

MINUTES

**Board of Governors' Meeting
Closed Executive Session
April 5, 2023**

**Via Videoconference pursuant
to the conditions listed in
5 ILCS 120/7(e)**

Minutes of the Closed Executive Session

Chairman Goetten made a motion to enter into Closed Executive Session to discuss the FY23 AFSCME/ILSAAP Collective Bargaining Agreement and to discuss the Collective Bargaining Agreement personnel status. Board Member Navarro seconded the motion.

Chairman Goetten asked for a discussion. Hearing none, he called for a vote.

MOTION TO ENTER INTO CLOSED EXECUTIVE SESSION TO DISCUSS THE FY23 AFSCME/ILSAAP COLLECTIVE BARGAINING AGREEMENT AS PRESENTED AND TO DISCUSS THE COLLECTIVE BARGAINING AGREEMENT PERSONNEL STATUS MADE BY CHAIRMAN GOETTEN AND SECONDED BY BOARD MEMBER NAVARRO. MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.

The Board entered into Closed Executive Session.

Director Delfino asked Chief Deputy Director Robinson to present a description of the proposed FY23 AFSCME/ILSAAP Collective Bargaining Agreement.

Chief Deputy Director Robinson gave an overview of the provisions of the Collective Bargaining Agreement. He said that the primary issue was the salary schedule and explained the importance of being competitive with the salaries of similarly situated State Agencies. He further explained that the Agency needs to maintain a competitive salary schedule from top to bottom in order to attract candidates right out of law school but also in order to retain tenured staff attorneys.

Chief Deputy Director Robinson next said that remote work privileges was another major topic and that negotiations began in the early days of COVID. He said that the union requested that remote work privileges not be revoked unless minimum production standards were not met over a twelve-month period of time but that the parties ultimately agreed that deputy directors would have the ability to revoke remote work privileges when an attorney underperforms for a four-month period of time while working remotely.

Director Delfino said that the next item for discussion was an update on the status of Collective Bargaining Unit Attorney Timothy Ting. Director Delfino gave a brief summary of the circumstances and asked Chief Deputy Director David Robinson to elaborate on the details.

Chief Deputy Director Robinson said that the Agency worked closely with an employment attorney to negotiate a mutually agreeable settlement with Mr. Ting in the amount of \$19,467.00 in exchange for the immediate closure of Mr. Ting's EEOC Complaint filed against the Agency and also for Mr. Ting's full, final, and complete settlement of all claims, raised or unraised.

Chief Deputy Director Robinson next said that despite the fact that the Agency had full confidence it would prevail in any initiated litigation, the Agency ultimately negotiated the settlement after thorough consideration and counsel regarding the potential costs of litigating a future lawsuit filed by Mr. Ting. Chief Deputy Director Robinson asked the Board if there were any questions.

Hearing no discussion, Chairman Goetten thanked Director Delfino and Chief Deputy Robinson for their presentations and made a motion to adjourn the Closed Executive Session. Board Member Navarro seconded the motion. Chairman Goetten asked for a discussion. Hearing none, he called for a vote.

**MOTION TO ADJOURN THE CLOSED EXECUTIVE SESSION MADE BY
CHAIRMAN GOETTEN AND SECONDED BY BOARD MEMBER NAVARRO.
MOTION CARRIED BY UNANIMOUS ROLL CALL VOTE.**

The Board then returned to its open meeting. Chairman Goetten stated that the minutes should reflect that the Board discussed the listed agenda item but took no action.

MINUTES APPROVED and made public by the Board of Governors September 29, 2023.