

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on February 14, 2006

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

II. PRESENT

Jackie Gallagher, Chairman; Charles Hernandez, Member of the Board; Michael Hade, Member of the Board; Rex Piper, Member of the Board; Letitia Taylor, Member of the Board; John Brosnan, Executive Director; Jacalyn J. Zimmerman, General Counsel; staff members; and members of the public.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 24, 2006

Chairman Gallagher called for approval of the minutes of the January 24, 2006 meeting. Member Piper made a motion for approval of the minutes. Member Taylor seconded. The motion passed unanimously.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the administrative actions for January 1 to January 31, 2006. Executive Director Brosnan distributed his report to the Board. Member Hernandez questioned whether it would be possible to present the report data in a manner to make the information more readily understandable. In response, the Board engaged in a general discussion about the agency's data collection, the agency's computer database software, and the possibility of upgrading this area of the Board's operations. Thereafter, Executive Director Brosnan noted that there were several elections scheduled for the end of February and the beginning of March, among others, for court reporters and circuit court clerks. The Executive Director further noted that from January 1 to January 31, there were twelve units certified through majority interest petitions and pointed out that under each listed case were the numbers of employees certified within that unit. In addition, Executive Director Brosnan noted that during that time period, there were five unit clarification petitions, four petitions were withdrawn, one dismissal issued, and three Administrative Law Judge Recommended Decision and Orders issued, disposing of a total of six cases. He concluded his report, surveying the unfair labor practice case activity from January 1 to January 31, highlighting six administrative dismissals and an Administrative Law Judge Recommended Decision and Order issued during that time.

V. BOARD ACTIONS

1. S-RC-06-045

International Brotherhood of Teamsters/PACE, Northwest Division/Amalgamated Transit Union, Local 1028, AFL-CIO, CLC

General Counsel Zimmerman began by summarizing the case. This matter parallels an issue that was before the Board last month in Case No. S-CA-06-107, Amalgamated Transit Union, Local 1028/PACE, Northwest Division, and in the federal court lawsuit brought by the Amalgamated Transit Union (ATU), concerning the Teamsters' attempt to represent a unit currently represented by ATU. The order at issue herein arose out of ATU's refusal to stipulate to an election, and as is the agency's practice in such instances, the Executive Director directed the election. During the investigation of this matter, the ATU

failed to raise the issues it now brings to the Board, regarding the times and dates of the election. Specifically, ATU contends that the scheduled dates and times are not convenient for all employees. General Counsel Zimmerman recommended that the Board uphold the direction of election and proceed with the election scheduled for February 28. The Board engaged in a general discussion regarding the ability of the employees to vote during the times as scheduled and the agency's practices and methods in scheduling elections. At the conclusion of that discussion, Member Piper made a motion to adopt the recommendation of the General Counsel. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

2. S-CA-04-221

Illinois Fraternal Order of Police Labor Council/Village of Calumet Park

General Counsel Zimmerman began by summarizing the case. At issue in this matter is whether the Village threatened to retaliate against an employee because of his union activity. The Administrative Law Judge (ALJ) found the Respondent Employer violated the Act. The Village disagreed and filed exceptions to the ALJ's findings. The General Counsel recommended that the Board sustain the ALJ's recommendation, as it was well-supported by the record. The Board discussed the circumstances of the case, and at the end thereof, Member Piper made a motion to adopt the General Counsel's recommendation. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

3. S-CA-05-175

American Federation of Professionals/City of Calumet City

General Counsel Zimmerman stated that in this case, neither party filed exceptions to the ALJ's decision and asked whether the Board wished to review it on their own motion. The Board declined to do so. However, the Chairman urged as a general matter, that ALJs be cautious when parties cite fiscal concerns, as occurred in this case, as the basis for a suspect personnel decision.

4. S-UC-06-032

City of Bloomington/Policemen's Benevolent Labor Committee

General Counsel Zimmerman began by summarizing the case. She noted that the unit clarification petition filed in this matter seemed unnecessary because the unit description already included the petitioned-for employees, and in any event, it failed to meet the Board's appropriateness criteria for such petitions. The General Counsel stated the Executive Director properly dismissed the petition and recommended that the Board uphold his order. Member Hade made a motion to adopt the recommendation of the General Counsel. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

General Counsel Zimmerman briefed the Board on the status of current litigation. The Executive Director distributed to the Board, an updated checkbook-style fiscal report and a chart providing the Board a mid-year fiscal snapshot of the agency's actual versus budgeted costs, prepared by Board Fiscal Officer Nicole Hildebrand. In presenting her report, Fiscal Officer Hildebrand voiced her concern regarding the agency's increased spending on court reporting, and the Board and Fiscal Officer discussed various alternative methods of reducing those costs. The Chairman advised the Board of the dates and times of the agency's upcoming appropriations hearings. The Board decided against holding an Executive Session.

VII. ADJOURNMENT

Member Piper made a motion to adjourn the meeting. Member Taylor seconded the motion. The motion passed unanimously and the meeting adjourned.