

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

International Brotherhood of Electrical Workers, Local 51,)	
)	
)	
Petitioner,)	
)	Case No. S-DD-21-001
and)	
)	
City of Sullivan)	
)	
Respondent.)	

ORDER

On May 16, 2023, Administrative Law Judge Sharon Purcell, on behalf of the Illinois Labor Relations Board, issued a Recommended Decision and Order in the above-captioned matter. No party filed exceptions to the Administrative Law Judge’s Recommendation during the time allotted, and at its July 13, 2023 public meeting, the Board, having reviewed the matter, declined to take it up on its own motion.

THEREFORE, pursuant to Section 1200.135(b)(5) of the Board's Rules and Regulations, 80 Ill. Admin. Code §1200.135(b)(5), the parties have waived their exceptions to the Administrative Law Judge’s Recommended Decision and Order, and this non-precedential Recommended Decision and Order is final and binding on the parties to this proceeding.

Issued in Chicago, Illinois, on July 13, 2023.

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

/s/ Helen J. Kim

Helen J. Kim
General Counsel

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

International Brotherhood of Electrical)	
Workers, Local 51,)	
)	
Petitioner,)	
)	
and)	Case No. S-DD-21-001
)	
City of Sullivan,)	
)	
Respondent.)	

ADMINISTRATIVE LAW JUDGE’S RECOMMENDED DECISION AND ORDER

I. Procedural History

In 2015, the Illinois Labor Relations Board (Board) certified the International Brotherhood of Electrical Workers, Local 51 (Union) as the exclusive bargaining representative for employees of the City of Sullivan (City or Employer) in the City’s Water, Sewer, Street, and Gas Departments in the job classifications of Water Plant Operator; Sewer Plant Operator; Maintenance Worker; Lead Worker; Truck Driver; Laborer; Water Plant Foreman; and Street Foreman. The City and the Union were parties to a collective bargaining agreement effective August 1, 2016, through July 1, 2020.

On September 3, 2020, the Union filed with the Board a declaration of disinterest petition stating that it sought to waive and disclaim any right to represent the bargaining unit employees pursuant to the Illinois Public Labor Relations Act, 5 ILCS 315/1, *et seq.* On September 9, 2020, the Board’s Executive Director advised the City that 12 months had passed since the Board had certified the Union as the bargaining representative for the employees “and that the petition is otherwise appropriate,” and, accordingly, revoked the Union’s certification of representation.

The City sought the appellate court's review of the revocation. The court reversed the revocation of certification and remanded the case to the Board to provide the findings supporting the revocation or for further proceedings to determine whether the Union's petition meets the Act's requirements.

On remand, I asked the parties to submit position statements on the appropriateness of the petition. The following findings and conclusions are based on the Board's records and on the arguments the parties presented in their position statements.

II. Findings of Fact

S-DD-21-001

On September 3, 2020, the Union filed a declaration of disinterest petition, case no. S-DD-21-001, stating, *inter alia*, that the Union sought to waive and disclaim any right to represent the bargaining unit employees. On September 9, 2020, the Board's Executive Director advised the City that 12 months had passed since the Board had certified the Union as the bargaining representative for the employees "and that the petition is otherwise appropriate," and, accordingly, issued the revocation of prior certification order.

S-RC-21-002

Prior to filing the declaration of interest petition, on August 1, 2020, the Union filed a majority interest representation petition, case no. S-RC-21-002, seeking to represent the five employees in the positions of water plant operator and water plant foreman it currently represented in the existing nineteen-member bargaining unit. On September 4, 2020, the City filed its position statement objecting to the Union's representation petition on the bases that the Union was inappropriately seeking to sever five employees from the existing nineteen-member unit; the petitioned for five-member unit was inappropriate because it did not include other employees who

perform similar work under similar working conditions; and the water plant foreman position is supervisory within the meaning of the Act.

On September 9, 2020, the Union notified the Executive Director that it wanted to withdraw the petition. In accordance with the Union's notification, the Executive Director closed the case.

S-RD-21-001

On August 5, 2020, City employee and bargaining unit member Dustin Booker filed a decertification petition, case no. S-RD-21-001, seeking to decertify the Union as the exclusive representative of the bargaining unit. On September 9, 2021, the Union filed its position statement objecting to the petition. It stated that it had filed a declaration of disinterest petition, the petition was appropriate, and the bargaining unit no longer existed. It urged that the decertification petition should be dismissed. On October 14, 2020, the City filed its response. It argued that the petitions should be processed chronologically, meaning the Board should direct election in the decertification case as that petition was filed before the Union's declaration of disinterest petition. It stated that it was appealing the grant of the Union's disinterest petition and consequent revocation of certification, and the disinterest petition did not moot the decertification petition. The City asserted that the employees and the City had an interest in proceeding with the decertification election, which, it asserted, would bar the Union from filing another representation petition for twelve months, affording it and the employees respite from litigation for that period of time.

The Union's Communication with the Board Agent Processing the Petition

On September 2, 2020, counsel for the Union emailed the Board Agent processing representation petition no. S-RC-21-002, stating that she wanted to confirm their previous

conversation to the effect that the Union’s petition seeking to “pick off a few positions from the current bargaining unit and try to only represent a few positions” was improper. She further recounted that the Board Agent informed her that it could file a declaration of disinterest petition, which could be processed more quickly than the pending employee petition seeking to decertify the Union and that the decertification petition then would be withdrawn by the employee or dismissed. Then, when the Union no longer was the certified exclusive representative, it could “refile the representation petition for the smaller unit.” The Union’s counsel wrote that she wanted to confirm that “this is the process.” The Board Agent responded that she was correct.

S-RC-21-014

On September 9, 2020, the Union filed a majority interest representation petition, case no. S-RC-21-014, seeking to represent the same five employees in the positions of water plant operator and water plant foreman it sought in S-RC-21-002. On October 14, 2020, the City filed its position statement objecting to the petition. The City argued that the Union was seeking to sever the employees from the previously certified bargaining unit. As it argued in case no. S-RC-21-002, the City stated that the petition did not meet the requirements for severance and that the petitioned-for bargaining unit was presumptively inappropriate under the factors set forth in Section 9(b) of the Act, 5 ILCS 315/9(b). It further contended that even if the petition was appropriate, the water plant foreman position is supervisory under Section 3(r) of the Act, 5 ILCS 315/3(r), and, therefore, must be excluded. The City also asserted that the Union’s disclaimer of interest was not made in good faith and should not have been granted. It contended that the Board should direct an election in the decertification case, S-RD-21-001. It argued that the election would bar for 12 months the filing of further representation petitions, which would provide the City and the employees a year without litigation.

The Appellate Court Reverses the Board's Revocation of Certification and Remands the Case to the Board

On January 7, 2022, the appellate court issued its decision reversing the revocation of the certification in case no. S-DD-21-001 and remanding this case to the Board for further proceedings. The court rejected the Board's argument that the City lacked standing to appeal the revocation because it did not suffer injury to a cognizable legal interest. It held that the City's interests are implicated by the revocation order because it severed the City's collective bargaining relationship with the Union. The court found that the Board record did not disclose whether the Board investigated the Union's request to revoke its certification as the bargaining unit's exclusive representative. And it found that the record did not contain findings or other evidence from which it could review the determination that the Union's petition disclaiming interest in representing the bargaining unit met the Act's requirements.

Currently Pending Petitions

Currently, in addition to this declaration of disinterest petition, the following representation petitions involving the existing bargaining unit are pending:

- 1) Case no. S-RC-21-014, filed by the Union, through which it seeks to represent five employees in the positions of water plant operator and water plant foreman included in the existing nineteen-member bargaining unit;
- 2) Case no. S-RD-21-001, filed by a bargaining unit member seeking an election to decertify the Union as the representative of the existing bargaining unit.

For the reasons set forth below, I recommend that the Union's declaration of disinterest petition is inappropriate and must therefore be dismissed. Because the disinterest petition must be dismissed and the certification of representative left in place, I also recommend that (1) the Union's pending majority interest representation petition in case no. S-RC-21-014 is inappropriately filed

and must be dismissed, and (2) the employee election go forward on the decertification petition in case no. S-RD-21-001.

III. Issues and Contentions

The City objects to the declaration of disinterest petition on the ground that the Union's actions surrounding its filing on September 9, 2021, demonstrate that it was not acting in good faith as the Act requires. It points out that prior to filing this declaration of disinterest petition, the Union filed and then withdrew a representation petition (S-RC-21-002) seeking to represent five of the nineteen members of the current bargaining unit and, then, on the same day that its certification of representation was revoked, it filed another representation petition (S-RC-21-014) seeking to represent the employees it had sought in the withdrawn S-RC-21-002 petition. It contends that the Union filed the disinterest petition at issue here as a vehicle for severing from the bargaining unit five of its nineteen members and limiting its representation to those five employees. Therefore, it asserts, the Union's declaration of disinterest in representing the bargaining unit is not made in good faith and not "otherwise appropriate" within the meaning of Section 1210.65(b) of the Board's Rules, 80 Ill. Admin. Code § 1210.65(b), and must be denied.

The Union acknowledges its intent to cease representing the current bargaining unit and represent a "subset of the original unit." It states that it has not taken actions inconsistent with this intent. It contends that the Act does not prohibit it from disclaiming interest in the bargaining unit it currently represents as certified by the Board and seeking to represent only a portion of the employees in that bargaining unit. The Union states that it followed the process set forth by the Board Agent, and it asserts that it is only acting to effectuate the employees' representation interests.

IV. Discussion and Analysis

Section 1210.65 of the Board's Rules, 80 Ill. Admin. Code § 1210.65, governs the process a union must follow to successfully declare disinterest in a bargaining unit it represents. It sets forth the requirements and standards the union must meet before the Board will grant its request for revocation of its certification as the exclusive representative of a bargaining unit. The Rule provides:

- a) A labor organization that has been certified by the Board or historically recognized pursuant to Section 9 of the Act as the exclusive bargaining representative of a bargaining unit may file a Declaration of Disinterest petition with the Board to declare its disinterest in further representation of that bargaining unit. The petition shall be on a Board-designated form, signed, and shall contain the following:
 - 1) the name, address, telephone number and affiliation, if any, of the petitioning labor organization and its representative;
 - 2) the name, address and telephone number of the employer;
 - 3) a specific and detailed description of the bargaining unit, including employee classifications or job titles;
 - 4) the approximate number of employees in the bargaining unit;
 - 5) the date that the exclusive representative was recognized and the method of recognition, if known;
 - 6) a brief description of any collective bargaining agreements covering any employees in the bargaining unit, and the expiration dates of the agreements; and
 - 7) A declaration that the labor organization waives and disclaims any right to represent the bargaining unit employees.
- b) The Board shall investigate the petition. If the Board determines that 12 months have passed since the certification of the labor organization, and that the petition is otherwise appropriate, the Board shall notify the labor organization that its petition has been approved and, where the labor organization had previously been certified by the Board, shall issue a revocation of the prior certification. Upon receipt of this notification of approval, the duties and responsibilities of the labor organization to that bargaining unit shall cease.

80 Ill. Admin. Code §1210.65.

The Union may disclaim interest in representing the bargaining unit of the City's employees. The question is whether the petition meets all the above requirements and, therefore, will be granted or it does not do so and, therefore, will be dismissed. Here, the Union's disinterest petition meets the requirements set forth in Section 1210.65(a)(1) through (a)(6) above.

The petition also must meet the requirements of Sections 1210.65(a)(7) and 1210.65(b). Under Section 1210.65(a)(7), the Union must declare that it waives and disclaims any right to represent the bargaining unit employees. To be effective, the Union's disclaimer of interest must be clear, unequivocal, and made in good faith. *City of Sullivan v. Ill. Labor Relations Bd., State Panel*, 2022 IL App (4th) 200519, ¶ 20 (citing *City of Highland Park*, 13 PERI ¶ 2010 (IL SLRB 1997)). These requirements are not met when a union takes action that contradicts its stated intent to disclaim interest. *Id.*; *Coca-Cola Bottling Co. of Walla Walla, WA.*, 80 NLRB 1063 (1948). Whether the Union has acted in good faith in disclaiming its interest in representing the bargaining unit is a question of fact determined by evaluating its conduct before and after it filed the petition. *City of Highland Park*, 13 PERI ¶ 2010; *Gazette Printing Co.*, 175 NLRB 103 (1969).

The Union admits that it is interested in representing a "subset" of the bargaining unit employees. However, the Union's stated intent to represent five of the current bargaining unit employees contradicts its stated intent to disclaim interest and is contrary to the disclaimer and waiver requirements of Section 1265.10. Section 1265.10 broadly requires the Union to "waive[s] and disclaim[s] any right to represent the bargaining unit employees." 80 Ill. Admin. Code § 1265.10(a)(7) (emphasis added). It is not limited to a

waiver and disclaimer of right to represent the bargaining unit as it currently is constituted. Rather, it is a waiver of right to represent the employees. The five employees that the Union has indicated an interest in representing are bargaining unit employees. A union's waiver and disclaimer of interest in representing bargaining unit employees made while it simultaneously expresses its interest in continuing to represent some of those same employees cannot be characterized as clear, unequivocal, and made in good faith. Based on the surrounding circumstances – the petitions the Union filed both before and after seeking revocation of its certification as the bargaining unit's exclusive representative, and its articulated position here that it desires to represent a subset of the bargaining unit employees – there is no question that the Union's waiver was not clear, unequivocal, and made in good faith.

The conclusion that the Board's Rule does not permit the Union to ask for decertification of the current bargaining unit so that it may turn around and seek a subset of the employees it currently represents is supported by and is consistent with the Board's policies, reflected in the Act and in caselaw. "There are three fundamental policies of the Act: the preservation of historical patterns of bargaining; the cultivation of stability in labor relations; and the protection of the right of public employees to select collective bargaining relationships of their own choosing for the purpose of negotiating wages, hours and other terms and conditions of employment." *City of Springfield*, 15 PERI ¶ 2036 (IL SLRB 1999) (citing *Am. Fed'n of State, Cnty. & Mun. Emps. v. Cnty. of Cook*, 145 Ill. 2d 475; *City of Evanston v. Ill. State Labor Relations Bd.*, 227 Ill. App. 3d 955 (1st Dist. 1992);¹ *State of Ill., Dep't of Cent. Mgmt. Serv.*, 3 PERI ¶ 2045 (IL SLRB 1987)).

¹ *City of Springfield*, 15 PERI ¶ 2036, incorrectly cites this case as *City of Evanston v. Ill. State Labor Relations Bd.*, 277 Ill. App. 3d 955.

Although it does not prohibit it, given the Act's purpose of providing labor stability, the Board and the courts have disfavored fragmenting bargaining units and severing employees from them. *Ill. Council of Police v. Ill. Labor Relations Bd.*, 387 Ill. App. 3d 641, 664 (1st Dist. 2008) (citing *Cnty. of Peoria & Sheriff of Peoria Cnty. v. Ill. State Labor Relations Bd.*, 305 Ill. App. 3d 827, 834-35 (3rd Dist. 1999)). Indeed, the Board does not permit bargaining unit employees to petition to decertify only a portion of a bargaining unit. Rather, when a decertification petition is at issue, the Board has held that the "unit sought to be decertified must be coextensive with the certified unit." *Cnty. of Cook*, 16 PERI ¶ 3003 (IL LLRB 1999) (citing *City of Chi. and Office of the City Clerk*, 13 PERI ¶ 3012 (IL LLRB 1997); *City of Chi. (Aviation Guards)*, 2 PERI ¶ 3015 (IL LLRB 1986); *City of Chi. (Watley)*, 2 PERI ¶ 3009 (IL LLRB 1986)).

Consistent with that approach, in the only instance where the Board granted a contested petition seeking to sever a group of employees out of a bargaining unit, the Board articulated a two-part test that the petitioner must meet before the Board will grant the petition. Under the Board's test, the petitioner must show that the employees to be severed 1) share a significant and distinct community of interest, and 2) have a demonstrated conflict with other segments of the existing bargaining unit, or their interests have been ineffectively represented by an unresponsive bargaining agent. *Chi. Park Dist.*, 6 PERI ¶ 3006 (IL LLRB 1990); *Int'l Brotherhood of Elec. Workers (Bridgetenders)*, 2 PERI ¶ 3022 (IL LLRB 1986). In *Bridgetenders*, the test was met because the union had provided virtually no representation to the group of employees seeking severance from the bargaining unit. *Id.*; see also, *Fraternal Order of Police*, 16 PERI ¶ 3016 (IL LLRB 2000) (rejecting joint representation of bargaining unit by more than one union as basis for severing employee group from unit). Where the Board otherwise has permitted severance, it has been under limited circumstances. For instance, in *County of Marion*, 38 PERI ¶ 6 (ILRB SP

2021), the Board granted the unit clarification petition of the Laborers' International Union of North America, Local 1197 (LIUNA) seeking to sever the bargaining unit of county employees it represented into two separate units. In 2017, the employer and LIUNA had agreed to a collective bargaining agreement covering the bargaining unit employees except the County's Highway Department employees, for whom they agreed to a separate CBA. The CBAs had different effective dates, creating the possibility of a perpetual contract bar against filing new petitions seeking to represent the bargaining unit. To avoid that consequence, the Board permitted the severance of the bargaining unit into two stand-alone units. LIUNA continued to represent the employees, but in two separate units.

County of St. Clair, 18 PERI ¶ 2015 (ILRB SP), is another exemplar of the sort of limited circumstances in which the Board permits employees to be severed from a bargaining unit. In that case, the Board granted the unit clarification petition of the Illinois Fraternal Order of Police Labor Council (FOP) seeking to sever peace officers from a bargaining unit of peace officers and non-peace officer employees that it represented. The Board grounded its decision in the language of the Act, specifically Section 3(s)(1), 5 ILCS 315/3(s)(1), which permits a bargaining unit consisting of peace officers and non-peace officers only when the parties agree to it, and in the traditional policy against including peace officers with non-peace officer employees in a combined unit. The Board explained that the FOP and the employer had agreed in 1986 to create the mixed unit, which reflected the employees' pre-Act bargaining unit configuration. The Board concluded that the FOP effectively withdrew its consent to the combined unit in 1999 when it filed the unit clarification petition seeking severance of the two groups, and therefore it permitted severance, with the caveat that there existed no contract bar that prohibited it.

Consistent with the Board's policy against removal of employees from existing bargaining units, in *Am. Fed'n of State, Cnty. & Mun. Emp., Council 31 v. Ill. Labor Relations Board, State Panel*, 2018 IL App (1st) 172476, the court held that although employees who are confidential within the meaning of Section 3(c) of the Act, 5 ILCS 315/3(c), could be removed from a bargaining unit at any time through the unit clarification process, employees who are managerial under section 3(j) of the Act, 5 ILCS 315/3(j), could not be so clarified out of a bargaining unit. The court explained that the inclusion of confidential employees in a bargaining unit raises concerns over employee loyalties and that the unique circumstances with respect to confidential employees militates in favor of their severance from a bargaining unit, but those circumstances and concerns do not exist with respect to managerial employees. *Id.* at ¶ 34. The court agreed with the Board dissent's position in that case that to expand the exception permitting the removal of confidential employees to permitting the removal of managerial employees "risks undermining the collective bargaining process." *Id.*

The Union has not provided any Board precedent, and I have discovered none, in which the Board has permitted a Union to disclaim interest in representing a bargaining unit when it has indicated a desire to instead represent a subset of the employees currently in the bargaining unit. To do so would undermine the important policy of stable collective bargaining units, as it would signal to bargaining representatives the opportunity to dissolve existing units so that they may represent reconstituted units. Such an approach foreseeably would lead to the destabilization of collective bargaining units and the established bargaining relationships between employees and employers, a consequence clearly contrary to established Board policy.

To refute the claim that its disclaimer of disinterest was not made in good faith, the Union states that in filing its petition it acted as directed by a Board agent. That a Board agent advised

the Union on which type of petition – *i.e.*, a representation petition, disclaimer of interest petition – to file to initiate the process of decertifying the Union as the bargaining unit’s exclusive representative does not answer the question of whether the Union’s disclaimer meets the requirements of Rule 1265.10. Even if a Board agent told the Union that it could gain revocation of its certification as exclusive representative of the current bargaining unit by filing a disclaimer of interest petition and then seek certification as the exclusive representative of a subset of those bargaining unit members through a representation petition, the Union’s disclaimer petition – contested by the City – still must be appropriate under Rule 1265.10. If it is not, the disclaimer petition must be dismissed, and the certification left in place.

The Union can only disclaim interest by filing a disclaimer of interest petition. It could not initiate the process through any other petition. If it had not withdrawn the representation petition in S-RC-21-002 it filed on August 1, 2020, seeking to represent five employees it already represented in the current bargaining unit, and which it filed before it filed this disclaimer of interest petition, that representation petition could have been dismissed as inappropriately filed. *See e.g., Ill. Fraternal Order of Police*, 16 PERI ¶ 3016 (“It is clear that both establishing representative status and making changes to a bargaining unit require the use of formal Board procedures culminating in unit certification.”) (citing *Chief Judge of the 13th Judicial Circuit*, 15 PERI ¶ 2006 (IL SLRB 1999); *City of Chi. (Dep’t of Aviation)*, 5 PERI ¶ 3020 (IL LLRB 1989)). Moreover, even though the disclaimer of interest petition is the proper vehicle to revoke certification, the Union’s petition must meet Rule 1265.10’s requirements. The representation petitions it filed before and after it filed the disclaimer petition provide evidence with respect to that question and are consistent with its acknowledged intent to continue representing only the five employees in the positions of water plant operator and water plant foreman. Plainly, the Union

made a limited disclaimer and waiver of right, which does not meet the requirements of Section 1265.10 of the Board's rules.

For the reasons set forth above, I recommend that the Union's disclaimer of interest petition is inappropriate and must be denied, leaving the certification of the Union as the bargaining unit's exclusive representative in place.

It follows that, unless the Union can meet the severance standard set forth above, the Union's representation petition in case no. S-RC-21-014 seeking to represent five of the employees in the bargaining unit the Union already represents is inappropriately filed and must be dismissed. However, the Union argues that it is not seeking severance but is pursuing decertification here so that it may effectuate the employees' wishes to be represented in a smaller bargaining unit. But as explained above, the Board's policies and processes do not permit what the Union is trying to do here. And, as the Union denies that it is pursuing unit severance, there is no reason to investigate whether severance is appropriate in this circumstance.

Accordingly, I recommend that the Union's petition in case no. S-RC-21-014 also be dismissed. I recommend that the Board direct election on the decertification petition in S-RD-21-001, which remains pending, so that the entire bargaining unit may vote on the question of whether a majority of the employees desire to continue to be represented by the International Brotherhood of Electrical Workers, Local 51 (Union) or by no representative.

V. Conclusion of Law

The Union's disclaimer of interest petition is inappropriate and therefore must be dismissed. Because the disclaimer of interest petition must be dismissed, the Union's petition in case no. S-RC-21-014 also must be dismissed. The Board should direct election on the decertification petition in S-RD-21-001, which remains pending, so that the entire bargaining unit

may vote on the question of whether a majority of the employees desire to continue to be represented by the International Brotherhood of Electrical Workers, Local 51 (Union) or by no representative.

VI. Order Dismissing Petition

IT IS HEREBY ordered that the petition in case No. S-DD-21-001 is dismissed. Because the Union's declaration of disinterest petition was inappropriately filed and is therefore dismissed, the Union's pending majority interest representation petition in case no. S-RC-21-014 is inappropriately filed and is dismissed, and the employee election shall proceed on the decertification petition in case no. S-RD-21-001.

VII. Exceptions

Pursuant to Section 1200.135 of the Board's Rules and Regulations, 80 Ill. Admin. Code Parts 1200-1240, the parties may file exceptions to this recommendation and briefs in support of those exceptions no later than 14 days after service of this recommendation. Parties may file responses to any exceptions, and briefs in support of those responses, within 10 days of service of the exceptions. In such responses, parties that have not previously filed exceptions may include cross-exceptions to any portion of the recommendation. Within five days from the filing of cross-exceptions, parties may file cross-responses to the cross-exceptions. Exceptions, responses, cross-exceptions and cross responses must be filed with the General Counsel of the Illinois Labor Relations Board, to either the Board's Chicago Office at 160 North LaSalle Street, Suite S-400, Chicago, Illinois 60601-3103 or to the Board's designated email address for electronic filings, at *ILRB.Filing@Illinois.gov*. All filings must be served on all other parties. Exceptions, responses, cross-exceptions and cross-responses will not be accepted at the Board's Springfield office. Exceptions and/or cross-exceptions sent to the Board must contain a statement listing the

other parties to the case and verifying that the exceptions and/or cross-exceptions have been provided to them. If no exceptions have been filed within the 14-day period, the parties will be deemed to have waived their exceptions.

Issued in Chicago, Illinois on this 16th day of May 2023

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

s/Sharon Purcell

**SHARON PURCELL
Administrative Law Judge
Sharon.Purcell@illinois.gov
(312) 793-6383**

NOTICE TO EMPLOYEES

FROM THE ILLINOIS LABOR RELATIONS BOARD

Case No. S-DD-21-001

NOTICE OF DECLARATION OF DISINTEREST PETITION

A PETITION has been filed with this agency by **International Brotherhood of Electrical Workers, Local 51** to declare its disinterest in further representation of certain employees of **City of Sullivan**.

The Illinois Labor Relations Board has investigated the petition and determined that 12 months have passed since the certification of the labor organization, and that the petition is otherwise appropriate. The Board has notified the labor organization that its petition has been approved, and has issued a revocation of the prior certification of the unit represented by the labor organization. Upon receipt of this revocation of the prior certification, the duties and responsibilities of the labor organization to that bargaining unit shall cease.

Description of the **S-RC-16-003 and S-RC-16-005** unit revoked is as follows:

Included: All employees of the City of Sullivan 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; and Street Foreman.

Excluded: All supervisory employees of the City of Sullivan including the Water and Sewer Distribution Foreman and Gas Foreman and all other full or part-time employees of the City excluded by the Illinois Public Labor Relations Act.

Inquiries regarding this case may be directed to the Board as listed below. Always reference the case number listed at the top of this Notice.

Illinois Labor Relations Board
801 South 7th Street, Suite 1200A
Springfield, IL 62703
(217) 785-3155
ilrb.filing@illinois.gov

Date Notice posted: _____

ILLINOIS LABOR RELATIONS BOARD

801 South 7th Street, Suite 1200A
Springfield, Illinois 62703
(217) 785-3155

160 North LaSalle Street, Suite S-400
Chicago, Illinois 60601-3103
(312) 793-6400

**THIS IS AN OFFICIAL GOVERNMENT NOTICE
AND MUST NOT BE DEFACED.**