

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

**Minutes of the State Panel Meeting
Held on January 13, 2015**

I. OPENING OF MEETING 11:00 A.M.—160 N LaSalle Street, 10th Floor, S-1001, Chicago, Illinois

II. PRESENT

Paul Besson, Member of the Board; James Brennwald, Member of Board; Michael Coli, Member of the Board; Albert Washington, Member of the Board; Jerald S. Post, General Counsel; Anna Hamburg-Gal, Associate General Counsel; and staff members. John Hartnett, Chairman of the Board; Melissa Mlynski, Executive Director; Sarah Kerley, Deputy General Counsel; and staff members participated via video conference from the Board's Springfield office.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD December 16, 2014

Chairman Hartnett called for approval of the minutes of the December 16, 2014 meeting. Member Besson moved to approve the minutes. Member Washington seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Hartnett asked Executive Director Mlynski to present the State Panel administrative actions report. She presented the report and summarized its highlights. The Board examined the report and discussed it.

V. BOARD ACTIONS

**1. Case No. S-RC-14-015
Fraternal Order of Police Labor Council/ Village of Campton Hills**

Chairman Hartnett asked General Counsel Post to call and present the case. General Counsel Post stated that Administrative Law Judge (ALJ) Sarah Kerley issued a Recommended Decision and Order (RDO) certifying a bargaining unit of all full-time sworn officers below the rank of Sergeant employed by the Employer. After discussion of the exceptions to the RDO, Member Brennwald moved to adopt the RDO with minor clarifications. Member Coli seconded the motion, and the Board passed it unanimously by a voice vote.

**2. Case No. S-UC-15-053
Metropolitan Alliance of Police, Bolingbrook Professionals Chapter #522/ Village of Bolingbrook**

General Counsel Post called the case, noted that ALJ Deena Sanceda issued a RDO with no exceptions filed and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**3. Case No. S-CA-14-095
Chicago Regional Council of Carpenters, Local 790/ Carroll County Circuit Court Clerk**

General Counsel Post called the case, noted that ALJ Martin Kehoe issued a RDO with no exceptions filed and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**4. Case No. S-CA-14-251
Byron Firefighters Local 4775/ Byron Fire Protection District**

General Counsel Post called the case. He then asked Associate General Counsel Anna Hamburg-Gal to present the issues of the case. She stated that an Executive Director dismissal issued on November 13, 2014. The Charging Party alleged that the Respondent engaged in unfair labor practices within the meaning of Sections 10(a)(4) and (1) of the Illinois Public Labor Relations Act (Act). After presenting and discussing the Charging Party's appeal and the Respondent's response, Associate General Counsel Hamburg-Gal recommended that the Board affirm the dismissal

with modifications. She also recommended that the Board deny the motion to defer the matter to arbitration and deny the motion for oral argument. After discussion, Member Brennwald moved to affirm the Executive Director's dismissal with modifications and deny the motion to defer to arbitration and deny the motion for oral argument. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**5. Case No. S-CA-15-042
Baldemar Ugarte Avila/ State of Illinois, Department of Central Management Services (Illinois Department of Human Services)**

General Counsel Post called the case. He then asked Counsel Deena Sanceda to present and discuss the issues of the case to the Board. Counsel Sanceda stated that on November 14, 2014 the Acting Executive Director dismissed a charge filed by the Charging Party against the Respondent alleging violation of Section 10(a) of the Act. She then discussed the appeal that was filed by the Charging Party. After her presentation, she recommended that the Board affirm the dismissal. After discussion, Member Coli moved to affirm the Acting Executive Director's dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**6. Case No. S-CB-15-004
Baldemar Ugarte Avila/ American Federation of State, County and Municipal Employees, Council 31**

General Counsel Post called the case. He then asked Counsel Deena Sanceda to present and discuss the issues of the case to the Board. Counsel Sanceda stated that on November 14, 2014 the Acting Executive Director dismissed a charge filed by the Charging Party against the Respondent alleging violation of Section 10(b) of the Act. She then discussed the appeal that was filed by the Charging Party and the response that was filed by the Respondent. After her presentation, she recommended that the Board affirm the dismissal. After discussion, Member Coli moved to affirm the Acting Executive Director's dismissal. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**7. Case No. S-CB-15-002
Monica Barry/ American Federation of State, County and Municipal Employees, Council 31**

General Counsel Post called the case. He then asked Counsel Katherine Vanek to present and discuss the issues of the case to the Board. Counsel Vanek stated that on November 17, 2014 the Executive Director dismissed a charge filed by the Charging Party against the Respondent alleging violation of Section 10(b) of the Act. She then discussed the appeal that was filed by the Charging Party and the response that was filed by the Respondent. After her presentation, she recommended that the Board affirm the dismissal. After discussion, Member Coli moved to affirm the Executive Director's dismissal. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

After a short discussion regarding whether there was a need for executive session, the Board concluded that it was unnecessary.

VII. ADJOURNMENT

Chairman Hartnett 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 10th day of February, 2015.