

# ILLINOIS LABOR RELATIONS BOARD

*cc: Hamilton  
Docz...*

**STATE PANEL:** 320 West Washington Street, Suite 500  
Springfield, Illinois 62701-1135  
(217) 785-3155 FAX: (217) 785-4146

**LOCAL PANEL:** 160 North LaSalle Street, Suite S-400  
Chicago, Illinois 60601-3103  
(312) 793-6400 FAX: (312) 793-6989

DO NOT WRITE IN THIS SPACE
CASE NUMBER
DATE FILED

## CHARGE AGAINST EMPLOYER

**INSTRUCTIONS:** In accordance with the Illinois Public Labor Relations Act, 5 ILCS 315 (2000), and the Rules and Regulations of the Illinois Labor Relations Board, 80 Ill. Adm. Code §1200.20 and 1220.20, the following information is required. Submit an original and one (1) copy of this charge to the Illinois Labor Relations Board. If more space is required for any item, attach additional sheet(s), numbering items accordingly. **State Panel cases (e.g., State of Illinois, municipal and county government) must be filed in Springfield; Local Panel cases (e.g., City of Chicago and Cook County government) must be filed in Chicago.**

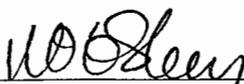
This agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under 5 ILCS 315 (2000). Disclosure of this information is **REQUIRED**. Failure to provide any information will result in this form not being processed.

**BY STATUTE ONLY CHARGES FILED AND SERVED ON THE PARTIES WITHIN SIX (6) MONTHS OF THE DATE OF THE EVENT OR CONDUCT WHICH IS THE SUBJECT OF THE CHARGE WILL BE PROCESSED BY THE ILLINOIS LABOR RELATIONS BOARD.**

<b>1.</b>	<b>NAME OF EMPLOYER/DEPARTMENT</b> (against whom charge is brought) City of Park Ridge	<b>TELEPHONE NUMBER</b> 847-318-5200
	<b>ADDRESS</b> 505 Butler Place, Park Ridge, Illinois 60068	<b>FAX NUMBER</b> 847-318-5300
		<b>E-MAIL</b>
<b>2.</b>	<b>EMPLOYER REPRESENTATIVE</b> David Schmidt	<b>TELEPHONE NUMBER</b> 847-318-5200
	<b>ADDRESS</b> 505 Butler Place, Park Ridge, Illinois 60068	<b>FAX NUMBER</b> 847-318-5300
		<b>E-MAIL</b>
<b>3.</b>	<b>NAME OF CHARGING PARTY</b> Illinois Council of Police	<b>TELEPHONE NUMBER</b> 630-832-6772
	<b>ADDRESS</b> 770 N. Church Road, Ste. H, Elmhurst, Illinois 60126	<b>FAX NUMBER</b> 630-832-6978
	<b>JOB TITLE</b> (at time of alleged unfair labor practice) Union	<b>E-MAIL</b> icops@sbcglobal.net
<b>4.</b>	<b>CHARGING PARTY REPRESENTATIVE</b> Richard F. Blass	<b>TELEPHONE NUMBER</b> 630-782-2000
	<b>ADDRESS</b> 770 N. Church Road, Ste. H, Elmhurst, Illinois 60126	<b>FAX NUMBER</b> 630-782-2022
		<b>E-MAIL</b> rblass@blass-law.com

5.	It is alleged that the above-named employer has engaged in (an) unfair labor practice(s) within the meaning of Section 10(a) subsection (7) and subsection (1) of the Illinois Public Labor Relations Act.
6.	<b>BASIS OF CHARGE</b> (specify in detail: facts, names, addresses, sites, dates, etc.) (use attachments if necessary)
	Date(s) of alleged wrongful action(s): Tuesday, September 4, 2012 & Monday, September 17, 2012
	Name(s) of individual(s) involved: Mayor David Schmidt
	Location(s) of alleged wrongful action(s): City Hall
	Describe what happened: The Illinois Council of Police was certified as the sole representative for the City of Park Ridge full and part-time non-sworn employees as of October 30, 2007, S-RC-07-021. On Wednesday, June 20, 2012, attorney Bob Smith, on behalf of the City of Park Ridge, accepted the negotiated successor Agreement indicating that he would present it to the City Council and recommend its approval. On Monday, August 20, 2012, the Agreement was approved by the City Council, by a vote of 5 - 2 in favor. On Tuesday, September 4, 2012, the Mayor vetoed the vote approving the Agreement. On Monday, September 17, the Council reconvened to override the Mayor's veto, but was unsuccessful. It is important to note that the City Council did override the veto of raises to non-union employees with Alderman Joe Sweeney of the 1 <sup>st</sup> Ward arguing for the non-union worker's pay increase because he was worried that those workers may want to organize. Alderman Sweeney went on to say that all members of the City Council received the memorandum from their attorney and are aware of the ramifications if the Mayor's veto was upheld stating that a sustained veto would open the door to Unfair Labor Practices noting that the Agreement was reached within the parameters given to their attorney and negotiating team. See Charging Party's Exhibit No. 1
	SUPPORTING DOCUMENTS (please include copies of any documents relevant to your charge)
7.	<b>RELIEF OR REMEDY SOUGHT BY CHARGING PARTY</b>
	Immediately order the City Council to accpet and sign the Agreement, attorney's fees to the Charging Party pursuant to the Rules & Regulations of the Board, Section 1220.90 and any other relief deemed appropriate.

I have read the above petition and all attachments. The statements contained therein are true to the best of my knowledge and belief.

BY:   
Signature of person filing petition

NAME: Richard F. Blass

TITLE: General Counsel

DATE: September 20, 2012

Describe what happened cont.

The Mayor vetoed an Agreement that was reached by the City's representative staying within the parameters dictated by the City Council and the Mayor has given no reason for the veto other than to be fair to the taxpayers, although the City's attorney in the negotiations followed their instructions exactly. This veto is frivolous and without merit causing undue hardship, delay and inciting uneasiness within the membership contrary to the spirit of the Act. The Mayor's conduct has also cost the Union unnecessary additional expense by way of attorney's fees.

## Argue For, Against Park Ridge Pay Raises

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Some Park Ridge city employees will keep their raises while others lost theirs, costing taxpayers approximately \$48,000 more each year and raising a worry about the ability to replace a department head.

Aldermen on Monday, Sept. 17 overrode one mayoral veto and sustained another. They voted 5-2 to override Mayor Dave Schmidt's veto of raises for non-union city employees with Aids. Dan Knight (5th) and Marc Mazzuca (6th) voting to sustain it.

"I'm not going to vote for a pay increase until we have a more holistic look at our pay practices and policies," Knight said before the vote.

The city's 46 non-union workers will receive raises of 0, 1, or 2% based on performance assessments. Those raises will cost \$48,101.41.

Ald Joe Sweeney (1st) argued for the raise, worried that if the city rejected the pay increase, the workers might organize. "I strongly believe we do not need another union in here," he said.

Schmidt asked that his vetoes be sustained. "We need to be fair to the property tax payers in town," he said. The city is facing a large shortage in Tax Increment Financing (TIF) funds and will likely require a property tax hike to balance the budget at the end of the year. He encouraged aldermen to stop voting for any additional expenses. "It's a math question and it just doesn't add up," he said.

However, aldermen sustained Schmidt's veto of the Illinois Council of Police and Sheriffs (ICOPS) contract. The new three-year union contract included a 2% step increase for most workers and a 1% increase for workers at the top step. Those increases were to be retroactive to May 1, 2012. Workers will also pay 11.5% of their medical and dental insurance premiums, up from 10% in the last contract. The annual increase for the city for the new contract is \$32,087. The city budgeted an increase of \$74,607 based on a previous 5% step increase system.

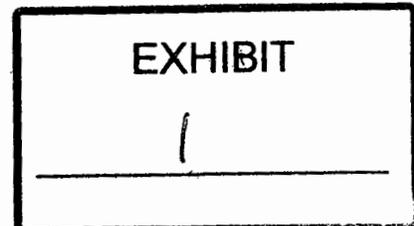
Sweeney talked about information aldermen received from the city attorney. "We all received a memo... we're all aware of the ramifications of what could happen if we uphold your veto," Sweeney said. He explained the council approved a contract established through good faith bargaining. "The mayor's veto does open up the door for unfair labor practices," he said. Sweeney worried that instead of \$32,000, the city could end up spending many thousands of dollars fighting a lawsuit or dealing with a strike.

Sweeney also told the council he planned to simply vote "present" instead of making a decision, but later changed his plan when he learned a "present" vote would be counted with the majority.

"I will vote to sustain your veto," Sweeney told Schmidt. "But I will absolve blame for all of the costs."

Ald. Marty Maloney (7th) took umbrage with Sweeney's statements. "We all should do what we think is right," he said. "Don't backhandedly agree with (Schmidt) to prove a point to make him responsible. If you vote to sustain this veto, I'll assume you feel the same way too," he said.

With Sweeney joining Knight and Mazzuca, the veto was sustained.



Finance Director Allison Stutts later in the meeting spoke about how the veto will affect her department. She currently has seven people in finance, filling roles formerly staffed by 10. Five of those employees are members of the ICOPS union. "My job was difficult this morning; my job will be very difficult tomorrow morning," she told aldermen.

Stutts is leaving the city's employ at the end of the year and is working with Interim City Manager Shawn Hamilton to find a replacement. She pointed out that so far, the city has only received 12 applications for her position. One of the applicants contacted her. "He said, 'That council and mayor are a handful,'" she said.

Stutts asked the council to consider their actions and how they affect city workers and the future. "I think it's going to be very difficult to find somebody to come in and take on this role," she said.

Tweet 0



# ILLINOIS COUNCIL OF POLICE

24-Hour Toll-Free Phone: (800) 832-7501

Office Hours Phone: (630) 832-6772

Fax: (630) 832-6978

**ICOPs**

770 North Church Road • Suite H • Elmhurst, Illinois 60126

November 13, 2012

Michael Provines  
Illinois Labor Relations Board  
One Natural Resource Way  
First Floor  
Springfield, Illinois 62702

**NORM FRESE**

President

**SAM STRATTON**

Executive Vice-President

**JUAN MAZARIEGOS**

Secretary-Treasurer

website: [www.icops.org](http://www.icops.org)

e-mail: [icops@sbcglobal.net](mailto:icops@sbcglobal.net)

**RE: City of Park Ridge – S-CA-12-171**

Mr. Provines:

The Illinois Council of Police is rescinding Unfair Labor Practice –S-CA-12-171 request which was filed on April 27, 2012 (a copy is enclosed) due to the City of Park Ridge approving the agreed to contract.

Should you have any questions or need any further information, please do not hesitate to contact the Union office.

Respectfully,

Richard L. Bruno

Staff Representative

RLB/dd

Encls.

Cc: Shawn Hamilton, City Manager, City of Park Ridge  
Richard F. Blass, General Counsel, Illinois Council of Police

A UNION WITH ONE VOICE





## Illinois Labor Relations Board



December 6, 2012

Richard F. Blass  
Illinois Council of Police  
770 N. Church Road, Ste. H  
Elmhurst, IL 60126

Re: Illinois Council of Police and City of Park Ridge  
Case Nos. S-CA-12-171 and S-CA-13-033

Dear Mr. Blass:

In accordance with your letter of November 28, 2012, the unfair labor practice that you withdrew in Case No. S-CA-12-171 is hereby reinstated as an active case, and the unfair labor practice charge in Case No. S-CA-13-033 is considered withdrawn.

It is my understanding Mr. Powers is aware of your request to reinstate Case No. S-CA-12-171 and withdraw Case No. S-CA-13-033, and he has no objection.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Mlynski".

Melissa Mlynski  
Executive Director

MM:ln  
cc: James J. Powers