

## **A Few minutes with the Boss**

*By: Joseph Andalina*

### **MAP and the Du Page County Patrol and Court Service Deputies: MAP WINS!**

After literally eight years of litigating and fighting with the Du Page County Board and Sheriff John Zaruba, MAP has finally won the last battle. As Mel Gibson would say (when not in a drunken tirade) as William Wallace in Braveheart, “Freedom!” Yes, freedom for the deputies in Du Page County to now affiliate, bargain, and negotiate their first ever employment contract.

Last week, the Illinois Supreme Court denied the County’s Writ of Certiorari, where they appealed a MAP win in the 2<sup>nd</sup> District Appellate Court on the concept of the sheriff’s bizarre creation of a uni-deputy. For those of you who have read about this all-doing, all knowing robotic creature that was born in the darker scenes of Sheriff John Zaruba’s mind, this law enforcement Avatar-type was designed to function as a patrol, court service, or corrections deputy. It emanates from the premise that the ILRB separated the patrol and court service unit from corrections in that corrections personnel are not peace officers under the law. This made Sheriff John quite upset and we believe the uni-deputy was concocted to co-join the three bureaus once again.

House, feed and receive an inmate? No problem—just call the uni-deputy. Make the court safe and ensure the well being of our victims, witnesses, citizens, officers, and judicial figures? No problem—call a uni-deputy. Go patrol the county’s streets, make arrests, and write tickets, among other police duties? Yeah, you’ve got it—just call the uni-deputy.

Only problem is that they don’t exist. Oh yeah, sure Sheriff John cross-trained some to do some dual work, but as in the fictional world of Robin Hood and the Sheriff of Nottingham, our beloved Sheriff made him up for the express purpose of combining all bureaus of his kingdom in the hopes that corrections would out-vote the patrol and court service deputies and say no to unionization. As with the ILRB, the 2<sup>nd</sup> District Appellate Court, they did not buy into Zaruba’s argument that simply having a corrections officer write a ticket or make an arrest in 10 years will not qualify him/her as a police deputy in patrol or in the courts.

The ILRB, in two hearings, did not buy it The Appellate Court didn’t either, and the Illinois Supreme Court refused to even hear the matter. Now, there were other issues that have been litigated by the County as relates their attempts to interfere with their employees’ right to join a union. There was a loss in the Appellate Court by MAP in a “card check” case, which we took to the Supreme Court—and won! Sheriff John and the county board were probably spitting bullets on that loss and counted on the uni-deputy issue, along with some border-line related issues to co-join their three bureaus together. But the reality was that the ILRB ruled long ago the make up of the bargaining units appropriately based on what the “employees” actually wanted, and what the principle

type of work each bureau did. “Principle” is the key word here. Gee, seems like a no-brainer. But the County’s abject horror of a union coming into the Sheriff’s office, which would allow the workers to have a say in their wages, benefits, and working conditions, was anathema to them.

So they fought. They hired Seyfarth and Shaw as their attorneys, who charged the county hundreds of thousands of taxpayers’ dollars to prevent unionization. They doled out a lot of bucks over time to this firm for some attorneys who earn up to \$345 an hour. This doesn’t count the salaries of all the officials who met in the dog and pony show. No recession for the attorneys here! But you have to respect these lawyers. They grabbed a lot of legal tender from the coffers of the Du Page County Board, who used the pockets of the taxpayers as their own.

They litigated and lost. Then they litigated again and lost some more. Then they won one and MAP appealed and they lost some more. But taxpayers’ money is free money, I guess, and the Board was accountable to no one. Their obvious rage and anger towards a union (MAP) coming in caused them to slide over to the dark side where they continued to litigate and dole out good money after bad, until the Illinois Supreme Court put a stop to their hypocrisy and shenanigans. Again, the Supreme Court didn’t even want to hear the case and the Writ was denied. The county and the sheriff’s uni-deputy is now six-feet under, permanently.

You know what—the Illinois Supreme Court got it right. They gave some respect to the Appellate Court who also got it right and to the ILRB, who likewise got it right and, did many, many years ago. Thanks to the Illinois Attorney General’s office, who fought on MAP and the ILRB’s behalf for many years. They, too, believed in us.

So now there is a new union in town. Strap in, Sheriff John and Du Page County Board. Smile as you realize that you could have avoided the mismanagement and waste of taxpayers’ money simply by sitting down and negotiating with your employees. We aren’t going away. It’s negotiating time now, and we’ll see you at the table.

But there is another story here; one where MAP kept their promise to their members and one where the members kept theirs to MAP. It is a working relationship that never waivered or faltered; committed to the trust and what was right in defeating the multi-headed dragon of Du Page County.

To paraphrase the Grateful Dead “it has been a long strange journey” but this journey is over and the next one is to obtain the employees’ contract in good-faith bargaining. We shall see if the county knows what good-faith bargaining means.

Sheriff John and Du Page County Board, there is a new kid in town. Business as usual ain’t no more.

Stay safe.

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