

BLOOMINGDALE FIRE PROTECTION DISTRICT NO. 1
179 S Bloomingdale Road
Bloomingdale, Illinois 60108

Minutes of the Special
BOARD OF TRUSTEE MEETING
December 11, 2017

At 10:00 AM President DiBuono called the special meeting to order. Following the Pledge of Allegiance, roll call was taken by Secretary Wolff.

ROLL CALL: On a call of the roll, the following trustees were present: DiBuono, Deutschle, Wolff.

Also present was Fire Chief Janus, DC Kaderabek, Attorney Karl Ottosen, BC Kurka, BC Wilson, BC Emody, FF/PM Lettenmair, FF/PM Manion, FF/PM Ketcham, IAFF Local 3272 Attorney Margaret Angelucci, and Recording Secretary Debbie Butler

BUSINESS:

STEP 2 Grievance #11172017

IAFF Local 3272 Attorney Margaret Angelucci presented with respect to grievance #11172017 in regards to FF/PM Miller being charged sick time while being ordered by the Bloomingdale Fire Protection District to obtain a fitness for duty evaluation.

Attorney Angelucci shared contract language from section 10.4D and specifically noted that it is their belief that the District is in violation of the contract in regards to the verbiage in section D “at no cost to the employee” and is in violation of the bargaining history as their notes reflect agreeing to pay for time off during a medical evaluation process.

Attorney Angelucci states grievance should be sustained and eight sick days reimbursed or placed back on the books.

District Attorney Ottosen stated that section 10.4D refers to medical appointments and that nothing in the contract states an employee can take as much time as necessary at district expense. Specifically, the contract states, “If there is a question concerning an employee’s ability to perform their job duties, the District may require, at its expense (to the extent not covered by insurance and at no cost to the employee) that the employee may have an examination by a qualified and licensed physician or other appropriate medical professional selected by the district.” The parenthetical section refers to the cost of the examination.

IAFF Local 3272 Attorney Angelucci stated that the district ordered the fitness for duty examination, which incurred a 13 day delay – which included four duty days. She stated that FF/PM Miller complied with everything asked of him.

The Chief stated that FF/PM Miller did not comply with everything asked of him, as the district received information from the evaluating physician indicating that FF/PM Miller did not provide the medical records necessary to perform an evaluation prior to his November 13, 2017 appointment as ordered by the written personnel order issued on October 31, 2017.

At 10:15 AM DiBuono moved, seconded by Wolff to go into closed session for the purposes of discussing the **Appointment, Employment, Compensation, Discipline, Performance or Dismissal of Specific Employees of the District (5ILCS 120/2 (c) (1), Collective Negotiating Matters (5ILCS 120/2 (c) (2)).**

ROLL CALL: DiBuono, yes; Deutschle, yes; Wolff, yes. Motion carried.

At 10:42 AM the Board reconvened following closed session.

ROLL CALL: DiBuono, present; Deutschle, present; Wolff, present.

Deutschle moved, Wolff seconded a motion to deny Grievance #11172017 as it is not a violation of the contract pending management team review of notes reflecting district agreeing to pay employee time in regards to obtaining evaluation.

At 10:45 AM DiBuono moved, Wolff seconded a motion to adjourn.

ROLL CALL: DiBuono, yes; Deutschle, yes. Motion carried.

Respectfully submitted,

William M. Wolff
Secretary
December 11, 2017