

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

**Minutes of the Meeting held on February 18, 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 February
18, 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.

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. APPROVAL OF MINUTES OF MEETING HELD December 17, 2020 and
January 21, 2021**

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. Board Member O'Brien seconded. The Board passed the motion, by a roll call vote. Board Member Hays abstained.

Board member Sered called for a motion to approve the minutes from the January 21, 2021 Board Meeting. Board Member Shayne so moved to approve the minutes of the January 21, 2021 Board meeting. Board Member Hays seconded. The Board passed the motion unanimously, by a roll call vote.

IV. CASES

**1. Elmhurst Community Unit School District No. 205/Elmhurst Teachers Council, Local
571, IFT-AFT, AFL-CIO, Case No. 2021-CA-0049-C**

Board Member Sered called the case. The case is before the Board pursuant to a request for preliminary injunctive relief. General Counsel Strizak presented a draft opinion and order based on the discussion during last month's meeting, and noted a typo on page 5 of the opinion raised by Board Member Sered. 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 unanimously, by a roll call vote.

2. **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**

Board Member Sered called the case. The case is before the Board pursuant to a request for preliminary injunctive relief. General Counsel Strizak presented a draft opinion and order based on the discussion during last month's meeting, and noted a typo on page 5 of the opinion raised by Board Member Sered. 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 unanimously, by a roll call vote.

3. **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 draft opinion and order based on the discussion during last month's meeting, noting a typo on page 2 of the opinion. 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 Hays seconded the motion. The Board voted to issue the opinion and order unanimously, by roll call vote.

4. **McClain/Service Employees International Union, Local 73, Case No. 2020-CB-0008-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.

V. **FINAL ORDER CASES**

1. **Michelle Williams/Chicago Board of Education, Case No. 2019-CA-0075-C**

Board member Sered called the case. The case is before the Board on an unappealed Executive Director's Revised 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.

2. Michelle Williams/UNITE HERE Local 1, Case No. 2019-CB-0016-C

Board member Sered called the case. The case is before the Board on an unappealed Executive Director's Revised 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 Hays 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.

VI. PUBLIC COMMENT

Christopher Lameka of the general public inquired of the Board about its plan to reopen the schools. Board Member Sered responded.

VII. BUDGET/FISCAL

Meredith Dean and Executive Blackwell presented budget and fiscal information.

VIII. CASE STATUS REPORT

Executive Director Blackwell presented the Case Status Report. Staff Member Brennan presented information on recent Case Activity.

IX. STRIKE REPORT UPDATE

Executive Director Blackwell advised the Board of the notice of intent to strike filed in the Bourbonnais SD #53.

X. LEGISLATIVE UPDATE

Staff Attorney Nick Gutierrez spoke to House Bills #2275 and #114, and presented information on a bill recently filed to amend the Illinois Public Labor Relations Act.

XI. RULES UPDATE

General Counsel Strizak advised the Board that rulemaking is completed.

XII. LITIGATION UPDATE

General Counsel Strizak presented a litigation update on pending State Supreme Court, Appellate Court and Federal Court matters.

XIII. AGENCY OPERATIONS

Executive Director Blackwell presented updates on the current state of office operations in light of the COVID-19 pandemic.

XIV. REVIEW OF AUGUST 2020 – JANUARY 2021 CLOSED SESSION MINUTES

Ellen presented a review to the Board. Board Member Sered called for a motion to open the closed session minutes of August 2020 through January 2021. Board Member Shayne so moved. Board Member Hays seconded. The motion passed by roll call vote (Sered, Shayne, Hays). Board Member O'Brien voted nay.

XV. CLOSED SESSION

Board member Sered called for a motion to go into closed session to discuss litigation and personnel matters. Board Member Shayne so moved, and Board Member Hays seconded the motion. The motion passed unanimously, by roll call vote and the Board moved into closed session.

XVI. RECONVENE

Board member Sered called for a motion to reconvene the Webex meeting back into open session. Board Member Shayne so moved, and Board Member Hays seconded the motion. The Board voted to reconvene the meeting unanimously, by roll call vote.

XVII. ADJOURN

Board member Sered called for a motion to adjourn the Webex meeting. Board Member Shayne so moved, and Board Member O'Brien seconded the motion. The Board voted to adjourn the meeting unanimously, by roll call vote.

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