



**DANE COUNTY PROFESSIONALS, EGR 1871**

affiliated with  
**American Federation of State, County and Municipal Employees  
 Wisconsin Council of State, County and Municipal Employees -  
 Council 32**

Employer: Dane County	Date of alleged infraction: 12/19/2019
Department: Administration	Supervisor: Greg Brockmeyer
Employees: Multiple	Work Location: Department-wide
Date: December 19, 2019	

### **DRAFT Step 3 Grievance**

Section of Employee Benefit Handbook Violation

- Bulletin Boards
- Existing Benefits
- Employee Group Representation And Work Related Associations
- Any other provisions that may apply

Statement of Circumstances

For many years, Dane County maintained e-mail lists of employees represented by, first, unions under collective bargaining, and more recently, by Employee Group Representatives. Such e-mail lists were accessible to union / EGR stewards as a means of facilitating communication of work-related activities to represented employees.

On December 19, 2019, Dane County Information Management deleted all EGR e-mail lists from the county servers, without notice to, or discussion with, Employee Group Representative stewards or other officers. However, e-mail lists for “unrepresented employees” continue to be maintained. (Attachment 1).

The Employee Benefit Handbook allows grievances related to the interpretation of the Handbook to be started at Step 3.

Violations of the Employee Benefit Handbook

The Bulletin Boards section of the EG 1871 Employee Benefit Handbook reads (emphasis added):

*SUBJECT: BULLETIN BOARDS*

*Section 1:*

*a. The county shall provide the following for the purposes of employee information dissemination by an Employee Group’s Representative or interested stakeholder:*

- 1. Use of bulletin board space in convenient places in each work area;*
- 2. **Reasonable use of the county electronic mail system, and;***

**3. The posting of notices shall be by Employee Group Representatives stewards, or his/her designee, or an interested stakeholder.**

Provision of e-mail lists employees who have signed membership cards for the Employee Group Representation is clearly “reasonable use” of the county electronic mail system. EGR 1871’s use of the electronic mailing lists to all members has been traditionally relatively sparse, typically one message per month or so, all directly related to work-related activities of the EGR itself. EGR 1871 has not received any complaints or concerns about its use of the county’s e-mail system to date. The county’s unilateral decision to eliminate e-mail lists of EGR members, particularly while retaining similar lists for management and other unrepresented employees clearly violates the plain language of the EBH, and appears discriminatory in nature.

The Existing Benefits section of the EG 1871 Employee Benefit Handbook reads:

*SUBJECT: EXISTING BENEFITS*

*Section 1:*

*a. Existing Benefits. So long as the services of the Employee Group are continued by the County, the County shall continue existing benefits (including, but not limited to coffee breaks, car allowance and/or mileage payments), or other amenities not mentioned herein that are primarily related to wages, hours and conditions of employment, but established by practice with the knowledge and tacit consent of the County, for the life of this Handbook. Prior to effectuating any changes in the foregoing existing benefits and other amenities shall be that are primarily related to wages, hours and conditions of employment. Any proposed changes shall be subject to the process set forth in D.C.O. 18.24(3) and (4).*

Dane County Information Management has consistently provided e-mail lists, with posting access to 1871 union and EGR designated stewards, since the formation of the original 1871 collective bargaining unit in 2004. This was clearly done with the county’s tacit understanding and consent, as over time, county management has periodically asked the EGR to communicate important information to its members. The county has not brought concerns about EGR 1871 steward access to EGR-represented employee mailing lists to any of the annual Employee Benefit Handbook amendment sessions under ss. 18.24 (3) and (4), Dane County Code.

The Employee Group Representation and Work Related Associations section of the EG 1871 Employee Benefit Handbook reads:

*SUBJECT: EMPLOYEE GROUP REPRESENTATION AND WORK RELATED ASSOCIATIONS*

*Section 2: Employee Group’s Representatives.*

*a. Employees selected by an Employee Group’s Representatives to act as employee and group representatives shall be known as stewards. Employee Group’s Representatives shall notify the County, from time to time of the names of stewards and the names of other officials who may represent employees on behalf of the Employee Group’s Representative.*

*b. Reasonable time spent in the conduct of Employee Group representational activity during the workday, including but not limited to the posting of notices, the investigation and processing of grievances and participation in discussions related to personnel relations shall not be deducted from the pay of the stewards or other officials. The number of employees who may receive pay under this provision shall*

*continue as in the past while engaging in discussions with the County during scheduled duty hours.*

After each Executive Board election, EGR 1871 has informed the Department of Administration of the names and responsibilities of all its designated stewards. Stewards have used the county's membership lists solely to post notices and to communicate with its members about work-related activities of the EGR. Denial of access to membership e-mail lists would frustrate the ability of designated stewards to complete posting of notices, processing of grievances or participation in discussion related to personnel relations.

### Request for Settlement of Corrective Action

EGR 1871 requests that:

1. Dane County Information Management and the Department of Administration immediately restore the EGR 1871 membership list (#Dane County Pros) to the status as it existed on December 9, 2019.
2. Dane County Information Management continue to grant designated EGR 1871 stewards send, write and edit access to the #Dane County Pros e-mail list, as has been done in the past.
3. Any further changes to permissions to, or deletions of the #Dane County Pros e-mail list must be brought to the county's annual Employee Benefit Handbook amendment process, as required by the Employee Benefit Handbook.



December 19, 2019

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**Brian Standing**  
**Vice-President / Chief Steward**  
**EGR 1871**

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**Date**