

## Transcript #2 – Director Matthew Wilensky

Date Compiled: March 23, 2025

Submitted by: Jabril Gushiniere

Date of Call: March 21, 2025

Time: 4:14 PM

Participants:

- Jabril Gushiniere, Correctional Officer
- Director Matthew Wilensky, Cook County Department of Corrections

[Begin Transcript]

Wilensky: Hello—hi. This is Director Wilensky calling from the jail. How are you, sir?

Jabril: Good. How are you, Director Wilensky?

Wilensky: Good. I know our office reached out to you earlier as your reentry period is ending. You're coming back, and we're required to read language to you out of the CBA. At that time, you chose not to select a spot—correct?

Jabril: No, that's not correct.

Wilensky: OK—have you selected a spot?

Jabril: I asked for availability or time to consult with my family regarding the available assignments and their schedules. I was given no warning or prior notice that I would need to change my schedule or assignment.

Wilensky: OK.

Jabril: I asked to be emailed the availability so I could determine what options exist. I don't know what's available or what's open.

Wilensky: OK, well I believe you were told what was available and open.

Jabril: I was not.

Wilensky: We apply the same process to everyone similarly situated. Would you like me to read the CBA language to you now?

Jabril: Sure.

Wilensky: [pause] OK—I'm back with you. I'm reading from a pad. I know you were given some choices, but based on your seniority, there were no vacancies in those positions. It appears the last conversation ended with, "What's your next pick?"—that's where we left off.

Jabril: Yes, and because my choices weren't available, I asked for a list of available assignments so I could provide three options based on what was actually open. I wanted time to consult with my family and determine what was fair. The CBA says I have a right to select something I would have been awarded had I been able to bid.

Wilensky: Right. But I believe the spots you picked were not available to be awarded, based on your seniority. So the process now is for you to provide another location you'd like to go.

If there's a vacancy, we place you there. If not, we keep moving. That's the process.

Jabril: I provided locations. By the way, who was I speaking to previously?

Wilensky: Our Executive Office.

Jabril: What's her name—Jan?

Wilensky: Jan.

Jabril: Yost? Could you spell her last name?

Wilensky: Y-O-S-T. What's the value of that?

Jabril: I'm documenting who I speak with.

Wilensky: People get emails out of this office all the time.

Jabril: That's fine. I'd honestly like an email listing everything that's available to me in accordance with my seniority so I can make a valid selection. That's not complicated.

Wilensky: Right—and you're not wrong.

Jabril: It's what's fair. If I'd been able to bid, I'd have seen what was available and picked accordingly. The same principle applies now. I should be able to see what's available to me and pick from those options.

Wilensky: Here's the situation—let me be clear. We do this the same way for others returning from IOD. We read the CBA language, which was done. Then you pick your spots.

Jabril: Yes, but how do people know what spots are open if you don't tell them?

Wilensky: That's the process.

Jabril: I gave her three spots. She told me none were available. But I don't know what's open. Units have closed. Buildings have shut down.

Wilensky: Give us a fourth and we'll tell you if there's a vacancy.

Jabril: How would I know what to pick? That's what I'm saying—I don't have a list.

Wilensky: How did you know the first three?

Jabril: I only knew those based on what little information I had. It's your job, as the employer, to provide me with what's available to me.

Wilensky: That's your interpretation. Our job is to read you the CBA language, ask where you want to go, and then tell you if there's a vacancy.

Jabril: I did that.

Wilensky: We're still in that process.

Jabril: And I'm asking for the availability. I don't know off the top of my head what else to ask for. I gave three. Now I need information so I can move forward.

Wilensky: Based on your seniority, we compare your request to the open spots and go from there.

Jabril: Then why is it a problem to just tell me what's available?

Wilensky: I could flip the question: Why is it a problem to go along with the process we use for everyone? You gave three spots. None were available. We're asking for a fourth. That's how we ensure fairness for similarly situated employees.

Jabril: I think I'm being fair as well, asking for the vacancies so I can choose intelligently.

Wilensky: OK—so where does that leave us?

Jabril: I'm asking for vacancies so I can pick based on what's actually available. I don't know what else to ask for.

Wilensky: Here's the deal. How did you know the first three?

Jabril: They were the only ones I was aware of.

Wilensky: You knew of what?

Jabril: The spots she asked me to list preferences for.

Wilensky: So we're still in that process. You gave three preferences. None were available.

Jabril: Then we're going in circles.

Wilensky: Here's what happens: When the first preference isn't available, we ask for a second. If that's unavailable, we ask for a third. When that fails, we ask for a fourth. These memos need to go out so we know where to send people starting Sunday. The alternative is: if you don't bid, you'll be designated a "non-bid" and assigned where there's a vacancy.

Jabril: I'm entitled to bid. I'm not accepting a non-bid designation. But to bid in good faith, you have to give me the information. Otherwise, this is not being handled in good faith.

Wilensky: Then we're at a stalemate. This is how the process is conducted. I believe it's fair.

You can disagree, but it doesn't get us any closer to assigning you by Sunday.

Jabril: Let me ask: When bidding occurs, are officers shown what's available?

Wilensky: Yes—there's a board with openings posted.

Jabril: Then why am I being treated differently?

Wilensky: You're not. You're not different.

Jabril: I'm entitled to what I would have received had I been able to bid—correct?

Wilensky: Yes.

Jabril: So I should get the same process.

Wilensky: If there's a vacancy.

Jabril: So are you refusing to provide me with a list of available spots?

Wilensky: I'm asking you to bid.

Jabril: Yes or no—are you refusing to give me the list?

Wilensky: I'm not playing the "yes or no" game. I'm trying to have a professional conversation. That language—"are you refusing"—sends things south quickly. You were given an opportunity. The three spots you listed had no vacancies.

Jabril: Please clarify—what do you mean by "sends things south"?

Wilensky: That kind of language—"are you refusing"—is confrontational. That's what I meant.

Jabril: I'm just asking: are you refusing to give me a list of places I can bid into?

Wilensky: I'm asking you to pick a spot. We'll tell you if there's a vacancy.

Jabril: How can I pick if I don't have the list?

Wilensky: How did you pick the first three?

Jabril: Those are the only ones I knew of. I wasn't at work.

Wilensky: What do you mean "the only ones you knew"?

Jabril: They were all that came to mind.

Wilensky: So your first choice was Receiving—does that remain your first choice?

Jabril: Yes.

Wilensky: There's no vacancy at Receiving, 6 to 2, with your seniority. Your second was Cermak, 7 to 3, Detail 1 or 7—no vacancy. Ex Ops, 6 to 2—also no vacancy. Is there another unit or building you'd consider?

Jabril: I'd like to know what's available so I can pick. I don't know what's open based on my

seniority.

Wilensky: Tell me your fourth choice and I'll let you know if there's a vacancy.

Jabril: One moment... I've already given you multiple options—Receiving, Cermak, Ex Ops—none are available. So I'd like to follow up via email in 1-2 business days after I get more information.

Wilensky: What kind of email?

Jabril: I'll follow up with you once I find out what's open so I can select accordingly.

Wilensky: You want an email from us saying what?

Jabril: The available bid positions. If you can't provide that, I'll find it and get back to you with my selection.

Wilensky: You're welcome to do that, but there's no contact obligation in email. I'm asking now for a fourth option. If we don't hear from you, we'll consider you non-bid and assign you where there's a vacancy, starting Sunday.

Jabril: I don't approve of that.

Wilensky: OK. I understand.

Jabril: That violates my CBA, and you know that.

Wilensky: OK. Do you want to give us a fourth pick or not?

Jabril: I explained—I don't have the information to make a fourth selection.

Wilensky: OK. Thank you. Have a good evening.

Jabril: You too.