations against him as both of you are well aware. Your organizations formed an *ad hoc* committee to investigate the claims and that committee has determined that Mr. Peachey did not break the law, no public money was misspent and that the allegations in the media were unsubstantiated and/or false.

For example, the Tampa Bay Times in several stories alleged that CareerSource had represented that it had obtained employment for individuals when it had not done so. After an exhaustive investigation led by CareerSource's general counsel, Charles Harris, he determined that there may be have been a coding error. He reported his findings at a lengthy meeting of the *ad hoc* committee which the media attended.



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However, rather than honestly report the findings, the newspaper persisted in its false narrative that CareerSource had engaged in underhanded if not illegal conduct.

The media's coverage of the CareerSource's handling of the placement of employees in the Pinellas Sheriff's Office is yet another example of the newspaper's desperate desire to sell papers rather than inform the public of the truth. The truth is that 1) the Sheriff entered into a contract with CareerSource, 2) forms with his authorized signature and the authorized signature of his employees were sent to his office for approval, 3) the employees went to work for him, 4) his office reported to CareerSource the number of hours those employees worked, 5) CareerSource then paid the Sheriff's Office pursuant to the terms of the contract and 6) the Sheriff retained those funds. Despite these indisputable facts, the newspaper convinced the Sheriff to call this arrangement, memorialized by a written agreement, a "scam" and make front-page accusations of forgery. You and the other members of the *ad hoc* committee know these accusations are completely false. The newspaper has yet to retract them and presumably never will.

Instead, the newspaper printed innuendos suggesting that Mr. Peachey and another employee were having an affair with no facts to support the allegations. Mr. Peachey was also accused of giving the employee raises without mention of the additional duties assigned, and that the CareerSource human resources department recommended the salary level.

At the workshop held on Feb. 21, Mr. Geller expressed surprise that Mr. Peachey had terminated the practice of reporting placements to which the newspaper had objected. Mr. Peachey ended that practice on Jan. 25 before he was placed on administrative leave. Neither the *ad hoc* committee nor any board member ever asked Mr. Peachey for any input relating to Commission Murman's motion that that practice be suspended nor was the advice of the CareerSource staff sought. It is surprising to say the least that Mr. Peachey was not permitted to speak, his input was not sought and then he was criticized for not telling the two Executive Committees that they were contemplating a decision that he and he alone had authority to make and had in fact made.

Mr. Peachey has withstood this assault on his reputation without lashing out at those who have falsely accused him but the time for silence has ended. The Hillsborough County Commission is now sending a letter to CareerSource Tampa Bay



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threatening Mr. Peachey with termination of his employment if he does not quit. The Hillsborough Court Commission has no authority to issue that threat.

Mr. Peachey will not be intimidated by bullies whether they are bullies who buy ink by the barrel or public officials who step outside the scope of their office thus losing their immunity to commit torts. He has no intention of stepping down as President and CEO as he has done nothing wrong. If the CareerSource Boards act on information which they know to be false and cause any economic harm to Mr. Peachey, he may not have any choice but to seek redress in the courts. Both of you and all members of the CareerSource Board know Mr. Peachey and know that he has done an excellent job. If the boards of CareerSource allow themselves to be bullied, they might as well resign themselves and ask the media to sit in their place.

If CareerSource terminates Mr. Peachey's employment and hopes that he will cooperate with the ongoing investigations including the Department of Labor subpoena, it should be prepared to enter into good faith negotiations with him to pay him an amount which will permit him to both look for new employment while cooperating with the investigations at the same time. At least one Board member is so ill informed of the sources of income that she has repeatedly claimed that all CareerSource income is public money. She is wrong. Both offices have substantial resources which are the result of income from non-public sources.

If CareerSource and Mr. Peachey cannot reach a resolution, he will have to devote all his efforts to seeking new employment and the litigation he may file and will not be available to assist in the investigations and response to the DOL subpoena. As Mr. Peachey is one of two individuals named in the subpoena, his assistance would seem to be valuable if not invaluable.

We are drafting a complaint against both CareerSource boards and both County Commissions for, at this point, tortious interference, defamation and conspiracy. There may well be other causes of action. We are discussing whether to name the board members personally. Please note that since the torts are intentional, I doubt any insurance will provide coverage. We anticipate extensive discovery, including examining all the cell phones, personal computers, work computers and other electronic devices of all defendants and all board members whether named personally or not. We will of course need to depose all board members and commissioners.



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Whether Mr. Peachey prevails or not, the defense cost to defend will exceed any amount it would take to amicably resolve this dispute.

Mr. Peachey hopes that an amicable resolution can be reached. He has authorized me to extend the following settlement offer: He will accept a payment of severance equal to five months of his pay from each CareerSource board plus \$125 an hour for cooperating with all investigations after the expiration of those ten months. He would also be entitled to all the benefits associated with being a CareerSource employee during those 10 months. In return, he would be willing to execute a mutual general release with both CareerSource boards.

Sincerely,

Marion Hale

MH/ah
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