

**From:** Dave Byron <[dbyron@co.volusia.fl.us](mailto:dbyron@co.volusia.fl.us)>  
**To:** VolusiaExposed.Com <[VolusiaExposed@cfl.rr.com](mailto:VolusiaExposed@cfl.rr.com)>  
**Subject:** Re: Request for Records  
**Date:** Wed, 28 Dec 2011 14:52:59 -0500

I think you're missing a big point. The rights and privileges of permanent employees are much greater than employees on probation. Therefore, comparisons with other employee discipline matters are irrelevant. All disciplinary scenarios are unique, for that matter. Secondly, there's a substantial list of qualified applicants on file so there's no shortage of skilled people waiting in the wings. I think most EVAC employees are glad to be working for the county. The integration of EVAC into the county system makes sense on a number of fronts, enhanced public safety first and foremost. This is my last communication on this subject.

Dave Byron, Community Services Director

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>>> "VolusiaExposed.Com" <[VolusiaExposed@cfl.rr.com](mailto:VolusiaExposed@cfl.rr.com)> 12/28/2011 2:22 PM >>>

Mr. Byron:

Maybe the county needs to look at this situation more as a public safety concern and NOT as a alleged financial risk.

These are highly skilled and long time tenured professionals. VolusiaExposed expresses the concern that with the lost of these employees on such a trivial matter that EVAC responses to life threatening situations will be adversely affected.

The above possibly opens the county up to civil liability. Then again, you do have you sovereign immunity, the driving force for the county's take over of EVAC. The money the county is saving under the protective umbrella of sovereign immunity more than covers the costs of seeing these EMTs and paramedics through the process of beating their addiction to nicotine.

As noted in our earlier email to Mr. Sanders, the county has given employees with criminal pasts a chance of redemption. In the Blais matter, he was hired as a probationary employee with the full knowledge of the county of his felonious criminal history. These EVAC employees are in violation of a county policy, not State felony

statutes.

Further, the County of Volusia has a rather long history (can be proven with public records) of giving uniform staff members second chances regarding alcohol and drug abuses, to include arrests for DUIs. Several of these employees were allowed to seek rehab (at county expense) for their addictions.

In as far as us approaching you for comments and records, we can assure you it was not done by choice. Mr. Sanders indicated you as the point of contact.

It is noted that Mr. Coffin has recently transferred back to the VCSO and Mr. Sanders recently transferred from the VCSO as the Director of EMS / EVAC. Are these two administrators on a probationary period? Or is the County of Volusia a practitioner of the policy - different spans for different ranks?

By the way - apparently the County is co-sponsoring a smoking cessation class at DSC starting January 11, 2012.

We will approach Pam Renfro regarding our public records request.

VolusiaExposed.Com  
[volusiaexposed@cfl.rr.com](mailto:volusiaexposed@cfl.rr.com)

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On Wed, 2011-12-28 at 12:21 -0500, Dave Byron wrote:

Response on EVAC employees let go for smoking: The EVAC employees that were hired October 1 were notified as early as the prior June that as a condition of their hiring by the county they must be tobacco free and remain so.

As a group, EVAC smokers were offered smoking cessation assistance prior to their hiring. Like all county new hires, the EVAC employees are on the standard six-month probationary period in which their performance is carefully monitored and evaluated. By using tobacco products, they violated a condition of their employment and, as such, their probation was rejected. The grievance process afforded to county employees through the Merit Rules does not come into play until the employee successfully completes probation. Violating the county's workplace rules is never a good thing, but it's especially bad during the probationary period. As such, there will be no second chance given.

Let's look at it from the taxpayers' point of view. The county self

insures employee health care and disability costs. Claims are paid out of a fund that's supported with tax dollars. In addition, EVAC employees are considered "high risk" for the purpose of Florida Retirement System contribution which means the county is paying about 18 percent per employee. That's a rate much higher than the majority of county employees. We all know that smoking is harmful to one's health.

It's in the interest of all employees, their families and the taxpayers to live a healthy lifestyle.

As to EVAC records, you may request public records through Pam Renfro in my office, which you are used to doing.

Dave Byron, Community Services Director