

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on May 9, 2006

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

II. PRESENT

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

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 11, 2006

Chairman Gallagher called for approval of the minutes of the April 11, 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 April 1 to April 30, 2006. Executive Director Brosnan distributed his report to the Board. After the Board examined the report, the Executive Director explained why in two recent elections, there was a significant lag in time between the date the petition was filed and the date the election was conducted.

V. BOARD ACTIONS

1. S-RC-05-184

Knox County Board/Knox County Nursing Home/AFSCME, Council 31, AFL-CIO

Chairman Gallagher began by summarizing the case, noting that the question presented was whether the persons employed in the Employer's Licensed Practical Nurse Supervisor title were supervisors within the meaning of Section 3(r) of the Act. The Administrative Law Judge concluded that the employees at issue were not statutory supervisors. The Board engaged in a general discussion of the Administrative Law Judge's decision, and the facts and evidence presented in the case. At the conclusion thereof, Member Piper made a motion to accept the Administrative Law Judge's Recommended Decision and Order. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

2. S-RC-06-067

PACE Heritage Division/International Brotherhood of Teamsters/ATU, Local 241

Chairman Gallagher began by summarizing the case, noting that the Executive Director's Order Dismissing Objections to the Election issued on March 7, 2006, and the ATU appealed therefrom. The questions presented were whether Petitioner, International Brotherhood of Teamsters, by its distribution of gifts to bargaining unit employees, and whether the Employer, by its failure to provide a complete Excelsior list, engaged in conduct such that there should be a hearing to determine whether the election should be overturned. In his order, the Executive Director concluded that the evidence was insufficient to

warrant a hearing. Member Piper moved that the Board accept the Executive Director's order. Member Taylor seconded the motion. The Board passed the motion unanimously, by a voice vote.

3. S-RC-06-153

Clerk of the Circuit Court of Cook County/International Brotherhood of Teamsters, Local 714/AFSCME, Council 31, AFL-CIO

Chairman Gallagher explained that the Petitioner had filed a motion with the Board, seeking to hold in abeyance, the scheduled hearing on its election objections, until after the Board reviews and rules on Petitioner's appeal of the Executive Director's dismissal of the remainder of its objections. Executive Director Brosnan briefly explained that American Federation of State, County and Municipal Employees had filed twenty-four objections to the conduct of the election, nineteen of which he dismissed and the remaining five, he set for hearing. He advised the Board that Administrative Law Judge Clifford scheduled a hearing on the five objections for May 16 and 17, 2006, and that AFSCME also filed an appeal to the Board regarding the nineteen objections he dismissed. He also noted that herein, AFSCME is petitioning to postpone ALJ Clifford's hearing until after the next Board meeting, to hold the hearing on all objections at the same time. Executive Director Brosnan further noted that the Petitioner, International Brotherhood of Teamsters, Local 714, opposes AFSCME's motion. Member Piper moved that the Board accept the Petitioner's motion to hold the scheduled hearing in abeyance until after the next scheduled Board meeting. 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 Chairman also presented the legislative update, including the outlook for the Board's budget. Member Hade made a motion to go into Executive Session to discuss personnel matters. Member Taylor seconded the motion, and the Board passed it unanimously, by a voice vote.

VII. ADJOURNMENT

The Board voted to return to open session. Chairman Gallagher called for a motion to adjourn. Member Piper made a motion to adjourn the meeting. Member Hade 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 6th day of June, 2006.