

Summary:

- OCCTA asks the Court to order the District to produce public records as required by law and keep schools physically closed until an arbitrator can hear the Union's grievance re: health and safety.
- The goal is to protect the safety, health and lives of thousands of educators and students, and the community at large, as well as to protect the integrity of the arbitration process and the CBA.
- The District's actions put the health and safety of 25,000 school employees and over 200,000 students, and all of their families, at unnecessary and avoidable risk.

Count I: Claim for Injunctive Relief to Enforce the Provisions of Florida's Public Record Law

- The District has unlawfully failed to produce records in violation of the law and in disregard of the health and safety of the OCPS community.
- OCCTA has repeatedly requested that the District produce the names of schools with COVID-19 identified cases or outbreaks and what is being done to disinfect those schools and keep employees and students safe.
- OCCTA respects privacy, and has not asked for anything that will reveal the names of employees or anyone else who has contracted COVID. We are simply asking for worksites and sanitation information.
- The public deserves access to this information, it is paramount to their safety including the safety of Orange County's students and educators and to the transparent operations of the District.
- Failure to produce the requested public records will unnecessarily paralyze the public's ability to know whether they've been exposed to this unforgiving virus and obstruct the ability of parents and educators to make decisions regarding their own safety and the safety of their children.
- Absent a court injunction ordering the District to produce records that they are legally required to make public, the community will be left in the dark regarding facts that are essential to their health and safety.
- Per Florida Statute, OCCTA is entitled to an immediate hearing to enforce the provisions of public records laws.

Count II: Claim for Temporary Injunction Pending Arbitration

- OCCTA is pursuing a contractual grievance challenging the District's failure to, among other things, "maintain safe and healthful working conditions including the provision of safety equipment" as required by the CBA.
- However, given the timeframes of the CBA, the grievance may not be heard for months.
- OCCTA has asked the District for expedited arbitration and the District has ignored these requests. The District has not responded to, or even acknowledged, the grievance.
- In order to protect the public and save lives, OCCTA seeks to enjoin the District from the unsafe physical reopening of Orange County Public Schools until the dispute is heard by an arbitrator.
- Florida courts have the authority to grant temporary injunctions pending arbitration.
- Absent an injunction from the court, by the time an arbitrator reaches a decision on the grievance, it will be far too late to remedy the harms caused by the District's failure to comply with its contractual obligations—thousands of teachers, students, and their families will have already been exposed to the deadly COVID-19 virus.