

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on February 6, 2007

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

II. PRESENT

Jackie Gallagher, Chairman; Michael Coli, Member of the Board; Charles Hernandez, Member of the Board; Michael Hade, Member of the Board (participated by telephone-conference); Rex Piper, Member of the Board; John F. Brosnan, Executive Director; staff members; and members of the public. John F. Brosnan and Staff Counsel Sharon B. Wells acted as general counsel to the Board for this meeting.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 16, 2007

Chairman Gallagher called for approval of the minutes of the January 16, 2007 meeting. Member Piper moved to approve the minutes. Member Coli seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the State Panel administrative actions for the period of time from January 1 through January 31, 2007. He distributed the report to the Board for review, and the Board examined it. The Executive Director summarized the report's highlights, noting that during the month, the agency issued three certifications pursuant to representation elections, twelve certifications pursuant to majority interest petitions, one certification of voluntary recognition, fifteen certifications pursuant to unit clarification petitions, three certifications directed pursuant to unit clarification petitions, and one administrative dismissal. The agency also received withdrawals in connection with two representation petitions, and the agency's Administrative Law Judges (ALJs) issued Recommended Decisions and Orders (RDOs) in two representation cases. The Executive Director also noted that with regard to unfair labor practice cases, the agency issued twelve complaints for hearing and seven administrative dismissals, had thirty-five charges withdrawn, and the agency's ALJs issued RDOs in two unfair labor practice cases.

V. BOARD ACTIONS

1. Case No. S-CA-05-043
International Union of Operating Engineers, Local 150/Village of Lisle

Chairman Gallagher began by summarizing the case, noting that the primary issue presented was whether the "equity" increase Respondent Employer gave all its unrepresented employees on May 1, 2004, was part of the status quo and thus, should have been provided to the employees in Local 150's bargaining unit. She further noted that the ALJ recommended dismissing the unfair labor practice complaint against Respondent. The Chairman and Board Members then engaged in a lengthy discussion of the record evidence with regard to whether the "equity" increase was in fact, part of the annual merit increase, which the Village therefore should have granted to its employees represented by Local 150, to maintain the status quo. At the conclusion thereof, Member Piper moved to decline to accept the ALJ's recommendation and instead, find Respondent Village violated Section 10(a)(2) and (4) of the Act. Member Coli moved to amend the motion to ensure the remedy included back pay with interest, to May 1, 2004. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

V. BOARD ACTIONS (Continued)

2. Case No. S-RC-04-108

American Federation of State, County and Municipal Employees, Council 31/State of Illinois, Department of Central Management Services

Chairman Gallagher began by summarizing the case, noting that the primary issue presented was whether the petitioned-for employees should be excluded from collective bargaining as statutory supervisors. The Board then proceeded to discuss the record evidence at length. At the conclusion thereof, Member Coli moved to decline to accept the ALJ's recommendation and instead, find that the employees at issue fail to meet the preponderance requirement, as their day-to-day oversight of subordinates is inadequate to qualify as supervisory direction within the meaning of the Act. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote. Acting General Counsel Brosnan then noted that the ALJ also found that the Employer's managerial argument lacked merit, and that no party had excepted to that finding, and asked whether the Board wished to review that portion of the decision on its own motion. The Board declined to do so.

3. Case No. S-RC-06-069

Metropolitan Alliance of Police, East Dundee Police Chapter No. 453/Village of East Dundee

Chairman Gallagher began by summarizing the case, noting that no party filed exceptions to the ALJ'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-AC-06-002

General Teamsters Professional Technical Employees, Local No. 916, International Brotherhood of Teamsters/Village of Southern View

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

5. Case No. S-UC-(S)-07-011

Metropolitan Alliance of Police, LaSalle County Chapter No. 366/County of LaSalle/Sheriff of LaSalle County

Chairman Gallagher began by summarizing the case, noting that no party filed exceptions to the ALJ'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

The Chairman noted that other than the scheduling of the budget message, there was very little to report regarding legislative matters. The Chairman then distributed the year-to-date fiscal report, the report on estimated year-end account balances, the "actual v. budgeted" year-to-date report, and other financial reports prepared by Fiscal Officer Nicole Hildebrand. The Chairman and Board members then questioned and discussed at length, various aspects of the agency's fiscal reports, noting recent, unexpected expenses in connection with the Chicago office lease and pending litigation. Thereafter, the Board discussed whether there was a need for executive session, concluding it was not necessary at this time.

VII. ADJOURNMENT

Chairman Gallagher called for a motion to adjourn. Member Piper 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 6th day of March, 2007.