STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on March 13, 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; 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 February 7, 2012

Chairman Zimmerman called for approval of the minutes of the February 7, 2012 meeting. Member Washington moved to approve the minutes. Member Brennwald seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Zimmerman asked Executive Director Brosnan to present the State Panel administrative actions report for the period of time from February 1 to February 29, 2012. He presented the report and summarized its highlights. The Board examined the report and discussed it.

V. BOARD ACTIONS

1. Case No. S-CA-11-055
Metropolitan Alliance of Police, Chapter No. 228/ Chief Judge 12th Judicial Circuit

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by Administrative Law Judge (ALJ) Hamburg-Gal's Recommended Decision and Order (RDO) stating that the complaint alleged that the Respondent had violated Sections 10(a)(4) and (1) of the Illinois Public Labor Relations Act, 5 ILCS 315 (2010) as amended (Act), by refusing to cooperate in the selection of an interest arbitrator. General Counsel Post recommended that the Board affirm the RDO and dismiss the complaint. After discussion, Member Washington moved to accept General Counsel Post's recommendation. Member Brennwald seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-CA-11-016
Illinois Fraternal Order of Police Labor Council/ Illinois Secretary of State

Chairman Zimmerman called the case. Counsel Kazanjian reviewed the issues presented by ALJ Kehoe's RDO, finding that the Respondent violated Section 10(a)(4) and (1) of the Act, by failing to provide information required pursuant to the parties' ground rules for negotiation though not otherwise required under the Act. Counsel Kazanjian recommended that the Board reverse the portion of the ALJ's recommendation that found the Respondent violated the Act and adopt the unchallenged portions of the RDO. After discussion, Member Besson moved to accept Counsel Kazanjian's recommendation. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

3. Case No. S-RC-11-009
Policemen's Benevolent Labor Committee/ City of Chicago Heights

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Owen'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-CB-11-059
Virdia Spain/ American Federation of State, County and Municipal Employees, Council 31

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on July 27, 2011, and an appeal had been filed. Counsel Tarver presented the issues of the appeal by Charging Party to Executive Director Brosnan's dismissal. Charging Party alleged that the Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. After discussion of the appeal and response, Counsel Tarver recommended that the Board uphold the Executive Director's dismissal for the reasons stated in his dismissal. After discussion, Member Washington moved to accept the Executive Director's dismissal. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote.

5. Case No. S-CB-11-045
Carl Hamilton/ American Federation of State, County and Municipal Employees, Council 31

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on September 28, 2011, and an appeal had been filed. General Counsel Post, aided by Counsel Owen's memorandum, reviewed the issues raised by the appeal stating that Charging Party alleged that the Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. After reviewing the appeal and response, General Counsel Post recommended that the Board accept the dismissal. After discussion, Member Besson moved to reject General Counsel Post's recommendation and reverse the Executive Director's dismissal and remand for further investigation. Member Brennwald seconded the motion, the motion passed with three ayes and one nay; Member Washington dissented.

6. Case No. S-CA-11-152
Margaret Lowder/ State of Illinois, Department of Central Management Services

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on September 23, 2011, and an appeal had been filed. General Counsel Post, aided by Counsel Kehoe's memorandum, reviewed the issues raised by the appeal stating that Charging Party alleged that the Respondent violated Section 10(a) of the Illinois Public Labor Relations Act. After reviewing the appeal and response, General Counsel Post recommended that the Board uphold the Executive Director's dismissal. After discussion, Member Besson moved to accept General Counsel Post's recommendation to uphold the Executive Director's dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

7. Case No. S-CB-12-003
Edward White/ American Federation of State, County Municipal Employees, Council 31

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on September 27, 2011, and an appeal had been filed. Counsel Bell reviewed the issues raised by the appeal stating that Charging Party alleged that Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. After reviewing the appeal and response, Counsel Bell recommended that the Board uphold the Executive Director's dismissal. After discussion, Member Washington moved to accept Counsel Bell's

recommendation to uphold the Executive Director's dismissal. Member Brennwald seconded the motion, and the Board passed it unanimously, by a voice vote.

8. Case No. S-CA-11-227
International Union of Operating Engineers, Local 150/ Village of Frankfort

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on October 24, 2011 with an appeal filed. Counsel Hamburg-Gal reviewed the issues presented by the appeal, noting that the charge alleged that Respondent engaged in unfair labor practices within the meaning of Section 10(a)(4) and (1) of the Illinois Public Labor Relations Act. Counsel Hamburg-Gal recommended that the Executive Director's dismissal be reversed and a complaint for hearing be issued because there were factual issues for a hearing presented in the investigation. After discussion, Member Brennwald moved to accept Counsel Hamburg-Gal's recommendation to reverse the dismissal and that the Board issue a complaint for hearing. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

Executive Director Brosnan presented the fiscal report, reviewing in detail the general ledger sheet and the disbursement record. Thereafter, he updated the Board as to the status of legislation that could affect the agency. After a short discussion regarding whether there was a need for executive session, the Board concluded that it was unnecessary at this time.

VII. ADJOURNMENT

Chairman Zimmerman called for a motion to adjourn. Member Brennwald 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 12th day of April, 2012.