



**CHAMPAIGN COUNTY BOARD
COMMITTEE AGENDA**

LABOR SUBCOMMITTEE
Brookens Administrative Center, Meeting Room 4
1776 E. Washington, Urbana
Thursday, May 6, 2009 – 4:30 p.m.

CHAIR: Sam Smucker

MEMBERS: Tom Betz, Greg Knott, Brendan McGinty, Alan Nudo

<u>ITEM</u>	<u>PAGE NO.</u>
I. <u>CALL TO ORDER</u>	
II. <u>ROLL CALL</u>	
III. <u>APPROVAL OF AGENDA/ADDENDUM</u>	
IV. <u>APPROVAL OF MINUTES</u>	
A. August 3, 2009	*1-3
B. August 17, 2009 – Open Session Minutes	*4-7
C. August 17, 2009 – Closed Session Minutes	
D. September 24, 2009 – Open Session Minutes	*8-9
E. September 24, 2009 – Closed Session Minutes	
V. <u>PUBLIC PARTICIPATION</u>	
VI. <u>CLOSED SESSION PURSUANT TO 5 ILCS 120/2(c)2 TO CONSIDER COLLECTIVE NEGOTIATING MATTERS BETWEEN THE COUNTY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES</u>	
VII. <u>OTHER BUSINESS</u>	
VIII. <u>ADJOURNMENT</u>	

1 CHAMPAIGN COUNTY BOARD
2 COMMITTEE MINUTES
3

4
5 **LABOR SUBCOMMITTEE**

6 **Monday, August 3, 2009**

7 **Brookens Administrative Center, Putman Meeting Room**

8 **1776 E. Washington St., Urbana**

9
10 5:15 p.m.

11
12 **MEMBERS PRESENT:** Tom Betz, Greg Knott, Brendan McGinty, Alan Nudo,
13 Sam Smucker (Chair)

14
15 **MEMBERS ABSENT:** None

16
17 **OTHERS PRESENT:** Kat Bork (Administrative Secretary), Deb Busey (County
18 Administrator), Alan Kurtz (County Board Member), C. Pius Weibel
19 (County Board Chair), Nora Stewart (AFSCME Local 900 President)

20
21 **CALL TO ORDER**

22
23 Smucker called the meeting to order at 5:24 p.m.

24
25 **ROLL CALL**

26
27 Betz, Knott, McGinty, Nudo, and Smucker were present at the time of roll call, establishing
28 the presence of a quorum.

29
30 **APPROVAL OF AGENDA/ADDENDUM**

31
32 **MOTION** by Betz to approve the agenda; seconded by McGinty. **Motion carried with all**
33 **eyes.**

34
35 **PUBLIC PARTICIPATION**

36
37 There was no public participation.

38
39 **CHAIR'S REPORT**

40
41 There was no report from the Chair. Busey announced another Labor Subcommittee
42 meeting will be scheduled in the next couple of weeks. The committee agreed 4:30 p.m. was an
43 acceptable meeting time.

44
45 Weibel entered the meeting at 5:28 p.m.
46
47
48

49 **INVITATION TO ATTEND LABOR-MANAGEMENT MEETING**

50
51 Weibel stated that Tara McCauley, the AFSCME staff representative, asked for a labor-
52 management meeting at the Nursing Home, which was arranged approximately a month ago. Right
53 before the meeting, McCauley sent an email to Weibel, certain County Board members, and
54 selected Nursing Home Board of Directors members asking for representatives from both boards to
55 attend the labor-management meeting. Contract negotiations were ongoing at that time, so Weibel
56 responded that the Board members should not attend such meetings during the negotiation process.
57 Negotiations have completed, though the contracts have not been signed, and McCauley has made
58 another request for a labor-management meeting with representatives from the County Board and
59 Nursing Home Board of Directors in attendance. Weibel felt the Labor Subcommittee should make
60 a decision and asked Smucker who should attend a labor-management meeting. Smucker asked for
61 an explanation of why McCauley was asking for the meeting.
62

63 Betz expressed concern because the neither the collective County Board nor individual
64 Board members should be involved in the day-to-day operations of departments other than where it
65 is statutorily or contractually required. If the County Board takes on the role of listening to
66 grievances, it has the potential to contradict the people it has hired to operate the departments and
67 Nursing Home. For example, Busey was hired to run the Administrative Services Department and
68 it is not his position as a Board member to sit down with an employee that Busey needs to
69 discipline, fire, or hire. Betz wanted to develop a policy to prevent individual Board members from
70 being pulled into labor negotiations or grievances. Smucker concurred with Betz and said the
71 Negotiating Team was the appropriate body to address issues. Weibel said the union could want to
72 discuss a multitude of issues, including issues that should be bargained. The Negotiating Team can
73 bring issues to the Labor Subcommittee for further discussion at their discretion. Weibel thought it
74 might be more appropriate for the Nursing Home Board of Directors to attend the meeting.
75 Smucker warned involving either board instead of the Negotiating Team could create confusion
76 regarding who is responsible for negotiations. There needs to be a clear line of authority.
77

78 Busey agreed and pointed out that the collective bargaining agreements define labor-
79 management meetings. The assumption in the agreements is that management will attend those
80 meetings, not County Board members who are policy-makers. If a manager felt he or she needed
81 direction from the County Board regarding a labor-management meeting, it is incumbent on the
82 manager to ask for the Board's direction. Weibel was happy to agree, he just wanted to make it a
83 policy. Betz totally agreed with Busey's statements as he does not expect to monitor department
84 heads as a Board member. The committee discussed the grievance process available to employees
85 in the contracts. Betz asked if Andrew Buffenbarger, the Nursing Home Administrator, requested
86 Board members to attend the labor-management meeting. Weibel had not contacted Buffenbarger
87 about this issue. Betz wanted Buffenbarger to know the County Board has not hung him out to dry.
88 They believe it is Buffenbarger's job to manage the Nursing Home and the Board would consult
89 with him upon his request. Busey stated the new contract has been negotiated over the last nine
90 months and contains even more definitive labor-management language.
91

92 **MOTION** by Betz that neither the collective County Board nor the individual County Board
93 members would attend labor-management meetings unless the department manager or County
94 Administrator requests the Board members' presence.

95 McGinty asked to add that the County Board would continue to operate according to its
96 current lines of delineation with negotiating with the Negotiating Team. The committee concurred.
97 Smucker recommended a Negotiating Team member be the one to attend a labor-management
98 meeting if it is requested by the manager. This would ensure the Board representative is also a
99 Labor Subcommittee member. The committee preferred that the County Board members not attend
100 labor-management meetings, but were willing to concede at the request of a manager. Busey noted
101 there might be circumstances where an administrator or manager may ask non-Labor Subcommittee
102 member to attend a meeting because of the relevance of that member's participation. It was agreed
103 that participation by non-Labor Subcommittee members would be cleared with the Labor Chair and
104 County Board Chair. **Betz agreed to consider McGinty's addition as a friendly amendment.**

105
106 McGinty seconded Betz's motion.
107

108 Smucker asked to have a statement written for the next meeting. Busey suggested writing it
109 as a resolution to be sent to the County Board. Betz remarked union employees communicate with
110 the County Board members and he does not want to stop that practice, but the Board cannot address
111 grievances or engage in negotiations. He verified the employees' First Amendment rights are not
112 being cut off; the committee is simply creating a practical policy. He confirmed no County Board
113 member will be sent to tomorrow's labor-management meeting at the Nursing Home because there
114 has not been a request from Andrew Buffenbarger. Busey agreed to inform Buffenbarger
115 tomorrow.
116

117 **Motion carried with all ayes.**
118

119 **OTHER BUSINESS**

120
121 There was no other business.
122

123 **ADJOURNMENT**

124
125 Smucker adjourned the meeting at 5:45 p.m.
126

127 Respectfully submitted,
128

129 Kat Bork
130 Administrative Secretary
131

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

1 CHAMPAIGN COUNTY BOARD
2 COMMITTEE MINUTES
3

4
5 **LABOR SUBCOMMITTEE**

6 **Monday, August 17, 2009**

7 **Brookens Administrative Center, Putman Meeting Room**

8 **1776 E. Washington St., Urbana**

9
10 4:30 p.m.

11
12 **MEMBERS PRESENT:** Tom Betz, Greg Knott, Brendan McGinty, Alan Nudo,
13 Sam Smucker (Chair)

14
15 **MEMBERS ABSENT:** None

16
17 **OTHERS PRESENT:** Kat Bork (Administrative Secretary), Deb Busey (County
18 Administrator), Alan Kurtz (County Board Member), C. Pius Weibel
19 (County Board Chair), John Farney (AFSCME Local 900)
20

21 **CALL TO ORDER**

22
23 Smucker called the meeting to order at 4:34 p.m.

24
25 **ROLL CALL**

26
27 Betz, Knott, McGinty, Nudo, and Smucker were present at the time of roll call, establishing
28 the presence of a quorum.

29
30 **APPROVAL OF AGENDA/ADDENDUM**

31
32 **MOTION** by Betz to approve the agenda; seconded by Nudo. **Motion carried with all**
33 **eyes.**

34
35 **APPROVAL OF MINUTES**

36
37 **MOTION** by Betz to approve the February 10, 2009 open and closed session minutes;
38 seconded by McGinty. **Motion carried with all eyes.**

39
40 **PUBLIC PARTICIPATION**

41
42 John Farney asked to speak as a representative of AFSCME Local 900. He stated AFSCME
43 Local 900 opposes the resolution establishing a labor-management meeting policy and thinks it is a
44 cowardly resolution. It says that County Board does not want to talk to its employees, who are
45 constituents and taxpayers in Champaign County. He understood the County Board was tired of
46 dealing with the Nursing Home, but they would not have to deal with it on a constant basis if they
47 fixed the problems at the Nursing Home. The union employees want to talk with their Board
48 representatives and have the Board members come to meetings to see what is really going on from

49 both sides. Farney was worried about the resolution's language regarding County managers
50 because County Board members were elected to manage, not Deb Busey or the Nursing Home
51 Administrator. He wanted to see County Board members telling Deb Busey and other managers
52 what meetings to attend, not the other way around.
53

54 **MOTION** by Betz to move item 8 before the closed session on the agenda; seconded by
55 McGinty. **Motion carried with all ayes.**
56

57 **CLOSED SESSION PURSUANT TO 5 ILCS 120/2(c)2 TO CONSIDER COLLECTIVE**
58 **NEGOTIATING MATTERS BETWEEN THE COUNTY AND ITS EMPLOYEES OR**
59 **THEIR REPRESENTATIVES**
60

61 **MOTION** by Betz to enter into closed session pursuant to 5 ILCS 120/2 (c) 2 to consider
62 collective negotiating matters between Champaign County and its employees or their
63 representatives. He further moved that the following individuals remain present: the County
64 Administrator and the Recording Secretary. Motion seconded by McGinty. **Motion carried with a**
65 **vote of 5 to 0.** Betz, Knott, McGinty, Nudo, and Smucker voted in favor of the motion. The
66 committee entered into closed session at 5:07 p.m. The committee resumed open session at 5:37
67 p.m.
68

69 **RECOMMENDATION OF APPOINTMENT OF NEGOTIATING TEAM FOR AFSCME**
70 **GENERAL UNIT CONTRACT; FOP CORRECTIONS CONTRACT; & FOP**
71 **CORRECTIONS SERGEANTS CONTRACT**
72

73 Smucker nominated himself and Nudo to the Negotiating Team for the AFSCME General
74 Unit contract negotiations. Smucker nominated Knott to the Negotiating Teams for the FOP
75 Corrections and Corrections Sergeants contract negotiations.
76

77 **MOTION** by Nudo to approve the nominations; seconded by Betz. **Motion carried with**
78 **all ayes.**
79

80 **OTHER BUSINESS**

81 **Approval of Resolution Establishing a Policy Regarding Attendance of County Board Members at**
82 **Labor Management Meetings or Meetings Required Pursuant to Collective Bargaining Agreements**
83

84 A revised resolution was distributed to the committee. McGinty heard what Farney said
85 about wanting access to County Board members, but that was not the issue in the resolution. The
86 County Board has a set Negotiating Team with Board members and professional staff who attend
87 the multiple sessions and are informed about the contract issues. The Negotiating Team reports
88 back to the full Board with information when it is appropriate. McGinty thought it would be
89 counterproductive and inefficient to change that procedure. The designated team should do the
90 negotiating.
91

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

95 These meetings are built into the contracts and are not about negotiating. The County Board hires
96 professionals to manage its many departments, pays them well, and they answer to the Board. Betz
97 did not think it was County Board members' role to become part of labor-management relation
98 meetings when the members do not run the departments on a day-to-day basis. He described his
99 experience on a Negotiating Team and passing on feedback from constituents to the appropriate
100 department head. As a County Board member, he should not be in room when Buffenbarger is
101 hearing employee complaints because that is why Buffenbarger was hired. Betz wants people to
102 understand the proper channels must be followed to prevent end-around techniques. There needs to
103 be recognition that a chain of command exists. While the Board is ultimately responsible, they
104 should not be involved in the day-to-day operations of departments.
105

106 Knott completely agreed with Betz's comments and remarked the County Board's role is
107 policy-making while managers are hired to manage. The County employees feel free to talk to him
108 outside of the office about problems and he will take other concerns to the appropriate manager
109 because it is the proper process. The County Board owes it to their department heads to follow this
110 process. Individual employees are still free to talk to County Board members.
111

112 Betz thought there was also a union rights issue because the Board might be hearing from
113 only a small section of the union who do not represent the whole entity. The County Board could
114 commit an unfair labor practice by adopting the position of a small minority of the union and has to
115 be careful.
116

117 Smucker asked where Board members should draw the line about not discussing
118 employment related matters with an employee. Knott emphasized that no single Board member has
119 the authority to bargain. Smucker noted employees can lobby Board members on any issue as
120 citizens. Knott expressed that any operational issues reported by an employee should be referred to
121 the department head or elected official by the County Board member. That process is important.
122 There is implied pressure when a Board member is asking a manager about an issue; this balances
123 the fact that the County Board cannot negotiate.
124

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

1 CHAMPAIGN COUNTY BOARD
2 COMMITTEE MINUTES
3

4
5 **LABOR SUBCOMMITTEE**

6 **Thursday, September 24, 2009**

7 **Brookens Administrative Center, Putman Meeting Room**

8 **1776 E. Washington St., Urbana**

9
10 6:30 p.m.

11
12 **MEMBERS PRESENT:** Tom Betz, Greg Knott, Brendan McGinty, Alan Nudo,
13 Sam Smucker (Chair)

14
15 **MEMBERS ABSENT:** None

16
17 **OTHERS PRESENT:** Kat Bork (Administrative Secretary), Andrew Buffenbarger (Nursing
18 Home Administrator), Deb Busey (County Administrator), David
19 DeThorne (Senior Assistant State's Attorney), Alan Kurtz (County
20 Board Member), C. Pius Weibel (County Board Chair)

21
22 **CALL TO ORDER**

23
24 Smucker called the meeting to order at 6:31 p.m.

25
26 **ROLL CALL**

27
28 Betz, Knott, McGinty, Nudo, and Smucker were present at the time of roll call, establishing
29 the presence of a quorum.

30
31 **APPROVAL OF AGENDA/ADDENDUM**

32
33 **MOTION** by Knott to approve the agenda; seconded by McGinty. **Motion carried with all**
34 **eyes.**

35
36 **PUBLIC PARTICIPATION**

37
38 There was no public participation.

39
40 **CLOSED SESSION PURSUANT TO 5 ILCS 120/2(c)2 TO CONSIDER COLLECTIVE**
41 **NEGOTIATING MATTERS BETWEEN THE COUNTY AND ITS EMPLOYEES OR**
42 **THEIR REPRESENTATIVES**

43
44 **MOTION** by Nudo to enter into closed session pursuant to 5 ILCS 120/2 (c) 2 to consider
45 collective negotiating matters between Champaign County and its employees or their
46 representatives. He further moved that the following individuals remain present: County
47 Administrator, Nursing Home Administrator, County's legal counsel, and the Recording Secretary.
48 **Motion seconded by McGinty. Motion carried with a vote of 5 to 0.** Betz, Knott, McGinty,

49 Nudo, and Smucker voted in favor of the motion. The committee entered into closed session at 6:33
50 p.m. DeThorne entered the closed session at 6:35 p.m. The committee resumed open session at
51 7:00 p.m.

52

53 **OTHER BUSINESS**

54

55 There was no other business.

56

57 **ADJOURNMENT**

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59 Smucker adjourned the meeting at 7:01 p.m.

60

61 Respectfully submitted,

62

63 Kat Bork

64 Administrative Secretary

65

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