

**STATE OF FLORIDA
PUBLIC EMPLOYEES RELATIONS COMMISSION**

UNITED FACULTY OF FLORIDA,

Charging Party,

v.

Case No.: CA-2018-047

**FLORIDA GULF COAST UNIVERSITY
BOARD OF TRUSTEES,**

Respondent.

_____ /

MOTION FOR CONTINUANCE OF EVIDENTIARY HEARING

COMES NOW, Respondent, FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES, (hereinafter "Respondent"), by and through undersigned counsel, and files this Motion for Continuance of Evidentiary Hearing:

1. On November 8, 2018, Charging Party, United Faculty of Florida, filed an unfair labor practice charge pertaining to the reclassification of academic advisors employed by Respondent.
2. Pursuant to the Hearing Officer's Order dated January 3, 2019, an evidentiary hearing is currently scheduled for February 27, 2019.
3. Respondent seeks to continue the hearing due to the unavailability of two key witnesses and undersigned counsel. Specifically, Dr. Mitchell Cordova, Vice President for Student Success and Enrollment Management and former Chairman of the Student Success-Enrollment Management Action Task Force, and Dr. Christopher Westley, former Ad Hoc Committee Chair of the University's Strategic Planning Committee, which was charged with the oversight, development and implementation of the University's Strategic Plan, *FOCUS 2017-2022*, are not available due to prepaid and preexisting travel commitments and attendance at academic

conferences. Additionally, undersigned counsel is the Chief Negotiator for the State of Florida. Subsequent to the issuance of the Hearing Officer's Order setting this matter for hearing, the State of Florida scheduled a collective bargaining session for February 27, 2019, for bargaining units of State of Florida employees (Florida Nurses Association and Police Benevolent Association). These negotiations are time sensitive as an automatic impasse has occurred by operation of Florida Statutes and the impasse hearing before the Florida Legislature must take place "no later than the 14th day of the regular session." § 447.403(5), Fla. Stat. (2018). Therefore, the bargaining session must proceed as scheduled in order to ensure compliance with Florida law. In light of the foregoing, Respondent submits that good cause exists to briefly continue the hearing.

4. Respondent hereby offers the following alternative dates to reschedule the hearing: March 11, 25, 2019.

5. Respondent acknowledges that should the Commission grant this Motion, a corresponding extension for any Commission deadline(s) is also requested.

6. This Motion is made in good faith and not for purposes of delay. A continuance will not prejudice either party.

7. The undersigned has conferred with opposing counsel and is awaiting his response with regard to the relief requested in this Motion.

WHEREFORE, Respondent respectfully requests a continuance of the evidentiary hearing scheduled for February 27, 2019.

Respectfully submitted this 15th day of February, 2019.

/s/ Michael Mattimore
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Counsel for Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 15th day of February, 2019, a true and correct copy of the foregoing was electronically mailed to Thomas W. Brooks, Esq., 131 North Gadsden Street, Tallahassee, Florida 32301 (tbrooks@meyerbookslaw.com).

/s/ Michael Mattimore _____
Attorney