

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
LOCAL PANEL

Minutes of the Local Panel Meeting
Held on April 11, 2006

I. OPENING OF MEETING 10:00 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL

II. PRESENT

Jackie Gallagher, Chairman; Don Hubert, Member of the Board; Edward E. Sadlowski, Member of the Board; John Brosnan, Executive Director; Jacalyn J. Zimmerman, General Counsel; and staff members.

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 14, 2006

Chairman Gallagher called for approval of the minutes of the March 14, 2006 meeting. Member Sadlowski made a motion for approval of the minutes. Member Hubert seconded. The Board approved the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the Local Panel administrative actions for the period of time from March 1 through March 31, 2006. He distributed the report to the Board for review, and the Board examined and discussed it.

V. BOARD ACTIONS

1. L-RC-05-018

Metropolitan Pier and Exposition Authority and Teamsters, Local 714

The Board decided at its March 14, 2006 meeting to hear oral argument on this case. A certified court reporter recorded and transcribed the oral argument. After the parties concluded presenting their positions, Chairman Gallagher began the discussion of the case, with Members Hubert and Sadlowski, debating the various aspects of the independent contractor issue. Member Sadlowski pointed out that certain of the Authority's actions were simply ploys to prevent union organization. The Chairman and the Board Members engaged in substantial further discussion, regarding that point and several other pertinent facts presented by the matter. At the conclusion thereof, Chairman Gallagher called for a motion to decide the case. Member Hubert made a motion to accept the Administrative Law Judge's recommendation, finding that the petitioned-for employees are independent contractors. Chairman Gallagher seconded the motion. The Board passed the motion by a two to one voice vote; Member Sadlowski dissented.

2. L-CA-05-028

Service Employees International Union, Local 73/County of Cook/Sheriff of Cook County

General Counsel Zimmerman began by summarizing the case. The Administrative Law Judge defaulted the Employer for failing to timely file an answer to the complaint. The General Counsel noted that the Employer astutely referenced a similar case, involving the Village of Bolingbrook, in which the Illinois Supreme Court issued a supervisory order. However, the General Counsel consulted with the Attorney General's office and learned that supervisory orders are not precedential. Accordingly, the General Counsel recommended that the Board sustain the Administrative Law Judge's recommendation. Member

Sadlowski made a motion to accept the Administrative Law Judge's recommendation, and Member Hubert seconded the motion. The Board passed the motion unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Chairman reported on legislative matters, specifically noting the House and Senate schedules. The Board held an abbreviated discussion of the agency's budget and decided against holding an Executive Session.

VII. ADJOURNMENT

Member Sadlowski made a motion to adjourn the meeting. Member Hubert seconded the motion. The Board adjourned the meeting.

Adopted and approved by the Chairman and Members of the Local Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 9th day of May, 2006.