

Resolution No. 5-796

We, the Committee on Salary and Personnel, do hereby recommend that Resolution No. 20 adopted at the December 20, 1994 County Board meeting be withdrawn and replaced with the following agreement between Local #1266 and Iowa County:

WHEREAS, on December 20, 1994, Iowa County (hereinafter called "County") adopted Resolution No. 20 which pertains to the non-payment of wages for time spent by employees while processing grievances; and

WHEREAS, Wisconsin Council 40, AFSCME, AFL-CIO (hereinafter called "Union") has objected to the terms of said Resolution; and

WHEREAS, two grievances were filed by county highway department employees who are members of the Union and said grievances were submitted to arbitration on May 21, 1996, pursuant to step 3 of the grievance procedures set forth in the labor agreement; and

WHEREAS, the matter was first submitted to mediation by the Wisconsin Employment Relations Commission wherein certain ambiguities in the text of the resolution were noted; and

WHEREAS, the parties were able to resolve the matter subject, in all events, to the approval of the Iowa County Board as well as all of the AFSCME unions that represent Iowa County employees.

NOW, THEREFORE, BE IT RESOLVED, that the parties agree as follows:

1. The grievance filed by Dennis McKernan, dated March 27, 1995, is hereby dropped, with prejudice (ie. may not be filed again).

2. The grievance filed by John Willborn, dated April 3, 1995, is hereby dropped, with prejudice (ie. may not be filed again).

3. Subject to the approval to the Iowa County Board, Resolution 20, above described, will be modified to provide that all time spent during regular working hours, by a grievant as well as grievant's witnesses (if said witnesses are county employees), will be paid by the county only if the grievant prevails in the arbitration award. Until the award is issued, such persons shall be on unpaid status for all time spent during regular working hours while participating in the grievance hearing.

4. The Resolution shall further provide that the Union is entitled to have one bargaining unit representative present at any grievance hearing to assist the Union in the processing of the grievance. That employee shall be on paid status to the extent the grievance hearing is held during the employee's regular working hours. The person serving in this advisory capacity may not be the grievant.

5. The Resolution shall further provide that the Union must notify the department head, or the Iowa County Personnel Department, in writing, at least forty eight (48) hours in advance of the hearing start time of the names of the persons it intends to appear at the hearing. The Employer and the Union will meet, in advance, to schedule the time when the persons named in the notice are to report. The Employer retains the right, at all times, to deny permission for any employee to appear at a grievance hearing if it reasonably requires said employee(s) to perform other County work at that time. In such event, the hearing may be canceled, adjourned, rescheduled or postponed in the Arbitrator's discretion.

6. This stipulation shall be binding on all of the various Iowa County bargaining units that are currently represented by Wisconsin Council 40 AFSCME, AFL-CIO.

Respectfully submitted:

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Tom Paul

James Timperley

Robert Regan

Diane McGuire

IOWA COUNTY PERSONNEL COMMITTEE