

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on October 10, 2006

I. OPENING OF MEETING 11:00 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL

II. PRESENT

Jackie Gallagher, Chairman; Michael Coli, Member of the Board; Charles Hernandez, Member of the Board; Michael Hade, Member of the Board; Rex Piper, Member of the Board; John F. Brosnan, Executive Director; Jacalyn J. Zimmerman, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD SEPTEMBER 12, 2006

Chairman Gallagher called for approval of the minutes of the September 12, 2006 meeting. Member Piper moved to approve the minutes. Member Hade seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the State Panel administrative actions for the period of time from September 1 through September 30, 2006. He distributed the report to the Board for review, and the Board examined it. The Executive Director summarized the report's highlights, noting that during the month, the agency issued one certification pursuant to a representation election, eight certifications pursuant to majority interest petitions, one certification of voluntary recognition, one certification pursuant to a unit clarification petition, and one certification pursuant to a directed unit clarification. The agency also received withdrawals in connection with four representation petitions, and the agency's Administrative Law Judges (ALJs) issued Recommended Decisions and Orders (RDOs) in two representation cases. The Executive Director also noted that with regard to unfair labor practice cases, the agency issued ten complaints for hearing and one administrative dismissal, had twenty-four charges withdrawn, and the agency's ALJs issued RDOs in two unfair labor practice cases.

V. BOARD ACTIONS

1. S-RC-06-042

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

General Counsel Zimmerman began by summarizing the case, noting that the issue presented concerned the supervisory status of the employees in the title of Public Aid Quality Control Supervisor. The ALJ determined the title was not supervisory within the meaning of the Illinois Public Labor Relations Act (Act), and General Counsel Zimmerman recommended that the Board uphold the ALJ's determination. Member Hade moved to accept the General Counsel's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

2. S-RC-07-032

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

General Counsel Zimmerman began by summarizing the case, noting that the ALJ dismissed the petition on the basis that Petitioner, American Federation of State, County and Municipal Employees (AFSCME), failed to respond to the ALJ's order directing it to show cause why the petition should not be dismissed as

seeking an inappropriate bargaining unit. General Counsel Zimmerman recommended that the Board consider the case on its merits and uphold the ALJ's determination. Member Hade moved to accept the General Counsel's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. S-CB-06-010
Mike Wright/International Union of Operating Engineers, Local No. 318**

General Counsel Zimmerman began by summarizing the case, noting that the Executive Director issued a Dismissal on August 8, 2006, with an appeal filed. The General Counsel recommended that the Board uphold the dismissal, as there was no evidence to support the charge. Member Hade moved to accept the General Counsel's recommendation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote.

**4. S-CA-06-109
International Ass'n of Fire Fighters, Local 4308/City of Princeton (Fire Department)**

General Counsel Zimmerman began by summarizing the case, noting that the Executive Director issued a Dismissal on August 16, 2006, with an appeal filed. The General Counsel recommended that the Board uphold the dismissal, as there was no evidence of a connection between the complained-of conduct and Charging Party's protected activity. Member Coli moved to accept the General Counsel's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

**5. S-CA-06-155
Harvey Clark/Kankakee County Housing Authority**

General Counsel Zimmerman began by summarizing the case, noting that the Executive Director issued a Dismissal on August 16, 2006, with an appeal filed. The General Counsel recommended that the Board uphold the dismissal, as there was no evidence Charging Party engaged in protected activity. Member Hade moved to accept the General Counsel's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

**6. S-CA-05-085
Downers Grove Professional Firefighters, IAFF Local 3234/Village of Downers Grove**

General Counsel Zimmerman began by summarizing the case, noting that the Executive Director issued a Dismissal on August 29, 2006, with an appeal filed. The General Counsel explained that the case concerns the Fire Fighter Promotion Act and the Respondent Village's obligation to bargain, and noted that the Executive Director issued a complaint for hearing on the other issues raised by the charge. The General Counsel recommended that this portion of the charge be remanded for the issuance of a complaint and likewise set for hearing. Member Hade moved to accept the General Counsel's recommendation. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Chairman noted that there was nothing to report regarding legislative matters and distributed the year-to-date fiscal report, the report on estimated year-end account balances, and the "actual v. budgeted" year-to-date report, prepared by Fiscal Officer Nicole Hildebrand. The Chairman and Board members then questioned and discussed at length, various aspects of the agency's fiscal reports. Thereafter, the Board discussed whether there was a need for executive session, concluding it was not necessary at this time.

VII. ADJOURNMENT

Chairman Gallagher called for a motion to adjourn. Member Piper 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 14th day of November, 2006.