

LABOR RELATIONS/EMPLOYEE SERVICES COMMITTEE MINUTES

April 22, 2009

MEETING CALLED TO ORDER by Chairman John Young at 9:00 a.m. at the Oneida County Courthouse, First Floor Conference Room.

COMMITTEE MEMBERS PRESENT: John Young, Paul Dean, Scott Holewinski and Charles Wickman.

COMMITTEE MEMBERS ABSENT: Ted Cushing (excused).

ALSO PRESENT: John Potters, Lisa Charbarneau (Labor Relations/Employee Services); Margie Sorenson (Finance); Brian Desmond (Corporation Counsel); Nick Scholtes (Highway); Nancy Hollands (Land & Water Conservation); Julie Allen (ITS); Judge O'Melia (Branch I); Judge Mangerson (Branch II); Peter Wolk, Matt Matteson, Tom Rudolph (Supervisors); Dennis O'Brien (AFSCME); John Prentice (Attorney via Phone)

The Chairman noted that this meeting of the Labor Relations/Employee Services Committee had been properly noticed in accordance with the Wisconsin Open Meeting Law and meets the Americans With Disabilities Act.

The Chairman announced that with the committee's permission he would like to move items around on the agenda to accommodate the Judges who would be attending the meeting.

Motion by Wickman, second by Dean to approve the agenda for the present meeting, allowing the chair to move topics as necessary. Motion carried; all ayes.

Motion by Holewinski, second by Wickman to approve the minutes of April 8, 2009. Motion carried; all ayes.

Motion by Holewinski, second by Wickman to approve the bills and vouchers as presented. Motion carried; all ayes.

Dennis O'Brien came before the committee to present Courthouse Union Grievance 09-003 regarding the Solid Waste Department Work Schedule. O'Brien told the committee that hours of work are listed in the contract and are a mandatory subject of bargaining and can not be unilaterally changed. O'Brien explained that in the past, employees worked their regular schedule during the week and worked on Saturdays for overtime wages. The current director wants them to incorporate the Saturday hours into their total for the week at straight time.

Holewinski told O'Brien that the department is losing revenues and in order to remain open the budget must balance. You don't agree with that and want to pay overtime on Saturdays, which will run the department into more debt.

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O'Brien said he hadn't been spoken to on the debt issue until a couple of days ago. He continued that the County violated the terms of the agreement.

Wickman stated that the work schedule has to accommodate the public and that the director needs the discretion to schedule staff to accommodate the public for different times of the year.

Julie Allen told the group that the department had been working four ten hour days and overtime on Saturdays, and now the Saturday hours were being incorporated as part of the regular workweek.

Margie Sorenson said there has been many years that the staff has worked straight time on Saturdays. She continued that there is a 2002 letter clarifying straight time on Saturdays.

Potters added the letter included the staff's opportunity to select a Monday – Friday or Tuesday – Saturday workweek.

Allen said when talking to current staff they indicated they were working four tens and overtime on Saturday.

Holewinski said that was in past years. The funds have gone in the opposite direction. We are trying to keep those jobs at the landfill and you are here saying no to the schedule. He continued saying the employee has to give a little.

O'Brien again stated that the contract says what it says and that this is a mandatory subject of bargaining. He said the employees say they were working four tens and over time on Saturday. O'Brien agreed that the contract states 37.5 hours per week and they would have to abide by that even though they were working 40 hours per week.

Jack Young told O'Brien that he made him laugh. Young continued that O'Brien only follows the contract when it suits him. The last time we met for bargaining, you (O'Brien) brought too many employees. When I brought this to your attention you got up and left.

O'Brien disagreed and said the committee refused to bargain.

Holewinski echoed Young's comment by saying; you only want to use the contract when it suits you.

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O'Brien stated that with 106 people in the union, being represented by two people is not in the County's best interest. O'Brien again stated that unilaterally altering the work schedule breaks the contract.

Motion by Holewinski second by Dean to adjourn to closed session pursuant to section 19.85 (1)(e) for purposes of deliberating the County's position in a matter relating to collective bargaining under subch. I, IV, or V of ch 111, stats. when bargaining reasons require a closed session. Pursuant to section 19.82(1) stats., the Committee is not considered a governmental body whenever it is meeting for the purpose of collective bargaining under subch. I, IV, or V of ch 111, stats. Upon completion of this portion of the meeting, it is anticipated the Committee will return to open session to consider the remainder of the meeting agenda. Roll call vote taken with all voting in the affirmative. Motion carried.

Discussion held in closed session.

Motion by Holewinski, second by Dean to return to open session. Roll call vote taken with all voting in the affirmative.

The following motion was made during the above closed session and announced in open session:

Motion by Holewinski, second by Wickman to deny Courthouse Union Grievance 09-003 based on past practice of hours worked. Roll call vote taken with all voting in the affirmative. Motion carried.

Tom Rudolph came before the committee regarding an appeal to waive the mandatory six-month vacancy of the 63% Typist II position in the Land & Water Conservation Department. Rudolph indicated that the committee should have received a memo from Nancy Hollands regarding why the position is urgently needed and asked if anyone had questions.

Nancy Hollands gave some additional background on the position, indicating it had been in the department since 2001 and worked half days from 11:45 to 4:30 or about 1228 hours each year. Hollands indicated the employee left for a full time position and the cost of health insurance.

Holewinski said to Nancy that in September the committee had asked for a breakdown of information where all the department funds are spent, and she was reminded in November. He asked her how long it takes to get information. He finished by saying you didn't ask for an extension to get the information to us, you ignored the request.

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Hollands apologized and indicated she did have some family issues going on during the fall of the year.

Holewinski asked Lisa Charbarneau to send Nancy the dates and what the committee had asked for.

Potters indicated that he had spoken to Paul Spencer about job sharing the employee that moved to his office with Land & Water. Spencer agreed to the employee working two days in Land & Water and three days in his office until they no longer needed the employee. Potters continued that the employee would be doing a time study while in Land & Water to help determine what is necessary for that position. Potters continued that it may help to determine if Planning & Zoning could absorb some of the work or without an AIS Coordinator that there was less work.

Holewinski said to check with Planning & Zoning that with their permits down, the Land & Water Department could share work with Planning & Zoning.

Potters again stated that it is a good time to utilize other staff as long as needed, until a study has been completed and a determination made.

Young indicated that he had spoken with Paul Spencer and that he does time studies very effectively. You can find out a lot of information if you have everyone do it.

Rudolph indicated that he is on the Social Services Committee and that Paul is running a very efficient office. Rudolph continued that summer is a very critical season for the department and with no AIS Coordinator the staff would have more work not less. He felt the transferring employee coming back two days per week would be good as the employee knows the work and there would be no disruption or delay.

Sorenson reminded the group leaving the position vacant for six months, would create an option for current staff to work overtime. Sorenson continued that many times working overtime is more cost efficient, as there is not additional cost for benefits.

Potters also told the group that Karl Jennrich agreed to allow Jean Hansen to work in Land & Water 100% for the time being.

Charles Wickman said that he had gotten the impression that Jean Hansen would be appointed as the AIS Coordinator and that she was ready to go, also to have Dan Kuzlik on board as well.

Potters stated that the group should not confuse appointment verses doing AIS activities. At this point, Hansen would be brought back into Land & Water at 100% to do AIS

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activities. Potters continued that he has spoken with Kuzlik and he has some ideas and options. Potters said he would be presenting three options to the joint committees 1) hire a new AIS Coordinator; 2) utilize existing staff for work load or 3) Kuzlik's option which is not completed yet.

Young asked Rudolph what the number one thing that the Land & Water Committee and Department want to prioritize and work with.

Rudolph answered that the number one issue is AIS.

Young asked if they had received the shore land restoration grant.

Nancy said they had received the grant. Tom said that would be the number two issue for Land & Water.

Young suggested that the Committee and Department place most of their efforts on the two top priorities and perhaps less efforts on other issues.

Motion by Holewinski, second by Wickman to deny the appeal for the mandatory six month vacancy for the Typist II in Land & Water Conservation, to include Potters assigning staff from other departments to assist for the time being. Motion carried; all ayes.

Nick Scholtes came before the committee with a resolution that outlines the changes being made to the Highway Department Management structure.

Motion by Dean, second by Wickman to approve the resolution regarding the restructuring of Highway Department Management and forward to the County Board. Motion carried; all ayes.

Motion by Holewinski, second by Wickman to deny the LRES Department LTE request as presented. Motion carried; all ayes.

Motion by Holewinski, second by Dean to approve Lisa Charbarneau to attend the WACPD Conference in May. Motion carried; all ayes.

The following meeting dates were scheduled:

May 7, 2009	9:00 a.m.	WPPA Bargaining
May 13, 2009	9:00 a.m.	Joint with Land & Water
May 27, 2009	9:00 a.m.	

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Motion by Dean, second by Wickman to adjourn. Motion carried: all ayes.

Meeting adjourned at 11:15 a.m.

John R. Young, Chairman

Lisa Charbarneau, Comm. Secretary