

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on August 9, 2011

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; Michael Coli, Member of the Board; Michael Hade, Member of the Board; Jessica Kimbrough, Member of the Board; Albert Washington, Member of the Board; John F. Brosnan, Executive Director; Jerald S. Post, General Counsel; and staff members. Anna Hamburg-Gal acted as counsel to the Board at this meeting.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD July 12, 2011

Chairman Zimmerman called for approval of the minutes of the July 12, 2011 meeting. Member Washington moved to approve the minutes. Member Hade seconded. The Board passed the motion unanimously, by a voice vote.

V. ADMINISTRATIVE MATTERS

Chairman Zimmerman asked Executive Director Brosnan to present the State Panel administrative actions report for the period of time from July 1 to July 31, 2011. He presented the report and summarized its highlights. The Board examined the report and discussed it.

IV. BOARD ACTIONS

1. Case No. S-RC-10-112

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 the exceptions to Administrative Law Judge (ALJ) Tarver's Recommended Decision and Order (RDO), and recommended that the Board affirm the ALJ Tarver's recommendation that the employee, Nicki Patterson, is a confidential employee within the meaning of Section 3(c) of the Illinois Public Labor Relations Act, 5 ILCS 315/3(c) (2010), and thus her position should not be added to the existing RC-62 bargaining unit represented by Petitioner, AFSCME Council 31. After discussion, Member Kimbrough moved to accept General Counsel Post's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-CA-09-228

Sahin Cakir/State of Illinois, Department of Central Management Services

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on May 2, 2011, with an appeal filed. General Counsel Post, with the assistance of extern Kelly Coyle, reviewed the issues presented by the appeal, and recommended that the Board uphold the Executive Director's dismissal because the Charging Party's claim of improper pay deductions fails to raise an issue of law or fact sufficient to warrant a hearing. After discussion, Member Hade made a motion to accept the Executive Director's dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. Case No. S-CB-10-075
Maryanne Tighe/International Brotherhood of Teamsters, Local 700**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on March 15, 2011, with an appeal filed. General Counsel Post, with the assistance of extern Kelly Coyle, reviewed the issues raised by the appeal and recommended that the Board find the charge untimely and that the Board uphold the Executive Director's dismissal on that basis. After discussion, Member Coli moved to accept the dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**4. Case No. S-CB-11-002
Britt Weatherford/American Federation of State, County and Municipal Employees**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on January 28, with an appeal filed. Counsel Hamburg-Gal reviewed the issues presented by the appeal and recommended that the Board reject the Executive Director's dismissal and remand for further investigation because the Charging Party timely filed the charge and timely served the Respondent with the charge by mail on the last day of the six-month limitation period. After discussion, Member Hade moved to accept the recommendation to remand the case for further investigation. 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. The Chair and Members then discussed and questioned various aspects of the fiscal report. Executive Director Brosnan addressed their concerns. Thereafter, Executive Director Brosnan 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 Hade 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 13th day of September, 2011.