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### CITY COUNCIL COMMITTEE MEMBERSHIPS

WORKFORCE DEVELOPMENT (CHAIR)  
AVIATION  
BUDGET AND GOVERNMENT OPERATIONS  
COMMITTEES AND RULES  
FINANCE  
IMMIGRATION AND REFUGEE RIGHTS  
SPECIAL EVENTS, CULTURAL AFFAIRS AND RECREATION  
TRANSPORTATION AND PUBLIC WAY

## COMMITTEE ON WORKFORCE DEVELOPMENT MONTHLY RULE 45 REPORT November 7<sup>th</sup>, 2023

**Pursuant to Rule 45 of the City Council Rules of Order, the Committee on Workforce Development submits the following Monthly Rule 45 Report for November 7<sup>th</sup>, 2023.**

**Date, Time & Location of Meeting:** On November 7<sup>th</sup>, 2023, at Noon the Committee met in the City Council Chambers.

**Member Attendance:** The following members were present: Chairperson Rodriguez (22), Vice Chairperson Gutierrez (14), Alderman Yancy (5), Alderman Hall (6), Alderman Beale (9), Alderman Chico (10), Alderwoman Ramirez (12), Alderman Quinn (13), Alderman Coleman (16), Alderman Curtis (18), Alderman Taliaferro (29), Alderman Ramirez-Rosa (35), Alderman Sposato (38), Alderperson Vasquez (40), Alderwoman Clay (46)

**Non-Member Attendance:** Alderman Dowell (3), Alderman Harris (8), Alderwoman Lee (11), Alderman Moore (17), Alderman Tabares (23), Alderman Sigcho-Lopez (25), Alderperson Fuentes (26), Alderman Burnett (27), Alderman Ervin (28), Alderman Villegas (36), , Alderman Nugent (39), Alderman Napolitano (41), Alderwoman Manaa-Hoppenworth (48), Alderwoman Hadden (49), Alderman Silverstein (50)

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Chairperson Rodriguez called the meeting to order at 12:25pm. There were four items on the Agenda.

- 1) Approval of October 30th Rule 45 Report
- 2) O2023-0005883 – Amendment of Municipal Code Chapter 6-130 regarding information requirements
- 3) O2023-0006332 An ordinance adopting agreed-upon changes to the Collective Bargaining Agreement between the Fraternal Order of Police and the City of Chicago.

- 4) O2023-0006333 An ordinance adopting an arbitration option in certain police disciplinary cases.

Chairperson Rodriguez conducted a roll call to establish a quorum.

After determining a quorum existed of present members, the Chair acknowledged non-members present at the meeting.

A quorum having been established; the meeting moved on to public comment.

Chairperson Rodriguez then noted that there were many people signed up for public comment and that we would use the first thirty minutes to allow those members to speak.

The Chairmen noted that there had been four written comments provided to the Committee in advance of the meeting and that copies were both emailed in advance of the meeting and printed for the members.

The following written comments were received by the Committee:

- A joint letter from the Chicago Alliance Against Racist and Political Repression, Chicago Appleseed Center for Fair Courts, Chicago Council of Lawyers, Color Of Change, Faith in Action, Impact for Equity, The League of Women Voters of Chicago, NCOBRA Chicago Chapter, NCOBRA National Youth Commission, Network 49, ONE Northside, The People's Lobby, and Southsiders Organized for Unity and Liberation was submitted opposing the use of arbitration for police misconduct cases.
- A joint letter from 41 Police District Council Members was submitted opposing the use of arbitration for police misconduct cases.
- A letter from Equality Illinois was submitted opposing the use of arbitration for police misconduct cases.

The Chair then noted that written public comments were accepted in advance of the meeting and that the Committee would follow the 30-minute rule laid out in the Rules of Order and Procedure.

The following members of the public spoke during public comment: Brian Zarow from the Better Government Association voiced a complaint that the Police Collective Bargaining Agreement was not posted earlier on the Clerk's website, Andrea Kluger from the Chicago Federation of Labor spoke in support of the Paid Leave Ordinance, O2023-0005883, Anthony Driver, President of the Community Commission for Public Safety and Accountability spoke against accepting the Police Arbitration ordinance, O2023-0006333, Craig Futterman from the Community Coalition for Accountability and Transparency spoke against accepting the Police Arbitration ordinance, O2023-0006333, Anjanette Young came to speak against the Police Arbitration ordinance, O2023-0006333, Frank Chapman from the Chicago Alliance Against Racist and Political Repression spoke against accepting the Police Arbitration ordinance, O2023-0006333, Erin Vogel from the 9<sup>th</sup> Police District Council spoke against accepting the Police Arbitration ordinance, O2023-0006333, Pat Doerr spoke about his concerns about the Paid Leave

Ordinance, John Cantanzara from the Fraternal Order of Police spoke urging support for the Police Arbitration ordinance, O2023-0006333, and Ghian Foreman spoke in opposition to the Police Arbitration ordinance, O2023-0006333.

### **Agenda Item 1 – Rule 45 Report**

Following public comment the Chairperson moved on to the first item on the agenda, approval of the October 30<sup>th</sup> Rule 45 report. Alderman Curtis moved to accept the report and it was approved by a voice vote of the members present.

### **Agenda Item 2 – O2023-0005883**

Chairperson Rodriguez then moved to the second item of the agenda, O2023-0005883, an Amendment of Municipal Code Chapter 6-130 regarding information requirements in the Paid Leave and Paid Sick and Safe Leave Ordinance.

The Chair noted that because of ongoing negotiations there was a substitute ordinance, SO2023-0005883. The substitute was moved by Alderman Yancy and concurred by a voice vote of the full committee.

The Chairperson then noted there were three experts in the box to answer questions on the substitute ordinance, BACP Commissioner Kenneth Meyer, Assistant BACP Commissioner Miguel Campos, and Rey Phillip Santos, Senior Assistance Counsel.

Chairperson Rodriguez then recognized Alderman Ervin to speak to the substitute. Alderman Ervin spoke to the benefits of the substitute ordinance in allowing employers more time to comply with the Chicago Paid Leave and Paid Sick and Safe Leave Ordinance. Alderman Ervin also mentioned that the substitute increases the number of hours that needed to be worked in the City of Chicago for a worker to be covered and that this change protects the hotel and convention industry.

Next Alderman Beale asked a question about what businesses and business groups were engaged in the negotiations.

Alderman Nugent asked some clarifying questions about how the ordinance would work in practice.

Alderman Sposato asked questions about who was engaged in the negotiations that led to the substitute.

Alderman Moore asked some clarifying questions about the time to cure for employers.

Alderman Sigcho-Lopez stated his goal for Business Affairs and Consumer Protection to continue working with small businesses to ensure that small businesses understand how to comply with the new ordinance.

Alderman Napolitano asked about a similar piece of legislation introduced by Alderman Reilly.

Alderman Chico then moved to pass the substitute. The Substitute Ordinance was passed by a voice vote of all members while noting the no votes from Alderman Sposato and Alderman Beale.

**Agenda Item 3 - O2023-0006332 An ordinance adopting agreed-upon changes to the Collective Bargaining Agreement between the Fraternal Order of Police and the City of Chicago.**

The Chairperson then noted that the next item was an ordinance adopting agreed-upon changes to the Collective Bargaining Agreement between the Fraternal Order of Police and the City of Chicago. In the box to answer questions were the City's Chief Labor Negotiator Cicely Porter Adams, Outside Counsel for the City, James Franczek, Outside Counsel David Johnson, and Commander Donna Rowling from the Chicago Police Department. Each member of the panel was allowed to make a short statement explaining the ordinance before moving on to questions.

After all panelists spoke the Chairperson asked for questions, and there being none Alderman Quinn moved due pass, seconded by co-chair Gutierrez. The ordinance passed by a unanimous voice vote.

**Agenda Item 4 - O2023-0006333 An ordinance adopting an arbitration option in certain police disciplinary cases.**

The Chairperson started by noting that the same panel would be answering questions about the police arbitration ordinance as were in place for agenda item 3.

Alderman Taliaferro raised a question about the panel and stating that he felt it would be good in the future to have a representative from the Fraternal Order of Police present on the panel to answer questions as well. The Chairperson noted that earlier in the year when the COUPE contract was ratified, the Committee did not have union representation in the box as expert witnesses but instead were invited to provide public comment and that in the interest of being consistent no FOP representative was present in the box.

The Chairperson then went to the panelists to explain the ordinance. After all the panelists were given a chance to speak to the ordinance the Chairperson opened up the floor for questions.

Alderman Yancy asked a question about how arbitration hearings differ from the Police Board in terms of transparency for the public.

Alderman Chico asked about the ability of Police and Fire workers ability to strike. James Franczek responded that public safety workers in Illinois are barred from the ability to strike.

Alderman Taliaferro asked the Chief Labor Negotiator Cicely Porter to explain the City's rationale for requesting open arbitration versus the Ordinance before the Committee that would allow for closed arbitration. Alderman Taliaferro asked questions about what the legal implications are of rejecting the arbitrator's decision for Police discipline.

Alderman Beale asked about the Police arbitration ordinance being separated from the rest of the Fraternal Order of Police contract. James Franczek and Cicely Adams both responded that the City of Chicago has in the past separated out parts of contracts to accept and reject. James Franczek also stated that previously discipline was the province of the Police Board and that this arbitration decision is unique.

Alderman Vasquez spoke on why the ordinance should be rejected because of the lack of transparency in the arbitration process. The Alderman also asked how many officers go up for discipline of one year or more each year. David Johnson responded that between sixteen and twenty-five officers each year are subject to disciplinary cases involving one year or more of suspension.

Alderman Curtis asked about suggestions provided by the Fraternal Order of Police made during negotiations that were not considered. James Franczek responded that there were many proposals traded between the City of Chicago and the FOP during the negotiations.

Alderman Sposato provided a statement about the role of arbitration and the Police Board.

Alderman Ramirez-Rosa provided context about the costs of police misconduct cases to the City of Chicago. Stating that it is important to have civilian oversight and accountability, the Alderman urged rejection of the arbitration ordinance.

Alderman Napolitano asked James Franczek what happens if the arbitrator does not modify the agreement between the FOP and the City of Chicago if the City Council rejects the ordinance. Mr. Franczek stated it is always unknown what might happen and if a different agreement might be possible. The City would only go to court after the arbitration agreement is rejected twice. Alderman Napolitano also asked Cicely Adams about the bargaining between the FOP and the City of Chicago.

Alderman Tabares asked the panel about the role of interest arbitration in the State of Illinois. Alderman Tabares asked the members to support the arbitration ordinance.

Alderman Sposato was then given a second round question, and he asked that a roll call vote be taken.

Before moving on to voting the Chairperson recognized Alderman Lee, who asked about the City's negotiating team's effort to negotiate the issue of grievance arbitration. James Franczek stated that many issues were resolved but that the issue of grievance arbitration still remained with the City of Chicago and FOP unable to come to agreement. Alderman Lee then asked what role the Police Board would have if the grievance arbitration was approved by the City Council. David Johnson stated that the arbitrator in interest arbitration was not clear on what role the Police Board would have if the ordinance were approved.

Alderman Beale then asked in response to Alderman Lee's questioning which person or group was urging rejection of the arbitrator's award. Chairperson Rodriguez recognized Alderman Ramirez-Rosa and Alderman Lee to respond to Alderman Beale's question.

The Chair then noted Alderman Yancy's motion to lay the issue on the table by a roll call vote. Alderman Beale then made a motion to lay Alderman Yancy's motion on the table. The Chair then took a roll call vote on Alderman Beale's motion to lay Alderman Yancy's motion on the table.

Voting in favor of Alderman Beale's motion were Alderman Beale (9), Alderman Chico (10), Alderman Quinn (13), Alderman Curtis (18), and Alderman Sposato (38).

Voting against Alderman Beale's motion were Alderman Yancy (5), Alderman Hall (6), Alderwoman Ramirez (12), Co-Chairperson Gutierrez (14), Alderman Coleman (16), Chairperson Rodriguez (22), Alderman Taliaferro (29), Alderman Ramirez-Rosa (35), Alderperson Vasquez (40) and Alderwoman Clay (46).

Alderman Beale's motion to lay Alderman Yancy's motion on the table was unsuccessful failing 5-10.

The Chairperson then called for a roll call vote on Alderman Yancy's motion to recommend not passing O2023-0006333.

Voting in favor of Alderman Yancy's motion were Alderman Yancy (5), Alderman Hall (6), Alderwoman Ramirez (12), Co-Chairperson Gutierrez (14), Alderman Coleman (16), Chairperson Rodriguez (22), Alderman Taliaferro (29), Alderman Ramirez-Rosa (35), Alderperson Vasquez (40) and Alderwoman Clay (46).

Voting against Alderman Yancy's motion were Alderman Beale (9), Alderman Chico (10), Alderman Quinn (13), Alderman Curtis (18), and Alderman Sposato (38).

The Chairperson then noted for the record that Alderman Yancy's motion was successful by a 10-5 vote.

The Chairperson then stated that he would recommend Item 4 of the agenda as a do not pass recommendation to the City Council on December 13<sup>th</sup>.

Before adjourning Alderman Ramirez-Rosa asked for the Committee to recognize and wish Alderman Quinn a happy birthday.

The Chairperson then asked that there being no further business before the Committee, he get a motion to adjourn. A motion to adjourn was moved by Alderperson Vasquez, and with no objections the Committee was adjourned.