

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

**Minutes of the State Panel Meeting
Held on May 15, 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; Michael Coli, Member of Board; Albert Washington, Member of the Board; Jerald S. Post, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD April 12, 2012

Chairman Zimmerman called for approval of the minutes of the April 12, 2012 meeting. Member Coli moved to approve the minutes. Member Washington seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Zimmerman asked General Counsel Post to present the State Panel administrative actions report for the period of time from April 1 to April 30, 2012. He presented the report and summarized its highlights. The Board examined the report and discussed it.

V. BOARD ACTIONS

1. Case No. S-RC-10-052

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

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by Administrative Law Judge (ALJ) Owen's Recommended Decision and Order (RDO) stating that employee Davis was a confidential employee, and should be excluded from the unit. General Counsel Post recommended that the Board accept the RDO. After discussion, Member Washington moved to accept General Counsel Post's recommendation. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-RC-11-062

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

Chairman Zimmerman called the case. General Counsel Post reviewed the issues, presented by ALJ Bell's RDO, finding two state employees in the titles of Environment Scientist I and II should be added to the existing RC-63 bargaining unit. General Counsel Post recommended that the Board uphold the ALJ's recommendation. After discussion, Member Besson moved to reject General Counsel Post's recommendation and reverse the ALJ's RDO and remand for a hearing regarding whether the two employees are managerial. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

3. Case No. S-CA-10-189

Metropolitan Alliance of Police, Chapter No. 576/ Village of Barrington Hills

Chairman Zimmerman called the case, Counsel Kazanjian reviewed the issues presented by ALJ Hamburg-Gal's RDO, finding that the Respondent violated Section 10(a)(1) and (3) of the Act by withholding a previously announced pay increase for patrol officers represented by Charging Party and also withholding a previously approved

tuition reimbursement for Charging Party. Counsel Kazanjian recommended that the Board accept the ALJ's RDO. After discussion, Member Brennwald moved to accept Counsel Kazanjian's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**4. Case No. S-CA-12-047 and S-CA-12-049
Service Employees International Union, Local 73/ Village of Dixmoor**

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.

**5. Case No. S-CA-12-022
Dottie Atterberry/ State of Illinois, Department of Central Management Services**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on December 22, 2011, and an appeal had been filed. Counsel Kazanjian reviewed the issues raised by the appeal, stating that Respondent had violated Section 10(a) of the Illinois Public Labor Relations Act, 5 ILCS 315 (2010). After reviewing the appeal Counsel Kazanjian recommended that the Board accept the dismissal. After discussion, Member Brennwald moved to accept the Executive Director's dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**6. Case No. S-CB-12-002
Dottie Atterberry/ American Fed. of State, County and Municipal Employees, Council 31**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on December 20, 2011, and an appeal had been filed. Counsel Kazanjian 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, 5 ILCS 315 (2010). After reviewing the appeal, Counsel Kazanjian recommended that the Board uphold the Executive Director's dismissal. After discussion, Member Besson moved to accept Counsel Kazanjian's recommendation to uphold the Executive Director's dismissal. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**7. Case No. S-CA-12-011
Patrick Nickerson/ Village of University Park**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on January 27, 2012, and an appeal had been filed. General Counsel Post reviewed the issues raised by the appeal, stating that Charging Party alleged that Respondent violated Section 10(a)(2) of the Illinois Public Labor Relations Act, 5 ILCS 315 (2010). After reviewing the appeal General Counsel Post recommended that the Board reverse the Executive Director's dismissal and remand the case for further investigation. After discussion, Member Coli moved to accept General Counsel Post's recommendation. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Board heard and considered the fiscal and legislative reports in a joint panel meeting earlier on this date. 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 Washington 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 June, 2012.