

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on January 10, 2012

I. OPENING OF MEETING 11:00 A.M.—160 North LaSalle Street, S-400, Chicago, Illinois

II. PRESENT

Jacalyn J. Zimmerman, Chairman of the Board; Paul Besson, Member of the Board; James Brennwald, Member of the Board; Michael Coli, Member of the Board; Albert Washington, Member of the Board; John F. Brosnan, Executive Director; Jerald S. Post, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD December 6, 2011

Chairman Zimmerman called for approval of the minutes of the December 6, 2011 meeting. Member Coli moved to approve the minutes. Member Washington seconded. The Board passed the motion unanimously, by a voice vote.

V. ADMINISTRATIVE MATTERS

Chairman Zimmerman asked Executive Director Brosnan to present the State Panel administrative actions report for the period of time from December 1 to December 31, 2011. He presented the report and summarized its highlights. The Board examined the report and discussed it.

IV. BOARD ACTIONS

1. Case No. S-CA-09-001-C

Markham Fire Fighters Ass'n, Int'l Ass'n of Fire Fighters, Local 3209/City of Markham

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by Administrative Law Judge (ALJ) Wells' Recommended Compliance Decision and Order (RDO). The ALJ found that the City had failed to comply with the dues remittance and file cabinet restoration components of a prior Board order. She also granted the Union's motion to issue sanctions, ordering the City to reimburse the Union for its costs and reasonable attorney's fees relating to the compliance proceeding. General Counsel Post then reviewed issues presented by the exceptions and recommended that the Board affirm the ALJ's determination, uphold the compliance RDO in all particulars, and add to the sanction a requirement that the City pay the Union the costs and attorney fees required to respond to the exceptions. After discussion, Member Washington moved to accept General Counsel Post's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-CA-08-131

James Pino/Village of Oak Park

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by ALJ Kehoe's RDO, finding that the Village of Oak Park had not violated Sections 10(a)(1) and (2) of the Illinois Public Labor Relations Act 5 ILCS 315 (2010) as amended (Act), as had been alleged by a discharged employee. General Counsel Post recommended the Board adopt the ALJ's RDO in all particulars and reject the Charging Party's contention that it was denied due process because ALJ Kehoe authored the RDO without presiding over any part of the hearing. After discussion, Member Besson moved to accept General Counsel Post's recommendation. Member Brennwald seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. Case No. S-CA-05-009
John Gaw/Village of Lisle
Case No. S-CA-05-039
Chris Loudon/Village of Lisle**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Kazanjian's RDO and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**4. Case No. S-RC-11-097
American Federation of State, County and Municipal Employees, Council 31/Illinois State
Toll Highway Authority**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Tarver's RDO and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

VI. OTHER BOARD MATTERS

Executive Director Brosnan noted that the fiscal and legislative reports were presented in joint panel meeting earlier on this date.

VII. ADJOURNMENT

Chairman Zimmerman called for a motion to adjourn. Member Besson made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 7th day of February, 2012.