

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
LOCAL PANEL

Minutes of the Local Panel Meeting
Held on January 24, 2006

I. OPENING OF MEETING 10:00 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL

II. PRESENT

Jackie Gallagher, Chairman; Don Hubert, Member of the Board; Edward E. Sadlowski, Member of the Board; John Brosnan, Executive Director; Jacalyn J. Zimmerman, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 22, 2005

Chairman Gallagher called for approval of the minutes of the November 22, 2005 meeting. Member Sadlowski made a motion for approval of the minutes. Member Hubert seconded. The Board approved the motion unanimously by voice vote. Chairman Gallagher reminded the Board that henceforth, the minutes will be posted on the agency's website in compliance with the recent amendments to the Open Meetings Act.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to address the administrative actions from November 1 through December 31, 2005 for the Local Panel. Executive Director John Brosnan briefly summarized the charges and petitions filed during that time period, noting that as one might expect given the extent of organization among the employers under the Local Panel's jurisdiction, there was far more activity in the unfair labor practice area than on the representation side. During that same period, he pointed out that nineteen new unfair labor practice charges, two election petitions, and one unit clarification petition were filed. Member Sadlowski inquired as to whether the Executive Director had observed an increase in representation case filings due to the majority interest amendments to the Act. Executive Director Brosnan replied that the Local Panel did not have as large an increase in representation case filings as the State Panel, but nonetheless, unions have been using majority interest petitions to organize the small pockets of unorganized employees among the large existing units.

V. BOARD ACTIONS

1. Review of Administrative Law Judge Decisions and Orders

L-CA-04-054
SEIU, Local 73/Cook County Recorder of Deeds

General Counsel Zimmerman began by summarizing the case, and in so doing, noted that the Union requested oral argument when it filed its exceptions. Member Hubert stated that the Administrative Law Judge's decision was well written, but that the issues were close, and he would prefer granting the oral argument request. Chair Gallagher also noted that the Administrative Law Judge's decision was well written and stated that she believed that oral argument was unnecessary to decide the matter. The Board engaged in a general discussion regarding when it was appropriate to grant oral argument requests, and the costs to the Board associated therewith. Based on the discussion, Chair Gallagher concluded that the panel would grant oral arguments upon request and without first polling the Chair and Board Members.

General Counsel Zimmerman questioned as to who would be responsible for the court reporting fees on such arguments and remarked that the Board's State Panel had the parties presenting the oral argument split the reporting fee equally. Members Sadlowski and Hubert questioned General Counsel Zimmerman as to the Board's Rules regarding oral argument and fee responsibility. To a cost-savings proposal to audiotape such proceedings, Executive Director Brosnan pointed out that taping the oral argument might be sufficient, unless the case is appealed to court, then the agency would incur transcription costs which would generally mirror or exceed the cost of a court reporter in the first instance. Executive Director Brosnan noted that in general, having the parties splitting the costs would work quite well, but suggested the Board consider assuming the cost in the rare case where a pro-se party might be unable to do so. The Board directed the General Counsel to grant the oral argument requested in this matter and ordered that argument be heard at its February 14, 2006 meeting. Chair Gallagher asked for a motion to hold this case until the next meeting to hear oral arguments and that the State Panel's cost splitting policy govern at least through the Board's next meeting. Member Sadlowski made the motion and Member Hubert seconded the motion. The Board passed the motion unanimously, by a voice vote.

2. Review of Executive Director's Orders and Dismissals

L-CB-05-029

Karl Cook and Amalgamated Transit Union, Local 241

General Counsel Zimmerman began by summarizing the case and recommended that the Board sustain the dismissal. She further stated that the Charging Party noted in his appeal that he felt he was not sufficiently heard, but his argument, viewed in the best light possible, did not lend merit to his charge. Member Sadlowski made a motion to uphold the Executive Director's dismissal and Member Hubert seconded the motion. The Board passed the motion unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Executive Director distributed an updated "checkbook-style" fiscal report to the Board, prepared by Board Fiscal Officer Nicole Hildebrand. The Chair distributed the legislative calendar to the Board and summarized new legislation which might have an impact on Board operations. The Board engaged in a general discussion of House Bill 4571 and House Bill 4967.

VII. ADJOURNMENT

Member Sadlowski made a motion to adjourn the meeting. Member Hubert seconded the motion. The meeting was adjourned.