

**MINUTES
SPECIAL PERSONNEL
COMMITTEE MEETING
SOUTH CENTRAL TRANSIT
THURSDAY, NOVEMBER 1, 2018
10:00AM
SCT TRANSPORTATION CENTER
100 N. LOCUST ST.
CENTRALIA, IL 62801**

Present:
George Guidish
Margaret Conley
Pam Boyd
David Iossi
Don Jones
Ed Smalley

Also Present:
Sheila Niederhofer
Sara Nollman-Hodge
Vicki Clift
Randy Barrow
Pam DeMaris
Megan Vandever
James Biggs
Ben Stratemeyer

The meeting was called to order by Pam Boyd.

Guidish made a motion to go into Executive Session to establish the parameters of the meeting this morning. Smalley called for the question and asked to vote on it. Boyd asked for all those in favor of going in to Executive Session say aye, all aye. Motion carried. The regular meeting adjourned to an Executive Session at 10:01.

The committee came back in to regular session at 10:11.

Boyd stated that Guidish had provided the committee with a list of questions that will be asked, and the purpose of the questions are to show that they are trying to find out what is going on or what has gone on regarding issue #3 on the letter from IDOT. Megan Vandever, Human Resources Director introduced herself.

Boyd read the first question:

1. Has there been any real or perceived harassment or discrimination reported to Human Resources in the past two years? Vandever replied "I have not received any complaints." "Neither verbal or written."

Smalley asked that for the record, please answer yes or no. So Vandever's answer would be "no", Vandever said it was "no."

2. Has there been any real or perceived harassment or discrimination reported to the Managing Director, Assistant Managing Director or the Director of Operations in the past two years? Managing Director answered "no", Asst. Managing Director answered "no" and Director of Operations answered "no".
3. Has there been any real or perceived harassment or discrimination reported to anyone at South Central Illinois Mass Transit District in the past two years, either in writing, electronic mail or verbally? Vandever replied "no."

Boyd ask Guidish why two years was designated, Guidish replied because it has to do with the funding, we are dealing with a fiscal year of funding, so the last fiscal year of funding has expired and it's not relevant. We are looking at future funding possibly being pulled. Guidish stated "a three-year-old report given to IDOT has not had an investigation of some kind?"

4. Has there been anyone of Color, a minority or anyone of another National Origin that has applied for employment in the last two years that has been denied employment? Vandever replied "no." Nollman-Hodge asked "do you mean interviewed and not hired? I'm sure that there are people of every race that have been interviewed and then do not have the qualifications. Conley stated the question is vague. Nollman-Hodge stated that SCT has never based their hiring on color, race or ethnic origin. Conley read the question, Nollman-Hodge answered "yes". She stated that if someone does not meet the qualifications they are not hired.
5. Has there been anyone that has applied for employment that was denied employment due to their gender? Nollman-Hodge said SCT would not base employment on gender. Stratemeyer, a member of the Finance Committee asks if that would include transgender. Conley stated yes. Nollman-Hodge said SCT would never do that. You can not ask preference. Guidish ask if the answer was yes, or no. Boyd stated the answer was "no." No one who met the requirements of the position were judged by their gender or color. Nollman-Hodge said "correct."

6. To your knowledge, have there been any real or perceived harassment or discrimination complaints addressed to the Board of Directors or legal counsel in the past two years? Nollman-Hodge said “no.”
7. Has anyone from the Department of Transportation contacted the District concerning any real or perceived discrimination or harassment? “No.”
8. Has anyone from the Illinois Attorney office, the Illinois State Police, the local Sheriffs office, the Centralia Police or any other municipality or the Equal Employment Opportunity Commission of the State of Illinois or federally, contact the District in reference to a complaint about harassment or discrimination? “No.” Boyd also wants it noted, “did you not hold a meeting with all of the Supervisors to make them aware that we are looking in to this and that we are open? Vandeverer replied “yes.” She met with the Supervisors, Assistant Supervisors and Staff. Title VI Policy and Procedures and Chain of Command were discussed. All staff present acknowledged that they were aware of policies and procedures. No one had any questions pertaining to policies. They were all asked if they were familiar with the chain of command at which they all acknowledged that they were. She went over chain of command, once again, staff acknowledged that they understood. All staff present were asked if they have had any complaints that were not reported to HR. All staff present said that they have not received any complaints on harassment or discrimination, and if they did they know to report it to HR. All staff present said that they feel as though they have a great working relationship with HR and upper management and feel comfortable reporting any issues to HR.

Guidish stated that the answer to one of the questions was yes, so the committee should go into Executive Session to discuss. Question #4 was answered yes. Guidish stated we need to identify anyone that may have felt discriminated against or harassed. Boyd stated we do not need to go thru all applications to see who we have not hired. Nollman-Hodge stated they are not going to remember who is who by looking at an application, you may never see the person. Boyd said no one has come forward to make a discrimination claim.

Guidish recommended that this body instruct management to prepare a written statement that says nobody has been denied employment, based on anything under Title VI, any gender, race, origin. We strive to hire the most qualified candidates. Boyd stated we have proven to strive to hire the most qualified candidates.

Guidish recommended that this issue be sent to the Personnel Committee for final action. Boyd asked for all those in favor, Guidish said he has something to add to the minutes. "In light of the seriousness of the allegation and the threat to pull the funding that allows this district to operate, this agenda at the regular meeting in November will need committee's attention.

There will be 3 items, based on the communication that I have had with IDOT and Marvin, the committee will have to consider three options:

Number one, the Human Resources Officer may need to be replaced, something that we should consider.

Number two, Management team needs to be dismissed and the table of Organization may need to be redone to a stronger level of supervision.

Number three, the current harassment discrimination policy will need to be revised and strengthened to better address any real or perceived harassment or discrimination."

Guidish shared his FOIA request letter. Legal Counsel Barbra Smith, Department of Transportation, has denied a FOIA request. The records are being withheld in their entirety pursuant to 5ILCS140, the records in possession of this public body, she acknowledges that there are records that warrant those three issues in their letter. She states that this will create a substantial likelihood that a person will be deprived a fair trial or an impartial hearing and this will unavoidably disclose the identity of a confidential source and confidential information. Guidish stated that at the regular meeting he will provide committee with a copy of this letter. Guidish doesn't think anything has happened, but someone at IDOT says something has happened. When a FOIA request has been denied based on those two avenues, we have done everything that we've been asked to do but they are going to threaten to pull the funding still? At the regular meeting we will have to have a discussion. Boyd stated that the three things Guidish brought up have no basis or grounds and that he wants to get rid of everybody. Guidish stated that IDOT told them to take action and these are the only three things the Board can do to attempt to correct the problem unless they want to be specific and tell them what the problem is. Boyd stated "so you're punishing the management..." Guidish stated "no we are not punishing anyone, they are requiring us to have a discussion." Boyd stated "did you not ask to terminate?" Guidish stated "no I did not ask for that" I will give you a copy of this but I've been in communication with IDOT and based on their writing, this committee will have to consider three options. Boyd asked Guidish to repeat the three options and he

stated 1) the Human Resources Officer may need to be replaced. Conley asked if that makes the HR Officer uncomfortable. Guidish stated that he did not care if people felt uncomfortable but when IDOT is going to pull funding and shut down this operation in 6 counties and you want to talk about uncomfortable? Guidish stated that he is a member of this body and he has a due diligence that he is representing Marion County and the taxpayers and if these girls have done nothing wrong he will be their biggest supporter and tell IDOT to kiss his rear end, nothing's wrong, nothing has happened. It's fodder, it's all completely made up. Boyd stated that if I was sitting in her position and having done my job to the best of my ability and not having any proof that I've done something wrong and I sit in a meeting and they say we need to replace the Human Services Officer, my response would be "you go ahead and we'll see how this plays out". Guidish stated that the Board has to take action and that is one of the options. Guidish stated "let's say IDOT comes down with a document that they say has been presented to HR and the Managing Director and they don't trust..." Boyd stated "and they have proof". Guidish stated that "we want them to provide us with proof." Boyd stated she feels that Guidish should make those recommendations at the Full Committee meeting. Guidish stated he just did. You will have a copy of this and it will be talked about at the full Personnel meeting, and you can put George W. Guidish, 807 S. Cherry Street on that request.

Boyd stated that she thinks the request should go to the full Board, Guidish stated that he put the final action should be done at the Personnel meeting. Boyd asked how Guidish can override her request as the chair? Guidish stated she can only debate from the chair, not make a motion. Boyd ask if he was a member of the Personnel Committee. Guidish stated yes, he is, he is the one that can do that at this time. Guidish stated that after next weeks meeting if there is nothing to add, it will be recommended to the full Board.

Motion by Jones that we take this information, review it in the Personnel meeting next week and any other information we gather and move it to the full Board. Seconded by Iossi. All aye. Motion passed.

Conley asked about the letter from the Jefferson County States Attorney, Guidish stated he had that (and that it is technically not a part of this meeting) from the Grand Prairie Township Supervisor and his Trustee, and the Jefferson County Board Chairman.

ADJOURN – On a motion by Guidish, seconded by Iossi, the meeting was adjourned.