

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on September 13, 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; Albert Washington, Member of the Board; John F. Brosnan, Executive Director; Jerald S. Post, General Counsel; and staff members. Philip Kazanjian acted as counsel to the Board at this meeting.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD August 9, 2011

Chairman Zimmerman called for approval of the minutes of the August 9, 2011 meeting. Member Washington moved to approve the minutes. Member Coli 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 August 1 to August 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-10-122

American Federation of State, County and Municipal Employees, Council 31/Illinois State Board of Elections

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by the exceptions to Administrative Law Judge (ALJ) Owen's Recommended Decision and Order (RDO), and recommended that the Board follow the legislature's lead as evident by the statutory list of exclusions in addressing the Employer's theoretical basis for exclusion, and therefore reject the Employer's argument and affirm the RDO to certify the proposed unit. After discussion, Member Washington moved to accept General Counsel Post's recommendation. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-UC-09-182

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 ALJ Clifford's RDO, and recommended that the Board include one of the disputed employees in the bargaining unit, but exclude all others, some as confidential employees and others as managerial employees. After discussion, Member Washington moved to accept General Counsel Post's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. Case No. S-CA-10-063
American Federation of State, County and Municipal Employees, Council 31/County of Lake**

Chairman Zimmerman called the case. Counsel Kazanjian reviewed the issues presented by the exceptions to ALJ Hamburg-Gal's RDO, and after having considered the parties' exceptions and responses, recommended that the Board adopt in full the ALJ's recommendation that County of Lake failed to bargain in good faith with AFSCME in violation of Section 10(a)(4) and (1) of the Act when it unilaterally consolidated two maintenance departments and thereby transferred AFSCME bargaining unit work out of the unit. After discussion, Member Hade moved to accept the ALJ's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**4. Case No. S-CA-11-026
International Brotherhood of Electrical Workers, Local 193/City of Springfield**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Clifford'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-11-127
Tyron McCullough/Harvey Park District**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Bell's RDO and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

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 Coli 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 4th day of October, 2011.