

UniServ Update

LAPTOPS

If there is damage to an employee's laptop OR AACPS is replacing/refreshing laptops, make sure you know your contractual rights. The burden of proof is on AACPS to demonstrate any damage was caused by negligence before levying charges for repairs.

Article 2 P: "[...]Unit I members will be answerable for the books, materials and equipment assigned to them in the course of an academic year. They will not be financially responsible for the materials, their loss or damage to them unless they are negligent."

Under our contract, Article 2.P., members are only responsible for damage to equipment issued by AACPS if it is caused by their negligence. The burden of proof rests on AACPS to demonstrate that the damage caused by the member's negligence. Here is what you should do if your laptop is damaged and IT charges you for the repairs:

1. Respond in writing saying: "I dispute these charges because AACPS has not demonstrated the damage was caused by my negligence under Article 2.P. of the TAAAC Negotiated Agreement."
2. This will then trigger the IT department to submit your case to the AACPS Investigations Office.
3. You will be contacted by AACPS Investigations who will discuss with you the circumstances of how the laptop was damaged. Investigations will then decide if they consider you negligent or not.
4. If Investigations determines you were negligent, contact your UniServ Director to discuss a possible Grievance or Appeal.

Note that "negligence" does not necessarily mean the damage was intentional. Often in these cases, AACPS will argue that even accidental damage was caused by the member failing to take proper precautions.

Additionally, we have heard several concerns from members about returning and receiving laptops from AACPS at the end of the 2023-24 school year. The contract members signed to receive a new laptop appears unchanged from previous years and is in line with the Negotiated Agreement. However, the document you sign when you return old laptops is concerning since it claims your final pay can be garnished if they find damage on the returned item. This does not align with our contract. **If AACPS garnishes your wages, or attempts to, contact your UniServ Director immediately and we will assist you in filing a grievance to prevent/ recoup those charges.** We are in discussions with AACPS to amend the language in the laptop return document to align with the "negligence" language of our contract.