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# Illinois Labor Relations Board

**2016  
ANNUAL REPORT**

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# Illinois Labor Relations Board

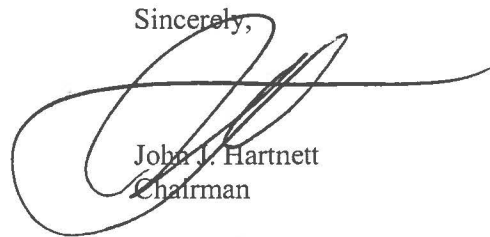
*To the Governor of the State of Illinois, the President of the Illinois Senate, the Speaker of the Illinois House, and the Members of the Illinois General Assembly:*

This is the 32nd annual report of the Illinois Labor Relations Board (ILRB) giving an overview of decisions rendered, statistics of case activity, relevant court decisions, our budget and staffing for the period of July 1, 2015 through June 30, 2016.

The ILRB has offices in Springfield and Chicago. The ILRB consists of two panels with five members on the State Panel and three members on the Local Panel. The panels hold monthly meetings and meet jointly at least twice a year. ILRB meetings are open to the public. Dates and locations can be found at [www.illinois.gov/ilrb](http://www.illinois.gov/ilrb).

The Illinois Labor Relations Board is grateful to Governor Bruce Rauner, Mayor Rahm Emanuel, and Cook County Board President Toni Preckwinkle for giving us the responsibility to help maintain a positive relationship between public employers and their employees.

Sincerely,



John J. Hartnett  
Chairman

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## **Jurisdiction of the Board**

The Illinois Public Labor Relations Act (Act), 5 ILCS 315 (2014), enacted by Public Act 83-1012, effective July 1, 1984, and last amended effective July 27, 2015, governs labor relations between most public employers in Illinois and their employees, along with the labor organizations that represent these employees. Throughout the State, the Illinois Labor Relations Board (ILRB) regulates the designation of employee representatives; the negotiation of wages, hours, and other conditions of employment; and resolves or, if necessary, adjudicates labor disputes.

The State Panel has jurisdiction over public, non-educational employers and employees throughout the State of Illinois. Its jurisdiction includes state government, county governments, municipal governments covering populations not in excess of two million persons, and the Regional Transportation Authority.

The Local Panel has jurisdiction over units of local government with a population in excess of two million persons. This includes not only the County of Cook and the City of Chicago, but also other county- and city-wide governmental entities such as the Forest Preserve District of Cook County, the Metropolitan Water Reclamation District of Greater Chicago, the Chicago Housing Authority, the Chicago Transit Authority, and the Chicago Park District.

Together with the Illinois Educational Labor Relations Act, 115 ILCS 5 (2014), the Act provides comprehensive statutory regulation of public sector collective bargaining in Illinois. It has many similarities to the National Labor Relations Act, which regulates collective bargaining matters in the private sector, and to the laws of other states that regulate collective bargaining in the public sector.

The Board's duties under the Act include the following:

1. Rendering determinations on all charges alleging unfair labor practices under the Act, after investigation and, where necessary, hearing;
2. Processing petitions seeking the certification or decertification of collective bargaining representatives of public employees, often conducting hearings and elections upon such petitions;
3. Processing petitions to modify or clarify bargaining units and certifications of bargaining units;
4. Providing rosters of mediators, fact-finders, and arbitrators to parties covered by the Act in order to assist in resolving collective bargaining impasses and grievance disputes; and
5. Conducting emergency investigations of public employee strikes and strike threats, upon demand, to determine whether judicial proceedings are warranted to restrain or prevent strike activity imperiling the health and safety of the public.

## **Amendments to the Act during FY 2016**

### **Section 1200.50 Recording of Hearings and Payment of Court Reporting Services**

When a hearing is held by the Board or its Administrative Law Judge at which oral argument, testimony, or other oral presentation is offered, it shall be recorded by stenographic or other means that adequately preserves the record. The records shall be transcribed and made part of the administrative record. The parties shall share equally all costs charged to the Board by the stenographer or court reporting service. However, an individual, self-represented litigant may direct written correspondence to the General Counsel requesting that the Board pay his/her portion of the cost. Subject to appropriation, the Board will pay all or a portion of the costs that would otherwise be borne by an individual, self-represented litigant. The Board will bear the costs of producing a transcript of oral arguments when oral argument is requested by the Board, but not when oral argument is requested by either party. Parties may order transcripts and shall bear the costs of any transcripts that they order.

(Source: Amended at 39 Ill. Reg. 15803, effective November 25, 2015)

### **Amendments to the Board's General Procedures**

The Board revised Section 1200 General Procedures of its administrative rules. Among other things, the Board eliminated filing by facsimile and implemented procedures for electronic filing.

**Public Act 99-143:** Amends the Act's definitions sections to replace any reference to the "Disabled Persons Rehabilitation Act" with "Rehabilitation of Persons with Disabilities Act." This amendment became effective on July 27, 2015.

## Funding of the Board

The Illinois Labor Relations Board typically receives all of its funding through the General Revenue Fund (GRF). In FY 2016, the ILRB was not allocated any funding from the GRF. Instead, as part of a stopgap budget the Board received partial funding for FY 2017 and prior year costs from the Budget Stabilization Fund (BSF). Funds from the BSF were for use towards ordinary and contingent expenses only. Some of the BSF funds were used to pay some of the ILRB's FY 2016 ordinary and contingent expenses. Personal services expenses for Regular Positions and Social Security/Medicare were funded by court order.

FY 2016 Actual Expenditures	
Regular Positions	960,874
Social Security/Medicare	70,993
Contractual Services	
Travel	
Commodities	
Printing	
Equipment	
Electronic Data Processing	
Telecommunication	
<b>Total</b>	<b>1,031,867</b>

\*The table above has been updated. Note, ordinary and contingent expenses incurred in FY 2016, but paid with appropriations from future fiscal years shall be reflected in the Annual Reports for those respective fiscal years. The updated table above now reflects only the court ordered personal services expenses that were paid in FY 2016.

## **Illinois Labor Relations Board Members**

### **STATE PANEL**

John Hartnett (Chairman)  
Springfield

Michael G. Coli  
Crystal Lake

John Samolis  
Lake Zurich

Keith Snyder  
Lincoln

Albert Washington  
Matteson

### **LOCAL PANEL**

Robert M. Gierut (Chairman)  
Darien

Charles Anderson  
Chicago

Richard Lewis  
Chicago

## **Illinois Labor Relations Board Staff**

**EXECUTIVE DIRECTOR**  
Melissa Mlynski

**PERSONNEL OFFICER**  
Carla Stone

**FISCAL OFFICER**  
Aaron Itulya

**INVESTIGATORS**  
Aaron Itulya  
Yumnah Tayyab

**INVESTIGATOR/MEDIATOR**  
Michael Provines

**INFORMATION TECHNOLOGY**  
Jodi M. Marr

**GENERAL COUNSEL**  
Kathryn Zeledon Nelson

**DEPUTY GENERAL COUNSEL**  
Sarah Kerley

**ASSOCIATE GENERAL COUNSEL**  
Anna Hamburg-Gal

**ADMINISTRATIVE LAW JUDGES**  
Kenyatta Beverly  
Patrick Heery  
Deena Sanceda

**CASE MANAGER**  
Lori Novak

**ADMINISTRATIVE STAFF**  
Melissa McDermott

## Functions of the Board

### CASE PROCESSING

The Board has two primary programs, Petition Management (Representation Cases) and Unfair Labor Practice Charges. The following briefly describes the types of cases processed by the Board under each program and the procedures used to process them. All references to the Board are applicable to either the State or Local Panel.

#### **Petition Management (Representation Cases)**

Petition management (representation) cases can be initiated in several ways. A labor organization seeking recognition as the exclusive bargaining representative of a unit of employees in which no other labor organization has attained recognition rights has two options: request that the employer voluntarily recognize it or file a representation petition with the Board. If another labor organization is already recognized in accordance with the Act to represent the same group of employees, a representation petition must be filed with the Board.

The following types of petitions initiate representation proceedings before the Board:

- *Representation/Certification Petitions (RC)* are filed by employees, a group of employees, or labor organizations seeking certification of an exclusive collective bargaining representative for certain positions.

Labor organizations seeking certification as the exclusive bargaining representatives of employees may seek certification by filing a petition seeking an election or a Majority Interest Petition. Where a Majority Interest Petition is filed, the Board determines whether the labor organization has presented evidence that a non-coerced majority of employees in an appropriate unit signed valid cards or petitions indicating they want that labor organization to represent them for the purpose of collective bargaining. The Board can then certify the labor organization as the exclusive representative without an election.

In an Election Petition, a labor organization presents evidence that over 30 percent of the employees seek an election to determine whether a majority desires representation by the petitioning labor organization. The Board then conducts an election to determine the employees' desires regarding representation.

- *Employer's Representation Petitions (RM)* are filed by employers alleging that one or more labor organizations have presented a claim to be recognized as an exclusive collective bargaining representative for a majority of the employees in an appropriate unit.
- *Voluntary Recognition Requests (VR)* are requests for certification of a unit, without an election, where the labor organization demonstrates it has a majority showing of interest in an appropriate unit and the employer voluntarily recognizes it as the unit's exclusive representative.
- *Decertification Petitions (RD)* are filed by employees seeking an election by which they can indicate their desire to no longer be represented by the existing exclusive collective bargaining representative.
- *Unit Clarification Petitions (UC)* are filed by exclusive collective bargaining representatives or employers seeking to clarify or amend an existing bargaining unit through the addition or deletion of a position without an election.



- *Petitions to Amend Certification (AC)* are filed by exclusive collective bargaining representatives or employers seeking to amend a certification because of a change in name or structure.
- *Declaration of Disinterest Petitions (DD)* are filed by exclusive collective bargaining representatives to declare their disinterest in further representation of a bargaining unit.

Upon receipt of a representation petition, the Board provides the employer with a notice to be posted for the benefit of affected employees. An investigation is initiated to determine the adequacy of the showing of interest - based on employee authorization cards, petitions, or election results - and the appropriateness of the proposed bargaining unit.

Employees or competing labor organizations may file intervention petitions within specified time limits.

Petitions are dismissed by the Executive Director when they have been untimely filed, when the bargaining unit is clearly inappropriate, when the showing of interest is not adequate, or when the employer and/or employees are not covered by the Act.

### **Election Petitions**

When an election petition is filed, and Board agent determines that the petition is consistent with the Act and its Rules, the agent will prepare a stipulation for consent election to be signed by the petitioner, the employer, the labor organization seeking to represent the employees, any incumbent, and any timely intervener. Upon approval of the Executive Director, a Board agent will hold the election.

If the investigation of the petition discloses the existence of a question concerning representation, the matter is assigned to an administrative law judge who may set it for hearing. Unlike unfair labor practice hearings, representation hearings are non-adversarial in nature. Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions.

After an election is conducted, any party may file objections with the Board alleging that the result was not fairly and freely chosen by a majority of the employees. If, after investigation and hearing, it is determined that the objections are valid, a new election is conducted. If no objections are filed or if the Board determines after investigation or hearing that filed objections are not well-founded, the Board either certifies the collective bargaining representative that received a majority of the votes cast as the exclusive representative or certifies that the election resulted in no representation. Subsequent elections cannot be conducted in the bargaining unit for one year following an election that results in a Board certification.

### **Majority Interest Petitions**

When a majority interest petition is filed, it is investigated to ensure that the labor organization has provided evidence that a non-coerced majority of the employees in an appropriate unit want to be represented by it for the purposes of collective bargaining. If the employer objects to the petition because it believes that specific positions are not eligible to be represented in a bargaining unit (for example, because employees in the positions are supervisors, confidential employees, or managerial employees as defined by the Act), the Board will nevertheless certify the labor organization as the exclusive representative for the unit if the contested positions are not sufficient to affect the labor organization's majority support. Whether the disputed positions should be included in the bargaining unit will be resolved by use of the Board's unit clarification procedures.

If the majority interest petition proposes a bargaining unit that combines both professional and nonprofessional employees, the Board will first conduct an election to determine whether both the professional and nonprofessional employees want to be represented in a combined unit. If the professional and nonprofessional employees decline to be represented in a combined unit, the Board will certify separate professional and nonprofessional units, provided the labor organization has demonstrated majority support in each separate unit.

If a party or individual provides evidence demonstrating a material issue of fact or law that the labor organization's majority support was obtained by fraud or through coercion, an administrative law judge will determine whether there is clear and convincing evidence of fraud or coercion. This recommendation can be reviewed by the Board. If the Board determines there is clear and convincing evidence of fraud or coercion, it will conduct an election to determine majority support for the labor organization in the appropriate unit. If the Board finds that there is not clear and convincing evidence of fraud or coercion, the Board will certify the unit based on the labor organization's evidence of majority support.

### **Unfair Labor Practice Charges**

Section 10 of the Act prohibits employers and labor organizations from engaging in certain labor practices. An employer, a labor organization, or an employee may file a charge with the Board alleging such unfair labor practices. There are two categories of unfair labor practice charges:

- A *Charge Against Employer (CA)* alleges that an employer has violated one of the provisions under Section 10(a) of the Act; and
- A *Charge Against Labor Organization (CB)* alleges that a labor organization has violated one of the provisions under Section 10(b) of the Act.

Upon receipt of a charge, the case is assigned to an investigator. If the investigation reveals that there is no basis to sustain the charge, the Executive Director dismisses the charge. If, on the other hand, the investigation reveals the existence of a dispositive question of law or fact as to whether an unfair labor practice has been committed, the Executive Director will issue a complaint and the case will be set for hearing before an administrative law judge. In contrast to practices before the National Labor Relations Board, the Board does not perform the prosecutorial function once a complaint is issued. Instead, the charging parties or their representatives prosecute unfair labor practice cases. Because it does not prosecute, the Board's "issue of law or fact" standard for issuance of a complaint is less strenuous than the reasonable cause standard used by the National Labor Relations Board.

At unfair labor practice charge hearings, charging parties and respondents produce and examine witnesses, adduce evidence in support of their positions, and, typically, file written briefs. After considering the record and the parties' briefs, the administrative law judge will subsequently issue a recommended decision and order.

Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions. Parties aggrieved by Board decisions and orders may obtain judicial review in the Illinois Appellate Court. Parties may also seek to enforce a Board order in the Illinois Appellate Court.

In FY2014, the Board designated one of its investigators to function as its in-house mediator. This move allows the Board to provide mediation services to parties who have pending claims before the Board.

## **OTHER ISSUES BEFORE THE BOARD**

In addition to cases that fall within the Board's two major programs, other issues also come before the Board. Below is an overview of various other ways the Board facilitates effective bargaining relationships between public employers and their employees.

### **Mediation/Arbitration Cases**

The Board maintains a roster of qualified mediators and arbitrators. Upon request, the Board provides a list of mediators or arbitrators (MA) to parties who have reached an impasse in collective bargaining. The Act prohibits protective services employees (security employees, peace officers, firefighters) from striking. Disputes over their negotiations are subject to mandatory mediation and interest arbitration. Units of non-protective services employees use mediation in the event of impasse, and can use interest arbitration on agreement of the parties or in certain instances in negotiating a first contract. The parties may request the Board's roster for other services as well, such as fact-finding, grievance arbitration, and grievance mediation, which are provided at the request of one or both parties.

### **Strike Investigations**

If a unit of non-protective services employees engages in a strike that the employer believes presents "a clear and present danger to the health and safety of the public," the employer may petition the Board for a strike investigation (SI). The Board has 72 hours to determine whether such a clear and present danger exists. The employer may then take the Board's findings to Circuit Court to seek to enjoin the work stoppage in a manner that would eliminate the danger. When employees have been enjoined from striking pursuant to this procedure, interest arbitration is used to resolve the issues in dispute.

### **Declaratory Rulings**

Employers and labor organizations may also request that the Board's General Counsel issue a declaratory ruling (DR) stating whether the Act requires bargaining over a particular subject. Such requests must be made jointly, unless it involves a protective services employee unit where a request for interest arbitration has been made.

### **Police Decertification Cases**

Amendments to Section 6.1 of the Illinois Police Training Act through Public Act 93-0655 instituted a process for the decertification of a police officer when it has been proven that, while under oath, he or she has knowingly and willfully made false statements as to a material fact going to an element of the offense of murder. There are two situations in which the ILRB State Panel may be required to conduct hearings involving alleged police perjury. In the first scenario, the Illinois Law Enforcement Training Standards Board (ILETSB) investigates verified complaints of police perjury in cases where there has been an acquittal. Following an investigation, ILETSB will forward a report to the Executive Director of the ILRB who will review the evidence to determine whether it is sufficient to warrant a hearing before an administrative law judge of the ILRB. In these cases, the Executive Director may either issue a non-appealable dismissal or order a hearing. In the second scenario, where there has been a finding of guilt on the offense of murder but a new trial is granted on direct appeal or a state post-conviction evidentiary hearing is ordered based on a claim of police perjury that goes to an element of the offense of murder, a request for hearing is filed directly with the ILRB without an investigation by ILETSB. If any of these cases proceed to hearing, an administrative law judge will make a recommendation to the ILRB State Panel as to whether

certain police officers have committed perjury in homicide proceedings such that they should be decertified. The administrative law judge's decision may be appealed to the Board and the Board decision may be further appealed to court.

## **RULEMAKING**

The Board is authorized to promulgate rules and regulations governing its activity. 5 ILCS 315/5(i), (j) & (k) (2012). A vote of five of the eight Board members is necessary to enact or amend rules.

The Board has adopted regulations governing its internal structures (2 Ill. Adm. Code 2500), access to its records (2 Ill. Adm. Code 2501), general provisions applicable to all Board proceedings (80 Ill. Adm. Code 1200), procedures in representation cases (80 Ill. Adm. Code 1210), procedures in unfair labor practice cases (80 Ill. Adm. Code 1220), procedures for resolving collective bargaining impasses (80 Ill. Adm. Code 1230), procedures for police decertification cases (80 Ill. Adm. Code 1240), and procedures for implementing the gubernatorial designations for exclusion (80 Ill. Admin. Code 1300). The Board's rules are available at its offices or on its website at <http://www.illinois.gov/ilrb>.

## **REFERRALS TO OTHER AGENCIES**

The Board spends a considerable amount of time talking to members of the general public who either call or walk into the Board's offices seeking information regarding their work-related problems. When, as often happens, a Board agent determines that the Board has no jurisdiction to remedy the problem presented by the person, the agent directs the person to the appropriate governmental agency.

## **LAW LIBRARY/CONTRACT REPOSITORY**

Specialized public sector labor relations law libraries are maintained in the Board's Chicago and Springfield offices. The libraries contain the Illinois Public Employee Reporter and are open to the public. The Board also serves as the repository of public sector collective bargaining agreements for employees under the Board's jurisdiction.

## Board and Court Decisions

### I. Representation Issues

8/25/2015

ILRB SP

Supervisory Exclusion

In *International Brotherhood of Teamsters, Local 700 and Illinois State Toll Highway Authority*, 32 PERI ¶ 48 (IL ILRB-SP 2015) (Case No. S-RC-14-047), the ALJ's RDO addressed whether employees in various titles employed by the Toll Highway Authority were supervisors within the meaning of Section 3(r) of the Act. The ALJ determined that Maintenance Sections Managers and Supervisors were exempt under Section 3(r), but that other supervisory titles in the Sign Shop, Road Electric, and Central Garage were not statutory supervisors. The Board affirmed the portion of the RDO finding the Maintenance Sections Managers and Supervisors positions were supervisory employees, but found the record was insufficiently developed as to the supervisory status of the remaining petitioned-for employees, and reversed and remanded for further evidentiary hearing with respect to those petitioned-for titles.

9/10/2015

ILRB LP

Supervisory Exemption

In *Chicago Joint Board, Local 200, RWDSU, United Food and Commercial Workers International Union and County of Cook (Health and Hospital System)*, 32 PERI ¶ 55 (IL ILRB-LP 2015) (Case No. L-RC-14-018), appeal pending, No. 1-15-2770, the Board affirmed the ALJ's recommendation dismissing the petition because the petitioned-for Pharmacy Supervisors were supervisors within the meaning of Section 3(r). The parties stipulated that the principal work of the Pharmacy Supervisors was substantially different from that of their subordinates, and the ALJ determined, among other things, that while the Pharmacy Supervisors did not have authority to hire or unilaterally impose discipline, they did have the authority to effectively recommend discipline, as evinced by their broad authority to select a non-disciplinary approach to employee misconduct. Further, the Pharmacy Supervisors directed their subordinates with independent judgment when they reviewed their subordinates' work to assess its quality and make effective recommendations concerning subordinates' evaluations, and that they spent the preponderance of their work time engaged in supervisory functions because their most important task was to ensure the quality of their subordinates' work through supervisory direction and discipline.

12/31/15

1st District Opinion

Confidential Employees

In *County of Cook (Health and Hospital System) v. Illinois Labor Relations Board, Local Panel, et al., and Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union, AFL-CIO*, 2015 IL App (1st) 150794, 32 PERI ¶ 102, in an unpublished opinion, the First District affirmed the decision of the Local Panel in County of Cook (Health and Hospital System), 31 PERI ¶ 154 (IL LRB-LP 2015) (Case No. L-RC-14-009) granting the Union's petition to add ten recruiting positions to the bargaining unit and rejecting the Employer's contention that these positions were excluded as confidential employees under Section 3(c) of the Act. The court affirmed the Board's finding that the recruitment employees' duties, related primarily to hiring, performance, or promotions, were outside the context of the labor nexus test, as they did not give assistance to a superior who formulated, determined, and effectuated policies directly tied to the department's bargaining positions. Further, the court found that the at-issue employees' access to salary, vacancy, and statistical information reflected access to sensitive information but not information sufficiently related to the employer's collective bargaining strategy to satisfy the authorized access test.

3/9/16

ILRB LP

Revocation of Certification

In *American Federation of State, County and Municipal Employees, Council 31 and Cook County and Sheriff of Cook County and Metropolitan Alliance of Police, Chapter 438*, 32 PERI ¶ 154 (IL LRB-LP 2016) (Case No. L-UC-15-003), the Board affirmed the Executive Director's revocation of a previously-issued certification of a unit clarification naming AFSCME as representative of sheriff's Electronic Monitoring Sergeants. After the certification was issued, another union, Metropolitan Alliance of Police, Chapter 438, notified the Board that it already represented the petitioned-for sergeants. AFSCME appealed the Executive Director's revocation order contending that the revocation order denied it due process and challenged the Executive Director's authority to issue the revocation. The Board rejected AFSCME's appeal and allowed the case to proceed to hearing, with MAP as an intervenor, such that the question of representation could be adjudicated.

3/10/16

ILRB LP

Supervisory Exclusion

In *American Federation of State, County and Municipal Employees, Council 31 and City of Chicago, Department of Buildings*, 32 PERI ¶ 155 (IL LRB-LP 2016) (Case No. L-RC-15-008), the Board reversed the ALJ's RDO and found that the Assistant Chief Engineer of Sewers was a supervisory employee under Section 3(r) of the Act. The Board overturned the ALJ's conclusion that the Assistant Chief Engineer did not direct with independent judgment when he reviewed his subordinates' work. Upon review of pertinent case law, the Board found that the position's functions should not be viewed in isolation, but should be compared to the duties of other engineers whose supervisory status has been previously examined. The Board also overturned the ALJ's conclusion that the Assistant Chief Engineer did not spend a preponderance of his work time engaged in supervisory functions. The Board found that there was no dispute as to the percentages of time the Assistant Chief Engineer allocates to certain tasks, because neither party excepted to the ALJ's finding of fact on these matters. Accordingly, from a review of the record the Board determined he possessed the supervisory authority to discipline, reward, and direct his subordinates by reviewing and evaluating their work, and approving time off, while exercising independent judgment. As the record demonstrates that the Assistant Chief Engineer spends a preponderance of his time engaged in supervisory functions, the Board reversed the ALJ's decision to the contrary.

3/10/16

ILRB LP

Appropriateness of Unit Clarification Petition

In *American Federation of State, County and Municipal Employees, Council 31 and Sheriff of Cook County and Cook County*, 32 PERI ¶ 158 (IL LRB-LP 2016) (Case No. L-UC-15-004), the Union filed a unit clarification petition to include County Sheriff's Electronic Monitoring Lieutenants in an existing bargaining unit. The Employer opposed the petition, asserting that the unit clarification petition was procedurally improper, and that the petitioned-for employees are supervisory and managerial. The Board affirmed the ALJ's dismissal of the unit clarification petition and accepted the ALJ's conclusion that the petition was inappropriately filed, because it did not fit within the specified circumstances identified as appropriate for unit clarification under the Board's Rules and case law. The ALJ noted that the Board's approach to unit clarification was a "delicate piecemeal of rules, practice, and precedent" whose modification was properly left to the Board.

3/14/16

ILRB SP

Managerial Employees

In *American Federation of State, County and Municipal Employees, Council 31 and State of Illinois, Department of Central Management Services*, 32 PERI ¶ 163 (IL LRB-SP 2016) (Case No. S-RC-12-006), the Board upheld the ALJ's recommended dismissal of AFSCME's majority interest representation petition, which sought to add administrative law

judges at the Department of Financial and Professional Regulation to an existing bargaining unit. The Board concurred with the ALJ's conclusion that the petitioned-for employees were managerial employees under Section 3(j) of the Act. The Board found that the petitioned-for ALJs were managerial as a matter of fact in that they (1) were engaged predominantly in executive and management functions because they spend most of their work time conducting hearings, responding to motions, ruling on evidentiary issues, and writing ALJ reports; (2) directed the effectuation of agency policies because their ALJ reports help run the employer agency; and (3) the reports are effective recommendations to agency decision-makers concerning a major portion of the agency's work.

5/3/16

ILRB LP

Supervisory Exclusion

In *Water Pipe Extension, Bureau of Engineering, Local 1092 and City of Chicago, Department of Water Management*, 32 PERI ¶ 181 (IL LRB-LP 2016) (Case No. L-RC-15-009), a majority of the Board affirmed the ALJ's decision that the Chief Dispatcher position is not excluded under Section 3(r) of the Act. Although the Chief Dispatcher performed substantially different work from that of his subordinates, and had the authority to evaluate/reward, and grant overtime, while using independent judgment, the ALJ determined that the Chief Dispatcher did not qualify as a supervisor within the meaning of Section 3(r) of the Act, because the preponderance requirement was not met. The ALJ found that the record failed to establish how much time he spends on either task. What the record did establish was he spent the vast majority of time overseeing dispatchers, a function the ALJ was unable to find he performs with the requisite supervisory authority.

Dissenting, Member Anderson indicated he would have reversed the ALJ's decision, because the Chief Dispatcher implicitly has the authority to effectively recommend discipline by being able to choose between selecting a non-disciplinary approach and initiating a formal disciplinary process. Therefore, he has the requisite authority to monitor and instruct his subordinates with independent judgement. As the ALJ concluded that the Chief Dispatcher spends the vast majority of his time overseeing dispatchers and this activity is the most significant task he performs, the preponderance requirement is satisfied. By allowing the Chief Dispatcher into the bargaining unit, Member Anderson found that the result is at odds with the legislative intent that underlies the supervisory exemption, because the Union does not allow members to initiate disciplinary action against other members. Accordingly, the Chief Dispatcher may now be dissuaded or precluded from initiating discipline against fellow union members.

5/3/16

ILRB SP

Amended Definitions of Supervisory and Managerial Employee

In *Secretary of State and Service Employees International Union, Local 73, CTW/CLC*, 32 PERI ¶ 182 (IL LRB-SP 2016) (Case Nos. S-UC-14-006 and S-UC-12-034), the Board's State Panel adopted the ALJ's finding that the Executives and Drivers Facility Managers employed by the Secretary of State should be excluded from an existing unit pursuant to the 2013 amendments to the Act. The ALJ also found that the Executive positions were excluded as a matter of law without further need for development of a record; therefore, she limited the hearing to adducing evidence as to whether the Drivers Facility Managers met the test for exclusion set out in the amendments. The Board adopted this finding as well.

6/16/16

ILRB LP

Supervisory Exclusion

In *American Federation of State, County and Municipal Employees, Council 31 and City of Chicago*, 33 PERI ¶ 4 (IL LRB-LP 2016) (Case No. L-RC-15-007), the Board accepted the ALJ's recommendation to dismiss the Union's petition to represent the Supervisors of Auditing ("SOAs") in an existing bargaining unit because the positions were supervisors within the meaning of the Act. The Board adopted the ALJ's conclusions that the SOAs satisfy the four prong supervisory test, but modified her analysis regarding the SOAs' use of independent judgement to approve time off. The Board held that

while the ALJ was correct that SOAs do not use independent judgment when approving time off, she should have relied upon the Employer's failure to offer specific evidence that SOAs grant time off in non-routine cases rather than her reliance on SOAs testimony that he did not think he possessed the authority. As the Board noted, the SOAs belief was not dispositive of his actual authority.

6/29/16

ILRB LP

Timeliness; Successor title; Intervention

In *American Federation of State, County and Municipal Employees, Council 31 and Cook County and Sheriff of Cook County and Metropolitan Alliance of Police, Chapter 438*, 33 PERI ¶ 18 (IL LRB-LP 2016) (Case No. L-UC-15-003), the Board upheld the ALJ's recommended dismissal of AFSCME's unit clarification petition concerning the Sheriff's Electronic Monitoring Sergeants because the petition was untimely. AFSCME's 2014 unit clarification petition sought to clarify an existing bargaining unit of county employees based on a 2011 reorganization that moved electronic monitoring sergeants to another operating department staffed by bargaining unit members represented by AFSCME. MAP intervened and opposed the unit clarification petition, on the basis that it already represented the at-issue sergeants. The ALJ recommended the dismissal of the unit clarification petition as inappropriate, explaining that even if the Board's unit clarification rules were expanded to include the National Labor Relation Board's accretion standards, the ALJ would still have found the petition inappropriate and untimely filed. The Board upheld the ALJ's dismissal with one slight modification that expanded the ALJ's finding to hold that even if the unit clarification petition could be justified under NLRB rules, the petition would be properly dismissed as untimely under Board precedent because it was filed over two years after the events giving rise to it.

6/30/16

ILRB LP

Certification Bar; Exclusionary Clauses

In *American Federation of State, County and Municipal Employees, Council 31 and City of Chicago*, 33 PERI ¶ 45 (IL LRB-LP 2016) (Case No. L-RC-16-007), the Board certified a bargaining unit of positions that the Union previously agreed to excluded under a general exclusionary clause. The Board affirmed the ALJ's conclusion the parties' previous agreement excluding the now-petitioned-for positions did not bar the instant petition. The Board distinguished general exclusionary clauses, those that exclude positions without reasons, from exclusionary clauses that specifically identify that positions are excluded because inclusion would be inappropriate under the Act (such as the positions are statutorily excluded or lack a community of interest with the positions included in the unit). The Board reiterated that general exclusionary clauses are insufficient to bar a union's petition to represent excluded positions. Even if the general exclusionary clause contains the union's express waiver of its right to represent excluded positions, that bar only exists for a reasonable period of time. On the contrary, when a position is excluded because it would be inappropriate under the Act, and the exclusionary clause specifically identifies that reason, a union may only represent that position if it can demonstrate that there is a change in circumstances such that the reason for the exclusion is no longer applicable.

## **II. Employer Unfair Labor Practices**

7/21/2015

ILRB SP

Executive Director Dismissal - Unilateral Change during Bargaining

In *Metropolitan Alliance of Police, Grundy County Civilians, Chapter 693 and County of Grundy*, 32 PERI ¶ 26 (IL ILRB-SP 2015) (Case No. S-CA-15-045), appeal pending No. 3-15-0574, the Board affirmed the Executive Director's partial dismissal, which dismissed the portion of the charge alleging that Respondent violated the Act by dismissing an at-will employee while the parties were in negotiations for an initial contract. The Executive Director determined that the County's



Personnel Manual established at-will employment as the status quo pending negotiations. Consequently, there was insufficient evidence of an unlawful unilateral change during bargaining.

8/10/2015

ILRB SP

Retaliation; Transferring Bargaining Unit Work

In *Policemen's Benevolent and Protective Association, Unit 14 (Patrol) and City of Alton*, 32 PERI ¶ 30 (IL ILRB-SP 2015) (Case No. S-CA-15-103), the Board upheld the Executive Director's Dismissal of the Union's charge alleging that the Employer violated Sections 10(a)(2) and (3) of the Act when it transferred a bargaining unit member and Union Treasurer to the Patrol Division in retaliation for a letter he had drafted protesting Respondent's decision to change training policies. Respondent contended that the member was transferred because he was the least senior employee. Ultimately, the Executive Director dismissed the charge because Charging Party failed to respond to the Board agent's directive to produce any evidence that the Chief of Police had knowledge of the letter in question before the transfer. Accordingly, the available evidence was not sufficient to raise an issue for hearing.

8/31/2015

ILRB SP

Permissive Subject; Interest Arbitration

In *Skokie Firefighters Local 3033, IAFF and Village of Skokie*, 32 PERI ¶ 50 (IL ILRB-SP 2015) (Case No. S-CA-14-053), appealed in Case No. 1-15-2478, the Board affirmed an ALJ's dismissal of an unfair labor practice charge that alleged that the Village refused to bargain in good faith when it submitted a permissive bargaining proposal to an interest arbitrator. The ALJ initially determined that she had authority to dismiss a Complaint without a hearing under the Board's rules, where the Board's precedent had changed after the Complaint had issued. On the merits, she found that the Complaint failed to state a claim when read in light of the Board's intervening decision in City of Wheaton, 31 PERI ¶ 131 (IL LRB-SP 2015). In *City of Wheaton*, the Board held that a respondent's mere submission of a permissive bargaining subject to an interest arbitrator does not violate the Act. The Complaint before the ALJ alleged that the Respondent violated the Act simply by submitting a permissive bargaining proposal to an interest arbitrator. The ALJ concluded without a hearing that the Complaint failed to state a claim under the Board's decision in City of Wheaton, and the Board affirmed her rationale. On appeal, the First District reversed the Board's decision and remanded it to the Board with instructions to vacate its order dismissing the ULP and enter an order that the Village of Skokie engaged in an unfair labor practice.

9/28/2015

ILRB LP

Timeliness; Duty to Bargain Unilateral Change

In *Service Employees International Union, Local 73 and County of Cook*, 32 PERI ¶ 68 (IL ILRB-LP 2015) (Case No. L-CA-12-062), appeal pending No. 1-15-3032, the Union alleged that Respondent violated Sections 10(a)(4) and (1) of the Act when it unilaterally imposed new licensing and educational requirements for unit employees holding the titles of Mental Health Specialist I and Mental Health Specialist Senior. A primary function of employees in these titles was to screen arriving Cook County Jail inmates for mental health problems. Incident to this case, the U.S. Attorney General had filed suit against Cook County alleging civil rights violations as a consequence of the County's failure to provide adequate mental health screening at the jail. A subsequent Agreed Order set forth improvements that the County was required to make in its mental health services. Respondent developed a plan to transition its mental health professionals to an all-licensed staff to help achieve compliance with the Agreed Order, which included modifying the educational and licensing requirement for the title Mental Health Specialist II position and eliminating the other positions that did not require these higher qualifications. Respondent afforded incumbents an opportunity to acquire the credentials necessary to transition into the higher-level position. The ALJ determined that the charge (filed on April 19, 2012) was untimely because the Union knew or should have known of the Employers decision to transition to an all-licensed staff as early as October 19, 2010. The Board agreed that the charge was untimely, but found that the ALJ imputed knowledge to the Union earlier than appropriate.

The Board held instead that the Charging Party had reason to know of a sufficiently definite change only as of September 15, 2011, when Respondent's attorney informed the Union President that Respondent would terminate incumbents of unlicensed positions, but that those employees could remain employed if they began to pursue the additional requirement by November 1, 2011.

The Board rejected the Union's contention that the limitations period runs from the Respondent's latest refusal to bargain over its decision or that Respondent's decision to extend the deadline for implementation otherwise extended the limitations period. The Board further noted that even if the Union had filed a timely charge, it would have dismissed the case on the merits because Respondent's decision was not a mandatory subject of bargaining, finding that under the Central City test, Respondent's decision clearly impacted a central matter of managerial authority and that the burdens of bargaining over the transition to an all-licensed mental health staff serving jail inmates whose related civil rights had already been deemed impaired, outweighed the benefits of bargaining to the decision-making process.

9/28/2015

ILRB LP

Timeliness; Duty to Bargain Unilateral Change

In *International Brotherhood of Teamsters, Local 700 and Illinois FOP Labor Council and County of Cook and Sheriff of Cook County*, 32 PERI ¶ 69 (IL ILRB-LP 2015) (Case No. L-CA-13-055), appeal pending, No. 1-15-2993, Teamsters argued the County had violated Sections 10(a)(4) and (1) of the Act by unilaterally implementing a new work policy without bargaining with Teamsters to agreement or impasse. The County's new policy addressed its employees' relationships with gangs and gang members. The ALJ found the new gang policy was a mandatory subject of bargaining and that the County had violated the Act by unilaterally implementing the policy without bargaining. A majority of the Board reversed the ALJ's recommendation concluding the gang policy was not a mandatory subject of bargaining. Contrary to the ALJ, the majority found the gang policy was a matter of inherent managerial authority as there was a strong connection between the widespread gang problem and the County's need to provide safety. The majority also concluded that the burden of bargaining on the County's managerial authority far outweighed any benefit of bargaining over the policy. Member Lewis dissented from the majority's reversal of the RDO with respect to the gang policy. He stated that the while he understood the County's need to limit its employees' association with gangs, the County had failed to demonstrate that bargaining over the policy would impair its ability to carry out its statutory mission.

Teamsters also alleged that the County had violation Section 10(a)(1) of the Act by maintaining a rules of conduct policy that interfered or coerced with employees' rights under Section 6. At the same time the County created the gang policy, it altered its rules of conduct policy to include language regarding social media. The ALJ found the policy was overly broad in violation of 10(a)(1), but the Board reversed. The Board found the rules of conduct policy had existed without mention of social media for some time without complaint. Further, the Board found that the new social media language had not substantively changed the conduct proscribed by the policy. Thus, the Board concluded that no reasonable employee would believe the rules of conduct policy with the social media language included actually prohibited employees from exercising the rights guaranteed by the Act.

9/29/2015

ILRB LP

Mandatory Bargaining; Unilateral Change

In *International Brotherhood of Teamsters, Local 700 and Illinois FOP Labor Council and County of Cook and Sheriff of Cook County*, 32 PERI ¶ 70 (IL ILRB-LP 2015) (Case No. L-CA-14-016), appeal pending, No. 1-15-3015, Teamsters alleged the County had violated Sections 10(a)(4) and (1) of the Act by unilaterally changing its secondary employment policy. Using the Central City test, the ALJ found, and the Board agreed, that the altered secondary employment policy was a mandatory subject of bargaining. In concluding the first Central City prong was met, the ALJ found the policy impacted employees' terms and conditions of employment as the changes in the policy subjected employees to additional

discipline and impaired their reasonably anticipated work opportunities. Next, the ALJ concluded the County had failed to establish the policy was a matter of its inherent managerial authority as required by the second prong of the Central City test. Even assuming the County had met the second prong, the ALJ concluded the burden of bargaining on the County did not outweigh the benefits of bargaining over the policy. In essence, the evidence did not establish that bargaining over the proposed changes to the policy would diminish the County's ability to effectively perform its statutory duties or governmental mission. As such, the ALJ concluded and the Board agreed that the secondary employment policy was a mandatory subject of bargaining and that the County had violated Section 10(a)(4) and (1) by failing to bargain over those changes.

1/22/16

ILRB SP

Unilateral change, coercion

In *American Federation of State, County and Municipal Employees, Council 31 and State of Illinois, Department of Central Management Services*, 32 PERI ¶ 128 (IL LRB-SP 2016) (Case No. S-CA-16-007) the Board affirmed the Executive Director's Dismissal. AFSCME alleged that one of several FAQs posted to the State's website in June 2015, which indicated that striking employees would be responsible for the full cost of their health insurance, was coercive and was a unilateral change in bargaining unit members' terms and conditions of employment without bargaining. The Board and the Executive Director found that a 10(a)(2) claim was not ripe, that the FAQ, while it could serve as a disincentive to strike, was not coercive. It was also not a unilateral change, as the State merely publicized an existing policy.

1/29/16

ILRB LP

Limitations and Refusal to Arbitrate

In *Debra Larkins and Chicago Transit Authority*, 32 PERI ¶ 130 (IL LRB-LP 2016) (Case No. L-CA-16-006), the Board affirmed the Executive Director's Dismissal of Larkins' charge, filed nearly three years after CTA terminated her for a second time, which alleged that the CTA violated the Act when it terminated her, refused to reinstate her and failed to arbitrate her discharge. The Board's Local Panel affirmed that a failure to reinstate is not a recurring violation, and the failure to arbitrate likewise fails, where arbitration was still pending.

1/29/16

ILRB LP

Retaliation

In *Kenneth Sawyer and City of Chicago (Streets and Sanitation)*, 32 PERI ¶ 129 (IL LRB-LP 2016) (Case No. L-CA-15-046), the Board affirmed the Executive Director's dismissal, finding that there was no evidence that would support a causal connection between Sawyer's grievance and Respondent's action in not assigning him to a particular program. Further, Sawyer failed to produce information sufficient to find that his non-assignment was an adverse employment action. Therefore, the Board found that the charge failed to raise an issue of law or fact sufficient to warrant hearing.

3/4/16

ILRB SP

Unilateral Change

In *City of Park Ridge and International Union of Operating Engineers, Local 150*, 32 PERI ¶ 151 (IL LRB-SP 2016) (Case Nos. S-CA-13-197 and S-CB-13-047), the Employer and Union were engaged in contract negotiations for a successor agreement. The parties did not sign any tentative agreements during negotiations and never signed a successor contract. Nevertheless, the Employer implemented both wage increases and insurance premium increases. The Board upheld the ALJ's ruling that neither the Employer nor the Union committed an unfair labor practice by failing to sign and/or reduce to writing a nonexistent agreement. The Board also accepted the ALJ's conclusion that the Employer violated Section 10(a)(4) and (1) of the Act when it implemented changes to insurance premiums and caps that were not in accordance with the

parties' negotiated language because there had not been a meeting of the minds. In modifying the unfair practice remedies issued by the ALJ, the Board balanced the need to sufficiently sanction the Employer to dissuade them from future unlawful conduct, with the Act's intent to be remedial, not punitive. With that in mind, the Board directed that the bargaining unit members shall retain the wage increases implemented by the Employer, and that the Employer rescind the implementation of the increased healthcare contributions and reimburse the bargaining unit members the additional contributions they paid as a result of the Employer's unilateral implementation. The Board noted that because the parties' behavior was so "factually and substantially anomalous," its decision should be considered as having "little value to other practitioners in the industry."

3/8/16

ILRB LP

Retaliation

In *Kevin Sroga and Forest Preserve District of Cook County*, 32 PERI ¶ 152 (IL LRB-LP 2016) (Case No. L-CA-13-023), the Board dismissed the complaint wherein Sroga alleged he had been terminated as a manager at one of Employer's aquatic centers for engaging in protected activity, namely encouraging his subordinates to organize. The Board modified the ALJ's recommendation. The Board found that despite the ALJ finding that the supervisor's testimony regarding his knowledge of Sroga's protected activity had limited credibility, such a finding did not require the ALJ to categorically reject all of the supervisor's testimony. The Board concluded that Employer's proffered reasons for Sroga's discharge were legitimate and found that the Employer would have terminated Sroga absent any protected activity. Therefore, it dismissed Sroga's claim.

3/8/16

ILRB SP

Withdrawal of charge prior to final decision

In *Tri-State Professional Firefighter Union, Local 3165, IAFF and Tri-State Fire Protection District*, 32 PERI ¶ 153 (IL LRB-SP 2016) (Case No. S-CA-15-033), the Union brought an unfair labor practice charge alleging that the Employer violated the Act when it mailed a letter to staff during negotiations for a successor bargaining agreement. The Executive Director dismissed the charge, and, after appeal, the Board heard the case and voted to uphold the dismissal. After the Board voted, but before it issued its written decision, the parties filed a joint motion seeking to set aside the Board's oral decision and seeking to withdraw the charge. The Board granted the parties' motion, stating that granting this extraordinary remedy would ensure full resolution of the parties' dispute and facilitate the achievement of labor peace between the parties. The Board also cautioned that parties who are subject to the Act should not view this decision as an invitation to take their disputes to the Board, "fight to the edge, and presume that they will be able to avoid a negative Board decision by withdrawing their charge after the Board has reached an oral decision."

3/10/16

ILRB SP

Retaliation; Effects Bargaining

In *Metropolitan Alliance of Police, Chapter # 612 and Village of Glenwood*, 32 PERI ¶ 159 (IL LRB-SP 2016) (Case No. S-CA-14-019), the Union claimed that the Employer retaliated against two members of MAP's executive board in the manner in which it awarded promotional points and that it unilaterally implemented promotions without engaging in effects bargaining. The Board affirmed the ALJ's decision that the retaliation allegation was untimely but that the Employer failed to engage in effects bargaining. The Board modified the recommended remedy, holding that rescission of promotions was not appropriate because the promotions list had expired and MAP was only challenging the effects of the promotions. The Board also issued an affirmative bargaining order as well as a limited back pay award.

3/11/16

ILRB LP

Subcontracting

In *Amalgamated Transit Union, Local 241 and Chicago Transit Authority*, 32 PERI ¶ 161 (IL LRB-LP 2016) (Case No. L-CA-14-022), ATU alleged that the Employer violated the Act when it unilaterally subcontracted fare collection work and eliminated bargaining unit positions related to the implementation of the VENTRA systems. The Board dismissed the Complaint. The Board found that two portions of the charge were untimely filed: the allegation that Employer unilaterally transferred work outside of the bargaining unit, and that the Employer repudiated the parties' bargaining agreement by subcontracting bargaining unit work. The Board affirmed the ALJ's recommendation that the Employer did not violate the Act by unilaterally eliminating bargaining unit positions because the decision did not involve a mandatory subject of bargaining and that the Employer's refusal to arbitrate ATU's grievance over the subcontracting of bargaining unit work did not constitute repudiation of its bargaining obligations. The Board slightly modified the ALJ's RDO to clarify that letters notifying affected bargaining unit members of their layoff did not evince the inadequacy of any notice that preceded them.

3/15/16

ILRB SP

Fair Share

In *Brian K. Trygg and State of Illinois, Department of Central Management Services and General Teamsters/Professional and Technical Employees, Local Union 916*, 32 PERI ¶ 164 (IL LRB-SP 2016) (Case Nos. S-CA-10-0092 and S-CB-10-024), the Board affirmed the ALJ's RDO finding that Trygg qualified as a bona fide religious objector, and that the Union and Employer committed unfair labor practices by failing to notify employees of their right to non-association in the fair share fee provision of the collective bargaining agreement. Trygg excepted to the RDO's limitation to direct his fair share contributions to a non-religious entity. Trygg argued that as a bona fide religious objector, he was entitled to direct his fair share contributions to a religious organization. The Board rejected this argument because the Act expressly states that fair share designations can only be made to non-religious charitable organizations.

3/18/16

1st District Opinion

Retaliation

In *Pamela Mercer v. Illinois Labor Relations Board Local Panel; Thomas J. Dart, Sheriff of Cook County, Illinois; and County of Cook*, 2016 IL App (1st) 151258, 32 PERI ¶ 157 (Case Nos. L-CA-13-009 and L-CA-13-063, 31 PERI ¶ 171), the First District, in a nonprecedential Rule 23 decision, affirmed a decision of the Local Panel dismissing Mercer's unfair labor practice charge. The Court found that charging party presented no evidence contradicting the Board's conclusion that the employer was not aware of her protected activity at the time she was reassigned. The court determined that the employer's reassignment of charging party was not motivated by animus for her protected activity. Similarly, where the employer's decision maker was unaware of those charges when the suspension was imposed, the charging party could not establish that the employer's decision to discipline her was motivated by animus for her filing of unfair labor practice charges.

4/26/16

3rd District Opinion

Executive Director Dismissal

In *Dwyane McCann v. the Ill. Labor Relations Bd., State Panel; Cnty. of Will (Land Use Development); and American Federation of State County and Municipal Employees, Council 31*, 2016 IL App. (3d) 150686-U, 32 PERI ¶ 183, the Third District affirmed by non-precedential Rule 23 Order a decision of the State Panel affirming the Executive Director's dismissal of charges filed against the Charging Party's employer and union. The Charging Party alleged that his employer violated the Act by denying his disability claims and terminating him and that his Union failed to sufficiently represent him.

5/20/16

ILRB LP

Failure to Respond to Board inquiries

In *Kenneth Sawyer and City of Chicago (Streets and Sanitation)*, 32 PERI ¶ 185 (IL LRB-LP 2016) (Case No. L-CA-16-044), the Board affirmed the Executive Director's dismissal of an unfair labor practice charge brought by Sawyer, a truck driver, against the Employer. The Executive Director found that Sawyer's allegation of wrongful discipline by the Employer, in violation of Section 10(a) of the Act, was unsupported by sufficient facts. Further, Sawyer's failure to respond to requests for additional information supported the dismissal of the charge.

5/26/16

ILRB SP

Unilateral Change

In *American Federation of State, County and Municipal Employees, Council 31 and State of Ill., Dep't of Cent. Mgmt. Servs.*, 33 PERI ¶ 3 (IL LRB-SP 2016) (Case No. S-CA-16-006), the Board's State Panel adopted the ALJ's finding that the State's failure to pay step increases, longevity pay, and certain promotions-related raises during negotiations for a successor agreement was not a violation of the Act, as those payments did not constitute status quo. Further, the State Panel adopted the ALJ's finding that the parties' 2012-2015 CBA violated the clear and plain language of Section 21.5(b) of the Act, rendering the agreement null and void under Section 21.5(c) of the Act.

6/22/16

ILRB SP

Subcontracting; Impasse

In *American Federation of State, County and Municipal Employees, Council 31 and City of East Moline*, 33 PERI ¶ 15 (IL LRB-SP 2016) (Case No. S-CA-15-116), the State Panel adopted the ALJ's recommended decision finding that the Employer violated the Act by taking steps to subcontract bargaining unit work without bargaining to agreement or impasse. Specifically, at the point where the Employer made the subcontracting decision, the parties had not reached a legitimate impasse. The State Panel further held the Employer to its admission in its Answer to the Complaint for Hearing that the subcontracting decision was a mandatory subject of bargaining.

6/29/16

ILRB LP

Executive Director Abeyance Order

In *Sherise Hogan and Chicago Transit Authority*, 33 PERI ¶ 16 (IL LRB-LP 2016) (Case No. L-CA-16-007), the Charging Party filed an unfair labor practice charge under Section 10(a) of the Act, after she was terminated by the CTA. The Union also filed a grievance disputing the Charging Party's termination. The Board affirmed the Executive Director's Abeyance Order, pending a final determination of the contractual grievance concerning the discipline/termination of the Charging Party.

### **III. Employer Unfair Labor Practices**

9/30/2015

1st District Opinion

Failure to Bargain in Good Faith; Appropriate Remedy; Interest Arbitration

In *Tri-State Professional Firefighters Union, Local 3165, IAFF v. Ill. Labor Relations Board, et al.*, 2015 IL App (1st) 143418-U, appeal pending Sup. Ct. Case No.120046, 32 PERI ¶ 99, the First District affirmed the State Panel's finding, *Tri-State Professional Firefighters Union, Local 3165, IAFF*, 31 PERI ¶78 (IL LRB-SP 2014) (ILRB Case No. S-CB-13-

033), that the Union engaged in bad faith bargaining by failing to meet at reasonable times and failing to appoint negotiators with the authority to bargain. The State Panel's remedy included a posting requirement and an affirmative bargaining order returning the parties to the status quo ante which also directed the parties to, at the District's request, return to the table. The Union appealed, arguing, among other things, that the Board was not empowered to vacate the award subsequently issued by the arbitrator who presided over the interest arbitration that commenced between the parties while the ULP was pending.

The First District affirmed the Board's decision and order finding that the Board correctly found that the Union engaged in bad faith bargaining, appropriately considered facts outside the statutory limitations period in assessing the timely charge, and crafted a remedy that was squarely within the Board's "principle purpose" of putting the parties in the "same position they would have been had the charged party not acted in bad faith." In response to the Union's argument that the Board was without authority to vacate the interest arbitration award, the Court found "no merit in [the] bald assertion that the interest arbitration which took place in this cause must stand simply because it took place." Instead, the Court found no authority that would limit the "Board's substantial flexibility and wide discretion in determining its own appropriate remedies."

1/29/16

ILRB SP

Failure to Respond to Board Information Requests

In *Maria Zavala and Chicago Newspaper Guild, Local 34071*, 32 PERI ¶ 134 (IL LRB-SP 2016) (Case No. S-CB-16-003), the State Panel remanded the matter for further investigation. The Executive Director dismissed the charge due to the Charging Party's failure to respond to letters from the Board seeking further information. On appeal, the Charging Party indicated that she keeps two addresses – a home address and a P.O. Box – because she has had difficulty getting her mail at her home address. Given this information, the Local Panel remanded the case with the direction that all future Board correspondence be directed to both the Charging Party's home address and P.O. Box.

1/29/16

ILRB SP

Unilateral Settlement; Hudson violation

In *Diana Caloca and Chicago Newspaper Guild, Local 34071*, 32 PERI ¶ 133 (IL LRB-SP 2016) (Case No. S-CB-15-028) the Board affirmed the Executive Director's Order Directing Unilateral Settlement of Charging Party's charge alleging that the Union failed to respond to information requests inquiring about fair share payments and bullied and intimidated her. During the course of the investigation of the charge, the parties were unsuccessful in reaching a settlement. However, the Union remained willing to give the Charging Party all she could receive through the hearing process. As such, the Union requested that the Board dismiss the charge pursuant to a unilateral settlement that would provide Charging Party complete relief and make her whole. Because the Union's offer was a comprehensive settlement that made Charging Party whole, the State Panel affirmed the Executive Director's Unilateral Settlement and Dismissal finding that there was no remaining issue of law or fact warranting a hearing. The imposition of a unilateral settlement was a matter of first impression before the Board, though the State panel noted that the IELRB has done it in the past.

1/29/16

ILRB LP

Retaliation

In *Edward Brewer and Painters District Council #14*, 32 PERI ¶ 131 (IL LRB-LP 2016) (Case No. L-CB-15-038) the Board affirmed the Executive Director's determination that Charging Party failed to establish that the Union committed any intentional misconduct in violation of the Act. Charging Party alleged that the Painter's District Council #14 violated Section 10(b) of the Act in connection with Brewer's loss of certain seniority rights and the Union's failure to transition him from a seasonal to a career service employee. After investigation, the Executive Director determined that Brewer failed

to raise an issue of law or fact sufficient to warrant a hearing and dismissed Brewer's charge. Even assuming that a diminution in Charging Party's seniority could be considered an adverse representation action, there is no evidence that this action was based on a discriminatory motive following heated conversations between Charging Party and Ryanhart. The evidence shows that the alleged change to seniority is what precipitated the heated conversations. Similarly, the Local Panel affirmed the Executive Director's finding that the Charging Party failed to present sufficient evidence to find intentional misconduct related to the lottery for additional work.

In its written Decision, the Board expressly commented that although Brewer's charge was somewhat unclear, the Board acknowledged that he seemed to allege that the Union also violated Section 10(b) of the Act because he had not transitioned from seasonal employment to career service employment. The Board noted that while this allegation was not specifically addressed in the Dismissal Order, the evidence did not establish that the Union had any role in this alleged career service transition issue. Further, Charging Party had failed to raise this issue in his appeal.

1/29/16

ILRB LP

Intentional Misconduct Standard

In *Latrechia Brazil and Amalgamated Transit Union, Local 241*, 32 PERI ¶ 132 (IL LRB-LP 2016) (Case No. L-CB-15-042) the Board affirmed the Executive Director's dismissal of the charge based on her finding that Charging Party had failed to establish that ATU had engaged in any intentional misconduct. Charging Party alleged that her Union failed to properly advance grievances challenging Brazil's discharge from her employment as a bus driver for the CTA and failed to return her calls. The investigation revealed that recent changes in the composition of its officers may account for the alleged failure to return Charging Party's calls, which ATU could find no record of having received. Further, ATU indicated that the Charging Party's grievances were currently at the second step and were being processed. The Executive Director concluded that the Charging Party failed to provide evidence sufficient to satisfy the intentional misconduct standard necessary to establish a violation of Section 10(b)(1). The Local Panel agreed.

3/4/16

ILRB SP

Unilateral Change

In *City of Park Ridge and International Union of Operating Engineers, Local 150*, 32 PERI ¶ 151 (IL LRB-SP 2016) (Case Nos. S-CA-13-197 and S-CB-13-047), the Employer and Union were engaged in contract negotiations for a successor agreement. The parties did not sign any tentative agreements during negotiations and never signed a successor contract. Nevertheless, the Employer implemented both wage increases and insurance premium increases. The Board upheld the ALJ's ruling that neither the Employer nor the Union committed an unfair labor practice by failing to sign and/or reduce to writing a nonexistent agreement. The Board also accepted the ALJ's conclusion that the Employer violated Section 10(a)(4) and (1) of the Act when it implemented changes to insurance premiums and caps that were not in accordance with the parties' negotiated language because there had not been a meeting of the minds. In modifying the unfair practice remedies issued by the ALJ, the Board balanced the need to sufficiently sanction the Employer to dissuade them from future unlawful conduct, with the Act's intent to be remedial, not punitive. With that in mind, the Board directed that the bargaining unit members shall retain the wage increases implemented by the Employer, and that the Employer rescind the implementation of the increased healthcare contributions and reimburse the bargaining unit members the additional contributions they paid as a result of the Employer's unilateral implementation. The Board noted that because the parties' behavior was so "factually and substantially anomalous," its decision should be considered as having "little value to other practitioners in the industry."



3/10/16

ILRB SP

Possible Hudson Violation

In *Irene Alba-Hernandez and Chicago Newspaper Guild, Local 34071*, 32 PERI ¶ 160 (IL LRB-SP 2016) (Case No. S-CB-15-034), Charging Party alleged that her Union had failed to provide her information about fair share fee options, that the Union steward treated her discourteously, and that the Union retaliated against her for filing her initial charge with the Board. The Executive Director issued a Complaint for Hearing as to Charging Party's retaliation claims. The Board affirmed the Executive Director's Partial Dismissal of the Charging Party's claims of general mistreatment, finding that the claims did not amount to intentional misconduct. With respect to the claims regarding the Union's failure to provide information or to otherwise address the Charging Party's fair share requests, the Board remanded to the Executive Director to conduct further investigation.

3/15/16

ILRB SP

Fair Share

In *Brian K. Trygg and State of Illinois, Department of Central Management Services and General Teamsters/Professional and Technical Employees, Local Union 916*, 32 PERI ¶ 164 (IL LRB-SP 2016) (Case Nos. S-CA-10-0092 and S-CB-10-024), the Board found that the Employer and the Union violated Sections 10(a)(1) and (b)(1), respectively, by failing to notify employees of their right to non-association in the fair share provision of their contract. The Board further found that the Charging Party was a bona-fide religious objector because his beliefs were religious in nature and he sincerely held those beliefs. The Board held that an individual can qualify for the fair share exemption based upon the objector's personal non-institution religious beliefs, but that the individual cannot direct his fair share contributions to a religious organization because the Act expressly provides that fair share designations can only be made to non-religious charitable organizations.

5/3/16

ILRB LP

Executive Director Dismissal - Failure to Respond to Board Inquiries; Service of Documents

In *Olivia Cruse and Amalgamated Transit Union, Local 308*, 32 PERI ¶ 180 (IL LRB-LP 2016) (Case No. L-CB-16-021), the Board affirmed the Executive Director's dismissal of the unfair labor practice charge that alleged that the Union breached its duty of fair representation under the Act. The Executive Director found that the charge did not raise a question of fact and law sufficient to warrant hearing because Charging Party failed to respond to a written request by a Board agent to provide further information in support of her charge. In her appeal to the Board, the Charging Party alleged that the request from the Board agent was not addressed to her correct address. However, regardless of whether the Charging Party's appeal was meritorious, the Board declined to entertain the appeal because the Charging Party failed to serve the appeal upon the Union, as the Board's rules required.

5/20/16

ILRB LP

Executive Director Dismissal - Failure to Respond to Board Inquiries

In *Kenneth Sawyer and International Brotherhood of Teamsters, Local 700*, 32 PERI ¶ 186 (IL LRB-LP 2016) (Case No. L-CB-16-028) the Board affirmed the Executive Director's dismissal of an unfair labor practice charge brought by Sawyer, a truck driver, against his Union. Sawyer's failure to respond to requests for additional information to support the charge warranted dismissal of the charge.

6/29/16

ILRB LP

Executive Director Dismissal- Retaliation

In *James Kondilis and Teamsters, Local 700*, 33 PERI ¶ 17 (IL LRB-LP 2016) (Case No. L-CB-16-015), the Board upheld the Executive Director's dismissal of a County Corrections Officer's unfair labor practice charge, alleging the Union violated section 10(b) of the Act when the employer denied his request for reasonable accommodation following his return from a duty injury; when his grievances were denied without explanation; when his employer denied him reasonable computer access required by its general orders; and when the Union failed to provide him with a copy of the new collective bargaining agreement. The Executive Director found insufficient evidence that the Union took some action (or inaction) because it held a bias or grudge against the Charging Party; therefore, Charging Party failed to show intentional misconduct by the Union.

#### **IV. Procedural Issues**

7/21/2015

ILRB SP

Executive Director Dismissal – Refusal to Bargain; Set Aside Oral Decision

In *American Federation of State, County and Municipal Employees, Council 31 and County of Macoupin (Public Health Department)*, 32 PERI ¶ 25 (IL ILRB-SP 2015) (Case No. S-CA-14-156), the Executive Director dismissed the Union's charge that the Respondent had violated the Act by refusing to bargain with respect to a title not previously certified as included in the Unit. The Board orally affirmed the Executive Director's decision. Before the Board's decision was reduced to writing, the parties advised the Board that they wished to enter into a Memorandum of Understanding, which included the stipulation that Charging Party withdraw the charge. Pursuant to the agreement of the Parties, and for the sole, limited and exclusive purpose of promoting labor harmony and facilitating the Parties' MOU, the Board subsequently took up the matter on its own motion and voted to set aside the prior oral decision, enabling Charging Party to withdraw the charge in accordance with the MOU.

7/21/2015

ILRB SP – Showing of Interest; Split Decision

In *American Federation of State, County and Municipal Employees, Council 31 and Lake County Clerk of the Circuit Court*, 32 PERI ¶ 28 (IL ILRB-SP 2015) (Case No. S-RC-15-049), appeal pending No. 2-15-0849, the ALJ recommended that the Board certify AFSCME as the exclusive representative of a unit of certain employees employed by Respondent. In so holding, the ALJ had rejected the Employer's contention that it had raised issues of fact for hearing on the allegation that the Union had obtained its showing of interest through fraud or coercion. Two of the four present and voting Members voted to reverse the ALJ's decision on the basis that a hearing would shed additional light on the Employer's objections and supporting affidavits or that the Employer had presented sufficient evidence to raise issues of fact for hearing as to AFSCME's alleged fraud or coercion. The two remaining Members voted to affirm the ALJ's decision for the reasons stated in the RDO. In the absence of a majority vote on the disposition of the RDO, the Board did not address the substance of the exceptions and left the ALJ's decision to stand as non-precedential.

8/25/2015

ILRB SP

Executive Director Abeyance Order

In *James Young and Village of University Park*, 32 PERI ¶ 47 (IL ILRB-SP 2015) (Case No. S-CA-15-095), the Executive Director issued an Abeyance Order pending final disposition of related contractual grievances after determining that specific conduct alleged in the charge was covered by a series of grievances currently pending on behalf of Charging Party. The Charging Party filed a timely appeal but raised no exception to the substantive determination that the matter be held in

abeyance until final disposition of the related grievances. Instead, the only issue Young raised was that a summary of his 17-page charge included in the Abeyance Order purportedly contained two incorrect statements. The Board affirmed the Executive Director's Abeyance Order, which Young had not challenged on the merits. The Board further determined that it could not reconcile any alleged discrepancies between the charge and the Executive Director's summary of the charge. Further, even if the summary were clearly inaccurate, as Young contends, there was no need to modify the summary because it has no legal significance in this case and was merely offered to provide background information in the limited context of explaining the Abeyance Order.

12/2/15

ILRB SP

Compliance; Variance

In *Oak Lawn Professional Fire Fighters Association, Local 3405, IAFF and Village of Oak Lawn*, 32 PERI ¶ 100 (IL LRB-SP 2015) (Case No. S-CA-09-007-C), the Board affirmed the ALJ's Compliance RDO finding that the Compliance Officer erred when he determined that the Village owed the Union \$3,163,801 in back pay, pursuant to an earlier Board decision issued in Case No. S-CA-09-007. The Board agreed with the ALJ that the Village had complied with the Board's 2010 order requiring it to maintain specific manning levels and to bargain about any attempt to change the levels.

The ALJ also denied the Union's request to strike the Employer's objection to the Compliance Order and found that the Union waived its right to object to the Compliance Order by failing to timely object. The Board affirmed the ALJ's refusal to strike the Employer's objection, but found that the Charging Party's arguments on appeal implicitly sought a variance of the Board's rules. The Board granted the Charging Party's implicit request for a variance and considered the argument that the Compliance Officer failed to award interest. The Board found merit in the Charging Party's argument and modified the RDO to award the Union \$21,939.06 in interest payments.

1/22/16

ILRB LP

Untimely Appeal

In *Kenneth Sawyer and City of Chicago (Streets and Sanitation)*, 32 PERI ¶ 126 (IL LRB-LP 2016) (Case No. L-CA-16-005), the Executive Director dismissed the charge, finding that the Charging Party had failed to raise an issue of fact or law warranting a hearing. The Dismissal informed the Charging Party that Board Rules required that he file an appeal of the dismissal within 10 calendar days of service of the Executive Director's Order. Sawyer filed an untimely appeal, stating only that he had received the Dismissal late; however, he provided nothing to substantiate that claim or otherwise request a variance from Board Rules. The majority of the Local Panel declined to grant a variance on its own motion, allowing the Dismissal to stand as non-precedential. Dissenting, Member Lewis stated that while he found the appeal meritless and concurred with the Dismissal, he would have granted the variance regarding the timeliness of Charging Party's appeal.

1/22/16

ILRB LP

Untimely Appeal

In *Kenneth Sawyer and City of Chicago (Streets and Sanitation)*, 32 PERI ¶ 127 (IL LRB-LP 2016) (Case No. L-CA-16-018) the Executive Director dismissed the charge, finding that the Charging Party had failed to raise an issue of fact or law warranting a hearing. The Dismissal informed the Charging Party that Board Rules required him to file an appeal of the dismissal within 10 calendar days of service of the Executive Director's Order. Sawyer filed an untimely appeal, but neither acknowledged nor explained the lateness of his filing. The Board declined to grant a variance on its own motion, allowing the Dismissal to stand as non-precedential.

5/25/16

1st District Opinion

Compliance

In *Chicago Joint Board, Local 200, Retail, Wholesale and Department Store Union v. Illinois Labor Relations Board, Carmelthia Otis, Delcina Rosado, Christiana Ohear-Enyeazu, Marshall Berry, Gabriel Nwandu, Britten McBride*, 2016 IL App (1st) 140802-U, 32 PERI ¶ 184 (Case No. L-CB-06-035-C, 30 PERI ¶ 217), the First District issued a non-precedential decision affirming the Local Panel's adoption of an ALJ's RDO finding that the Union failed to comply with a 2010 Board order, which found that the Union violated the Act by not including certain bargaining unit members in its distribution of the proceeds from a grievance settlement. At compliance, the Local Panel had ordered the Union to redistribute the grievance settlement and pay the Charging Parties specific amounts to which they would have been entitled if not for the Union's unlawful conduct.

6/22/16

2nd District Opinion

Permissive Subject of Bargaining

In *Wheaton Firefighters Union, Local 3706 v. Ill. Labor Relations Bd. State Panel, et al.*, 2016 IL App (2d) 160105, 33 PERI ¶ 2 (Case No. S-CA-14-067, 31 PERI ¶ 131), the appellate court affirmed the State Panel's reliance on *Village of Bensenville*, 14 PERI ¶ 2042 (IL SLRB 1998), for the proposition that the mere submission of a permissive subject of bargaining to an interest arbitrator is not an unfair labor practice.

## V. Gubernatorial Designation Cases

7/7/2015

4th District Opinion

Gubernatorial Designation; Section 6.1(b)(5) Exclusion

In *Lindorff, et al. v. Ill. Dep't of Cent. Mgmt. Servs., AFSCME, Council 31, Ill. Labor Relations Bd.*, 2015 IL App (4th) 131025, 32 PERI ¶ 27, the Fourth District affirmed the State Panel's decision, *State of Ill. (DOC)*, 30 PERI ¶102 (IL LRB-SP 2013) (ILRB Case No. S-DE-14-055), finding that two Department of Corrections Healthcare Unit Administrators were properly designated for exclusion under Section 6.1(b)(5). The Court affirmed not only the Board's interpretation of the test relevant for determining if a petition met the requirements of Section 6.1(c)(i), but also affirmed the Board's factual findings.

1/19/16

1st District Opinion

Qualification for Designation

In *American Federation of State, County and Municipal Employees v. The State of Illinois, the Department of Central Management Services, and the Illinois Labor Relations Board, Sate Panel*, 2016 IL App (1st) 133866-U, (ILRB Consol. Case Nos. S-DE-14-092, S-DE-14-093 and S-DE-14-094, 30 PERI ¶ 124), the Appellate Court reversed the Board's order designating for exclusion positions at the Pollution Control Board and Human Rights Commission. Specifically, the Court agreed with AFSCME that those agencies were not agencies "directly responsible to the Governor." Therefore, the Court directed the Board to rescind the certifications excluding the at-issue positions from existing bargaining units.

## Interest Arbitration Awards

Following is a list of Interest Arbitration Award. For each award, the ILRB Case number, Arbitrator and date of issuance are noted. The issued and whose proposals were adopted follows.

S-MA-13-173	<u>Village of Broadview and Illinois F Labor Council</u> John C. Fletcher, #656 1. Wages - Village's proposal 2. Insurance - Union's proposal	8/5/2015
L-MA-13-003	<u>County of Cook and Cook County Sheriff and Illinois Fraternal Order of Police Labor Council</u> Brian E. Reynolds, #657 1. Wages - County's final offer 2. Health Insurance Contributions - County's final offer	8/18/2015
S-MA-15-229	<u>City of Moline and Int'l Association of Firefighters, Local 581</u> George Edward Larney, #658 1. Wages - City's proposal 2. Holiday Pay - City's proposal 3. Hours of Work/Kelly Days - Union's proposal 4. Retirement Sick Leave Payout - City's proposal 5. Working Out of Class - City's proposal 6. Retiree Post Health Insurance - Union's proposal 7. Safety-Shift Staffing/Manning - Union's proposal 8. Grievance Procedure - Arbitrator Selection - Union's proposal	9/4/2015
S-MA-14-068	<u>Village of Wilmette and SEIU Local 73</u> Marvin Hill, #660 1. Wages and Advanced Technician Firefighter Stipend - withdrawn 2. Two-Tier Salary Schedule for hires after 5/1/2015 - Union's final offer - status quo 3. Supplemental Retirement Program - Union's final offer - status quo 4. Uniform Allowance - Employer's final offer - status quo 5. Drug and Alcohol Testing - Union's final offer - status quo	9/21/2015
S-MA-13-074	<u>Illinois Fraternal Order of Police Labor Council and County of Pike and Sheriff of Pike County</u> Amedeo Greco, #676 1. Wages - Union's final offer 2. Health Insurance - Union's final offer 3. Duration - Employer's final offer	9/26/2015

S-MA-15-112	<u>Village of Niles and AFSCME Council 31</u> Brian Clauss, #667 1. Duration 2. Wages 3. Retroactivity 4. New Step KK/Step Pay Plan 5. Equitable Adjustment/Signing Bonus 6. Call Back Pay 7. Personal Day - Village's final offer 8. Village Designated Holidays 9. Computation of Holiday Pay 10. Future Holidays - Union's final offer 11. Health Insurance - Village's final offer 12. Certification Premium Payment 13. Translator Stipend - Village's final offer 14. Sick Leave Usage - Union's final offer 15. Handbook - Union's final offer	10/2/2015
S-MA-13-133 Arb. No. 14/047	<u>City of Chicago Heights and Illinois Fraternal Order of Police Labor Council</u> Ann S. Kenis, #661 1. Telecommunicators right to mandatory interest arbitration - Remand back to negotiations	10/15/2015
S-MA-15-207	<u>City of Park Ridge and Illinois Fraternal Order of Police Labor Council</u> Robert Perkovich, #662 1. Wages	11/18/2015
S-MA-14-284	<u>Northeastern Illinois University and MAP, NEIU Chapter 630</u> Stanley Kravit, #664 1. Assignment and Transfer - status quo 2. Compensatory Time - Union's proposal in part 3. Vacation Preference - Employer's Position 4. Wages - Union's Position 5. Court Time - Employer's position 6. Emergency Closing - Employer's position 7. Personal Days - Employer's position	12/26/2015
S-MA-15-153	<u>Village of Franklin Park and IAFF Local 1526</u> Aaron S. Wolff, #665 1. Wages - Village's proposal 2. Longevity - Village's proposal 3. Paramedic Certification Pay - Union's proposal	12/31/2015
S-MA-15-018	<u>Village of Oak Brook and Illinois Fraternal Order of Police Labor Council</u> James Cox, #669	1/4/2016
S-MA-10-197 Supplemental Arb. Ref. 12.250	<u>Village of Skokie and Skokie Firefighters Local 3033, IAFF</u> Edwin H. Benn, #666 1. Promotions – moot	1/8/2016

S-MA-13-144 Supplemental	<u>City of Peoria and Peoria Police Benevolent Association</u> Robert Perkovich, #668 1. Step Progression - status quo	1/28/2016
S-MA-15-283	<u>City of Highland Park and Teamsters Local 700</u> Robert Perkovich #671 1. Wages 2. Pre-Shift Preparation Time/"Supervisor Days" 3. Fitness Bonus (withdrawn) 4. Mandatory 8-hour Reset Period - status quo 5. Deferred Compensation Fund 6. Travel Time for Training 7. Reopeners 8. WIN Program 9. Tentative Agreements	2/8/2016
S-MA-15-287	<u>Dolton Professional Firefighters Association, Local 3766, IAFF and Village of Dolton</u> John C. Fletcher #672 1. Insurance Cost (Healthcare) - Union's proposal 2. Insurance Cost (Dental) - Union's proposal	2/14/2016
L-MA-15-004	<u>Cook County and Cook County Health and Hospital System and Illinois Fraternal Order of Police Labor Council</u> Daniel Nielsen, #673 1. Recognizing and/or compensating officers for obtaining and maintaining firefighting certification	5/9/2016
L-MA-13-005 L-MA-13-006 L-MA-13-007 L-MA-13-008 Arb Ref 15.197	<u>County of Cook and Sheriff of Cook County and American Federation of State, County and Municipal Employees, Council 31</u> Edwin H. Benn, #674 1. Wages - Employer's offer 2. Changes to the pay plans - status quo 3. Uniform Allowance - Employer's offer 4. Acting up pay for Correctional Sergeants as Shift Commanders - status quo 5. Body armor for Police Officers and Police Sergeants - status quo 6. Assignment of correctional Sergeants - status quo 7. Firearm qualifications for correctional Sergeants and Lieutenants - status quo 8. Return to work from duty injuries for Correctional Sergeants and correctional Lieutenants 9. Absenteeism incentives - status quo 10. Payments to Correctional Sergeants and Correctional Lieutenants who suffer duty injuries - status quo 11. Most favored national provision - status quo 12. Retroactivity, prior tentative agreements and retention of jurisdiction	5/16/2016

S-MA-14-188	<u>Northern Illinois University and Metropolitan Alliance of Police, Chapter 292</u> Michael A. Wojcik, #675 1. Purpose - Employer 2. Hours of Work/Work Schedule - Employer 3. Training - Employer 4. Contracted Services/Special Events - Employer 5. Other Extra Assignments - Employer 6. Required Meetings/Exams - Union 7. Holidays - Employer 8. Salary Rates - Union 9. Tuition Waiver – Employer 10. Tuition Contribution - Employer 11. Arbitration - Union 12. Progressive Discipline - Employer 13. Notification - Union 14. Discipline Record - Arbitrator 15. Drug and Alcohol Police - Union, in part; Arbitrator 16. Duration - Arbitrator Resolution 17. Election, Waiver and Release for Disciplinary Process - Union	5/19/2016
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## Caseload Statistics

	<u>STATE</u>	<u>LOCAL</u>	<u>TOTAL</u>
Unfair Labor Practice Charges			
CA	148	84	232
CB	<u>35</u>	<u>55</u>	<u>90</u>
<b>TOTAL</b>	<b>183</b>	<b>139</b>	<b>322</b>
Representation Cases			
AC	4	2	6
RC	67	35	102
RM	0	0	0
RD	2	0	2
UC	60	9	69
VR	4	1	5
DD	<u>7</u>	<u>0</u>	<u>7</u>
<b>TOTAL</b>	<b>144</b>	<b>47</b>	<b>191</b>
Grievance Arbitration Cases	12	0	12
Mediation/Arbitration Cases	<u>287</u>	<u>4</u>	<u>291</u>
<b>TOTAL</b>	<b>299</b>	<b>4</b>	<b>303</b>
Declaratory Rulings	7	0	7
Strike Investigations	0	0	0
<b>TOTAL CASELOAD</b>	<b>633</b>	<b>190</b>	<b>823</b>

- CA -- Unfair labor practice charge against employer
- CB -- Unfair labor practice charge against labor organization
- AC -- Petition to amend certification
- RC -- Representation/Certification petition
- RM -- Employer representation petition
- RD -- Decertification petition
- UC -- Unit clarification petition
- VR -- Petition for voluntary recognition certification
- DD -- Declaration of disinterest petition
- DR -- Declaratory Rulings

### Representation Cases Certified

	<u>STATE</u>	<u>LOCAL</u>	<u>TOTAL</u>
Labor Organization Prevailed	19	1	20
“No Representation” Prevailed	0	0	0
<b>Cases Certified</b>	<b>19</b>	<b>1</b>	<b>20</b>
<b>Number of Units Certified (Majority Interest)</b>	<b>48</b>	<b>27</b>	<b>75</b>
<b>Voluntary Recognized Representatives</b>	<b>5</b>	<b>0</b>	<b>5</b>
<b>Revocation of Prior Certifications</b>	<b>7</b>	<b>0</b>	<b>7</b>

### Unfair Labor Practice Charges Workload

	<b>2015</b>	<b>2016</b>
Cases pending start of fiscal year	299	272
Charges filed during fiscal year	306	322
Total caseload	605	594
Total cases closed	345	289

### Petition Management (Representation) Workload

	<b>2015</b>	<b>2016</b>
Cases pending start of fiscal year	71	84
Petitions filed during fiscal year	315	191
Total caseload	386	275
Total cases closed	315	236

## Disposition of Cases Active in FY 2016

	State	Local	Total
<b>I. BOARD DECISIONS</b>			
(A) With exceptions filed			
CA	13	10	23
CB	5	5	10
RC	3	5	8
UC	2	3	5
Compliance	1	0	1
<b>TOTAL</b>	<b>24</b>	<b>23</b>	<b>47</b>
(B) With no exceptions filed			
CA	5	2	7
CB	0	1	1
RC	6	1	7
RD	0	4	4
UC	4	0	4
<b>TOTAL</b>	<b>15</b>	<b>8</b>	<b>23</b>
(C) Strike Investigations	<b>0</b>	<b>0</b>	<b>0</b>
(D) Declaratory Ruling	<b>4</b>	<b>0</b>	<b>4</b>
<b>II. ADMINISTRATIVE DISMISSALS</b>			
(Not appealed to the Board)			
CA	28	35	63
CB	23	32	55
UC	1	0	1
<b>TOTAL</b>	<b>52</b>	<b>67</b>	<b>119</b>
<b>III. CERTIFIED</b>			
AC	5	1	6
DD	7	0	7
RC/RM/RD	67	28	95
UC	52	8	60
VR	5	0	5
<b>TOTAL</b>	<b>136</b>	<b>37</b>	<b>173</b>
<b>IV. WITHDRAWALS</b>			
CA	98	17	115
CB	12	3	15
AC	0	1	1
RC	18	3	21
RD	1	0	1
UC	8	2	10
<b>TOTAL</b>	<b>137</b>	<b>26</b>	<b>163</b>

## Certifications of Representative

July 1, 2015 – June 30, 2016

Case Number	Employer	Labor Organization	Date Certified	Prevailing Party	No. of Employees	Unit Type
L-RC-15-017 <i>Majority Interest</i>	County of Cook (John H. Stroger, Jr. Hospital)	MAP, Cook County Hospital Officers Chapter 364 and Illinois Fraternal Order of Police Labor Council	7/13/2015	FOP (Incumbent)	38	Police Officer
L-RC-15-026 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	7/13/2015	AFSCME	11	Add to existing AFSCME Unit #1 Chief Contract Expediter
S-RC-15-075	City of Kankakee	Teamsters, Local 700 and Illinois Fraternal Order of Police Labor Council	7/13/2015	FOP (Incumbent)	43	Patrolman
S-RC-15-085 <i>Majority Interest</i>	City of Lewistown	Teamsters, Local 627	7/13/2015	Teamsters	6	Part-time Police Officers
S-RC-15-091 <i>Majority Interest</i>	City of Villa Grove	Teamsters, Local 26	7/13/2015	Teamsters	7	Public Works and Police Department: Office Clerk; Office Manager; Police Department Secretary; Public Works Laborer; Public Works Superintendent
S-RC-15-089 <i>Majority Interest</i>	County of Livingston (Facility Services Department)	Illinois Council of Police	7/15/2015	ICOPS	12	Courthouse Custodian; H&E Custodian; Jail Custodian; Maintenance Laborer; Maintenance Mechanic
S-RC-15-077 <i>Majority Interest</i>	Village of Broadview (Department of Public Works and Building Department)	Service Employees Int'l Union, Local 73	7/16/2015	SEIU	17	Artisan 3; Artisan 4; Building Inspector; Building Department Foreman; Laborer 1; Mechanic; Public Work Foreman
S-RC-15-082 <i>Majority Interest</i>	Village of Broadview	Service Employees Int'l Union, Local 73	7/16/2015	SEIU	8	Administrative Clerk; Executive Secretary

S-RC-15-093 <i>Majority Interest</i>	City of Geneseo	Int'l Brotherhood of Electrical Workers, Local 51	7/16/2015	IBEW	7	Laborer; Foreman
L-RC-15-027 <i>Majority Interest</i>	County of Cook (Health & Hospital Systems)	Cook County Pharmacy Association, Chicago Joint Board, Retail, Wholesale and Department Store Union, Local 200	7/22/2015	Pharmacy Association	3	Add to existing S-RC-02-009 Pharmacist Resident (Employed at Stroger Hospital)
S-RC-15-049 <i>Majority Interest</i>	Lake County Clerk of the Circuit Court	American Federation of State, County and Municipal Employees, Council 31	7/23/2015	AFSCME	117	Collections Clerk; Court Clerk; Clerk; Microfilm Coordinator; Office Automation Specialist; Principal Accounting Specialist; Principal Clerk; Principal Court Clerk; Senior Accountant; Senior Clerk; Senior Court Clerk; Senior Office Automation Specialist
L-RC-15-026 <i>Majority Interest</i>	County of Cook, Health & Hospital Systems	Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union	7/28/2015	Local 200	1	Add to existing L-RC-14-009 Graduate Design Coordinator (Stroger Hospital)
L-RC-15-028 <i>Majority Interest</i>	County of Cook, Health & Hospital Systems	Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union	7/28/2015	Local 200	5	Add to existing L-RC-15-026 Human Resources Assistant (Stroger Hospital)
S-RC-16-001 <i>Majority Interest</i>	City of Bushnell (Gas Department)	Int'l Brotherhood of Electrical Workers, Local 51	8/3/2015	IBEW	3	Serviceman
L-RC-15-013 <i>Majority Interest</i>	County of Cook and Clerk of Cook County	Service Employees Int'l Union, Local 73	8/3/2015	SEIU	1	Add to existing L-RC-10-012 Administrative Assistant to County Clerk II
L-RC-15-022 <i>Majority Interest</i>	Chicago Transit Authority	Int'l Brotherhood of Electrical Workers, Local 134	8/3/2015	IBEW	3	Elevator Inspector Escalator Inspector
L-RC-16-006 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	8/13/2015	AFSCME	1	Add to existing Bargaining Unit #1 Printer (Fleet and Facility Management)

S-RC-15-090	Village of Orland Hills	Teamsters, Local 700 and Metropolitan Alliance of Police, Chapter 603	8/13/2015	Teamsters	8	Patrol Officer; Sergeant
L-RC-16-003 <i>Majority Interest</i>	County of Cook and Sheriff of Cook County	Service Employees Int'l Union, Local 73	8/20/15	SEIU	4	Add to existing L-RC-12-009 Counselor III
S-RC-16-002 <i>Majority Interest</i>	Village of South Pekin (Public Works)	United Automobile Workers, Local 974	8/21/2015	UAW	3	Maintenance Personnel; Garbage Personnel; Head Maintenance & Certified Water Operator
L-RC-16-001 <i>Majority Interest</i>	County of Cook (Public Administrator's Office)	Service Employees Int'l Union, Local 73	8/27/2015	SEIU	1	Add to existing L-RC-11-013 Administrative Assistance II
L-RC-16-005 <i>Majority Interest</i>	County of Cook (Department of Revenue)	American Federation of State, County and Municipal Employees, Council 31	8/31/2015	AFSCME	1	Add to existing L-RC-16-009 Programmer IV
S-RC-12-111 <i>Majority Interest</i>	Chief Judge of the Circuit Court of Cook County (Juvenile Temporary Detention Center)	Int'l Brotherhood of Teamsters, Local 700	9/10/2015	Teamsters	26	Add to existing S-AC-11-041 Rapid Response Specialist
L-RC-16-012 <i>Majority Interest</i>	County of Cook (Department of Revenue)	American Federation of State, County and Municipal Employees, Council 31	9/18/2015	AFSCME	2	Add to existing L-RC-16-005 Taxpayer Customer Associate
S-RC-16-009 <i>Majority Interest</i>	Caseyville Township Sewer System	Int'l Union of Operating Engineers, Local 148	9/18/2015	IUOE	2	Add to existing S-UC-090-138 Custodian; Grounds Keeper/Maintenance
L-RC-15-019 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	9/23/2015	AFSCME	21	Add to existing AFSCME Bargaining Unit #1 Administrative Services Officer II
S-RC-16-010 <i>Majority Interest</i>	Dixon Rural Fire Protection District	Dixon Rural Professional Firefighters, IAFF	9/23/2015	IAFF	8	Firefighter; Captain

L-RC-16-004 <i>Majority Interest</i>	County of Cook, Health & Hospital Systems	Chicago Joint Board, Local 200, RWDSU, United Food and Commercial Workers Int'l Union	10/6/2015	Local 200	3	Add to existing L-RC-10-037 Residency Coordinator (John H. Stroger, Jr. Hospital)
S-RC-16-013 <i>Majority Interest</i>	City of Burbank (Police Department)	Healthcare, Professional, Technical, Office, Warehouse and Mail Order Employees, Teamsters, Local 743	10/8/2015	Teamsters	7	Court Clerk; Receptionist; Administrative Assistant- Investigations Division; Records Clerk
S-RC-16-017 <i>Majority Interest</i>	City of Rolling Meadows (Public Works)	Int'l Union of Operating Engineers, Local 150	10/14/2015	IUOE	27	Foreman; Maintenance A; Maintenance B; Maintenance C; Mechanic A; Mechanic B
S-RC-16-016 <i>Majority Interest</i>	City of Springfield (Building and Zoning Department; Public Works Department)	Int'l Union of Electrical Workers, Local 193	10/27/2015	IBEW	13	Add to existing S-VR-90-004 Building Inspector; Electrical Inspector; Engineer 2; Housing Inspector; Senior Housing Inspector; Mechanical Inspector; Plumbing Inspector; Zoning Inspector
S-RC-16-020 <i>Majority Interest</i>	Decatur Housing Authority	Int'l Brotherhood of Teamsters, Local 279	11/3/2015	IBEW	10	ROSS Coordinator; Accounting Clerk; Office Assistant; Elderly Service Coordinator; PH Leasing Specialist; HCV Leasing Specialist; HCV Dwelling Inspector
L-RC-16-014 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	11/12/2015	AFSCME	2	Add to existing AFSCME Unit #4 Principal Revenue Analyst (Aviation Department)
S-RC-09-202 Amended	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	11/13/2015 nunc pro tunc 2/13/2013	AFSCME	3	Include in existing RC-10 Technical Advisor IV (Illinois Commerce Commission)
L-RC-16-015 <i>Majority Interest</i>	County of Cook	Service Employees Int'l Union, Local 73	11/16/2015	SEIU	2	Add to existing L-RC-15-012 Administrative Analyst II (Transportation and Highway Departments)

L-RC-16-016 <i>Majority Interest</i>	County of Cook, Health and Hospital Systems	Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union)	11/16/2015	Local 200	1	Add to existing L-RC-15-028 Learning & Development Assistant (Stroger Hospital)
S-RC-16-014 <i>Majority Interest</i>	County of Marshall and Sheriff of Marshall County	Policemen's Benevolent Labor Committee	11/17/2015	PBLC	6	Full-time and regular part- time Peace Officers in the titles of Deputy; Sergeant Deputy
S-RC-16-021 <i>Majority Interest</i>	City of Benld	Laborers Int'l Union of North America, Local 338	11/17/2015	Laborers	5	Water, Sewer and Streets Department and Police Department in the titles of Maintenance Worker; Maintenance Supervisor; Police Officer; Sergeant
S-RC-15-072 <i>Majority Interest</i>	Village of Warren (Police Department)	Teamsters, Local 722	11/19/2015	Teamsters	15	Full-time sworn peace officers in the ranks of Police Officer and Sergeant; part-time Police Officers
L-RC-16-013 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	12/7/2015	AFSCME	4	Include in Bargaining Unit #1: Reprographics Technician II (Fleet & Management; Procurement Control Officer (Water Management); and Exclude Reprographics Technician in Charge (Office of City Clerk)
S-RC-16-011	County of Grundy and Sheriff of Grundy County	Int'l Brotherhood of Teamsters, Local 700 and Metropolitan Alliance of Police, Chapter 372	12/9/2015	Teamsters	28	Deputy Patrol Officer; Correctional Officer
S-RC-16-028 <i>Majority Interest</i>	County of Pulaski and Sheriff of Pulaski County	Illinois Fraternal Order of Police Labor Council	12/10/2015	FOP	2	Add to S-RC-09-104 Court Security/Paper Service Deputy
S-RC-16-003 S-RC-16-005 <i>Majority Interest</i>	City of Sullivan	Int'l Brotherhood of Electrical Workers, Local 51	12/17/2015	IBEW	18	Employees in the Water and Sewer, Street and Gas Department in the following classifications: Water Plant Operator; Sewer Plant Operator, Maintenance Worker; Lead Worker; Truck Driver; Laborer; Water Plant Foreman; Street Foreman



S-RC-16-029 <i>Majority Interest</i>	Village of Midlothian	Int'l Brotherhood of Teamsters, Local 700	12/17/2015	Teamsters	6	Sergeant; Lieutenant
S-RC-16-030 <i>Majority Interest</i>	City of Rolling Meadows	American Federation of State, County and Municipal Employees, Council 31	12/23/2015	AFSCME	25	Full-time and regularly scheduled part-time clerical, paraprofessional and technical employees in the following titles: Health Officer/Environmental Health Practitioner; Clerk Typist; Code Compliance Inspector; Building Code Inspector; Secretary (Community Development Department); Meter Reader; Account Technician (Finance Department); Cashier; Accountant; Community Service Officer; Community Service Officer II; Outreach Worker; Police Assistant; Police Assistant Certified; Police Assistant II Evidence Investigator; Police Assistant II Administration
S-RC-16-031 <i>Majority Interest</i>	Village of Lynwood	Illinois Fraternal Order of Police Labor Council	12/30/2015	FOP	9	Police Telecommunicator
L-RC-16-018 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	12/30/2015	AFSCME	10	Add to Bargaining Unit #1: Contracts Compliance Coordinator; Graphic Artist III; Supervisor of Cost Control
S-RC-15-070 <i>Majority Interest</i>	City of Rockford and Rockford Public Library	American Federation of State, County and Municipal Employees, Council 31	1/8/2016	AFSCME	17	Add to S-RC-033 Library Page
S-RC-16-026 Unit A	City of Venice	Illinois Council of Police and Int'l Union of Operating Engineers, Local 148	1/13/2016	ICOP	4	Telecommunications Officer; PSAP Manager/Telecommunications Officer
S-RC-16-026 Unit C	City of Venice	Illinois Council of Police and Int'l Union of Operating Engineers, Local 148	1/13/2016	ICOP	9	Sworn peace officers with the rank of sergeant and below

S-RC-16-019	Village of Streamwood	Metropolitan Alliance of Police, Streamwood Village Hall Civilians, Chapter 570 and County, Municipal Employees', Supervisors' and Foremen's Union, Local 1001, LIUNA	1/13/2016	MAP	17	Office Assistant; Office Technician; Building Inspector; Code Enforcement Officer
S-RC-16-015 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	1/13/2016	AFSCME	1	Add to RC-62 Executive I (Department of Corrections)
S-RC-15-053 <i>Majority Interest</i>	City of Bushnell	Int'l Brotherhood of Electrical Workers, Local 51	1/13/2016	IBEW	1	Add to S-RC-12-064 Recreation and Cultural Center Director
S-RD-15-005	St. Clair County Public Building Commission	Terry Embrich and Laborers Int'l Union of North America, Local 459	1/20/2016	Laborers	20	Crew Leader; Building Maintenance Worker; Painter; Carpenter; Grounds Worker; Utility Worker; Shift Operator; Switchboard Operator; Parking Garage Attendant
L-RC-16-017 <i>Majority Interest</i>	County of Cook, Health & Hospital Systems	Service Employees Int'l Union, Local 73	1/25/2016	SEIU	2	Add to L-RC-16-017 Emergency Medicine Systems Educator
S-RC-16-007	Village of Northbrook (Public Works Department)	Northbrook Public Works Department Association and Int'l Union of Operating Engineers, Local 150	1/29/2016	IUOE (Incumbent)	38	automotive servicer; mechanics; maintenance workers – sewers; maintenance workers - trees/traffic; maintenance workers – streets; maintenance workers - customer service; maintenance workers - water distribution; water plant maintenance workers; water plant operators
L-RC-16-019 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	2/3/2016	AFSCME	3	Add to Bargaining Unit #1 Human Resources Generalist (Title Code 1308)
S-RC-16-032 <i>Majority Interest</i>	Village of Kincaid (Public Works)	Int'l Brotherhood of Teamsters, Local 279	2/5/2016	Teamsters	2	General Laborer

S-RC-16-034 <i>Majority Interest</i>	Village of Beecher (Public Works Department)	Int'l Union of Operating Engineers, Local 399	2/19/2016	IUOE	6	Maintenance Worker I; Maintenance Worker II; Public Works Crew Leader
S-RC-16-041 <i>Majority Interest</i>	Macon County State's Attorney's Office	Illinois Fraternal Order of Police Labor Council	3/2/2016	FOP	4	Investigator; Chief Investigator
L-RC-16-022 <i>Majority Interest</i>	County of Cook (Department of Revenue)	American Federation of State, County and Municipal Employees, Council 31	3/9/2016	AFSCME	1	Add to L-RC-16-012 Investigator Coordinator
S-RC-16-045 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	3/9/2016	AFSCME	1	Add to RC-62 Public Health Program Specialist III
S-RC-16-022 <i>Majority Interest</i>	Office of the Illinois State Treasurer	General Teamsters/ Professional and Technical Employees, Local Union No. 916	3/16/2016	Teamsters	3	Add to S-UC-16-022 Community Affairs/ Marketing Specialist (work location is outside of Chicago area)
S-RC-16-042 <i>Majority Interest</i>	Chief Judge of the 15 <sup>th</sup> Judicial Circuit	Illinois Fraternal Order of Police Labor Council	3/16/2016	FOP	12	Stephenson County Probation Officers
S-RC-16-047 <i>Majority Interest</i>	Woodstock Fire/Rescue District	Woodstock Career Firefighters, IAFF, Local 4813	3/30/2016	IAFF	4	Add to S-AC-16-003 Captain
S-RC-16-037 <i>Majority Interest</i>	Village of Braceville	General Teamsters, Local 179, IBT	3/30/2016	Teamsters	7	Part-time Maintenance; Part-time Maintenance/Deputy Clerk; Supervisor of Public Works; Village clerk; Village Treasurer; Water Plant Operator
L-RC-16-025 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	4/13/2016	AFSCME	3	Add to Bargaining Unit #1 Testing Administrator
S-RC-15-054 <i>Majority Interest</i>	County of DuPage (Division of Transportation)	International Union of Operating Engineers, Local 150	4/15/2016	IUOE	6	Highway Maintenance Supervisor; Grounds Maintenance Supervisor; Vehicle Maintenance Supervisor

S-RC-16-018	State of Illinois, Department of Central Management Services (State Police)	Teamsters Local 700 and Troopers Lodge #41, Fraternal Order of Police	4/18/2016	FOP (Incumbent)	84	Peace officers with the rank of Captain and Lieutenant
S-RC-16-048 <i>Majority Interest</i>	Decatur Township and State of Illinois, Department of Central Management Services (Human Services)	American Federation of State, County and Municipal Employees, Council 31	4/18/2016	AFSCME	1	Add to S-UC-14-052 Administrative Assistant
S-RC-16-052 <i>Majority Interest</i>	City of Joliet	American Federation of State, County and Municipal Employees, Council 31	4/18/2016	AFSCME	1	Add to S-UC-16-012 Chief Building Inspector
L-RC-16-027 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	5/2/2016	AFSCME	1	Add to Bargaining Unit #1 Warranty Clerk, Code 7105
S-RC-16-054 <i>Majority Interest</i>	Village of Savoy (Public Works)	Laborers, Local 703	5/2/2016	Laborers	7	Fleet Maintenance Mechanic; Maintenance Worker; Parks and Grounds Supervisor
S-RC-16-056 <i>Majority Interest</i>	New Lenox Fire Protection District	New Lenox Professional Firefighters, IAFF	5/2/2016	IAFF	10	Firefighter; Lieutenant
L-RC-15-009 <i>Majority Interest</i>	City of Chicago (Department of Water Management)	County, Municipal Employees, Supervisor's and Foremen's Local 1001; Water Pipe Extension, Bureau of Engineering Laborers Local 1092	5/5/2016	Laborers	1	Add to Bargaining Unit #53 Chief Dispatcher Code 7126
S-RC-16-024 <i>Majority Interest</i>	City of Quincy	Policemen's Benevolent Labor Committee	5/5/2016	PBLC	3	Add to S-UC-01-002 Lieutenant
S-RC-16-058 <i>Majority Interest</i>	Warren Township Highway Department	Int'l Union of Operating Engineers, Local 150	5/5/2016	IUOE	22	Road Maintenance; Highway Foreman; Highway GIS Analyst

S-RC-16-057 <i>Majority Interest</i>	City of Mendota (Public Works Department)	Int'l Union of Operating Engineers, Local 150	5/5/2016	IUOE	10	Laborer; Wastewater Operator; Chief Wastewater Operator; Water and Wastewater Superintendent; Chief Water Operator
S-RC-16-036	Village of Clarendon Hills	Metropolitan Alliance of Police, Clarendon Hills Police Chapter #108 and Illinois Fraternal Order of Police Labor Council	5/11/2016	MAP	9	Sworn peace officers below the rank of Sergeant
S-RC-16-038	Village of Morton	Policemen's Benevolent Labor Committee	5/11/2016	PBLC	20	Sworn peace officers in the rank of Patrolman, Detective and Sergeant
S-RC-16-039	Village of Maryville	Policemen's Benevolent Labor Committee	5/11/2016	PBLC	8	Detectives and Patrol officers below the rank of Sergeant
S-RC-16-040	Village of Morton	Policemen's Benevolent Labor Committee	5/11/2016	PBLC	7	Dispatchers
S-RC-16-043	City of Murphysboro	Illinois Fraternal Order of Police Labor Council and Int'l Brotherhood of Teamsters	5/11/2016	FOP	15	Patrolman; Investigator; Sergeant
S-RC-16-044	City of Murphysboro	Illinois Fraternal Order of Police Labor Council and Int'l Brotherhood of Teamsters	5/11/2016	FOP	8	Telecommunicator; Animal Control Officer
S-RC-16-055 <i>Majority Interest</i>	Village of Tamaroa	Teamsters, Automotive, Petroleum and Allied Trades, Local 50, Int'l Brotherhood of Teamsters	5/11/2016	Teamsters	5	Laborer; Laborer Supervisor

S-RC-16-035	City of Des Plaines	Metropolitan Alliance of Police, City of Des Plaines Civilian Chapter 572 and American Federation of State, County and Municipal Employees, Council 31	5/19/2016	AFSCME (Incumbent)	50	City wide unit
S-RC-16-012 <i>Majority Interest</i>	Village of Roxana (Street Department)	United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers Int'l Union (USW)	6/7/2016	USW	5	Full and regular part-time hourly employees
S-RC-16-062 <i>Majority Interest</i>	City of Marquette Heights	Illinois Fraternal Order of Police Labor Council	6/7/2016	FOP	4	Sworn officers in the ranks of Lieutenant and below
S-RC-16-059	City of Pana	Policemen's Benevolent Labor Committee	6/13/2016	PBLC	7	Patrolman; Patrolman-Drug Task Force Officer
S-RC-16-063 <i>Majority Interest</i>	City of Bushnell (Electric Department)	Int'l Brotherhood of Electrical Workers, Local 51	6/16/2016	IBEW	3	Apprentice Lineman; Lineman; Plant Operator
S-RC-16-053	Village of University Park	Teamsters Local 700 and Illinois Fraternal Order of Police Labor Council	6/24/2016	Teamsters	15	Sworn officers with the rank of acting lieutenant and below
L-RC-16-028 <i>Majority Interest</i>	County of Cook, Health and Hospital Systems	Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union	6/27/2016	Local 200	1	Add to L-RC-16-016 Human Resources Receptionist (John H. Stroger Hospital)
S-RC-16-061	State of Illinois, Department of Central Management Services	Illinois Fraternal Order of Police Conservation Police Lodge Labor Committee	6/29/2016	FOP	97	Conservation Police Officer I; Conservation Police Officer II.
S-RC-16-064 <i>Majority Interest</i>	Village of Chatham	Illinois Fraternal Order of Police Labor Council	6/30/2016	FOP	11	Full-time sworn Police Officers

L-RC-16-007 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	6/30/2016	AFSCME	9	Add to Bargaining Unit #4 Chief Programmer/Analyst
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**Amendment to Certifications**  
July 1, 2015 – June 30, 2016

<b>Case Number</b>	<b>Employer</b>	<b>Labor Organization</b>	<b>Date Certified</b>	<b>Amendment</b>
S-AC-15-005	Village of Bensenville	Teamsters, Local 700	7/30/2015	Change name from Teamsters, Local 714 to Teamsters, Local 700
L-AC-16-001	Chicago Park District	Laborers' Int'l Union of North America, Local 1092	7/30/2015	Change name from Sewer and Tunnel Miners Union, Local 2 to Laborers' Int'l Union of North America, Local 1092
S-AC-16-001	City of Burbank (Police Department)	Teamsters, Local 700		Change name from Teamsters, Local 743 to Teamsters, Local 700
S-AC-16-002 Unit 1-A	County of LaSalle and Sheriff of LaSalle County	Metropolitan Alliance of Police, LaSalle County Patrol Chapter 723	3/3/2016	Change name from Metropolitan Alliance of Police to Metropolitan Alliance of Police, LaSalle County Patrol Chapter 723
S-AC-16-002 Unit 1-B	County of LaSalle and Sheriff of LaSalle County	Metropolitan Alliance of Police, LaSalle County Correctional Officers Chapter 366	3/3/2016	Change name from Metropolitan Alliance of Police to Metropolitan Alliance of Police, LaSalle County Correctional Officers Chapter 366
S-AC-16-002 Unit 2-A	County of LaSalle and Sheriff of LaSalle County	Metropolitan Alliance of Police, LaSalle County Patrol Chapter 723	3/3/2016	Change name from Metropolitan Alliance of Police to Metropolitan Alliance of Police, LaSalle County Patrol Chapter 723

S-AC-16-002 Unit 2-B	County of LaSalle and Sheriff of LaSalle County	Metropolitan Alliance of Police, LaSalle County Correctional Officers Chapter 366	3/3/2016	Change name from Metropolitan Alliance of Police to Metropolitan Alliance of Police, LaSalle County Correctional Officers Chapter 366
S-AC-16-003	Woodstock Fire/Rescue District	Woodstock Career Firefighters, IAFF Local 4813	3/30/2016	Change name from Woodstock Career Firefighters Association to Woodstock Career Firefighters Association, IAFF Local 4813
S-AC-16-004	Hamilton Memorial Hospital District	Laborers Int'l Union of North America, Local 1197	6/2/2016	Change name from Southern Illinois Laborers District Council to Laborers Int'l Union of North America, Local 1197

## Certifications of Voluntarily Recognized Representatives

July 1, 2015 – June 30, 2016

<b>Case Number</b>	<b>Employer</b>	<b>Labor Organization</b>	<b>Date Certified</b>	<b>Unit Description</b>
S-VR-15-001	City of Fulton (Department of Public Works)	Carpenters, Local 790, Chicago Council	7/20/2015	Administrative Assistant; Collector; Laborer
S-VR-16-001	Chief Judge of the 20 <sup>th</sup> Judicial Circuit	Illinois Federation of Public Employees, Local 4408	8/18/15	All Supervisors in Probation and Court Services
S-VR-16-002	Illinois Office of the Comptroller	General Teamsters/Professional & Technical Employees, Local Union No. 916	8/8/2015	Administrative Assistant; Internal Auditor; Mechanical Engineer; Accounting Professional
S-VR-16-003	County of Jefferson and Jefferson County Clerk and Recorder of Deeds, Treasurer and Collector, Sheriff, State's Attorney and Supervisor of Assessments	American Federation of State, County and Municipal Employees Council 31	2/4/16	Add to S-UC-96-036 Work Crew Supervisor (Highway Department)



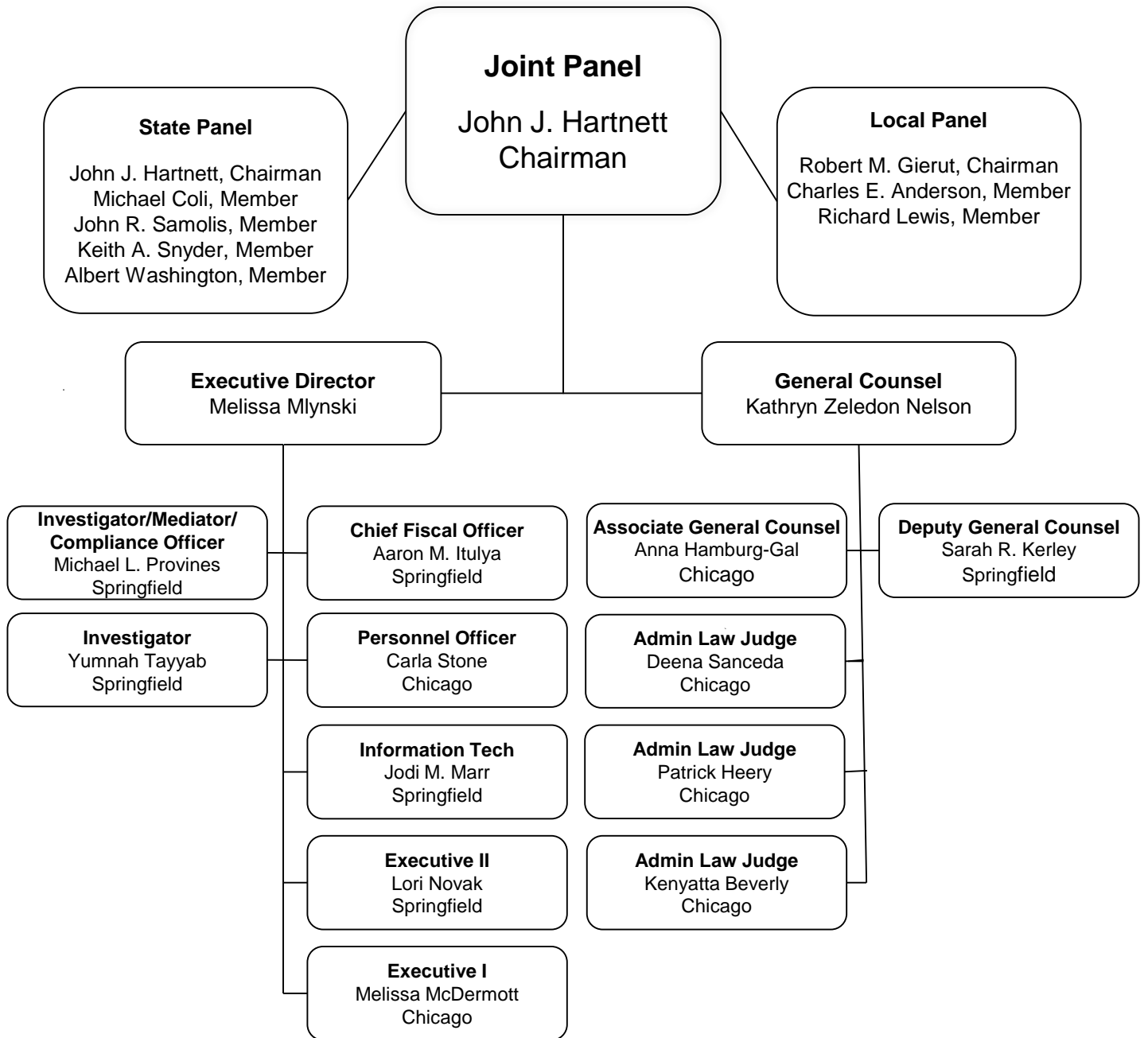
S-VR-16-004	County of Peoria (Peoria County Animal Protections Services)	Laborers Int'l Union of North America, Local 165	5/5/2016	Officer, Animal Control (hourly corresponding PCEA); Specialist I, Administrative (hourly corresponding PCEA); Technician, Kennel (hourly corresponding PCEA)
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## Revocation of Certifications

July 1, 2015 – June 30, 2016

Case Number	Employer	Labor Organization	Date Certified	Unit Description
S-DD-16-001	Cass County E911	Int'l Brotherhood of Electrical Workers, Local 193	7/28/2015	S-RC-15-001 911 Telecommunicator
S-DD-16-002	Illinois Office of the Comptroller	Int'l Union of Operating Engineers, Local 965	9/10/2015	S-UC-13-044 Administrative Assistant; Internal Auditor; Maintenance Engineer
S-DD-16-003	Illinois Office of the Comptroller	Int'l Union of Operating Engineers, Local 965	9/10/2015	S-UC-13-044 Accounting Professional
S-DD-16-004	County of Wabash (Wabash County Health Department)	Laborer's Midwest Organizing Committee	10/16/2015	S-RC-06-080 Case Manager; Licensed Professional Counselor/Quality Assurance Improvement Manager/Safety Officer; Licensed Therapist; Secretary
S-DD-16-005	County of Marshall and Sheriff of Marshall County	Teamsters, Chauffeurs and Helpers, Local 627	11/09/2015	S-RC-93-022, Unit A All full-time Sworn Peace Officers and regular part-time Officers in the following titles: Deputy; Sergeant Deputy
S-DD-16-006	Village of Sherman	Laborers' Int'l Union of North American, Local 477	1/20/2016	S-RC-06-122 All non-managerial full-time and part-time officers of the Village of Sherman Police Department
S-DD-16-007	City of Benld	United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union	4/4/2016	S-RC-11-056 All full-time sworn police officers employed by the City of Benld in the following rank or title: Patrolman; Sergeant

# Illinois Labor Relations Board FY 2016



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