

# **Bond Case Briefs**

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## **EMPLOYMENT - VIRGINIA**

### **Payne v. Fairfax County School Bd.**

**Supreme Court of Virginia - October 31, 2014 - S.E.2d - 2014 WL 5487610**

Food and nutrition services manager at middle school, who was suspended for allegedly violating public schools' regulations, brought declaratory judgment action, seeking declaration that statute, governing grounds and procedure for suspensions, required school boards to conduct a hearing prior to suspending an employee without pay. The Circuit Court granted the school board's motion for summary judgment, and manager appealed.

The Supreme Court of Virginia held that:

- Any due process rights manager might have had as a non-teaching employee were fulfilled by the grievance process, and
- Education statute, governing grounds and procedure for suspensions, does not require a school board to hold a hearing before suspending a non-teaching employee without pay for fewer than five days.