

CHAMPAIGN COUNTY BOARD
COMMITTEE MINUTES

LABOR SUBCOMMITTEE

Monday, August 17, 2009

**Brookens Administrative Center, Putman Meeting Room
1776 E. Washington St., Urbana**

4:30 p.m.

MEMBERS PRESENT: Tom Betz, Greg Knott, Brendan McGinty, Alan Nudo,
Sam Smucker (Chair)

MEMBERS ABSENT: None

OTHERS PRESENT: Kat Bork (Administrative Secretary), Deb Busey (County
Administrator), Alan Kurtz (County Board Member), C. Pius Weibel
(County Board Chair), John Farney (AFSCME Local 900)

CALL TO ORDER

Smucker called the meeting to order at 4:34 p.m.

ROLL CALL

Betz, Knott, McGinty, Nudo, and Smucker were present at the time of roll call, establishing the presence of a quorum.

APPROVAL OF AGENDA/ADDENDUM

MOTION by Betz to approve the agenda; seconded by Nudo. **Motion carried with all ayes.**

APPROVAL OF MINUTES

MOTION by Betz to approve the February 10, 2009 open and closed session minutes; seconded by McGinty. **Motion carried with all ayes.**

PUBLIC PARTICIPATION

John Farney asked to speak as a representative of AFSCME Local 900. He stated AFSCME Local 900 opposes the resolution establishing a labor-management meeting policy and thinks it is a cowardly resolution. It says that County Board does not want to talk to its employees, who are constituents and taxpayers in Champaign County. He understood the County Board was tired of dealing with the Nursing Home, but they would not have to deal with it on a constant basis if they fixed the problems at the Nursing Home. The union employees want to talk with their Board representatives and have the Board members come to meetings to see what is really going on from

both sides. Farney was worried about the resolution's language regarding County managers because County Board members were elected to manage, not Deb Busey or the Nursing Home Administrator. He wanted to see County Board members telling Deb Busey and other managers what meetings to attend, not the other way around.

MOTION by Betz to move item 8 before the closed session on the agenda; seconded by McGinty. **Motion carried with all ayes.**

CLOSED SESSION PURSUANT TO 5 ILCS 120/2(c)2 TO CONSIDER COLLECTIVE NEGOTIATING MATTERS BETWEEN THE COUNTY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES

MOTION by Betz to enter into closed session pursuant to 5 ILCS 120/2 (c) 2 to consider collective negotiating matters between Champaign County and its employees or their representatives. He further moved that the following individuals remain present: the County Administrator and the Recording Secretary. Motion seconded by McGinty. **Motion carried with a vote of 5 to 0.** Betz, Knott, McGinty, Nudo, and Smucker voted in favor of the motion. The committee entered into closed session at 5:07 p.m. The committee resumed open session at 5:37 p.m.

RECOMMENDATION OF APPOINTMENT OF NEGOTIATING TEAM FOR AFSCME GENERAL UNIT CONTRACT; FOP CORRECTIONS CONTRACT; & FOP CORRECTIONS SERGEANTS CONTRACT

Smucker nominated himself and Nudo to the Negotiating Team for the AFSCME General Unit contract negotiations. Smucker nominated Knott to the Negotiating Teams for the FOP Corrections and Corrections Sergeants contract negotiations.

MOTION by Nudo to approve the nominations; seconded by Betz. **Motion carried with all ayes.**

OTHER BUSINESS

Approval of Resolution Establishing a Policy Regarding Attendance of County Board Members at Labor Management Meetings or Meetings Required Pursuant to Collective Bargaining Agreements

A revised resolution was distributed to the committee. McGinty heard what Farney said about wanting access to County Board members, but that was not the issue in the resolution. The County Board has a set Negotiating Team with Board members and professional staff who attend the multiple sessions and are informed about the contract issues. The Negotiating Team reports back to the full Board with information when it is appropriate. McGinty thought it would be counterproductive and inefficient to change that procedure. The designated team should do the negotiating.

Betz agreed with McGinty and noted the Open Meetings Act excludes other Board members from negotiating sessions. The Negotiating Team is designated with the authority to act by the County Board. This resolution addressed the different question of labor-management meetings.

These meetings are built into the contracts and are not about negotiating. The County Board hires professionals to manage its many departments, pays them well, and they answer to the Board. Betz did not think it was County Board members' role to become part of labor-management relation meetings when the members do not run the departments on a day-to-day basis. He described his experience on a Negotiating Team and passing on feedback from constituents to the appropriate department head. As a County Board member, he should not be in room when Buffenbarger is hearing employee complaints because that is why Buffenbarger was hired. Betz wants people to understand the proper channels must be followed to prevent end-around techniques. There needs to be recognition that a chain of command exists. While the Board is ultimately responsible, they should not be involved in the day-to-day operations of departments.

Knott completely agreed with Betz's comments and remarked the County Board's role is policy-making while managers are hired to manage. The County employees feel free to talk to him outside of the office about problems and he will take other concerns to the appropriate manager because it is the proper process. The County Board owes it to their department heads to follow this process. Individual employees are still free to talk to County Board members.

Betz thought there was also a union rights issue because the Board might be hearing from only a small section of the union who do not represent the whole entity. The County Board could commit an unfair labor practice by adopting the position of a small minority of the union and has to be careful.

Smucker asked where Board members should draw the line about not discussing employment related matters with an employee. Knott emphasized that no single Board member has the authority to bargain. Smucker noted employees can lobby Board members on any issue as citizens. Knott expressed that any operational issues reported by an employee should be referred to the department head or elected official by the County Board member. That process is important. There is implied pressure when a Board member is asking a manager about an issue; this balances the fact that the County Board cannot negotiate.

Kurtz asked if Board members were allowed to attend labor-management meetings as observers only. Knott stated they cannot shake the role of a County Board member and it would circumvent the process. Kurtz said he wanted to observe the negotiations and labor-management meetings. Betz clarified that labor-management meetings are not negotiations. Busey explained labor-management meetings are defined by the contracts as meetings between the employer (management) and the union related to specific operational and contract issues. These are not negotiating sessions. The resolution allows for management to request a County Board member attend a labor-management meeting when the manager believes there is a benefit to having a Board member at the meeting. She has attended labor-management meetings and they typically talk about the day-to-day implementation of the contract terms in operations, not policy. She pointed out management does not invite specific union employees to attend a labor-management meeting; the bargaining agent brings those employees to the table. It would not be appropriate for the bargaining agent to specifically invite certain County Board members to a labor-management meeting. It seems appropriate that management continues to determine who are the appropriate management representatives to deal with the identified issues for discussion at the labor-management meetings.

McGinty supported letting the professional managers do their jobs because there are appropriate avenues to lobby the County Board. He wondered if the resolution was needed at all. Weibel thought the resolution did clarify the issue, but did not think the yellow sections in the revised resolution were necessary. Betz wanted to have a policy to educate all 27 Board members and provide a basis for management to refer to a policy when the issue comes up in the future. This gives management that protection because it is a County Board policy. The committee continued to discuss the proposed resolution.

MOTION by Betz to approve the Resolution Establishing a Policy Regarding Attendance of County Board Members at Labor Management Meetings or Meetings Required Pursuant to Collective Bargaining Agreements without the yellow highlighted sections; seconded by McGinty.

The committee discussed altering the verbiage of the resolution to avoid a confrontational tone. Betz and McGinty agreed to a friendly amendment to include language in the third Whereas paragraph to read "the Champaign County Labor Subcommittee recognizes policies and establishes that labor-management meeting and other meetings required pursuant to any of the County's collective bargaining agreements are a venue in which management employees, bargaining agents, and employees can discuss issues that are related...County Board members may attend those meetings upon invitation by the appropriate management representatives."

Weibel exited the meeting at 5:03 p.m.

McGinty expressed the policy's intention is not to cut off communication to County Board members, but to ensure concerns are directed to the knowledgeable parties to have consistency. Smucker noted nothing in the resolution restricts employees from lobbying the County Board. Board members need to be cautious on how they respond to employees.

Weibel returned to the meeting at 5:06 p.m.

Motion carried as amended with all ayes.

ADJOURNMENT

Smucker adjourned the meeting at 5:39 p.m.

Respectfully submitted,

Kat Bork
Administrative Secretary

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.