

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on November 5, 2013

I. OPENING OF MEETING 11:00 A.M.—160 N LaSalle Street, S-401, Chicago, Illinois

II. PRESENT

John Hartnett, Chairman of the Board; Paul Besson, Member of the Board; James Brennwald, Member of Board; Michael Coli, Member of the Board; Albert Washington, Member of the Board; Melissa Mlynski, Executive Director (participated by telephone-conference); Jerald S. Post, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD October 8, 2013

Chairman Hartnett called for approval of the minutes of the October 8, 2013 meeting. Member Washington moved to approve the minutes. Member Coli 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 for the period of time from October 1 through 31, 2013. She presented the report and summarized its highlights. The Board examined the report and discussed it.

V. BOARD ACTIONS

**1. Case No. S-UC-13-011
Service Employees International Union, Local 73/ Village of Lombard**

Chairman Hartnett asked General Counsel Post to call the case. General Counsel Post noted that on July 8, 2013, Administrative Law Judge (ALJ) Stevens issued a Recommended Decision and Order (RDO). He then asked Counsel Kazanjian to present the case. Counsel Kazanjian stated that the issues in this case are whether the Respondent's Customer Service Supervisor and Management Analyst meet the requirements for being a confidential employee and/or supervisor as defined by the Act. He presented and discussed the petitioner's exceptions and cross-response. He then presented and discussed the employer's response and cross-exceptions. After his presentation he recommended that the Board adopt the ALJ's recommended decision and order with modifications. After discussion, Member Besson moved to accept the ALJ's recommendation with modifications. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. Case No. S-CA-11-150
Policemen's Benevolent Labor Committee/City of Sparta**

Chairman Hartnett asked General Counsel Post to call and present the case. After his presentation, General Counsel Post recommended that the Board accept the RDO. After discussion, Member Brennwald moved to accept the RDO. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote.

3. Illinois Department of Central Management Services/American Federation of State, County and Municipal Employees, Council 31

Chairman Hartnett asked General Counsel Post to call and present the cases.

Case Nos. S-DE-14-092, S-DE-14-093 and S-DE-14-094 (various agencies)- General Counsel Post recommended that the Board consolidate these cases for the purpose of issuing a single board decision covering all three cases.

Member Brennwald moved to consolidate the cases. Member Besson seconded the motion, and the Board passed it unanimously, by a voice vote. Then General Counsel Post recommended that the Board accept the ALJ's recommendations. After discussion, Member Coli moved to reject General Counsel Post's recommendation and to reject that portion of the RDOs which found the Governor lacked authority to designate the positions at Pollution Control Board and accept remaining portions of the RDOs. Member Washington seconded the motion. The motion passed with three ayes and two nays; Member Besson and Member Brennwald dissented.

Case No. S-DE-14-095 (various agencies)-After discussion, Member Besson moved to accept the RDO. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

Case No. S-DE-14-098 (various agencies)-After discussion, Member Besson moved to accept the RDO. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

Case No. S-DE-14-099 (various agencies)-After discussion, Member Besson moved to accept the RDO. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**4. Case No. S-CB-13-045
Ana Campos/ Illinois Department of Central Management Services/American Federation of
State, County and Municipal Employees, Council 31**

General Counsel Post called and presented the case, stating that an Executive Director dismissal issued on August 26, 2013, with an appeal filed by the Charging Party alleging that the Respondent engaged in unfair labor practices within the meaning of Section 10(b) of the Illinois Public Labor Relations Act (Act). After his presentation, General Counsel Post recommended that the Board affirm the Executive Director's dismissal. After discussion, Member Coli moved to accept the RDO. Member Washington 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 at that time.

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 19th day of November, 2013.