

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on May 8, 2007

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

II. PRESENT

Jackie Gallagher, Chairman; Michael Coli, Member of the Board; 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, John L. Clifford, and Philip M. Kazanjian acted as general counsel to the Board for this meeting.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 10, 2007

Chairman Gallagher called for approval of the minutes of the April 10, 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 April 1 through April 30, 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, four certifications pursuant to majority interest petitions, five certifications pursuant to unit clarification petitions, and one certification directed pursuant to a unit clarification petition. The agency also received withdrawals in connection with six 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the agency issued one complaint for hearing and six administrative dismissals, three deferrals, and had twenty charges withdrawn.

V. BOARD ACTIONS

1. Case No. S-CA-05-197
Metropolitan Alliance of Police/Village of Lisle

Chairman Gallagher summarized the background of the case. Acting General Counsel Brosnan, after a review of the decision and exceptions, recommended that the Board accept the ALJ's decision. The Chairman and Board Members then engaged in a discussion of the issues raised in the exceptions. At the conclusion thereof, Member Hade moved to accept the ALJ's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-RC-05-109
Metropolitan Alliance of Police/Village of Burr Ridge

Chairman Gallagher began by summarizing the case, noting that the ALJ granted in part, and denied in part, the Union's petition. Acting General Counsel Brosnan, after a review of the decision and exceptions, recommended that the Board accept the ALJ's recommendation except as to her determination that the sergeants at issue are supervisors within the meaning of the Act. The Chairman and Board Members then engaged in a discussion of the issues raised by the exceptions and the recommended modification. At the

V. BOARD ACTIONS (Continued)

conclusion thereof, Member Hade moved to accept the recommendation of the Acting General Counsel. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. Case No. S-CB-05-014
Carlene Goodman/Laborers International Union of North America**

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-UC-07-014
Normal Firefighters, Local 2442, IAFF/Town of Normal**

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-CA-06-152
Laborers International Union of North America, Local 773/City of Anna**

Chairman Gallagher began by summarizing the case. Acting General Counsel Brosnan reviewed the issues presented by the default and recommended that the Board accept the ALJ's recommendation. After the Board's discussion, Member Coli moved to accept the ALJ's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

**6. Case No. S-UC-06-004
International Union of Operating Engineers, Local 148/Village of Millstadt**

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.

**7. Case Nos. S-UC-07-027 and S-RC-07-005
Illinois Fraternal Order of Police Labor Council/County of Livingston and Sheriff of Livingston 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.

**8. Case No. S-RC-04-084
State of Illinois, Department of Central Management Services/American Federation of State, Municipal and County Employees, Council 31**

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. After a discussion by the Board, Member Coli moved that it review the ALJ's recommendation. Member Piper seconded the motion, but the Board declined to do so, by a vote of three against and two for.

V. BOARD ACTIONS (Continued)

9. Case No. S-RC-05-127

American Federation of State, Municipal and County Employees, Council 31/Rockford Housing Authority

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.

10. Case No. S-RC-06-061

Metropolitan Alliance of Police/Village of New Lenox

Chairman Gallagher began by summarizing the case. Acting General Counsel Brosnan, after a review of the decision and exceptions, recommended that the Board accept the ALJ's decision. After the Board's discussion, Member Coli moved to accept the ALJ's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

11. Case No. S-CA-05-176

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

Chairman Gallagher began by summarizing the case. Acting General Counsel Brosnan, after a review of the decision and exceptions, recommended that the Board accept the ALJ's decision, but modify the remedy. The Chairman and Board Members then engaged in a discussion of the recommended modification. At the conclusion thereof, Member Hade moved to accept the recommendation of the Acting General Counsel. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

12. Case No. S-RC-04-044

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

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.

13. Case No. S-CA-06-327

Elitha Brown/State of Illinois, Department of Central Management Services

Chairman Gallagher began by summarizing the case. Acting General Counsel Clifford, after thoroughly reviewing the matter, recommended that the Board affirm the Executive Director's dismissal. After the Board's discussion, Member Coli moved to accept the recommendation of the Acting General Counsel. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

14. Case No. S-CA-06-329

Elitha Brown/State of Illinois, Department of Central Management Services

Chairman Gallagher began by summarizing the case. Acting General Counsel Clifford, after thoroughly reviewing the matter, recommended that the Board affirm the Executive Director's dismissal. At the conclusion of the Board's discussion, Member Hade moved to accept the recommendation of the Acting General Counsel. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

V. BOARD ACTIONS (Continued)

**15. Case No. S-CA-07-132
Policemen's Benevolent and Protective Association/City of Peoria**

Chairman Gallagher began by summarizing the case. Acting General Counsel Kazanjian detailed his review of the matter and recommended that the Board uphold the Executive Director's deferral. After a short discussion by the Board, Member Piper moved to accept the recommendation of the Acting General Counsel. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Chairman updated the Board as to the status of legislation that concerns the agency and recapped the House and Senate appropriations hearings. She distributed 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 discussed various aspects of the agency's fiscal reports. 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 5th day of June, 2007.