

Perry County Health Department
Board of Health Meeting Minutes
February 16, 2006

The Perry County Health Department Board of Health met Thursday February 16th in the Kingsman Boardroom at the Perry County Health Department.

Board Members Present:

Bonnie Tolbert, Chairperson
Charles W. Roe, D.D.S.
Linda Quillman
Wayne Bigham
Kent Epplin

Staff Members Present:

Doug Corbett, Administrator
Sandy Phillips
Marilyn Fisher
Ron Brown
Kris Robinson
Bettie Ashauer
Betty Gaetz
Elaine Silbe
Diana Majewski
Teresa Hopp
Cindy Lacy
Pat Boehler
Ellice Wickwire

Guests Present

David Stanton

At 12:18pm Mrs. Tolbert called Meeting to order.

Mrs. Tolbert and Dr. Roe asked the Administrator, Douglas Corbett, to review the history of the union negotiations and events that led up to today's meeting.

Mr. Stanton noted that there is no union representative at this meeting. He said that Mr. Corbett would explain the recent correspondence concerning the formal grievance filed by local district #773 against Mr. Corbett and the Board of Health. The correspondence is from the attorney that represents the Board of Health Mr. Jack Knuppel. Mr. Stanton stated that he was faxed a copy of the letter, but that no one else had a copy of the letter. Mr. Stanton further stated that this tape-recorded open session was evidence of the board of health and the employees not negotiating in bad faith without union representation being

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present. Mr. Stanton asked Mr. Corbett to review what he stated prior to the tape recording and that if anyone present finds that Mr. Corbett said something incorrectly or omitted something he said before to speak up and tell me (Mr. Stanton).

Mr. Corbett stated that this special board of health meeting was called on short notice due to the board of health's attorney, Mr. Knuppel had called Mr. Corbett several days ago to say that the local district council #773 had filed a grievance of bad faith bargaining on Mr. Corbett. Local District #773 alleged that Mr. Corbett coerced the employees from both bargaining units to petition for decertification, and furthermore that the labor union has signed written documents as attested to by several of the health department employees. A second grievance was filed against the Board of Health for allegedly not negotiating in good faith and intentionally trying to stall the contracts from fruition due to the impending labor contract negotiations expiration date set by the Illinois Labor Relations Board (ILRB). At this time the ILRB has found in favor of local #773's grievances and intends to move forward with a probable cause hearing. Therefore since the Board of Health attorney feels it is in the Board of Health and employees best interest to take a formal yes or no vote to ratify the union contracts. Mr. Corbett said that Mr. Knuppel said that the ILRB, since there is evidence, will more than likely force the contract upon both parties, so why not forgo the proceedings and just ratify the contracts.

Mr. Stanton stated, "just so everybody knows I am aware that one or more persons that originally signed the request for unionization have filed affidavits with the ILRB that we have not been allowed to see indicating that they (the employees) had inappropriate contact with members of management (of the Perry County Health Department) which has probably led to the decision by local #773 to file for grievances."

Dr. Roe stated that at the last board meeting our legal advise was to not take any action. Dr. Roe asked Mr. Corbett what our legal advice was now.

Mr. Stanton remarked that the board of health should go into executive session to discuss this question. Mrs. Tolbert asked for a motion to go into executive session, motion made, seconded and carried. Board of Health went into executive session at 12:23 pm.

Board of Health came out of executive session at 12:43pm and returned to the general session board of health meeting as motion to do such was made, seconded and motion passed as announced by Mrs. Tolbert.

Mr. Stanton started off the general session meeting by addressing the entire assembly. Mr. Stanton stated that he wants to preface his statements by first saying that he is not a labor law expert. Mr. Stanton said that Jack Knuppel has been doing all the labor negotiations on behalf of the county board of health. Mr. Knuppel works out of the Appellate Prosecutor's office in Springfield, IL and is a specialist in labor law. Mr. Knuppel has had seven or eight labor binding unit cases in Perry County, IL since 1996 or 1997. He has been around and knows Perry County, IL very well. He did help on one murder trial back in 1993. Mr. Stanton went on to say that he would say these things concerning labor law as reiterated to him by Mr. Knuppel.

Mr. Knuppel could not be here in person or by telephone [in Perry County, IL] today due to a prior commitment. [Mr. Stanton revealed the past history of how unions have evolved since Governor Rod Blagojevich has taken over has become a very streamlined and simplified process]. Once you choose a labor union to represent

you, you may not realize it but you have subjugated your rights to negotiate on your own behalf. You gave the union all the rights to do the negotiations for you. The union submitted two contracts to the board of health and once the contracts were submitted the board had the obligation to act on them, either yes or no. The board did not act upon them because we received notification three days prior to the last board of health meeting that you or some of you filed an official petitioned to decertify from the union. Therefore the board of health did not act on the contracts. Since that time the union has already filed affidavits of employees who would testify to a series of contacts between the administrator and the employees about labor negotiations matters. We do not have the authority to look at those [affidavits]. That brings a new issue to the table. The issue is no longer to vote it up or down [the contracts], the issue becomes whether the request filed to decertify was coerced or not. And based on what Mr. Corbett has told us is that the ILRB has already made an initial finding that the staff was coerced to file for decertification. Based on that information the issue is much broader now more than simply we [Board of Health] are not going to vote because we are going to await the decertification results. They [ILRB] have decided that you [Perry County Health Department staff members] are a certified union. According to this letter I received you will not have another chance to decertify until the end of these two proposed contracts. It appears based on what the ILRB investigators have told our attorney, Mr. Knuppel, that regardless of how this board votes today, these contracts will be enforced by the ILRB as binding contracts against the board and against the union.

Mr. Stanton then explained that the Board of Health has to take action today in what it feels is in the best interest of all parties concerned. Now I think we are prepared to make a motion to vote on the two (2) contracts. Mr. Bigham stated that if the board votes the contracts down then district council local #773 will file a lawsuit against the board of health that is going to cost a lot of money. Mr. Stanton then replied to Mr. Bigham that had already been filed by the labor union on a letter dated February 2, 2006. Mr. Stanton said we [board of health] were already in the litigation process between the union and the board of health. Mrs. Betty Gaetz, staff member, asked if it did not matter anyway what we do or don't do that they will have their way anyway, why then do we even need to have a vote? Mr. Stanton explained that by the word "we" we mean the Board of Health has to act on these contracts, and that you as employees have subjugated your rights to vote on anything whether you want it or not.

Dr. Roe made a motion to accept the contracts as presented by the negotiations committee. Mr. Bigham seconded the motion. Dr Roe requested a roll call vote to be taken in support to accept the contracts as written:

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Dr. Roe prefaced his vote by saying all the years here at the health department I have tried to act on what is right by the employees, not always to their liking I'm sure. I feel like I am about to vote on something that a majority has independently said they don't really care for, and it really goes against my grain and I apologize. I vote yes.

Dr. Roe	yes
Mrs. Quillman	yes
Mr. Bigham	yes
Mr. Epplin	yes
Mrs. Tolbert	abstained from voting. [chairperson only votes in case of a tie]

Mrs. Tolbert announced that the motion has been approved and motion so carries.

Dr. Roe mentioned that he would put in the meeting minutes that he appreciates all the effort that you [Mrs. Tolbert] gave and Doug gave for this process and also the employees. It is not an enjoyable procedure, it is new to many of us, many people, but I know it takes a lot of time and effort of all people involved and I sincerely say thank you on behalf of the people out there.

Mrs. Tolbert asked for a motion to adjourn, motion made, seconded, and motion carried.

Meeting adjourned at 1:13 pm

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Brice Harsy, Secretary Board of Health