

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

**Minutes of the Meeting held on January 21, 2021 via teleconference and web conferencing
(Per the Gubernatorial Disaster Proclamation and Executive Orders issued in response to
the COVID-19 pandemic, the Illinois Educational Labor Relations Board held its January
21, 2021 meeting by Webex.)**

I. PRESENT

Board Member Lynne Sered; Board Member Gilbert O'Brien; Board Member Lara Shayne; Board Member Chad Hays; Executive Director Victor Blackwell; General Counsel Ellen Strizak; Assistant General Counsel Dawn Harden; Staff Attorney Nick Gutierrez; Chicago Staff Member Eileen Brennan; Springfield Staff Member Meredith Dean; Staff Attorney Tracey Trigillo; Attorney Stephen Yokich; Attorney Shelli Anderson; Attorney Kimberly Jannotta; Court Reporter Stuart Karoubas.

II. OPENING REMARKS

Brief statement made by Board Member Sered regarding why the instant Board meeting was held via telephone and video conferencing rather than in-person.

III. WELCOME – BOARD MEMBER CHAD HAYS

IV. APPROVAL OF MINUTES OF MEETING HELD December 17, 2020

Board member Sered called for a motion to approve the minutes from the December 17, 2020 Board Meeting. Board Member Shayne so moved to approve the minutes of the December 17, 2020 Board meeting. There being no second to the motion, the Board tabled the motion.

V. ORAL ARGUMENT

Elmhurst Community Unit School District No. 205/Elmhurst Teachers Council, Local 571, IFT-AFT, AFL-CIO, Case No. 2021-CA-0049-C (ORAL ARGUMENT ON REQUEST FOR PRELIMINARY INJUNCTIVE RELIEF)

Elmhurst Community Unit School District No. 205/Elmhurst Paraprofessional and School Related Personnel Council, Local 571, IFT-AFT, AFL-CIO, Case No. 2021-CA-0050-C (ORAL ARGUMENT ON REQUEST FOR PRELIMINARY INJUNCTIVE RELIEF)

General Counsel Strizak issued oral argument guidelines to the parties.

Appearing on behalf of Elmhurst Teachers Council, Local 571, IFT-AFT, AFL-CIO and Elmhurst Paraprofessional and School Related Personnel Council, Local 571, IFT-AFT, AFL-CIO (Union) was Attorney Stephen Yokich for presentation of oral argument. Appearing on behalf of the Elmhurst Community Unit School District No. 205 (Employer) was Attorney Shelli Anderson for presentation of oral argument.

Stephen Yokich argued the cases before the Board on behalf of the movant Union. Shelli Anderson argued the cases before the Board on behalf of the Employer. Counsel Yokich for the Union presented a rebuttal argument before the Board. Counsel Anderson for the Employer presented a sur-reply to rebuttal. Counsel Yokich presented a response to Respondent's sur-reply. Counsel Anderson presented a response to the Movant's response. Board Members posed questions to counsels for the parties and a discussion ensued.

After discussion, General Counsel Strizak recommended that the Board deny the Union's request that this Board petition the circuit court for injunctive relief pursuant to Section 16(d) of the Act in these matters.

Thereafter, Member Sered called for a motion to pursue injunctive relief under Section 16(d) of the Act. The record reflected no response. Accordingly, Member Sered called for a motion that the Board deny the Union's request to seek injunctive relief under Section 16(d) of the Act. Board member Shayne so moved and Board member O'Brien seconded. The Board passed the motion unanimously, by a roll call vote.

Cicero School District No. 99/Cicero Council, West Suburban Teachers Union, Local 571, IFT-AFT, AFL-CIO, Case No. 2021-CA-0051-C (ORAL ARGUMENT ON REQUEST FOR PRELIMINARY INJUNCTIVE RELIEF)

Appearing on behalf of Cicero Council, West Suburban Teachers Union, Local 571, IFT-AFT, AFL-CIO (Union) was Attorney Stephen Yokich for presentation of oral argument. Appearing on behalf of the Cicero School District No. 99 (Employer) was Attorney Kimberly Jannotta for presentation of oral argument.

Stephen Yokich argued the case before the Board on behalf of the movant Union. Kimberly Jannotta argued the case before the Board on behalf of the Employer. The Board clarified that the instant case is separate and apart from the pending petition for injunctive relief before this Board filed by the Employer. Counsel Yokich for the Union presented a rebuttal argument before the Board. Counsel Jannotta for the Employer presented a sur-reply to rebuttal. Board Members posed questions to counsels for the parties and a discussion ensued.

After discussion, General Counsel Strizak recommended that the Board grant the Union's request that this Board petition the circuit court for injunctive relief pursuant to Section 16(d) of the Act.

Thereafter, Acting Chair Sered called for a motion to adopt General Counsel Strizak's recommendation to pursue injunctive relief under Section 16(d) of the Act. Board member

Sered so moved and Board member Hays seconded. The Board passed the motion unanimously, by a roll call vote.

VI. CASES

1. CTU, Local No. 1, IFT-AFT, AFL-CIO/Chicago Board of Education, Case No. 2021-CA-0043-C

Board Member Sered called the case. The case is before the Board pursuant to a renewed motion for injunctive relief. General Counsel Strizak presented a draft opinion and order based on the discussion during last month's meeting. Board Member Sered called for a motion for the Board to approve and issue the draft opinion and order. Board Member Shayne so moved, and Board Member O'Brien seconded the motion. The Board voted to issue the opinion and order, by a voice vote (Shayne, O'Brien). Board Member Sered dissented from the opinion and order. Board member Hays took no part in the Board's decision in this matter because he began his Board appointment on January 4, 2021, after the Board's deliberation and denial of the Union's Renewed Motion at its December 17, 2020 meeting.

2. Smoler/West Northfield Township Teachers Association, IFT Local 1274, Case No. 2020-CB-0002-C

Board member Sered called the case. The case is before the Board on exceptions to an Executive Director's Recommended Decision and Order. General Counsel Strizak presented a memo on the case and recommended that the Board affirm the Executive Director's dismissal of the charge. After discussion, the Board directed the General Counsel to draft an opinion and order in accordance with her memo.

VII. FINAL ORDER CASES

1. Wayne City Community Unit School District No. 100/The Laborers' International Union of North America, The Southern and Central Illinois Laborers' District Council, and Laborers' Local 1197, Case No. 2021-UC-0006-C

Board member Sered called the case. The case is before the Board on an unappealed Executive Director's Recommended Decision and Order. Assistant General Counsel Dawn Harden presented the case. After discussion, Board member Sered called for a motion for the Board not to take the case up on its own motion and to issue a final order. Board Member Shayne so moved, and Board Member O'Brien seconded the motion. The Board voted unanimously not to take the case up on its own motion and to issue a final order, by a roll call vote.

VIII. PUBLIC COMMENT

None

IX. BUDGET/FISCAL

Meredith Dean presented budget and fiscal information. Meredith Dean and Executive Blackwell answered budget and fiscal inquiries.

X. CASE STATUS REPORT

Executive Director Blackwell presented the Case Status Report and answered questions.

XI. STRIKE REPORT UPDATE

Executive Director Blackwell advised the Board that there was nothing new to report this month.

XII. LEGISLATIVE UPDATE

Staff Attorney Nick Gutierrez presented information regarding two House bills.

XIII. RULES UPDATE

Staff Attorney Trigillo presented an update on rulemaking pending before JCAR. General Counsel Strizak added remarks.

XIV. LITIGATION UPDATE

General Counsel Strizak presented a litigation update on pending matters.

XV. AGENCY OPERATIONS

Executive Director Blackwell presented updates on the current state of office operations in light of the COVID-19 pandemic. Meredith Dean presented an audit update and findings as well as answered questions.

XVI. APPROVAL OF MINUTES OF MEETING HELD December 17, 2020

Such shall appear for Board Member vote on the February 2021 Board Meeting agenda.

XVII. ADJOURN

Board member Sered called for a motion to adjourn the Webex meeting. Board Member Shayne so moved, and Board Member Hays seconded the motion. The Board voted to adjourn the meeting, by roll call vote (Sered, Shayne, Hays).

ADOPTED AND APPROVED BY THE MEMBERS OF THE ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD ON THIS 18TH DAY OF FEBRUARY 2021.