

# The RAPSheet

Spring 2010 • Quarterly Publication

## Mean and Lowly Things

By: Joseph Andalina

The “Dean of Ethics” Aristotle once said “To understand the world, you must understand the mean and lowly things.” Now, I wasn’t there when he made this remark, and his world was skewed to the City States of the Roman and Greek empires. But I think he was talking about either scorpions, spiders and snakes, OR village managers, chiefs and sheriffs, and most likely mayors or whatever they were called way back when.

They may have called these positions by other names, but as true purveyors of evil, one could easily extrapolate “mean and lowly things” to be the reprobates that inhabit the municipalities and counties of these modern times.

If one should think that I am a bit harsh, then you have not been paying attention to the dastardly deeds of some of our fine leaders. I have written extensively on the whole concession issue that has been driving the train to get you to give up

your hard earned cash and benefits to save the cities—from themselves.

Their pitiful spending and mismanagement goes unnoticed when they blame their fiscal irresponsibility on the mortgage crisis, your pensions, and that you won’t help out the citizens in tax matters by cutting, freezing, or giving up pay or in alternative manners such as furlough days. I’m waiting for them to blame George Bush soon. Why not just pin it on him—that might equate to more validity, depending on what side of the political spectrum that you may sit.

I have been preaching for a long time about the hazards of making a concession on a hard-earned contract. My mantra is the same; do not make them, especially during an already ratified contract term. For the most part, you have listened. There are a few towns that took wages freezes in the beginning of a new contract either to avoid layoffs or their chief talked them into it and they still trust him, or they naively think that the community will



rise up to protect their jobs and vote for a referendum type tax increase.

I think most of you know that it is just Spin City going on there. Layoffs affect all unions everywhere. The last year or so it raised its’ ugly head in policing. In all police unions, there have been layoffs. With MAP, however, we do not recommend accepting the extortion by the “mean and lowly things” when they threaten you with layoffs if you don’t give up the cash. Help me, they plead just like the panhandlers at expressway ramps all over. Help us balance the budget. Times are tough, people are suffer-

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# Chaplain's Column

## Metropolitan Alliance of Police

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By: Thomas Ross

**H**appy Spring!! I was just thinking about our world today. Amazing in this time of endless technology that we now are confronted with additional temptations never thought of, but are a product of our weakness. We see this with our children getting into trouble with sexting and transmitting images. Yes they are exploring but it's just not healthy and who knows how it will influence their future. As we all know, somehow these things just never go away—do they? Desk computers, portable computers, cell phones, smart camera phones, the Internet—blackberries— Tweeting, instant messaging, texting—it's endless! All good enhancements to our life but within them opportunities to seek the dark side of life!

Now sometimes we even hear the sounds of phone tones or tweets in Church of an arriving call or text message. So recently I announced we found a solution. I told our parishioners "fear not—with our newly installed Church software I can happily report all incoming calls and text messages will now be intercepted and the devices will be automatically redirected to the Vatican site for wholesome messages." Well, not really, but I'm sure we could find more than a few parents who would want to subscribe to this!

Seriously, all of this technology does provide us with new ways to experience life. Last Father's day my children gave me a portable GPS unit to help me find directions—and I'm sure avoiding my endless circling to get to where I need to go. Amazing once set, it leads you turn by turn to your destination. And IF you make a wrong turn—she says-RECALCULATING—over and over with a new set of directions.

Now wouldn't it be wonderful if something like that would warn us of pending temptation and lead us back to the straight and narrow?

Well, it does exist—it's our conscience—our informed conscience. It lets us know—our following action is not in straight and narrow. How do we get informed? I think it has to do a lot with having faith and using that faith in our lives and our parenting. I do get a chance to talk with many people from all walks of life. So many times I hear how they were brought to Church as infants but they had little or no follow-up education in their faith and now as adults they have this sense of abandonment which now as they start their own families, they set out to find faith in which they can raise their children with a foundation to be a guide in their lives.

Each trial that life brings even to our dying day is a crisis, but is also an opportunity to turn to our faith and use that as our foundation to get through these rough spots of life. Not because of our own strength, but seeking the intervention of a higher power. So remember the term RECALCULATING to help us get back on track

Be safe out there as 2010 has started off to be a very dangerous one as shown in recent statistics through the end of February showing total police fatalities up over last year.

Peace, Chaplain Tom Ross



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# Chief's Follies

By: Joseph Andalina

## #1. Grow up, you bunch of babies.

The village president, Robert Abboud, is all up in arms about the officers in Barrington Hills voting to affiliate with MAP. A majority petition, filed in December 2009, was objected to later that month by the above fellow and his cohorts to the ILRB.

His letter, which can be found on our website under Garbage (kidding—under MAP News), alleges coercion by fellow officers who felt intimidated to speak up against the organizing and did not understand that the cards they signed meant that there would be no election and that they could be certified as a MAP chapter without one. He goes on to accuse a disgruntled sergeant over some recent discipline (which he describes as gross procedural violations) as one of the lead organizers.

He relates that this horrible pressure (similar to waterboarding) put on fellow officers caused them to sign collective bargaining cards (Brother and Lord help me!). What's more, the president, with copies to the village counsel, the chief, and trustees, wants the ILRB to interview all the officers/sergeants to see if they were coerced by their fellow officers. And he wants this to be closed to public view, or only available on C-Span, like Obama's health care bill. (Only kidding about the C-Span thing.)

He wants a neutral environment and wants the ILRB not to be confrontational. Wow—don't all us coppers know

that basically being a cop is somewhat, how do I say it...confrontational? He doesn't want the testimony to be released to anyone. Kind of like our General Assembly and their cries of "transparency."

The ILRB responded, which is also posted, but in a professional answer not recognizing his allegations or demeaning the union.

But besides all the jokes, I really want to ask how a police officer is intimidated by another officer in his/her own department? Seems kind of way out there, doesn't it? Unless they put a gun to their head, I personally ain't buying it.

Also, the majority petition card the officers signed actually says:

I wish to be represented by the Metropolitan Alliance of Police as my exclusive bargaining agent. I acknowledge that if a majority of my coworkers in an appropriate unit sign evidence of majority support, this card can be used by the MAP to obtain verification as the employees' exclusive bargaining representative without an election.

Signed                      Date

So it actually says something about "without an election." So I think the officers can read, and what my devious mind has figured out is that maybe, just maybe, the coercion has come from the inside. The administration would never coerce, intimidate, threaten, make you feel that you could be in hot water, that your career could go south, or they could poison the fish in



your aquarium if you go ahead with this organizing stuff? So much more could be said, but I think y'all get the point, which for now is that the cops want to join MAP and have done so—the results of this pitiful attempt to confuse, delay, and whine about this affiliation in their own maladroit way is that the Barrington Hills cops will soon be a certified MAP chapter, and the administration's attempts of Spin City will fall flat on its face.

More on this *As the World of Barrington Hills Turns* in our next issue.

## #2 Let there be Light—in Romeoville!

MAP filed a ULP against the Village of Romeoville and its chief, Andy Barto. The chief, his officers believed, made threats of reprisal against them while they were engaged in a protected activity—following through on a contractual grievance.

In brief, an officer's personal piece of equipment was damaged and he requested a \$50 reimbursement from the village for the item in question. The grievance

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# Legislative News: The new Illinois Freedom of Information Act

*MAP's co-counsel attorney, Richard Reimer, provides an analysis of the new IFOLA, which took effect in January of 2010. His article on this important legislative change will take place in two parts—Part I in this MAP Rap Sheet; Part II in the next issue.*

*Keep in mind that some of the notable changes reflect the reduction of fees that can be charged, a list of documents that no longer need an FOI to obtain, a reduced response time for entities to provide the information requested, and an appeal process, among others.*

On January 1, 2010, wholesale changes to Illinois' Freedom of Information Act ("FOIA") became effective. The Open Meetings Act ("OMA") also saw some changes on New Year's Day. As an Article 3 (downstate police) or Article 4 (downstate fire) pension board, you are a "public body" subject to both the FOIA and OMA. The purpose of this letter is to highlight some of the significant statutory changes and recommend some actions your board should take. This is a summary of the legislative changes to the aforementioned Acts. It is not a substitute for in-person training or legal advice.

## **ALL DOCUMENTS ARE PRESUMED PUBLIC**

All documents held by a public body, like a pension board, are presumed to be open for review and copying by the public. Any denial of access to a requested document must be based upon a statutorily enumerated exception to disclosure. The exception must be supported by "clear and convincing evidence" (i.e. greater than a preponderance of evidence but less than beyond a reasonable doubt).

## **YOUR PUBLIC BODY MUST APPOINT AN FOIA OFFICER**

The new FOIA requires all public bodies name an FOIA officer. The FOIA officer is responsible for responding to FOIA requests. By June 30, 2010, all FOIA officers must complete online training provided by the Attorney General's Public Access Officer

("PAC"). That training is available at <http://foia.ilattorneygeneral.net/Training.aspx>. However, please note, any employee can receive an FOIA request. We suggest, at its next regularly scheduled meeting, the pension board name the municipality's (Village, City, Fire District, etc.) FOIA Officer as its FOIA Officer. A pension board member who has regular access to pension board files should be named one of the FOIA officer's designees. The name and address of the FOIA officer must be prominently displayed. This information must also be posted on the pension board's web site (if it has one). The FOIA officer may, but is not required, to register online with the Attorney General.

FOIA officers must: (1) note the date the public body receives the written request; (2) compute the day on which the period for response will expire and make a notation of that date on the written request; (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; (4) create a file for the retention of the original request, and a copy of other communications; and (5) develop a list or categories of records that the public body will furnish immediately upon request (e.g. minutes, agendas, decisions and orders, etc.).

## **ANYONE CAN SUBMIT OR RECEIVE AN FOIA REQUEST**

Any person or entity can submit an FOIA request. Public bodies can no longer require requests be submitted on a designated FOIA form. While a public body is not required to accept verbal FOIA requests, it is required to respond to any written request for information regardless of the medium by which it is submitted (e.g. personal delivery, mail, facsimile, e-mail, etc.). A public body is only allowed to ask the purpose of the request to determine: (1) if it is made for a commercial purpose; or (2) if the requestor qualifies for a fee waiver.

## **TIME LIMITS FOR RESPONDING TO AN FOIA REQUEST**

The pension board has five (5) working/business days to respond to an FOIA request. Working/business days include all days except: Saturdays, Sundays, and legal holidays. All responses to FOIA requests must be in writing. If the request is not responded to within five (5) business days, the request is deemed denied. Also, by failing to timely respond, the body automatically forfeits its power to claim a request is "unduly burdensome." The five (5) day time period begins to run the day after the request is received. When requests are submitted by e-mail, it is received when it appears in the recipient's e-mail, not when it is opened.

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# Chief's Follies

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was, of course, denied, but our fine chief from Romeoville went one step further. He apparently told his lieutenant and the officer that if the officer actually pursued this grievance, the chief would take his and all the officers "Streamlight" flashlights away and have them carry only the department standard issue mini-Maglites on their duty belts. So there, he may have said, as he puffed up his mighty muscles. Why he picked on the officers' flashlights, I have no clue, but he apparently allowed this substitution from normal policy and subsequent to this grievance he threatened to revert back to their official policy on what kind of flashlights officers can carry. This really has nothing to do with that grievance, but y'all know by now that not all chiefs make sense when they act or speak, don't you?

In a continued show of testicular strength, he told them that he would be forced to take this matter across the street to the village manager. Not wanting to be luminosity-challenged by an inferior flashlight, (personal choice) and stuck in a dark alley without the photon-beam of their desire, it was reported that the officers asked if they could, instead of the chief walking across the street to the village manager, be subjected to some other form of torture, like watching reruns of Roseanne at roll call. (I'm joking about the Roseanne thing, folks! Just trying to show how stupid this all is.)

But no, the chief in his venue as chief figured a better torture, worse than Roseanne reruns, was to actually go across the street and speak to "he-who-shall-not-be-named" once the

officer sent the grievance forward.

The chief advised that once he walked that "last mile" across the street, he would be forced to remove the officers' flashlights and go back to the mini-Maglites. But he told them all that really, the officers could file the grievance and take the steps they wanted. Got it, chief. CYA by telling them to file, and make sure you remind them what would happen if they actually did file the grievance.

Well, the chief took that hike and the village manager denied the grievance and yup, they replaced the flashlights as foretold. And to insult the troops more, the chief or maybe another hatchetman put out a memo stating that no more reimbursements were to be made for an officer's damaged personal purchases. How utterly vindictive. Is there no stopping the torture in Romeoville by men who were once certainly normal? They weren't always "Orcs" in Romeoville, were they?

Well, the matter did go to arbitration. Not just for the \$50 now, but due to the shenanigans of the chief and that other guy. The Village of Romeoville spent probably thousands of taxpayers' money so they could maintain the right to be bull-headed. Remember that, folks, when they cry poor-mouth and seek concessions.

MAP won the ULP and you can read it in all of its beauty on our website. The law judge, among various findings, found that the chief did in fact violate the ILRB Act by "more stringently enforcing work place rules"

in response to the officer filing the grievance. The earpiece problem was not arbitrated—just the chief's and village manager's pig-headedness was litigated. That was the bigger issue!

The brass in Romeoville were found to have in fact made the above described threat and were ordered to cease and desist and stop interfering with the officers' grievances by more stringently enforcing its policies, GO's, etc. They also have to post the law judge's order, sort of like in the Scarlett Letter for all to see in Romeoville that your professionals can and do act like a bunch of wimps and bedwetters.

There is light once more in Romeoville and I only hope that the chief does not actually make them watch reruns of Roseanne in the future as punishment, rather than threatening them with other more horrible reprisals.

## #3 A panoply of bad stuff

A Illinois sheriff accused of selling some cannabis sativa while on duty is also facing charges for trying to solicit a murder for hire. Gallatin County Sheriff Raymond Martin is being held on a \$1,000,000 bond. They also arrested his wife and 20 year-old son on undisclosed charges when they showed up at the jail for a visit.

Apparently the sheriff had been supplying drugs to a drug dealer and at one point, when the dealer wanted out, threatened to kill him. You get a

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# A Few Minutes with the Boss

By: Joseph Andalina

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

### MAP WINS!

After *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 2nd 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 2nd 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

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# Chief's Follies

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lot of he said/she said stuff from the sheriff and known drug dealers, so it's hard to figure out what is really going on between these two creeps.

However, the fact of the drug dealing resulted in three counts of dealing marijuana with some of the drugs actually being seized by the sheriff's own officers.

The Feds apparently have recorded conversations, seized about 10k of cash from his home and discovered that some narcotic evidence was missing from the PD. The solicitation for murder stems from him allegedly trying to get someone whacked while he was incarcerated. Gee, I wonder who that could have been? Not much more is known at this time, as reported by the local press.

One would think that this sheriff is where he should be, although up through February he was getting his \$40,000 salary. And he is supposed to be one of the good guys!

## #4 Sure glad it wasn't vodka

*Submitted by Richard Tracy*

Late last year MAP arbitrated possibly the silliest discipline case we will ever handle. The incident occurred at Northern Illinois University in December 2007. NIU police officers as well as officers from other agencies were attending a five day training class on campus. A sign posted outside

of the classroom stated "no food or drink allowed except bottled water."

At the beginning of the class several officers from another agency brought food and drinks into the class. An announcement was made by an NIU Lieutenant affirming only bottled water was allowed in the classroom.

A couple of days into the class, an NIU sergeant, Larry Ellington, noticed NIU police officer Rachael Muszynski with a bottle of Aquafina Flavored Splash water on her desk. The sergeant told the officer that flavored water was not allowed; only plain water could be in the classroom. Officer Muszynski advised the sergeant that it was plain water in the bottle. The sergeant told her she should not have plain water in a flavored water bottle. According to the sergeant, the officer turned away from him and mumbled something he could not hear. He then asked her if she had any problems with his instructions, she said no and threw the bottle away.

Now most everyone reading this would believe the situation would be over and everyone could go back to class and drink their plain water in clearly marked water bottles. Wrong!

The sergeant, a four year veteran of police work, wasn't happy with officer Muszynski's response. During the next break he confronted her outside the hallway. He chastised her about the water bottle. During the conversation, the sergeant determined the officer was insubordinate because, among other things, she crossed her arms and rolled her eyes.

The sergeant eventually wrote the incident up and requested that the officer be disciplined. The incident was investigated by Lt. Mitchell, who agreed with the good sergeant and sent the recommendation to Chief Donald Grady. He agreed with the recommendation and sent it to Human Resources (things work a little differently for university police). Officer Muszynski received a three day suspension for bringing a water bottle into class (where it was allowed), crossing her arms and rolling her eyes. If she had crossed her arms and her eyes, she may have gotten five days!

Officer Muszynski appealed the suspension and the university upheld it, backing their chief all the way, just like it happens in municipal and county agencies. Got to stand by Chief Donald Grady, no matter how stupid the discipline may be. And this was truly stupid. More goings on here than crossed arms and unflavored water it seems.

In the arbitration hearing the truth of the incident finally came out. Several officers testified on Officers Muszynski's behalf. They all basically stated it was the sergeant who was pushing the issue and made Officer Muszynski defensive.

Their testimony was eventually backed up by another NIU sergeant, who testified he observed the confrontation between the sergeant and the officer during the break. He testified that the officer's arms were crossed and she appeared upset. The sergeant stated he believed the

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# Mean and Lowly Things

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ing, give back to the community. All code words for—help me so I can get re-elected, help me hide my mismanagement and fiscal irresponsibility, I'm suffering now as your mayor because I can't explain why we spent the way we did and give back to the community because they aren't going to voluntarily increase their taxes to save my job.

It's all about them and you are the key to their survival. Give up your dough and they may stay on the job. Do this while they continue to unfairly discipline you, try to diminish your pensions now and in the future, take pay raises themselves, enjoy their gift cards, municipal golf country clubs and golf excursions, village credit cards, jubilees, fests, dinners, trips, and their pork barrel expenditures to keep their special interest groups and campaign contributions flowing.

Yes, we have many towns where municipal leaders have taken pay raises and enjoy the cash cow that is the village's tax base. Politicians and some chiefs just cannot resist feeding from the "money trough" that they are so used to eating from. Not one town can demonstrate why they are broke without blaming pensions or public service contracts, nor will they cooperate and fully divulge their financial status to demonstrate that they need money. Cops have become not only "their bailout" but "their stimulus" package, too.

They have it—surely not as much because the recession affects everyone and everything. However, MAP has discovered expansive and mighty cash reserves in many towns hidden

under line items like reserve, contingency funds, rainy day savings, the "mo money" fund for politicians and the like. It's like the coyote chasing the roadrunner. Get close to the bird and he manages to slip away over and over again. Villages always manage to slip away without telling you why they really don't have the cash anymore.

This fiscal mess is hard to find because you don't know where the cash is and they won't tell you. But they manage to fight against their employees joining a union, like the administrators have done in Du Page County, Roselle, Bolingbrook, Western Springs, and many, many others. They have the dough for this fight, but not to pay up for salaries. The truth is management have gutted their own towns—not the cops.

A recent article in Career Builders names "10 jobs you thought would pay more." Cops were #6. They say police protect citizens from criminals and help keep us (citizens) safe. The average pay reported is about \$53,428 per year. They are surprised by the relatively low pay because we grunts put our lives on the line every day and we never know what we are getting into. Well said, I concur. But what's better is they state "It's hard to imagine many jobs that deserve better pay."

Your leaders ignore such truths—it's a tripe to them. Don't want to hear it so let's squeeze these coppers and get back some pay by threatening layoffs. They make it tough on us as they know we want to protect our own. It's what we do and they know

it, so these "mean and lowly things" prey simply on our emotions.

At the same time, communities are literally stealing money out of citizen's pockets with Red-light cameras. Finally the legislature has looked into this wholesale theft and is considering major changes or its abolition. Yeah, I have heard it's all about safety, but if that's true, then why not just ban all right turns everywhere? Then it becomes a legitimate ticket. The point? Where is all that money going? Towns like Naperville make a ton of cash from these "Orwellian" devices and they are still lamenting more layoffs, tax increases, and now gas tax hikes. These towns then make the cops the bad guys and overseers of a purely "administrative" ticketing program.

Not to pick on Naperville, but it's just an example of the "never have enough money to pay you" as they pick everyone's pocket to get more money. If they are cutting jobs and laying off people, what do they need more money for? If they are thinking layoffs, (in any city) then why are they still raising taxes? They just can't cut and budget. They need to rip you off so they can spend again. Everywhere but for you.

Oh, gee, I probably don't understand how it all works. Okay, then, explain it to me and show me the budgets.

A recent headline in a local newspaper states "Join us to fight government waste." Yes, the press has caught on to the fact that there is waste in government. They provide a telephone number to report waste. Is paying police officers

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# Member News and Local Elections

## **Bartlett**

Melissa Odisho

## **Carpentersville**

Donald Wells

## **Cook County EM**

Jennifer O'Neal

Kenyatta King

## **Elwood**

John Parnitzke

## **Hickory Hills**

Eric Schultz

## **ISTHA**

Patrick Fivelson

## **Montgomery**

Luis Villa

## **Mt Prospect**

Zachery Falco

## **New Lenox Sgt**

Louis Alessandrini

## **Northbrook Sgts**

Mark Graf

## **Northern IL University**

Michelle Anderson

Joy Renee Jeffries

Sergei Kutsinski

Mia Shavonn Lenon

William McDermott

## **Oak Lawn**

Brian Black

Kurt Diestelmeier

Joseph Lutzke

Jacob Witt

## **Palos Hills**

Michael Earnest

## **Seneca**

R Erickson

Randall Radnovich

## **South Elgin**

Justen Hunt

Adam Schuring

## **Steger**

Thomas D'Anna

George Hillman

## **University of IL**

Margaret Chiczewski

Tawanna Clark

Samuel DeLaurentis

Jerry Hamman

Leah Roman

## **Winnetka**

Joseph Lazicki

## **Promoted**

## **Bolingbrook Command**

Ken Teppel

## **Lemont Sgts**

Thaddeus Mezyk

Michael Panush

## **Oak Lawn Dispatch**

Justin Haubenreiser

## **Retired**

### **Coal City**

James Howell

### **DesPlaines Sgts**

Kevin Boyd

Lawrence Marks

### **Tinley Park**

Charles Hillgoth

### **Will County Mgmt**

Stephen Knickrehm

Jeannette Montgomery

### **Woodridge**

Terry Freeman

Congratulations to all of the officers who have been recently elected to their local boards.

## **Barrington Hills**

Gary Deutschle *President*

Eric Stokes *Vice president*

Pat McKinney *Treasurer*

Mark Johnson *Secretary*

## **Bartlett**

Mike Kmiecik *Steward*

Eric Roger *Steward*

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Mike Meyer *2nd Vice president*

Matt Allison *Secretary*

Paul Badofski *Treasurer*

## **Cook County #261**

Michael Quan *Steward*

Roderick Kirkwood *Steward*

Chris Lanuti *Steward*

## **Oak Lawn Dispatch**

Laura Skala *President*

Amanda Lorenz *Vice president*

## **Warrenville**

Josh Wittenberg *President*

Bruce Van Wankum *Vice President*

BrianMelvin *Secretary*

# Guns n Hoses 2010

By: Joseph Andalina



**Top Row L to R:** Larry Mayer (Niles), Tom Lillie (Hinsdale), Tim Sampson (Cook County Sheriff), Tim Garlish (DuPage Co Sheriff), Mike Ortinau (Aurora), Ron Campo (Salem), Dan O'Connor (Burr Ridge), Chris Loudon (Lisle), Joe Statkus (Lombard), Keith Grabarek (Woodridge), Pete Moranda (Bolingbrook)  
**Bottom Row L to R:** Wayne Gunther (Naperville), Bob Liazuk (Bolingbrook), Ken Simpson (Bolingbrook), Jed Whitchurch (IL Dept of Conservation Police), Clark Johnson (Aurora), Dirk Olleck (Mount Prospect)

Once again, the Skatin' Bacon cops hockey team faced off for charity with some firemen. This year's event raised money for the Mario Lemieux Foundation. The main objective of the Mario Lemieux Foundation is to fund promising medical research projects being conducted by talented scientists.

The event took place at the Allstate Arena on January 29, 2010. A recap of the game: The Skatin' Bacon team, led by perennial favorite right wing Ken Simpson of Bolingbrook PD flashes his big smile and big shot when in the first 10 seconds, he gets the draw and lasers a slapshot past the fire goalie. He follows up the next shift with a dazzling dispy-doo, coast

to coast rush, deking a stunned goaltender out of his jock for a nice chip shot.

Ken follows up with the hat trick in the second frame, as he picks up a loose puck at center ice, breaks through two defenders coming in alone when he goes stick side with a slick wrister. Really sweet stuff—except this happened only in his dreams, and in my made-up world of “C'mon, Ken, don't let Whitchurch get all the ink!

Anyway, the scoring began with two quick goals by Pete Moranda and Jed Whitchurch in the opening 37 seconds. Jed, with his uncanny knack of putting the biscuit in the basket, or the brooch in the broaster, or the bunny in the brooder, makes it 3-0 Coppers.

The firemen, holding their hoses too tight in the early going, come back to score two in the first period. But the relentless efforts of the “Bacon” get goals by Dirk Olleck, more by Jed, and Tim Garlish. There were also many assists, most notably Mike Ortinau, Tom Lillie, Keith Grabek, and our own Ken Simpson. What can you say about the sterling goaltending of Chris Loudon? Thought that was Ryan Miller out there. And that Campo guy? Pure Brodeaur!

Cops prevail 8-4 over the fire guys. Kenny? He is a true gamer. Suffering from some serious knee injuries, he gimped his way through the game. He gave his all for the team, the charity, and the fans. While I kid him—he is a hockey player in the true sense of the word. He's got game!

# A Few Minutes with the Boss

Continued from page 6

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 wavered 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.

109329

SUPREME COURT OF ILLINOIS  
CLERK OF THE COURT  
SUPREME COURT BUILDING  
SPRINGFIELD, ILLINOIS 62701  
(217) 782-2035

January 27, 2010

Mr. Joseph R. Mazzone  
Attorney at Law  
3033 W. Jefferson Street, Suite 208  
Joliet, IL 60435-5252

No. 109329 - The County of DuPage et al., petitioners, v.  
Illinois Labor Relations Board, etc., et al.,  
respondents. Leave to appeal, Appellate Court,  
Second District.

The Supreme Court today DENIED the petition for leave to appeal in the above entitled cause.

The mandate of this Court will issue to the Appellate Court on March 3, 2010.

# Legislative News

Continued from page 4

In some circumstances, a public body may extend the time it has to respond to an FOIA request once by an additional five (5) working/business days. When electing to do so, the entity must inform the requestor, in writing, of the extension and the statutorily allowed reason for it. It cannot be understated—FOIA requests must be forwarded to the FOIA officer immediately upon receipt. The pension board must cooperate in providing documents to the FOIA officer in a timely

manner. The maximum 10 working days to respond can only be extended by a written agreement between the requestor and the public body.

## **RESPONDING IN THE MANNER REQUESTED**

Even if there is a fear of manipulation of the document, when available, documents must be produced in the format the requestor demands. If the format requested is not available, it must provide the documents in the

electronic format in which they are kept or on paper, at the option of the requestor. Public bodies are not required to purchase new technology to provide documents in the medium requested.

*Part II will follow in the next issue of the MAP Rap Sheet.*

# Bits n Pieces

## **MAP 15th annual golf outing**

MAP's annual golf outing will again take place at Carriage Green Country Club in Darien on Friday, June 4, 2010.

Once again we will tee-off with 18 holes of golf. Your \$100 will bring you not only golf, but a cart, lunch, and a full course dinner with open bar. MAP's very popular raffle with the melodic voice and commentary by vice president Keith George as our MC.

Get your foursomes in now by contacting Carol at 630.759.4925. Remember, we fill up early!



## **MAP assists in officer-involved shooting**

Once again, MAP attorney Joseph Mazzone demonstrates our union's dedication to our members' welfare by responding to an officer-related shooting in Des Plaines.

See the full story on our web site, under Chapter News.

## **Quote:**

"Never trust Washington Weenies"

-Anne Coulter

*(The same can be said of your local weenies in your town!)*

# Mean and Lowly Things

Continued from page 8

government waste? But don't look at this as our savior. The same press consistently reports on pension debt and refuses, even though it is not the cop's pension that is in debt, to support our pensions. Rather, they want pension reform when in reality it's management that has caused this circle of debt.

It is the State pensions in trouble, not ours. But you never hear that. I think you will agree that the pension liability stems from the fact that this State has, for decades, failed to contribute the required payments to their pensions, even though the public employees and teachers have done so. But it's one facet and now they have pulled cop pensions into the fray. Management has seen a window of opportunity to dump salaries and pensions—and they are taking a shot at it.

The point here, folks? Dig deep—research the problem. Be a special interest group because that is the only thing politicians will listen to. Write letters, send e-mails, faxes to politicians of all ilk. Go to meetings. Speak up. Ask questions. The unions can help, but it's the individual x's 100's that really makes the impression that you are mad as hell and you will not take it anymore. Y'all have seen those town hall meetings and tea parties at work, haven't you? You can start on your own lonely little corner of the world in Bolingbrook, Roselle, Arlington Heights, Palos Hills, and hundreds of others by saying NO to concessions. Yes, layoffs are tough, new people on the job deserve a better fate, but it is also wrong to totally screw up your pay, your pension, and your ability to negotiate in the future by giving up wages to the Bozos in these circuses who will only screw you later by threatening more layoffs or actually making them after concessions are granted.

Some of them have no morals. A promise is only good enough to cross the bridge to get over it before it collapses and then they will break another promise.

Be wise about this. If they get away with this, it will forever be a bargaining tool by these "mean and lowly things." Don't get their way? How about more layoffs. Can't balance the budget? Need more concessions. Once you make them, they will use it against you in future arbitrations and say that you already have acknowledged a troubled community so you must do it once more for the "Gipper." (See Ronald Reagan movies.)

As I've said before and I will say again, try not to make concessions. To illustrate my point, check out the [www.policepay.net](http://www.policepay.net) web site. They have recently confirmed what I've been saying. Note the title of their recent e-mail: *Economy Leaps Forward. Do Not Sign Concession Agreements!*

The article reports that "The economy, for the fourth quarter of 2009, grew at a record pace—5.7%, even after removing inflation. The economy out-performed estimates and has discredited cultural prophets predicting the apocalypse." (This has been confirmed in other media print services.)

It goes on to report that local governing bodies typically lag behind the overall economy by about six months, and this turnaround will not be apparent for a few more months. It advises you not to agree to concessions and if threatened with layoffs, take them because "the political extortion" will go away. As I have said over and over, they confirm that "any economic concessions will be very difficult to recover" (for the officer).

What this tells you is that your village administrations are not probably being completely truthful with you on this concession matter.

Time are a'changing for the better, albeit slowly. Villages are playing catch up and are looking for the final opportunity to grab your money, break up your contracts, and get long-term deals that lock you in for a song. You want to make a concession, make sure you get something for it, otherwise when the tax revenues once again starts flowing and the economy is not so soft, you'll be sitting around singing "Boy, did we get screwed."

After this, the next battle is pensions. We'll have more on this in the future and on our website. This is going to take a greater effort from everyone as the media is against you on this one, too. Village government just won't stop with the bleak picture that they blame on pensions. So as you finish up your busy, dangerous shift or day, remember that "mean and lowly things" are everywhere—even at your PD and municipal offices.

Stay safe.

# Contract Corner

## **Richard Reimer Bartlett**

Settled three-year contract. 2%, 3%, and last year, 2%. First six months, 2 % and second 6 months, increase for off-duty court time to 2.5 hours at the overtime rate.

Increase in village contribution to RHS plan, effective December 1, 2010 from \$750 to \$1100.

## **Crystal Lake MAP #177**

Three-year agreement. Wages; 2.5% increase each year. New FTO stipend. Increase in vacation accrual at 15,20 and 25 years.

New double time and one-half pay if working five specific holidays

## **Keith Karlson**

## **Lemont MAP #39**

Three-year contract, 2009 2% increase; retroactive pay from August 1, 2009; wage re-opener in 2010.

The officers now have the option of having the propriety of their discipline determined by a neutral arbitrator.

Two additional holidays were added (i.e. Martin Luther King Jr. Birthday, and Veteran's Day). Officers with less than 8 years of seniority earned 2 percent (2009-2010), 2 percent (2010-2011), and 5 percent (2011-2012). Officers with 8 or more years of seniority earned 2 percent (2009-2010), 4 percent (2010-2011), and 5 percent (2011-2012). Uniform reimbursement was increased from \$800 to \$900 over the life of the contract. Officers sick and comp. time banks were also increased from 1504 to 2080 and 168 to 180 respectively. The stipend for serving as a detective was increased from \$1,000 to \$1,500. This contract also created a stipend for FTOs who will receive an extra hour of overtime for each shift of service as an FTO. As a cost saving measure, the Village now offers officers who receive healthcare insurance from an alternate source (e.g. a spouse's employer) \$1,500 per annum. Members also achieved favorable language improvements to several other non-economic contract provisions (including use of sick time, funeral leave, etc.).

Longevity pay, Specialty pay – FTO;

OIC; Canine Officer

Vacation pay, up to five weeks, nine holidays, 24 hours for personal days. Court time, minimum three hours. Call out pay, minimum two hours. Compensatory time – up to 80 hours

Sick leave – 96 hours. Bereavement leave and Jury leave – up to three scheduled work days. Education Reimbursement Uniform Allowance

Discipline: Suspensions = fire and police commission

Termination = arbitration

## **Steve Calcaterra**

## **Oswego**

Pay scale at 2.75-2.25-2.5. Improvements on sick time, holiday, vacation, comp time, scheduling rights all hours compensated = hours works for overtime calculation, except for sick within 48 hours of the overtime (this was a substantial change). Added grievance for discipline and numerous other benefits. Top pay at \$80k after six years for current employees, eight years for new employees.

## Legal Defense Chapters

Barrington Hills Lts  
Belvidere Sgts  
Bensenville Sgts  
Channahon Sgts  
College of Lake County  
Cook County Canine  
Cook County Corrections  
Cook Co Correctional Sgts/Lts  
Cook County Sheriff's Police  
Country Club Hills Sgts  
DuPage County Corrections  
Elgin  
Evergreen Park

Hampshire  
Hawthorn Woods Sgts  
Hinsdale Sgts  
LaGrange Park  
Lakewood  
Lake County  
Lake Villa  
Manhattan  
McCook Civilians  
Norridge Auxiliary Officers  
Northfield  
Northlake  
North Riverside Command

Oak Lawn Dispatch Supvs  
Palatine  
Palos Park Police part-time  
Peotone  
Roselle Command  
Round Lake Park  
Sleepy Hollow  
South Barrington Command  
Tinley Park Sgts  
Winnetka CSO  
Woodridge Sgts

# Chief's Follies

Continued from page 7

conversation could have been ended sooner than it was. Officer Muszynski's tone of voice may have appeared in-subordinate but confirmed the sergeant's tone was confrontational. Isn't that how this always starts—from some supervisors who just want to browbeat the hired help?

The arbitrator, Peter R. Meyers, ruled that the sergeant was the aggressor in the incident. The arbitrator ruled that the sergeant was dissatisfied with Officer Muszynski's response to his initial contact with her over the water bottle. He did not believe she showed him the proper respect because he was her superior. This led the sergeant in question to order the second confrontation in the hallway during the break. The sergeant clearly became more dissatisfied with the officer during the second confrontation. To make his point, the sergeant began to complain about Officer Muszynski's past performance in a drug task force, which clearly had nothing to do with the water bottle. It was the sergeant who escalated the minor water bottle incident into a full blown confrontation. His actions forced the actions from Officer Muszynski he perceived as insubordinate. It seems like somebody got up on the wrong side of the bed that day and felt very superior to his subordinates.

The three-day suspension was reversed and Officer Muszynski was made whole.

You would have to think, if the lieutenant or Chief Grady would have done a proper investigation into the incident, it would have ended with "both of you knock it off" or something like, Officer Muszynski no more flavored water bottles, and Sergeant, be a supervisor and get your head out of your Aquafina! But no, this turned into how dare an officer stand up for her rights and not bow down to a sergeant who was totally out of line, wrong and improperly flexing his muscles.

Chief Donald Grady's steadfast and unwise decision to back his sergeant ended up costing the university thousands of dollars, only to lose. Chiefs are supposed to know better and pursue discipline that is justified and warranted. This was not and an arbitrator agreed with MAP and the officer. If the chief would have used a little common sense here, the HR division may not have become so heavy-handed here.

Since NIU just got a spanking, MAP believes that the brass may go after Officer Muszynski and those who supported her for exercising their rights. More unwarranted discipline may be handed down to get back at them. MAP will be there to keep fighting in their behalf should this occur. The arbitration ruling is on the MAP web site. It is good reading!

## MAP News

### New Chapters on the MAP

A busy couple of months for MAP, as we signed up numerous new chapters wishing to affiliate with MAP:

### Majority Petitions:

Addison Sergeants  
Barrington Hills PO  
Bartlett Civilians  
Harvey Sergeants  
Kane County Police and Corrections Supervisors  
Momence

Moraine Valley Campus Police  
Winfield Sergeants

### R/C Petitions:

From FOP:  
Northeastern Illinois University Police  
From Teamsters:  
Glenwood  
Homewood  
Midlothian  
Oak Forest  
Orland Hills  
From ICOPS:  
Willow Springs

### Recent MAP Elections

MAP won with Streamwood Civilians (from Laborer's Union), as well as majority petition certifications in CenCon, Tricom, Naperville Civilians, and South Elgin Dispatch

# Collective Bargaining Chapters

Arlington Heights	Court Svcs	McHenry Co Crt Clerks	Roselle Sgts
Addison	DuPage Co Coroner	Metra	Round Lake Police
Addison Sgts	DuPage Co Forest	Midlothian	Round Lake Supv
Algonquin	Preserve	Momence	St Charles
Algonquin Police CSO's	East Dundee	Minooka	St Charles Sgts
& Dispatch	Elwood	Montgomery	Schaumburg
Barrington Hills	Elk Grove Village	Moraine Valley College	Schaumburg
Bartlett	Ford Heights	Morris	Command
Bartlett Civilians	Genoa	Morton Grove Sgts	SEECOM
Bensenville	Gilbert	Mt Prospect	Seneca
Bolingbrook	Glenwood	Mt Prospect Sgts	South Barrington
Bolingbrook Civilians	Grundy County	Naperville Civilians	South Elgin
Bolingbrook Sgts/Lts	Hanover Park	Naperville Sgts	South Elgin Civilians
Bourbonnais Sgts	Harvey Sgts	New Lenox Sgts	Steger
Braidwood	Hawthorne Woods	Niles Police	Streamwood
Bridgeview	Hickory Hills	Norridge	Streamwood Civilians
Burr Ridge Sgts/Cpls	Hoffman Estates	Northbrook Sgts	Streamwood Sgts
Carpentersville Civilians	Hoffman Estates Sgts	Northeastern II	Sugar Grove
Carpentersville Police	Homewood	Campus Police	Tinley Park
Carpentersville Sgts	Huntley	Northern IL Emergency	Tricom Dispatch
CenCom E-9-1-1	IL DOC Investigators	Comm Center	University of Illinois
Channahon	Indian Head Park	Northern Illinois	Villa Park
Chicago State	ISTHA	University	Warrenville
University Police	ISTHA Call-takers	Northern IL University	Warrenville Sgts
Chicago State	John Stroger Hospital	Security Officers	Waukegan Sgts
University Sgts	Sgts	Oak Forest	Waukegan Lts and
Coal City	Johnsburg	Oak Lawn	Commanders
Cook County EM and	Justice	Oak Lawn Telecom,	Wescom Dispatch
Dispatch and	Justice Sgts	CSO's, & Detention	Westchester Sgts
Vehicle Service	Lake Forest	Aides	West Chicago Civilians
Cook Co DCSI Deputy	Lake in the Hills Police	Orland Hills	West Dundee
Chiefs	Lake in the Hills	Orland Park	Western Springs
Cook Co Dispatch	Dispatch/CSO's	Oswego	Western Springs Sgts
Supvs	Lakemoor	Palos Hills	Wheaton Sgts
Crest Hill	LaSalle County	Palos Park	Willow Springs
Crest Hill Sgts	LaSalle Co Correctional	Park City	Will County Mgmt
Crete	Officers	Plainfield	Association
Crystal Lake	Lemont	Prospect Heights	Wilmington
Darien Police and Sgts	Lemont Sgts	Prospect Heights Sgts	Winfield
Darien Police Civilians	Lisle	Quadcom Dispatch	Winfield Sgts
Des Plaines	Lockport	River Valley Detention	Winnetka
Des Plaines Sgts/Lts	Matteson	Center Supvs	Woodridge
DeKalb County	Matteson Sgts	Romeoville	
DuPage Co Patrol/	Maywood Sgts	Romeoville Sgts	
	McCook PO and Sgts	Roselle	