

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on April 11, 2006

I. OPENING OF MEETING 11:30 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL

II. PRESENT

Jackie Gallagher, Chairman; Charles Hernandez, 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; and staff members. Member Hade was absent.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 14, 2006

Chairman Gallagher called for approval of the minutes of the March 14, 2006 meeting. Member Piper made a motion for approval of the minutes. Member Taylor seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the administrative actions for March 1 to March 31, 2006. Executive Director Brosnan distributed his report to the Board. After the Board examined the report, the Executive Director noted that from March 1 to March 31, three units were certified through representation elections; eleven units were certified through majority interest petitions; three certifications were issued pursuant to unit clarification petitions; and one petition during that time, was withdrawn by the petitioner. He also pointed out that during that time period, Administrative Law Judge Sharon Wells issued a Recommended Decision and Order resolving a representation case. Concluding the report, the Executive Director surveyed the unfair labor practice case activity from March 1 to March 31, highlighting the three complaints for hearing issued, twenty charges withdrawn, and four administrative dismissals.

V. BOARD ACTIONS

1. S-CB-04-004

Robert J. Tipsword/Illinois Federation of Public Employees, Local 4408, AFT, AFL-CIO

Chairman Gallagher noted for the record that this case involved the public employee division of the AFT and that she had previously been affiliated with the CTU, a subdivision of the AFT, unrelated to the instant matter. Thereafter, General Counsel Zimmerman began by summarizing the case, noting that Administrative Law Judge William Waechter concluded that the Union had failed in its duty of fair representation, in violation of Section 10(b)(1) of the Act. In its exceptions, the Union argued that Charging Party had no standing to bring the charge and secondly, that the charge lacked merit. The Board engaged in a general discussion of the facts and evidence presented in the case. At the conclusion thereof, Chairman Gallagher called for a motion to decide the matter. Member Taylor made a motion to accept the recommendation of the Administrative Law Judge. Member Piper seconded the motion. The Board passed the motion unanimously, by a voice vote.

2. S-CA-04-071

Illinois Fraternal Order of Police Labor Council/Village of River Forest

General Counsel Zimmerman began by summarizing the case. The Administrative Law Judge dismissed the complaint because the charge was untimely filed. Charging Party alleged that Respondent Employer violated Section 10(a)(4) and (1) of the Act, in that it eliminated a police lieutenant position from the unit without bargaining. The General Counsel agreed with the Administrative Law Judge's recommendation, finding that the Union was on notice in May 2002, that the lieutenant position was to be eliminated, and that the six-month statute of limitations began to run at that time. Accordingly, the Administrative Law Judge recommended that the charge, filed in September 2003, was untimely. Member Piper moved that the Board accept the Administrative Law Judge's recommendation. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Chairman distributed the most current fiscal report, prepared by Fiscal Officer Nicole Hildebrand. The Board then discussed certain pending litigation and the text of its recent decision involving the Village of Niles.

VII. ADJOURNMENT

Chairman Gallagher called for a motion to adjourn. Member Piper made a motion to adjourn the meeting. Member Taylor seconded the motion. The Board adjourned the meeting.

Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 9th day of May, 2006.