

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

Minutes of the Meeting held on May 16, 2013
At 100 W. Randolph Street, Chicago, Illinois

I. OPENING OF THE MEETING AT 10:30 A.M.

II. PRESENT

Chairman Lynne Sered; Board Members Gilbert O'Brien and Michael Prueter; Executive Director Victor Blackwell; Special Counsel John Brosnan; staff members Colleen Harvey, Ellen Strizak and Susan Willenborg; and observers Jennifer Dunn, Takina Morris and Bob Shaevel were present. Board Member Ronald Ettinger and staff member Cindy Handy participated via video conference from the Board's Springfield office. Pursuant to Section 7(a) of the Open Meetings Act, 5 ILCS 120/7(a), Board Member Michael Smith participated via telephone conference call due to illness. General Counsel Helen Higgins also participated via telephone conference call.

III. APPROVAL OF MINUTES OF MEETING HELD APRIL 18, 2013

Chairman Sered called for a motion to approve the minutes of the April 18, 2013 meeting. Member Prueter moved to approve the minutes of the April 18, 2013 meeting. Member O'Brien seconded the motion. The Board passed the motion unanimously, by a voice vote.

IV. BOARD ACTIONS

1. **McClellan County Unit District No. 5, a.k.a. Board of Education of McClellan County Unit District No. 5/American Federation of State, County and Municipal Employees, Council 31**
Case No. 2012-CA-0043-S

Chairman Sered called the case. This case was before the Board on the Employer's motion to stay the Board's order. Associate General Counsel Susan Willenborg presented a draft order denying the motion to stay. After discussion, Chairman Sered called for a motion to approve the draft order. Member Ettinger so moved, and Member Prueter seconded the motion. The Board passed the motion unanimously, by a voice vote.

2. **Northeastern Illinois University/Kaplan-Weinger, et al.**
Case No. 2012-CA-0042-C

Chairman Sered called the case. This case was before the Board on exceptions to an Executive Director's Recommended Decision and Order dismissing the charge. Associate General Counsel Ellen Strizak presented a draft opinion and order striking the exceptions. After discussion, Chairman Sered called for a motion to approve the draft. Member O'Brien so moved, and Member Ettinger seconded the motion. The Board voted unanimously to issue the draft opinion and order, by a voice vote.

3. **Northeastern Illinois University/Boyle**
Case No. 2012-CA-0043-C

Chairman Sered called the case. This case was before the Board on exceptions to an Executive Director's Recommended Decision and Order dismissing the charge. Associate General Counsel Ellen Strizak presented a draft opinion and order affirming the Executive Director's Recommended Decision and Order. After discussion, Chairman Sered called for a motion to approve the draft. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously to issue the draft opinion and order, by a voice vote.

4. **Chicago Board of Education/Chicago Teachers Union**
Case No. 2013-CA-0014-C

Chairman Sered called the case. This case had been removed to the Board by the Administrative Law Judge. Colleen Harvey, together with General Counsel Helen Higgins, presented a memorandum recommending that the Board find that the Employer had committed an unfair labor practice. After discussion, the Board directed that an opinion and order be drafted in accordance with the recommendation.

5. **Community High School District 218/Local 218, IEA-NEA**
Case No. 2013-UC-0004-C

College of DuPage Adjuncts Association, IEA-NEA/Henry
Case No. 2013-FS-0008-C

Illinois Federation of State Office Educators, Local 3236/Cox
Case No. 2010-CB-0021-C

Chicago Teachers Union/Cunliffe
Case No. 2012-CB-0023-C

McLean County Unit District 5/Herrera
Case No. 2012-CA-0007-S

Chairman Sered called the cases. These were unappealed Executive Director's Recommended Decisions and Orders. Associate General Counsel Ellen Strizak presented the cases. After discussion, Chairman Sered called for a motion for the Board not to take the cases up on its own motion and to issue final orders. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously, by a voice vote, not to take the cases up on its own motion and to issue final orders.

V. **BUDGET AND FISCAL**

Fiscal Officer Cindy Handy and Chairman Sered presented an update on budget and fiscal matters, which included a discussion of FY 2013 expenditures, the FY 2014 budget and attempts to fill a vacancy in the Board's Springfield office. Executive Director Blackwell also reported on the audit of the agency.

VI. CASE STATUS REPORT

Executive Director Victor Blackwell presented a case status report. Executive Director Blackwell also noted that Investigator Mike Meyers had retired.

VII. STRIKE REPORT

Executive Director Victor Blackwell presented a strike report update.

VIII. LEGISLATIVE UPDATE

Colleen Harvey presented a legislative update.

IX. LITIGATION UPDATE

Associate General Counsel Susan Willenborg and General Counsel Helen Higgins presented a litigation update.

X. CLOSED SESSION

Chairman Sered called for a motion for the Board to go into closed session to discuss personnel matters, pursuant to 5 ILCS 120/2(c)(1). Member O'Brien so moved, and Member Prueter seconded the motion. The Board voted unanimously to go into closed session, by a voice vote.

XI. ADJOURNMENT

Upon the Board's return from closed session, Chairman Sered called for a motion to adjourn the meeting. Member Ettinger so moved, and Member O'Brien seconded the motion. The Board voted unanimously to adjourn the meeting, by a voice vote.

ADOPTED AND APPROVED BY THE CHAIRMAN AND MEMBERS OF THE ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD THIS 20th DAY OF JUNE 2013.