



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

Employer:	Pinellas Suncoast Fire & Rescue District (the “District”)
Subjects of Inquiry:	David Karpinecz, Assistant Chief Jeffrey Davidson, Fire Chief
Complaint 1:	Whether Fire Chief Jeffrey Davidson engaged in conduct that violated state labor laws and District policy.
Complaint 2:	Whether David Karpinecz, Assistant Chief, subjected Louis Stoneburg, Division Chief, to a hostile work environment in violation of District policy, federal regulations, and state law.
Complaint 3:	Whether Fire Chief Davidson engaged in behavior that invoked the protection of the Florida Whistle-blower’s Act for AC Karpinecz.
Factfinder:	Milton R. Collins, Esq.

I. Introduction

On or around August 22, 2024, a formal complaint authored by the Pinellas Suncoast Professional Firefighters, Local 5374, IAFF (the “Union”) was filed against Chief Davidson (hereinafter “Complaint #1”). Complaint #1 alleged violations of Florida’s Public Employees Relations Act (“PERA”) and various provisions of the District’s Standard Operating Procedures (“SOPs”). In particular, the Union accused Chief Davidson of engaging in the following conduct relative to its members: unlawful direct dealing, improperly accessing protected health information, disparate disciplinary treatment, reprisal, retaliation, favoritism, and discriminatory employment decisions. Additionally, Chief Davidson was accused of misappropriating or misallocating funds regarding department purchases and attempting to violate internal revenue code provisions related to a non-



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

profit organization. Finally, it was alleged that the aforementioned actions have irrevocably destroyed the trust and confidence the bargaining unit (or “line”) employees have in the District’s administration generally, and Chief Davidson, specifically.

On or around September 3, 2024, David Karpinecz, Assistant Chief, furnished a written complaint to the District’s labor attorney, Tom Gonzalez, alleging therein that Chief Davidson’s recent conduct poses a safety threat to the workforce (hereinafter “Complaint #2”). In particular, AC Karpinecz recounted an incident on July 5, 2024 where he, Chief Davidson, and another employee were in a District vehicle, and Chief Davidson was observed handling a firearm. AC Karpinecz asserted that Chief Davidson’s disposition (i.e., abstracted) and comments during the incident were concerning. AC Karpinecz further alleged that certain comments made by Chief Davidson related to union officials contained violent rhetoric and imagery. AC Karpinecz invoked the protection of the Florida Whistle-blower’s Act (hereinafter “FWA”).

On or around September 7, 2024, Louis Stoneburg, Division Chief, furnished a memorandum to Fire Chief Jeffrey Davidson, formally lodging a hostile work environment complaint against AC Karpinecz (hereinafter “Complaint #3”). In particular, DC Stoneburg alleged that AC Karpinecz’s verbal, non-verbal, and written communication in the aggregate constituted bullying, belittling, harassing, belligerent, undermining, and hostile conduct. The allegations were forwarded to the District’s General Counsel, Jeff Albinson.

The three complaints mentioned above are collectively referred to herein as the “Complaints.”

The District engaged the services of Milton Collins, Esq., who was tasked to formally investigate the Complaints (Mr. Collins is referred to herein as the “Factfinder”). Neither AC Karpinecz nor Chief Davidson are bargaining unit employees though the former pays dues to the Union. The investigative interviews were conducted between October 30 through December 5, 2024, and the preparation of this report ensued thereafter.

Due to concerns raised by several employees about reprisal, the Factfinder advised all interviewees (save for primary witnesses like Chief Davidson, AC Karpinecz, DC Stoneburg, and SC Schwab) that their identities would be shielded to the extent permitted by law. As such, certain details have been omitted from this report because including them would reveal the identity of the person providing the information. For example, if there was an allegation of a one-on-one interaction between Chief Davidson and an employee, the recounted version of the event was not summarized. However, in such cases, the sentiment of the allegation was summarized.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

II. Summary of the Findings

Complaint #1:

Direct Dealing

The Union had the burden of proving that Chief Davidson violated PERA and the District’s SOPs. Under PERA, an employer is prohibited from negotiating directly with employees because it can undermine the exclusive status of a union. An employer is, however, allowed to communicate with employees so long as such expression contains no promise of benefit or threat of reprisal or force but is intended to be informational. The Factfinder has found that Chief Davidson did not violate Section 447.203(17)(f), Florida Statutes, which prohibits direct bargaining. It is without dispute that Chief Davidson has engaged in informal discussions with employees regarding the District and Union’s respective proposals in the intervening periods between collective bargaining sessions. The evidence also suggests that Chief Davidson was critical of the Union’s proposals and even colloquially criticized its posture (e.g., “they are being stupid”). Chief Davidson’s statements were primarily informational, which is lawful. His commentary about the logic, or lack thereof, of the Union’s position did go beyond informational. However, Chief Davidson did not cross the threshold of unlawful behavior, as his statements did not constitute coerciveness – a required element under state labor law. As a result, the charge that Chief Davidson violated PERA is not sustained.

However, the evidence does show that Chief Davidson’s ad hominem commentary away from the bargaining table about the Union’s position and its leadership was not appropriate and antithetical to the *Mission and Values* detailed in SOP 105. Though the Factfinder credits Chief Davidson’s contention that he was sincerely disappointed with the Union’s negotiation posture and merely voiced his frustrations in the presence of others, he should have been judicious in his characterizations. Accordingly, Chief Davidson’s pejorative remarks about the Union’s negotiation posture violated SOP 105. It is not recommended that discipline be meted out for this relatively minor offense, as Chief Davidson’s commentary had no material impact on the members’ view of the Union (i.e., no member expressed contemplating withdrawing or abandoning support for Local 5374 due to his statements).

Allegation	Finding	Basis for Finding
Direct Dealing	Not Sustained	While the evidence showed that Chief Davidson discussed bargaining issues with members, the evidence is insufficient to prove a violation of Section 447.203(17)(f), Florida Statutes.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

Mission and Values (SOP 105)	Sustained	Chief Davidson’s remarks to members about the Union’s negotiation posture were pejorative, exacerbating Union/Administration strained relations though had no material impact on the members’ support, or lack thereof, for the Union.
------------------------------	-----------	--

Violation of Medical Privacy Rules

The Union had the burden of proving that Chief Davidson violated Florida’s medical privacy laws and HIPAA. In this charge, the Union claimed that Chief Davidson impermissibly sought protected health information of a member. Upon examination, it was confirmed that this charge was limited to one employee. The employee at issue attended a mental health consultation/appointment after admittedly striking an inanimate structure in a fit of frustration. According to the employee who attended the appointment, he voluntarily furnished Chief Davidson proof of attendance drafted by the facility. It is alleged that Chief Davidson contacted the facility on two separate occasions to authenticate the written document. According to the employee, the facility cited HIPAA laws and did not provide any protected health information to Chief Davidson. The Factfinder finds that Chief Davidson did not violate Florida’s medical privacy laws. Section 456.057, Florida Statutes, which prohibits the furnishing of medical records to anyone other than the patient, was not violated by the facility. The employee *voluntarily* provided proof of attendance to Chief Davidson. Therefore, to the extent medical privacy extended to the document at issue, he waived it so there was no legal issue with Chief Davidson seeking to authenticate it. HIPAA was similarly not violated because said regulations only apply to covered entities – i.e., the facility. As a result, the charge that Chief Davidson violated state and/or federal medical privacy laws is not sustained.

However, it was not prudent for the Fire Chief to take it upon himself and authenticate the employee’s medical appointment visit unless he had a reason to question its validity (e.g., the written document showed indicia of forgery). Even so, in such a case, the entire matter should have been delegated to the District Administrator, Kimberly Hampton, who unofficially serves as the human resources representative. Chief Davidson’s actions, while imprudent, did not violate the law or District policy. It is nevertheless recommended that the District utilize Ms. Hampton to address such personnel issues; especially those involving protected health information.

Allegation	Finding	Basis for Finding
Violation of Medical privacy laws	Not Sustained	While the evidence showed that Chief Davidson attempted to authenticate a member’s written record of treatment by contacting the medical facility, neither state nor federal medical privacy laws were violated since the



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

		Administration is not prohibited from confirming the validity of a document provided by an employee.
--	--	--

Disciplinary Practices and Favoritism

The Union had the burden of proving that Chief Davidson engaged in disparate disciplinary treatment and favoritism. In this charge, the Union’s written complaint was bereft of any details but testimony revealed issues with certain disciplinary actions; the foremost example being the termination of former Firefighter Mary Miller. Prior disciplinary action regarding Charlie Morris was also cited. This contention must be proven by showing that similarly situated comparators were treated differently since, in the abstract, reviewing the merits of all prior discipline meted out by Chief Davidson would not yield dispositive results. The only potential comparison proffered was Mary Miller and Matthew Tomilonus’ respective disciplinary actions. Due to Ms. Miller’s pending arbitration, the Factfinder finds it inappropriate to issue a finding. Any analysis relative to her termination would invariably involve a review of the elements of just cause and would be grist for the arbitration mill. Further, the Factfinder has not reviewed the entire evidentiary record for each case and, in any event, purposely advised employees not to expound on the specifics of Ms. Miller's case, including Ms. Miller. The only salient comment the Factfinder will make is to note that Ms. Miller and Lieutenant Tomilonus’ records and respective lengths of service are dissimilar, which are relevant but not entirely dispositive to the just cause analysis.

Allegation	Finding	Basis for Finding
Disparate Treatment in discipline	N/A	Due to the pending administrative action regarding former employee Mary Miller’s termination, no finding was made relative to this allegation.

As for favoritism, a majority of employees cited the promotions of DC Stoneburg, DC Schwab, and, to a lesser extent District Chief Raisch, as evidence of favoritism. The record is uncontradicted that DC Stoneburg and Schwab were promoted without a formalized competitive process, and that the minimum qualifications of their respective positions were modified before their selection. A review of District SOPs shows that the Fire Chief does not have to adhere to a specific procedural process regarding the promotion of non-bargaining unit employees. No SOP requires that job descriptions remain static and Section 447.209, Florida Statutes, grants the authority of management to exercise control and discretion over the organization and operations. The Factfinder does not serve as an overseer of the District’s personnel system, second-guessing the logicity of particular personnel decisions. Instead, the role of the Factfinder is to determine



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

whether these decisions violated the law or District SOPs. That said, the charge that Chief Davidson engaged in favoritism about material personnel actions is not sustained.

However, the aforementioned promotions are *perceived* by the majority of the workforce as the exemplar of District favoritism and *quid pro quo*. The evidence demonstrates a *clear perception* amongst most employees that employees with whom Chief Davidson have a personal rapport experience easier promotional opportunities as compared to other employees. The evidence is insufficient to prove favoritism on Chief Davidson’s part regarding bonafide employment decisions. However, a perception within the District that certain subordinate employees are favored by supervisors, and that this favoritism led to career advancement opportunities either by unconscious or conscious decisions made by Chief Davidson is clear and unambiguous. This *perception* has nevertheless engendered disunity and enmity within the workforce. This has resulted in many employees feeling marginalized. The Factfinder holds that this perception, which is at least attributed in part to Chief Davidson, violates the spirit of SOP 109.8, which prohibits interdivisional isolation that interferes with morale.

Allegation	Finding	Basis for Finding
Favoritism in promotional opportunities	Not Sustained	Chief Davidson has authority under state law and the District SOPs to establish promotional standards and criteria relative to non-bargaining unit promotional opportunities.

Loss of Trust and Confidence

The anchoring issue of the Union’s complaint is the notion that Chief Davidson’s actions have fostered low morale and that he no longer has the trust or confidence of virtually all of its members. The Factfinder interviewed the entire workforce and the near-unanimous contention is that morale is low and that Chief Davidson’s actions either fomented it or it has festered and metastasized under his leadership. The Factfinder finds that this charge is sustained – i.e., nearly all line employees and some non-certified employees have lost confidence in Chief Davidson’s ability to lead. This has led to a general violation of SOP 109.8, which requires all employees to work together with a high degree of cooperation. The threshold question, however, is whether this collective belief is rational and justifiable.

The Factfinder reviewed thousands of pages and solicited over 60 hours of testimony. It is interesting to note that employees have differing reasons for their beliefs, ranging from allegations about illusory wage and benefits promises, unequal disciplinary actions, non-transparent promotional decisions, anti-union commentary, erratic behavior, favoritism, and reprisal. The Factfinder holds that some of the underlying reasons are overblown or inaccurate, while others



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

are either meritorious or have the perception of being valid. The broad takeaway is that the present state of the District’s morale is substandard. Some blame must be attributed to leadership though the Factfinder does not conclude that the administration is wholly responsible. The Union has clearly encouraged its members to adopt its position, which is clearly lawful under PERA – i.e., employees may engage in protected concerted activity by detailing their grievances.

The Factfinder also believes it necessary to counterbalance the criticism with praise, as many employees also believe Chief Davidson has accomplished numerous tangible things and appears to be trying (but is not succeeding). Chief Davidson also has external character references lauding his work ethic and leadership. His tenure has not been an abject failure as some have characterized it, but the current state of the workplace environment is untenable and requires affirmative action to remedy.

That being said, it is evident the District is at a critical juncture, and the status of Chief Davidson as its leader hangs in the balance. The groundswell for fundamental change is at a fever pitch but the Factfinder advises that the lodestar for any decision is whether the situation is salvageable. Most employees answered that question in the negative, but such a response was not universal. Also, Chief Davidson has expressed his commitment to remedying whatever issues, real or perceived, exist. The Factfinder is skeptical that the situation is beyond repair, but accepts at face value employees’ stated *belief* that the Administration must be supplanted in order for the workplace to return to normalcy. That said, the Factfinder holds that there is a loss of trust and confidence in Chief Davidson’s leader. The Factfinder does not believe that finding invokes a specific SOP but is an intangible matter.

Allegation	Finding	Basis for Finding
Loss of Trust and Confidence	Sustained	The investigatory interviews demonstrated that an overwhelming majority of the workforce expressed an abject loss of trust and confidence in Chief Davidson’s leadership, prompting many to advocate for his removal.

Misappropriation of Funds

The Union had the burden of proving that Chief Davidson had misallocated District funds. The Factfinder notes that the Union’s use of the term “misappropriation” is a misnomer, as that phrase is commonly used for improper or illegal conduct. In this case, the Union is primarily alleging financial mismanagement, claiming that Chief Davidson has purchased extra administrative vehicles while essential fire service vehicles are in disrepair. After discussing the matter with Chief Davidson and the District’s Finance Director, Erin Brooks, the purchases at issue were made in accordance with the District’s procurement policies and its Capital Improvement Plan. The



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

Factfinder will give the Union the benefit of the doubt and attribute the mismanagement claim to its lack of intimate knowledge about the District’s financial and budgetary policy.

However, many employees did complain about the state of the District’s vehicles, claiming that there are perpetual issues (e.g., air conditioning). Some conceded such issues are overblown citing that all agencies have equipment issues from time to time. It is not uncommon for a fire rescue agency to have equipment/vehicle issues and none of the cited examples were particularly damning of the administration. The Factfinder finds that the charge of misappropriation/misallocation of funds is not sustained. Nevertheless, several employees did note that the District’s mechanic needs assistance due to the volume of equipment issues, and that addressing staffing levels in Support Services is an acute issue.

As for the claim regarding attempts to misuse 501(c)(3) charities to acquire funds for unrelated purposes, only one individual was able to provide clarity on the claim. The individual explained that a donor intended to donate a jet ski to the District. The claim is that DC Stoneburg suggested the donor sell the jet ski to the Union’s charity and the charity would thereafter donate it to the District. The Union claimed that its charity is for firefighters “in need,” and that the jet ski transaction would likely not align with its purpose. It was contended that the transaction, using the charity as a go-between, may be violative of the Internal Revenue Code. The record is uncontradicted that the transaction was never effectuated as suggested. The Factfinder concludes that the Administration did not violate any federal regulations or District SOPs, including 107 (Code of Ethics). The Factfinder credits Chief Davidson’s contention that he merely wanted the Union to be involved in a holiday act of kindness. The charge is therefore not sustained.

Allegation	Finding	Basis for Finding
Misappropriation/misallocation of funds	Not Sustained	The investigatory interviews show that while many employees questioned the wisdom of certain purchases, all of them were legally permissible and compliant with the District’s procurement and budgetary policies. Further, a suggestion about how to effectuate a donation was found to not have violated any regulations or SOPs.

Discrimination and Coercion

The Union had the burden of proving that Chief Davidson had engaged in discriminatory and coercive behavior, which violates the law and the District SOPs. This charge is largely supported by an assertion that Chief Davidson criticizes employees to others in the department. Some evidence suggests that Chief Davidson has been critical of employees but the evidence is



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

insufficient to prove it was discriminatory. Chief Davidson’s criticism of members of the Union’s executive board does not constitute unlawful discrimination. Conversely, the executive board’s critique of Chief Davidson is similarly not considered discriminatory. Both parties have the constitutional ability to express their displeasure and criticize each other, though said right is not unfettered. The Factfinder also did not conclude that Chief Davidson’s actions were coercive or manipulative. The members generally denied being duped or manipulated by Chief Davidson. The charge related to discrimination and coercion is not sustained.

Allegation	Finding	Basis for Finding
Discrimination/Coercion	Not Sustained	There was no evidence that Chief Davidson engaged in discriminatory practices or behavior in a manner that constituted unlawful coercion. Though many employees took issue with Chief Davidson’s alleged contempt for Union leadership, his negative commentary was not unlawful.

Fear of Retaliation

The Union alleged that there had been retaliatory conduct in the past, but it claimed that the instant complaint may result in retaliatory action. The Union has therefore not made a retaliation claim but has expressed its concern about reprisal. The members were advised that retaliatory conduct not only violates PERA but the District’s SOP and to report retaliatory threats or conduct to the District’s labor counsel, Thomas Gonzalez.

Allegation	Finding	Basis for Finding
Fear of Retaliation	N/A	The Union’s fear of retaliation was not based on present circumstances but a preemptive claim against prospective retaliation. NOTE: Mary Miller’s termination was cited as an example of recent retaliatory conduct, but for reasons previously discussed said matter was not addressed by the Factfinder.

Complaint #2:

Hostile Work Environment

DC Stoneburg had the burden of proving a hostile work environment. Under applicable state and federal law, as well as under District SOPs, to establish a hostile work environment, he needed to demonstrate five factors,: (1) he belongs to a protected group; (2) he has been subjected to



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

unwelcome harassment; (3) the harassment was based on the protected characteristic, (4) the harassment was sufficiently severe or pervasive to alter the terms and conditions of employment and thus create a discriminatorily abusive work environment, and (5) the employer is responsible for that environment under a theory of either direct or vicarious liability. To prove such a claim, DC Stoneburg had to present concrete evidence in the form of specific facts. The Factfinder found that DC Stoneburg has not met any of the aforementioned factors so he has not proven that he was subjected to a discriminatory, hostile work environment.

The Factfinder also evaluated the complaint under the District’s SOPs, including those involving Mission and Values, Attitude toward Profession, Equal Employment Opportunity, and the Disciplinary Guide Chart, which generally detail that all employees are required to engage in courteous behavior, act as a professional at all times, manage and lead in a considerate manner, and refrain from engaging in harassing, threatening, intimidating coercing or discriminatory behavior. Therefore, to the extent DC Stoneburg claimed that he was subjected to improper treatment under the District’s SOPs, the Factfinder finds that, as referenced above, DC Stoneburg has not proffered any evidence from which a reasonable reviewer could conclude that AC Karpinecz’s actions continually engaged in harassing or threatening conduct. As a result, the Factfinder found that DC Stoneburg was not continually subjected to reprisal, discourteousness, unprofessionalism, or any harassing, threatening, or intimidating conduct as alleged.

A review of hundreds of messages and emails between the two employees reveals passive-aggressive remarks, frustration, and a general sense of mutual distrust. AC Karpinecz has removed himself from certain discussions due to his frustration, but the Factfinder does not hold that this conduct is particularly troubling. Broadly stated, the involved parties have an ongoing interpersonal conflict, with DC Stoneburg believing that AC Karpinecz is a cipher who is undermining the administration, and AC Karpinecz believing that DC Stoneburg wants him terminated because he is too aligned with the line employees.

Allegation	Finding	Basis for Finding
Hostile Work Environment	Not Sustained	The investigative interviews revealed that DC Stoneburg and AC Karpinecz have professional disagreements and generally do not trust one another, but the examples cited do not meet the threshold of a hostile work environment claim.

However, the Factfinder did evidence supporting a claim that AC Karpinecz had been engaging in sophomoric humor with a subordinate that was clearly unprofessional. His actions involved speaking about an employee’s relative in an inappropriate fashion. AC Karpinecz acknowledged the immaturity of his actions and had long discontinued the conduct. However, because evidence



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

shows that the administration was at least tacitly aware of this communication, the Factfinder has concluded that no discipline should be issued.

Complaint #3:

FWA

DC Karpinecz had the burden of proving the information he disclosed in his complaint either involved Chief Davidson (1) violating (or suspected to have violated) any law which creates and presents a substantial and specific danger to the public’s health, safety, or welfare or (2) engaged in any act or suspected improper act involving public funds, or gross neglect of duty. The nature of the information Chief Karpinecz disclosed, even if true, did not satisfy either of the two factors. The Factfinder discussed Chief Davidson’s firearm incident with the employee at issue. He denied any danger or suspected danger to his health, safety, or welfare. Moreover, law enforcement similarly concluded that the incident did not meet its probable cause standard of elevating it to a safety issue.

As for the allegation of Chief Davidson’s use of violent imagery when talking, the evidence suggests that these statements were made in jest. For example, stating that he would take someone to the train station, a reference to the television show Yellowstone where bodies would be disposed of at the train station, appeared to be a joke. Furthermore, text messages fantasizing about fighting Union leadership were similarly considered attempts at humor. The Factfinder did not find that any of Chief Davidson’s remarks posed an actual or suspected threat to anyone’s safety. As a result, the Factfinder found that Chief Karpinecz’s complaint does not entitle him to the protection of the FWA and, as such, the charge is not sustained.

Allegation	Finding	Basis for Finding
Commission of acts and utterance of remarks that present a danger to public health or safety	Not Sustained	The investigative interviews revealed that examples cited by AC Karpinecz do not invoke the protection of the FWA. Instead, it appears the complaint was filed as a defense tactic to guard against an adverse employment action.

Irrespective of whether the evidence sufficiently supported the complainants’ contentions, the District’s SOPs require the agency to possess the following attributes: a team environment, friendly and professional communications, and a strong presence from leadership. Many employees believe the District has fallen short concerning these standards. The Factfinder acknowledges the overwhelming sentiment of the workforce but disagrees with the assertions that



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

the department is on the cusp of collapse or is at a major inflection point. Instead, like any other organization, some issues must be remedied. The following constitute recommended actions to be taken to adequately resolve this matter:

- Chief Davidson acknowledges that some of the assertions made by the members have validity (e.g., equipment issues) and merit his undivided attention.
- The Chief meets with each shift to discuss the results of this inquiry. These meetings should take place within two weeks.
- Administration must immediately put a stop to any observed acts that may be considered unprofessional conduct. It is immaterial whether the complainants comprise a small subgroup: if any employee is offended by the workplace conduct, then it is an issue for the District. It is the Chief's responsibility to maintain a workplace that is free from offensive language.
- Provide a level of transparency relative to promotions outside of the bargaining unit to minimize work speculation.
- The Chief must meet with AC Karpinecz to address his specific allegations and provide clarity on expectations of proper conduct going forward for all parties.
- The Chief, working with his administration, submits additional recommended actions to the District's Board of Commissioners regarding how these issues will be addressed within the department. These recommendations should be submitted within 30 days.
- The workforce engages in multiple sessions of mandatory intense team building. This should not be traditional "HR training," but use a third party to design an interactive program to foster and assist with creating a team-oriented work environment. The evidence shows a significant amount of distrust among employees at all levels so these employees need to address their interpersonal issues in a structured environment.
- Reinstate AC Karpinecz to active duty status as soon as practical. Upon his return, he and DC Stoneburg meet with a conflict resolution professional, so that the two of them can communicate their differences to each other.

There must be no retribution toward any employee who participated in this Inquiry NOTE: the Factfinder states for the record that Chief Davidson is not foreclosed from holding any staff member accountable for their behavior, including complainants. However, his actions will be scrutinized due to the timing of the Complaints so he has been advised to ensure his claims are supported by evidence. No one is immune from accountability, but it must be adjudicated fairly.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

III. Interviews

1. Brandon Anderson	17. Richard Funderburk	33. Stacey Peace
2. Christopher Barnes	18. Travis Garman	34. William Post
3. Todd Best	19. Michael Granger	35. Jeffrey Pyles
4. Christopher Bodine	20. Eric Grantham	36. Steven Raisch
5. Erin Brooks	21. Kimberly Hampton	37. Richard Rubel
6. Thomas Bruno	22. Robert Hill	38. Patrick Schwab,
7. Shawn Clark	23. Gregory Hott	39. Stacie Schwab
8. Joshua Coley	24. Douglas Howard	40. Adam Stephany
9. Kristin Cresswell	25. Christopher Hussain	41. Carson Stitt
10. Kurt Crevier	26. Stephen Jones	42. Louis Stoneburg
11. Christopher Crowley	27. David Karpinecz	43. Matthew Tomilonus
12. Justin Daum	28. Robert Lawson	44. Kyle Turner
13. Jeffrey Davidson	29. Anthony Llanes	45. Brooke Waring
14. Dylan Drew	30. Ryan London	46. John Webber
15. Spencer Finkhousen	31. James Norberg	47. Christopher Wilfong
16. Aaron Flannery	32. Mary Miller	48. Matthew Zeiner

IV. Background

The District is an independent special fire control district organized under chapters 189 and 191, of Florida statutes. It employs approximately 40 employees who are tasked with specific roles vital to its mission of providing lifesaving, safety, and security services to residents and businesses within its defined boundaries in Pinellas County. The rank structure is as follows: Fire Chief, Division Chief, Assistant Chief, Lieutenant, Firefighters, EMTs/Paramedics.

The Board of Commissioners conducts and administers the District’s business and affairs, which includes hiring a fire chief. As such, the actions of the fire chief are within the supervisory purview of the Board. Because these Complaints involve the fire chief, as well as all the members of the administration, the Board must invariably serve as the de facto “officer” in charge of the investigation and review the instant findings.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

V. Summary of Interviews

Chief Davidson

Chief Davidson categorically denied the allegations made by the Union. He explained that the members are largely motivated by the Union leadership's objection to certain collective bargaining proposals he made regarding leave benefits. He argued that the Union has not filed an unfair labor practice charge (ULP) against him and the underlying issues are several months old. He denied accessing anyone's protected health information but confirmed that he did contact a health facility to verify the legitimacy of an employee's note from his physician. The facility did not share any protected health information.

Chief Davidson also took issue with the claim of disparate treatment, explaining that he adheres to the contractual requirements and assesses discipline based on particular circumstances. He was dubious of the claim that "90%" of the workforce had lost faith in his leadership, believing the Union was operating as a rogue entity instead of considering the members' opinions as a collective. He speculates that the Union's complaint was written by Gregg Hott and former employee Miller, with the assistance of AC Karpinecz.

Chief Davidson touted his accomplishments during his tenure, including collecting over four million dollars owed to the District from the County, increasing EMS funding to sufficient levels, assisting in the passage of the ad valorem tax, increasing staffing using grant monies, expanding the number of stations and obtaining needed emergency equipment (e.g., purchasing a 350k rescue truck). He denied the mismanagement of funds, explaining that he inherited equipment but made necessary purchases in compliance with the District's procurement policies. Chief Davidson explained that he delayed replacing his aging vehicle for as long as he could and that he was set to purchase another staff vehicle before an accident totaled a District vehicle scuttling the purchase plan.

Chief Davidson denied the allegation of doing anything nefarious regarding the Union's charity. Instead, he explained that he suggested a potential donor who had planned to donate a jet ski and a trailer to the District to instead donate it to the Union's charity. He claimed the Union declined and the matter was closed. Chief Davidson said that the District's annual audit has never revealed any financial issues or anomalies.

Chief Davidson dismissed out-of-hand claims of discrimination and coercion, citing no filed complaints or details regarding the generic complaint raised by the Union. He also denied



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

subjecting employees to retaliatory acts, arguing that the charge was a strategic ruse to assist the Union in defending terminated firefighter Mary Miller.

Chief Davidson believes that AC Karpinecz and Ms. Hampton, among others, are actively working to undermine his authority. He expressed that he does not trust either individual and that they are part of an orchestrated effort to get him terminated. As for AC Karpinecz, Chief Davidson questioned his mental state and cited more than one situation whereby AC Karpinecz was very emotional and either left or behaved aggressively.

NOTE: Chief Davidson provided documentary evidence of ancillary issues involving employees. Upon review, the Factfinder has determined that such matters be addressed in a supplemental report since they are only tangentially related to the underlying matters.

AC Karpinecz

AC Karpinecz contends that his close relationship with the line employees and the union has made him persona non grata with the administration. AC Karpinecz concedes to looking out for the interests of the employees but does not believe his activities are detrimental to the administration. He explained that he is in perpetual fear of losing his job for speaking up. AC Karpinecz recounted the firearm incident involving Chief Davidson and claimed that he was concerned for his safety and believed the third individual was as well. He claimed that DC Stoneburg's complaint was largely overblown and an attempt at one-upmanship. In his two interviews, AC Karpinecz provided extensive documentation rebutting the allegations of being hostile, lacking mental fitness, and otherwise being a source of discord.

NOTE: AC Karpinecz provided documentary evidence of other ancillary issues. Upon review, the Factfinder has determined that such matters be addressed in a supplemental report since they are only tangentially related to the underlying matters.

Other statements

The Factfinder heard the testimony of nearly all employees. The broad consensus is that the line employees believe they are overworked and underpaid, and that the administration has not adequately addressed either issue. Most desire a change in leadership though some believe an extensive rehabilitation may be the panacea. Distrust is pervasive amongst the workforce and many cite the administration's sleight of hand tactics during collective bargaining. However, the majority of the workforce trust and respect AC Karpinecz and scoffed at the notion that he is a divisive force but is instead heralded as an ally and mentor.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

VI. Findings and Conclusion

The findings of fact made in this matter are based on the consideration of all the statements, evidentiary documents, as well as the Interviewers' observations concerning the participants' demeanor, motives, character, bias, consistency, attitude, and self-serving interest, if any.

1. Whether Fire Chief Jeffrey Davidson engaged in conduct that violated state labor laws and District policy.

A preponderance of evidence was not established to conclude that Chief Davidson violated any state or federal laws. However, his conduct, at times, did violate the District's Missions and Values SOP, which generally advocates for a congenial work environment.

The determination is based on the following:

2. Whether David Karpinecz, Assistant Chief, subjected Louis Stoneburg, Division Chief, to a hostile work environment in violation of District policy, federal regulations, and state law.

A preponderance of evidence was not established to conclude that DC Stoneburg was subjected to a hostile work environment. The determination is based on the fact that he did not assert to be a member of a protected class but even if he was the conduct complained of did not meet the severity or frequency threshold provided for in the law.

3. Whether Fire Chief Davidson engaged in behavior that invoked the protection of the Florida Whistle-blower's Act for AC Karpinecz.

A preponderance of evidence was not established to conclude that AC Karpinecz filed a viable whistleblower complaint. The determination is based on the fact that the third witness to the firearm incident corroborated Chief Davidson's version of events (i.e., the situation was not dangerous). As for Chief Davidson's off-color remarks about engaging in fistcuffs with Union officials, said statements were relatively benign.

For the reasons noted herein, the enumerated recommendations detailed at the outset are just and proper.



*Pinellas Suncoast Fire & Rescue District
Fact-finding Inquiry*

VII. Recommendations

For ease of reference, the proposed recommendations were added to the Executive Summary section (See section I). The Board has the discretion to adopt the recommendations, reject them, or modify them as it deems fit.

The contents of this report are true and accurate based on my personal knowledge, information, and belief.

Milton Collins

A handwritten signature in blue ink, appearing to be "ML", written over a horizontal line.

Date: December 9, 2024