

Illinois Eastern Community Colleges and IECCEA Negotiation Meeting Summary

Date: October 25, 2024

Start Time: 1:00 PM

End Time: 5:45 PM

Location: ZOOM meetings

Attendees:

- **IECC Team:**
 - Jay Edgren, Andrea McDowell (co-chairs)
 - Jim Powers (Board Legal Counsel)
 - Matt Fowler, Ryan Hawkins
 - **IECCEA Team:**
 - Nixie Hnetkovsky, Rob Mason (co-chairs)
 - Angela Williams (IEA UniServ Director)
 - Scott Balding, Jay Carter, Phil Thorsen, Lisa Rauch, Steve Hnetkovsky
 - Absent: Anne Hustad
 - **FMCS Mediator:**
 - Dave Rose
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Summary of Events (Not Intended to be a Verbatim Transcription of Statements or Chronology of Events):

1. Opening Remarks & Agenda Setting

- The meeting commenced at 1:00 PM.
- **IECCEA** raised the issue that the previously scheduled mediation session for October 30, 2024, was only "penciled in" and not firmly agreed upon. The union stated they are no longer available on that date, leading to the cancellation of the session.

2. IECCEA Proposal on Hyflex Distance Learning

- **Nixie Hnetkovsky** from the **IECCEA** presented a **45-page proposal** on **Hyflex Distance Learning**.

- Key components of the proposal included:
 - General definitions
 - Academic freedom
 - Selection of Materials
 - Quality control of curriculum
 - Working conditions (covering workload, course development, technology, minimum enrollment, preparation time, compensation, travel time, intellectual property, and course modification)
 - Job Descriptions

3. **Board Team's Presentation on Section 12.2.2 (Reduction in Force)**

- **Jim Powers**, representing the Board, presented the Board's position on **Section 12.2.2 (Reduction in Force)**.
- The Board expressed its willingness to explore allowing bargaining unit members to choose between the grievance/arbitration process or pursuing action in state court, but **not both**.

4. **Caucus (Parties were separated and placed into their own private breakout rooms.)**

- The parties broke for caucus, during which **FMCS mediator Dave Rose** spent one hour with the **IECCEA** team.
- Upon his return, the mediator brought forward **two union proposals**:
 - a. **Section 2.3 (Outside Employment)**
 - b. **Section 9.6 (Insurance Benefits)** – The union expressed willingness to accept the language proposed by the Board as part of the **9/5/2024 package offer to the union**.

5. **Tentative Agreement on Section 9.6 (Insurance Benefits)**

- Both parties **signed a tentative agreement** on **Section 9.6 (Insurance Benefits)**.
- The Board team removed this section from its 9/5/2024 offer and reiterated to the union that the rest of the package offer is still on the table.

6. **Discussion on Section 2.3 (Outside Employment)**

- The **Board team** expressed interest in the union's supposals on **Section 2.3**, but noted the need to further study the proposal in conjunction with the union's 10/25/2024 Hyflex Distance Learning Proposal which also addressed working conditions and intellectual property rights. Both of those issues were central concerns for the Board team related to Section 2.3.

7. Further Discussion on Section 12.0 Tenure

- The Board team presented its interests in **Section 12.0 (Tenure)**, again emphasizing that it is interested in exploring the concept of allowing either grievance/arbitration or state court actions, but not both.
- Concerns were raised by the Board about the union's proposal to allow employees to bypass the union and use state court, which could undermine the grievance/arbitration process.
- Return from Caucus
- The Board Team and the Union returned from breakout rooms so the Board Team could present on Section 12.1, Right to Representation.

8. Right to Representation

- The Board expressed reservations about the union's "just cause" language, stating that one could construe the wording of the Union's current proposal as requiring "just cause" before IECC can simply talk with a bargaining unit faculty member. The Board also expressed concerns about confusion arising by including additional language about "due process" and "impartial investigations" since most arbitrators already view those terms as wholly encompassed within the term "just cause." The Board also expressed concerns that the Union's proposed *Weingarten* language about union representation during investigatory interviews needlessly expands employee *Weingarten* rights beyond what the law already requires.

9. Closing and Scheduling of Future Sessions

- The session concluded at approximately **5:40 PM**.
- **Future dates** for mediated negotiations were established for **November 5** and **November 25**.

Next Steps:

- The Board Team will review and respond to the union's 10/25 Proposal.
- There are two IECC package proposals awaiting the union's response. The proposal made on 9/5/2024 (reproposed on 10/25 after the parties signed a TA on section 9.6 (Insurance Benefits) and the second package proposal sent to the union on 9/27/2024.
- Continuation of mediated negotiations on **November 5, 2024**, and **November 25, 2024**.