

**STATE OF ILLINOIS**  
**ILLINOIS LABOR RELATIONS BOARD**  
**STATE PANEL**

**Minutes of the State Panel Meeting**  
**Held on February 7, 2017**

**I. OPENING OF MEETING—11:00 a.m., by video conference at the following locations: 160 North LaSalle Street, Room N-703, Chicago, Illinois; and 801 South 7<sup>th</sup> Street, Room 5A, Springfield, Illinois.**

**II. PRESENT**

John Hartnett, Chairman; Keith Snyder, Member of the Board; Kimberly Stevens, Executive Director; and staff members present via video conference from the Springfield location. Michael Coli, Member of the Board; John Samolis, Member of the Board; Kathryn Zeledon Nelson, Member of the Board; Helen Kim, General Counsel; Anna Hamburg-Gal, Associate General Counsel; and staff members present via video conference from the Chicago location. Chairman Hartnett welcomed newly appointed Member Nelson to the Board.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD January 10, 2017**

Chairman Hartnett called for approval of the minutes of the January 10, 2017, meeting. Member Samolis moved to approve the minutes. Member Coli seconded. Member Nelson abstained. The Board passed the motion unanimously, by a voice vote.

**IV. ADMINISTRATIVE MATTERS**

Chairman Hartnett asked Executive Director Stevens to present the Executive Director's reports. She presented the reports and summarized the highlights.

**V. BOARD ACTIONS**

- 1. Case Nos. S-UC-15-052 and S-RC-15-044  
**American Federation of State, County and Municipal Employees, Council 31/  
State of Illinois, Central Management Services****

Chairman Hartnett called the case and stated that General Counsel Kim had to recuse herself from participating in all of today's cases before the Board due to her prior involvement in these matters; therefore, he asked that Executive Director Stevens present all the cases to the Board. Executive Director Stevens reviewed the issues in dispute at some length, and recommended the Board affirm the RDO. After a discussion among the Board, Member Coli moved to affirm the ALJ's RDO. Member Samolis seconded the motion, and the Board passed it unanimously by a voice vote.

- 2. Case Nos. S-RC-15-066 and S-UC-15-123  
**American Federation of State, County and Municipal Employees, Council 31/  
State of Illinois, Central Management Services****

Executive Director Stevens presented this case to the Board. After presenting the case, Executive Director Stevens made recommendations for the Board to consider as to alternative possibilities to decide the matter. After discussion among the Board, Member Coli moved that the Board: 1) reject the ALJ's dismissal of the RC petition; 2) affirm the ALJ's determination that the position at issue meets the tests for both the supervisory and managerial exclusions in the Act; and 3) uphold the ALJ's finding that the position failed to meet the

requirements of the Act's confidential exclusion. Member Snyder seconded the motion, and the Board passed it unanimously by a voice vote.

**3. Case Nos. S-CB-16-017 and S-CA-16-087  
American Federation of State, County and Municipal Employees, Council 31/  
State of Illinois, Central Management Services**

Executive Director Stevens stated the case was before the Board on AFSCME's Motion to Stay the Board's Order issued on December 13, 2016. After reviewing the circumstances surrounding the motion, she recommended the Board deny or defer action on the stay given developments in the related pending action in the Illinois Appellate Court. After a short discussion by the Board, Member Coli moved to defer Board action on the motion pending further review of the appellate court's determination. Member Nelson seconded the motion, and the Board passed it unanimously by a voice vote.

**VI. EXECUTIVE SESSION**

General Counsel Kim requested that the Board to go into executive session to discuss litigation matters pursuant to 5 ILCS 120/2(c)(1). Member Coli made a motion to leave open session. Member Samolis seconded the motion, and the Board passed it unanimously, by a voice vote. Member Samolis made a motion to go into executive session. Member Snyder 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 Samolis 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 Snyder seconded the motion, and the Board passed it unanimously, by a voice vote.

**VII. PUBLIC COMMENT**

No members of the public sought to make comments.

**VIII. ADJOURNMENT**

Chairman Hartnett called for a motion to adjourn. Member Coli moved to adjourn the meeting, and the Board passed that motion 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 7th day of March, 2017.**