

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on October 4, 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.

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

Chairman Zimmerman called for approval of the minutes of the September 13, 2011 meeting. Member Coli moved to approve the minutes. Member Washington 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 September 1 to September 30, 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-11-006
Service Employees International Union, Local 73/Illinois Secretary of State

Chairman Zimmerman called the case. General Counsel Post reviewed the issues presented by the exceptions to Administrative Law Judge (ALJ) Hamburg-Gal's Recommended Decision and Order (RDO), and recommended that the Board affirm the ALJ's determination that the Executive Is and IIs are not supervisors or managerial employees within the meaning of the Act, and that the petition for certification be granted. General Counsel Post also recommended rejecting the Employer's argument that the Board lacked jurisdiction and all of the Union's cross-exceptions, none of which would impact the recommended outcome in any event and further recommended that, as recommended by the ALJ, the Board order certification effective on the date of certification rather than *nunc pro tunc* to the date of passage of the 120-day time frame. After discussion, Member Coli moved to accept the ALJ's recommendation. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. S-RC-11-086
**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 Kehoe's RDO, and recommended that the Board affirm the ALJ's finding that Ayers is not a confidential employee, but that it reject the ALJ's finding that he is also not a supervisor and for that reason find that his position should not be added to the unit. 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.

**3. Case No. S-CA-09-137
Metropolitan Alliance of Police, Chapter No. 291/Northern Illinois University**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Wells' 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 noted that there was no fiscal report for this meeting. 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, Member Coli made a motion to leave open session. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote. Member Coli made a motion to go into executive session to discuss personnel matters pursuant to 5 ILCS 120/2(c)(1). Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote. Subsequently, at the end of the discussion, Member Coli made a motion to leave executive session. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote. Member Coli then made a motion to return to open session. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

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 6th day of December, 2011.