

**LANGLADE COUNTY
PERSONNEL COMMITTEE REPORT**

Meeting Date: 05/03/2012

Time: 9:00 a.m.

CHAIRMAN: Doug Nonnenmacher

MEMBERS PRESENT: Doug Nonnenmacher, Richard Hurlbert, Dale Dahms, and Richard Olsen

MEMBERS ABSENT: Judy Karpf (excused absence)

OTHERS PRESENT: Robin Stowe, Dave Solin, Sheriff Greening, Tim Rusch, Chet Haatvedt

The meeting was called to order at 9:00 a.m. by Chairman Nonnenmacher in the Law Library Room 205 of the Langlade County Courthouse, 800 Clermont St, Antigo, and WI 54409.

Approve/amend minutes of April 5, 2012 and Minutes of Joint meeting with Executive Committee on April 11, 2012 meeting.

Motion by Olsen, seconded by Hurlbert, to approve the minutes of April 5, 2012 and minutes of Joint meeting with Executive Committee on April 11, 2012 as printed. All ayes, motion carried.

Review status of implementation of Budget Repair Bill.

For the benefit of the new committee members, Robin reviewed the Budget Repair Bill (2011 Acts 10 and 32). The major impacts of the BRB are as follows: 1) For all employees, the County can no longer pay the employee's share of WRS employee contribution which is approximately 6% of gross earnings. This provision has been implemented for all non-union employees and elected officials (except the Sheriff) since August of 2011. This provision will apply to all union employees as of 1/1/2013 (except for protective occupation participant status (POPS)). POPS employees (Deputy Sheriffs) have retained their collective bargaining rights. The BRB applies to the Sheriff and the Chief Deputy Sheriff only to the extent that the BRB applies to POPS. 2) With the remainder of the unions, the County can only bargain over total base wages with the terms and conditions of employment addressed in a handbook and not based upon a contract. 3) The County had to adopt a grievance procedure to address disciplinary and work place safety issues by November of 2011. 4) The applicable unions must recertify annually using a new procedure. 5) Union dues are voluntary. Recently, the Federal District Court ruled that BRB provisions # 4 & 5 (above) unconstitutional and upheld the constitutionality of the remainder of the BRB; however all aspects of this decision have been appealed to the U.S. Court of Appeals. Also, a decision from the Eau Claire County Circuit Court has called into question whether aspects of the BRB may be applied to elected officials during their term of office. Until binding legal precedents are established regarding the constitutionality and validity of the BRB, the County continues to rely upon the recommendations of the BRB Consortium, and by doing so, the County is protected by its insurance provider against any claims relating to implementation of the BRB.

- a. Discuss status of development of new employee handbook.

As a result of the BRB, the County must adopt a new employee handbook to take effect after union contracts expire at the end of this year. If the County Board adopts the handbook on May 15th, then this will help the Finance Committee prepare 2013 departmental budgets and assist the Personnel Committee in bargaining with the Law Enforcement Union this year by establishing internal comparables.

- b. Discuss time line for collective bargaining with the law Enforcement Association.

After the employee handbook is adopted, the Personnel Committee will meet to discuss what items to include in its initial exchange with the Law Enforcement Association.

- c. Review procedure for negotiating total base wages with unions subject to the Budget Repair Bill.

To determine the total base wage, all the wages of each union position within a bargaining unit are added together and then multiplied by the Consumer Price Index. The scope of the bargaining process is then limited to the amount of total base wages that will be offered and how these amounts will be divided between all positions with the applicable union. Since the calculation of total base wages will not occur until July 1st (180 days prior to the expiration of the existing contract), the Executive Committee will examine the total base wages for 2013 in the context of developing a strategic budget plan and make a recommendation to Finance and Personnel Committees.

- d. Review Resolution #7-2012 regarding health insurance changes for Union employees.

Pursuant to Resolution # 7-2012, the County implemented health insurance changes agreed to in an MOU by the Law Enforcement and Corrections/Dispatchers unions, and also implemented these same changes to all non-union employees and elected officials effective 1/1/2012. Since these changes have not been applied to three unions, the Resolution calls for "equivalent" changes to the health plan for these three unions beginning 1/1/2013. Since there exists more than one way to make "equivalent" changes, it is recommended that the matter be referred to the Health Insurance Advisory Committee and Health Insurance Trustees to come up with a definitive plan to implement these changes to the health plan. Since the County now has a multi-tier plan with different employees subject different co-pays and deductibles, the goal is eventually to have one plan for all employees. Motion by Dahms, seconded by Hurlbert to refer health insurance changes as called for in Res. 7-2012 be referred to both Health Insurance Advisory and Health Insurance Trustees committees. All ayes, motion carried.

- e. Discuss procedure for retaining services of labor counsel.

The Budget Repair Bill has greatly reduced the need for labor counsel services. With the implementation of the BRB, the previous committee decided to allow the Corporation Counsel to work with the County's insurer to select labor counsel who participates in the legal endorsement program rather than contract exclusively with one labor counsel as had been the County's practice. This new procedure will allow the County to select labor counsel, when necessary, that best fits the particular employment issue that the County may be dealing with at that time. Therefore, within the realm of collective bargaining, the Committee plans not to include labor counsel until such services become necessary (i.e., negotiation reaches an impasse and the matter is scheduled for arbitration). The Committee will discuss the selection of labor counsel for collective bargaining as that need arises.

At approximately 10:00 a.m., consider moving into closed session pursuant to Section 19.85(1)(g), Wisconsin Statutes, to confer with legal counsel regarding the following legal matters:

- a. Review Petition to Clarify Bargaining Unit.
- b. Review status of Highway Union Grievance No. 3-11.
- c. Review status of lawsuits filed by former employee.

Motion by Dahms, seconded by Hurlbert to go into closed session. Roll call Dahms, aye, Nonnenmacher, aye, Hurlbert, aye, Olsen, aye. The committee commenced to closed session.

Return to open session with possible action taken on any matters discussed during closed session.

The Committee returned to open session. The County has retained the services of the Attorney Henneger of the Phillips/Borowski law firm to assist the Corporation Counsel in responding to the Petition for Unit Clarification filed by the Courthouse and Professional Unions.

Review and approve payment of monthly bills and comp time for the following departments: Corporation Counsel, Circuit Court, Probate/Juvenile, Register of Deeds and District Attorney.

Motion by Dahms, seconded by Hurlbert to approve payment of bills as presented. All ayes, motion carried.

Adjourn the meeting.

A motion was made by Dahms, seconded by Hurlbert to adjourn meeting. All ayes, motion carried, and the meeting was adjourned at 10:50 a.m.

Respectfully submitted:
Gail Dunlop