

Memorandum
Administrative Services Department



To: Thomas Thomas, City Manager
Subject: Legal Bill Payment
Date: December 5, 2012

Pappas, O'Connor and Fildes has submitted a bill for legal services rendered during the month of October 2012. The bill includes legal services primarily surrounding unfair labor practices, interest arbitration case involving the Command Officers Association and assistance with FOP negotiations. The invoice has been reviewed and determined to be accurate and complete.

Recommendation: Payment in the amount of \$12,255.07 be approved for Pappas, O'Connor and Fildes, P.C. for legal services rendered for the month of October 2012.

Pappas, O'Connor and Fildes Invoice dated 11/14/12

Account: 101-155101-53101-000000
Fund: General Fund
Division: Personnel Administration
Cost Center: Employee Services
Object Class: Legal Services

Requisition: #003626

Submitted By: John Thorson, Administrative Services Director

PAPPAS, O'CONNOR & FILDES, P.C.

**Paddock Building
1617 2nd Avenue, Suite 300
Rock Island, Illinois 61201**

**(309) 788-7110
FEIN 36-4103591**

CITY OF ROCK ISLAND
1528 THIRD AVENUE
ROCK ISLAND IL 61201

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November 14, 2012
Account No: 3600-00100

Attn: JOHN THORSON

GENERAL EMPLOYMENT MATTERS

Professional Services

		Rate	Hours	
10/01/2012	JDW			Phone call with John Thorson regarding rescheduling FOP discussions; e-mail correspondence with Gary Bailey; work on scheduling; additional e-mail with John Thorson regarding potential times for meeting; additional e-mail correspondence with Gary Bailey; receive and review charge of unfair labor practices; perform legal research regarding claim of direct dealing.
		135.00	2.00	270.00
	MPP			Receive and review emails regarding FOP meeting; review ULP by AFSME.
		160.00	2.00	320.00
10/02/2012	JDW			E-mail correspondence with Gary Bailey; e-mail correspondence with John Thorson regarding meeting with union.
		135.00	0.30	40.50
	MPP			Work on FOP Patrol issues; review emails regarding same.
		160.00	1.40	224.00
10/03/2012	JDW			Additional legal research regarding direct dealing allegations; unfair labor practice charges; and procedures under the Illinois Administrative Code; e-mail and discussion with Matt Pappas regarding same.
		135.00	2.20	297.00
10/04/2012	JDW			E-mail regarding the Beaston matter; e-mail correspondence with John Thorson regarding meeting; prepare for and meet with client regarding Beaston and union negotiation matters; discussion regarding research needed; outline issues required to be researched in order for response to Beaston matter; receive and review letter from union regarding Beaston matter and request for documents.
		135.00	1.70	229.50
	RJT			Legal research regarding Weingarten rights and Unfair Labor Practices; review the Beaston claim.
		135.00	2.20	297.00

GENERAL EMPLOYMENT MATTERS

		Rate	Hours	
	MPP Preparation for and meeting with client regarding Beaston; review material regarding FOP Patrol and Command; review of emails regarding Beaston.	160.00	4.00	640.00
10/05/2012	RJT Legal research regarding Unfair Labor Practice; draft email regarding findings from research on specific issues.	135.00	3.90	526.50
	JDW Review research memo from law clerk regarding ULP issues; prepare for and meet with City bargaining team and FOP union; discussion with Matt Pappas regarding arbitrations and ULP; e-mail correspondence with Matt Pappas regarding Beaston matter.	135.00	2.10	283.50
	RJT Legal research regarding direct dealing defenses and unfair labor practice defenses; accessed BNA site to run searches and find cases/decisions regarding possible defenses for Beaston case.	135.00	2.00	270.00
	MPP Work on FOP Command; preparation for the same.	160.00	4.00	640.00
10/06/2012	JDW Review documents pertaining to Beaston matter provided by John Thorson; receive and review e-mail correspondence from Bob Hawes regarding FOP Command and review documents attached to e-mail.	135.00	1.30	175.50
	MPP Receive and review letter from client regarding Golden.	160.00	0.40	64.00
10/07/2012	JDW E-mail correspondence regarding potential meeting to discuss Command proposal.	135.00	0.20	27.00
10/08/2012	RJT Legal research regarding cases dealing with severance pay and unfair practices; NLRB and arbitration cases evaluated; evaluating and reviewing defenses regarding the Beaston claim; file review of CBA agreement for Beaston arbitration matter; looking for severance pay or similar section and any paid time due to termination to be used in defense of claim.	135.00	5.70	769.50
	JDW Phone call with John Thorson; meet with John Thorson and Matt Pappas regarding union negotiations; phone call with Gary Bailey; e-mail correspondence with Matt Pappas regarding ongoing union negotiation issues; review interest arbitration documents provided by client in preparation for potential interest arbitration; work with law clerk on research issues.	135.00	3.80	513.00
	MPP Work on labor negotiations; discussions regarding proposals.	160.00	2.00	320.00
10/09/2012	RJT Research penalties for violation of unfair labor			

GENERAL EMPLOYMENT MATTERS

		Rate	Hours	
	practices regarding: Beaston file. Review IPLRA 5 ILCS 315.	135.00	1.60	216.00
JDW	E-mail correspondence with Matt Pappas regarding union negotiations; review tentative FOP agreement memorandum; discussion with Matt Pappas regarding FOP and Command.	135.00	0.50	67.50
RJT	Review facts of Beaston meeting and findings of current research; research cases with similar issues and new approaches.	135.00	1.40	189.00
MPP	Work on negotiations; correspond with client; discussions with Union's counsel.	160.00	2.50	400.00
10/10/2012	RJT Research various defenses for Beaston Charge; research to find cases with similar facts and the findings of those cases; draft letter regarding the research findings; review of the charges; draft worst case scenario/penalties for ULP.	135.00	3.00	405.00
	JDW Work on union negotiation issues; review and revise letter to client regarding Beaston matter.	135.00	0.60	81.00
10/11/2012	RJT Revise letter to City regarding Beaston matter.	135.00	0.40	54.00
	JDW Work with Matt Pappas on union negotiation issues; legal research in preparation for potential interest arbitration.	135.00	3.10	418.50
	MPP Work on ULP and negotiations; review and revise letter to client; work on Patrol contract and resolution of car issue.	160.00	2.60	416.00
10/12/2012	JDW Review interest arbitration materials in preparation for potential arbitration; review stipulation agreement from Gary Bailey; review counter proposal.	135.00	1.80	243.00
	MPP Work on negotiations; review of emails regarding same.	160.00	2.00	320.00
10/15/2012	JDW Phone call with Gary Bailey regarding Command negotiations; receive and review counter-proposal; e-mail correspondence with John Thorson and Robert Hawes regarding counter-proposal; work with Matt Pappas regarding counter-proposal; phone conference with Matt Pappas, John Thorson and Robert Hawes regarding Command; review City counter proposal to Union.	135.00	0.80	108.00
	MPP Phone conversation with client regarding car issue; review emails regarding same.	160.00	0.60	96.00
10/16/2012	MPP Work on CBA's; discussions with Bailey regarding same; email to team regarding same; review emails			

GENERAL EMPLOYMENT MATTERS

		Rate	Hours	
	regarding attorney of record regarding ULP.	160.00	2.50	400.00
10/17/2012 AKV	Conduct legal research regarding interest arbitration strategy and procedure; review previous City of Rock Island interest arbitration awards, supporting documents, supporting research, and transcripts; prepare outline of arbitration guidelines for interest arbitration with Command unit; review Arbitrator Benn previous decisions; research comparables used in previous arbitrations and comparables for this interest arbitration.	135.00	5.20	702.00
	MPP Work on CBA issues; communication with G. Bailey regarding status of issues.	160.00	1.30	208.00
10/18/2012 AKV	Prepare for arbitration; meet with John Thorson; review previous arbitration materials; conduct legal research regarding Section 14; conduct legal research regarding Illinois Administrative Code and conduct at interest arbitrations; review communications between Union and City; review off-the-record proposals; review notes taken by the City with regard to goals, proposals, and offers.	135.00	3.20	432.00
	MPP Work on CBA issues; review of correspondence regarding Bailey's position; review of Beaston panel.	160.00	1.50	240.00
10/19/2012 LKR	Telephone call to arbitrator advising that the arbitration scheduled for October 23 has been postponed.	80.00	0.10	8.00
	LKR Draft Appearances in the matters of IAF Local 26 and the City, the IFOP Labor Council and the City, and AFSCME Council and the City.	80.00	0.40	32.00
	MPP Receive and review emails regarding Arbitration; work on same.	160.00	0.50	80.00
10/22/2012 JDW	E-mail correspondence with John Thorson regarding FOP negotiations; receive and review strike-out contract.	135.00	1.00	135.00
10/23/2012 JDW	E-mail correspondence with Gary Bailey; e-mail correspondence with Arbitrator regarding FOP Command; discuss Command issues with Matt Pappas; phone conference with Matt Pappas, Gary Bailey and Arbitrator regarding Command; e-mail correspondence with John Thorson.	135.00	0.60	81.00
	MPP Receive and review emails from FOP counsel; work on response; conference call with counsel; review emails regarding audit; respond to same	160.00	2.00	320.00
10/25/2012 JDW	E-mail correspondence with Gary Bailey regarding			

GENERAL EMPLOYMENT MATTERS

		Rate	Hours	
	FOP arbitration.	135.00	0.20	27.00
10/26/2012	JDW E-mail correspondence with Gary Bailey regarding FOP arbitration; phone call with Gary Bailey regarding arbitration; phone call with Arbitrator James Cox regarding arbitration.	135.00	0.60	81.00
10/29/2012	JDW Receive and review e-mail correspondence from John Thorson and letter reprimanding lieutenant; work on matter.	135.00	0.40	54.00
	MPP Receive and review Steines letter; work on CBA issues.	160.00	0.40	64.00
10/30/2012	JDW Work on negotiation issues; review memorandum from client regarding negotiations.	135.00	0.40	54.00
	MPP Work on CBA issues; review emails regarding residency; respond to same; draft language regarding same.	160.00	1.50	240.00
10/31/2012	JDW Phone call with Matt Pappas regarding ongoing union negotiations.	135.00	0.20	27.00
	MPP Work on CBA issues; discussions with client; review emails regarding same.	160.00	1.50	240.00
	FOR CURRENT SERVICES RENDERED		85.60	12,346.00

Expenses

11/01/2012	Photocopies			5.20
11/01/2012	Postage			2.70
11/01/2012	Online Research LEXISNEXIS			61.17
	TOTAL EXPENSES			69.07
	TOTAL CURRENT WORK			12,415.07
	PREVIOUS BALANCE			\$4,608.34

Payments

10/22/2012	Payment - thank you.			-4,608.34
	COURTESY DISCOUNT			-160.00
	BALANCE DUE			<u>\$12,255.07</u>

This statement may not include expense items for which we have not yet been billed or payments received after the statement date.