

**MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF TRUSTEES OF THE
COALINGA-HURON LIBRARY DISTRICT
Tuesday, July 17, 2018 6:00 p.m.
Coalinga Library Program Room**

TRUSTEES PRESENT: Mr. Chavez, President; Mr. Albrecht, Vice-President; Mrs. Zavala, Clerk; Mr. Campbell, Trustee; Mrs. Culbertson, Trustee

ADMINISTRATION PRESENT: Ms. Mary Leal, Director of Library Services

ADMINISTRATION ABSENT: Ms. Jacqueline Collings, Administrative Assistant

I. OPEN SESSION/CALL TO ORDER

Call to Order: President Mr. Chavez called the meeting to order at 6:00 P.M.

Roll Call: Roll Call was taken all board members were present.
Lisa Culbertson teleconference from;
280 Main St. Morro Bay, CA. 93442

Pledge of Allegiance: President Mr. Chavez led the Pledge of Allegiance.

Approval of Agenda: Mr. Campbell moved to approve the agenda, seconded by Mr. Albrecht.
Motion Carried unanimously. Roll call was taken, motion approved.

II. DISCUSSION ITEM

- D-1 Janus vs AFSCME – U.S. Supreme Court Decision

Mr. Chavez gives the floor to J. Rosenlieb.

Mr. Rosenlieb wanted to alert the board about the Janus decision; Janus vs AFSCME. It is a decision that provides government employers and labor representatives cannot enter into collecting bargaining agreements that requires the payment of a fee by members of the bargaining unit for representation. This was decided a number of weeks ago, by a five to four decision by the United States Supreme Court. California on that same day enacted certain legislation that is in some way responsive to the concerns that the unions have in their contracts with governmental employers regarding the payment of the fee. Right now federal law on the Janus vs AFSCME makes it illegal for an employer and governmental employer and a union to enter into an agreement requiring members of a bargaining unit to pay a fee. Whether it is union dues, representation, or something else, if someone chooses not to be a member of a union they

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cannot be forced to pay. Local 39 has requested that we reopen negotiations to negotiate the impact of the Janus decision. They made that request about a week after the Janus decision was decided.

III. ACTION ITEMS

- A-1 Grievance Hearing Step Four Article 18, B. 4 Stationary Engineers, Local 39 (Continuance)
 - Mr. Chavez explained the continuance from June 19th meeting asked if there was any more information that the board needs to know.
 - Miss. Magdaleno wanted to let the board know about the last best and final and how they can't go back on that offer.
 - Mr. Rosenlieb talks about the grievance filed.
 - ✓ Allegations of violations of specific Articles of the Collective Bargaining the 2014-2017
 - ✓ Level three Grievance Hearing of the Board of Adjustments
 - ✓ Now Level four Grievance Hearing in front of Board, Union has yet to sight to a violation on articles.
 - ✓ Grievance was brought in bad faith or Union is trying to do what it can to get this matter resolved.
 - ✓ Grievance is without substance.
 - Miss. Magdaleno objects
 - ✓ MOU in it's entirely "Bargaining and Good Faith"
 - ✓ Mr. Rosenlieb has not presented a case or done his due diligence and has also lead the board in the wrong direction.
 - ✓ Contract should have been voted on in an open session not a closed session.
 - Mr. Rosenlieb Responds
 - ✓ The Union has brought a Grievance it is up to them to prove it. That is all that is at issue right now.
 - ✓ The contract was rejected by the board he does not understand why the date has been in question.
 - ✓ We have tried to get you back to the bargaining table several of times.
 - Miss. Magdaleno Responds
 - ✓ You cannot go back to the bargaining table if there is a last best and final.
 - Mr. Chavez asked the board if they got their paper work and if they read through it.

Mr. Chavez would like to ask the board for a motion to reject the Grievance?

Mr. Campbell moves to reject the grievance. But would like to explain why he is rejecting the grievance. He doesn't see any of the articles that they named where a direct violation of the contract took place. The reason why he says that is because, grievances are supposed to be direct

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not broad. Had they said three of the employees did not receive lunch hours like designated in the contract then that is a violation of the contract and a grievance can be filed. All the articles that they listed are pretty general in nature and they weren't specific enough for me to say; that is a direct violation of this contract.

Mr. Campbell moved to reject the grievance, seconded by Mrs. Zavala. Roll Call

Mrs. Zavala: Yes

Mr. Chavez: Yes

Mr. Albrecht: Yes

Mr. Campbell: Yes

Mrs. Culbertson: Yes

Motion carried unanimously.

IV. PUBLIC COMMENTS – Open and Closed Session

This portion of the agenda may be utilized by any person to address the Library Board on any matter within the jurisdiction of the Library District. However, depending on the subject matter, the Board may be unable to respond at this time or until the specific item is placed on the agenda at a future meeting as provided by the Brown Act.

Speakers should limit their comments to not more than three (3) minutes.

No Comments from the public.

CLOSED SESSION

- CS-1 Conference with Labor Negotiator – Gov. Code #54957.6 Districts Designated Representative Mary Leal/Jay Rosenlieb.
Employee Organization: Local 39, Stationary Engineers.
- CS-2 Conference – Conference with Legal Counsel (Anticipated Litigation) – Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One (1) case. Grievance Hearing, Stationary Engineers, Local 39.

Mr. Chavez asked for a motion to go into Closed Session. Mrs. Zavala moved to approve the consent agenda, seconded by Mr. Albrecht. Roll Call

Mrs. Zavala: Yes

Mr. Chavez: Yes

Mr. Albrecht: Yes

Mr. Campbell: Yes

Mrs. Culbertson: Yes

Motion carried unanimously.

Went into Closed Session at 6:21 P.M.

REPORT FROM CLOSED SESSION

Back from Closed Session 6:58 P.M.

Nothing to report on both items.

V. ADJOURNMENT

Mr. Chavez asked for a motion to adjourn. Mr. Albrecht moved, seconded by Mr. Campbell.

Mrs. Zavala: Yes

Mr. Chavez: Yes

Mr. Albrecht: Yes

Mr. Campbell: Yes

Mrs. Culbertson: Yes

Motion carried unanimously. Meeting was adjourned at 7:00 P.M.