

**STATE OF ILLINOIS**  
**ILLINOIS LABOR RELATIONS BOARD**  
**STATE PANEL**

**Minutes of the State Panel Meeting**  
**Held on March 6, 2007**

**I. OPENING OF MEETING 11:00 A.M.—320 West Washington Street, Suite 500, Spfld, IL**

**II. PRESENT**

Jackie Gallagher, Chairman; Charles Hernandez, Member of the Board; Michael Hade, Member of the Board; Rex Piper, Member of the Board; John F. Brosnan, Executive Director; Nicole Hildebrand, Fiscal Officer; and staff members. John F. Brosnan acted as general counsel to the Board for this meeting. Member Coli was absent due to illness.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 6, 2007**

Chairman Gallagher called for approval of the minutes of the February 6, 2007 meeting. Member Piper moved to approve the minutes. Member Hernandez 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 February 1 through February 28, 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 one certification pursuant to a representation election, five certifications pursuant to majority interest petitions, one certification of voluntary recognition, nine certifications pursuant to unit clarification petitions, two certifications directed pursuant to unit clarification petitions, one amendment of certification, one revocation of certification, 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 nine complaints for hearing and twenty-seven administrative dismissals, five deferrals, and had twenty-eight charges withdrawn.

**V. BOARD ACTIONS**

**1. Case No. S-UC-06-035**  
**Village of Bloomingdale/Service Employees International Union, Local 73**

Chairman Gallagher began by summarizing the case, noting that the Village opposed the inclusion of the Executive Secretary and Executive Secretary/Deputy Clerk titles, claiming that the employees in the titles were "confidential" under Section 3(c) of the Act. Acting General Counsel Brosnan noted that the ALJ determined that the Village's employee in the Executive Secretary/Deputy Clerk title is a confidential employee under Section 3(c) of the Act and excluded from collective bargaining, and further noted that no party had excepted to that finding. He asked whether the Board wished to review that portion of the decision on its own motion. The Board declined to do so. Next, he noted that the ALJ deemed the Village's confidential argument insufficient to exclude from collective bargaining, the four, petitioned-for employees in the Executive Secretary title and that the Village disputes the ALJ's conclusion in that regard. He also noted that on December 15, the Village filed a motion to introduce evidence unavailable at the time of the hearing. The Chairman and Board Members then engaged in a discussion of the issues. At the conclusion thereof, Member Hade moved to accept the ALJ's recommendation and deny the

V. BOARD ACTIONS (Continued)

Village's motion. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. Case No. S-CA-06-049**

**St. Charles Professional Firefighters Association, International Association of Firefighters,  
Local 3322/City of St. Charles**

Chairman Gallagher began by summarizing the case, noting that the ALJ dismissed the complaint, finding that Charging Party Union filed the underlying charge nine days too late, and that the Union takes exception to that determination. Acting General Counsel Brosnan noted that the issue is when did the Union learn of Respondent's retaliation in response to its grievance, and further noted that the ALJ concluded that the Union knew of the alleged unlawful conduct, or reasonably should have known of it, on February 21, 2005, but failed to file the instant charge until August 30, 2005, at least nine days too late. The Chairman and Board Members then engaged in a short discussion of the record evidence with regard to whether the charge was timely filed. At the conclusion thereof, Member Piper moved to accept the ALJ's recommendation. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

**VI. OTHER BOARD MATTERS**

The Chairman distributed a report regarding legislative matters, and discussed newly introduced legislation that may affect the Act. The Board members then questioned and discussed various aspects of that report. The Chairman and Board Members also discussed the House budget hearings scheduled for the end of the month. At the conclusion thereof, Fiscal Officer Nicole Hildebrand distributed a report on the FY'08 Initial Budget comparisons and briefly discussed it. 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 10th day of April, 2007.**