

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

**Minutes of the Local Panel Meeting  
Held on July 10, 2012**

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

**II. PRESENT**

Robert M. Gierut, Chairman; Charles E. Anderson, Member of the Board; Richard Lewis, Member of the Board; Melissa Mlynski, Executive Director; Jerald S. Post, General Counsel; and staff members.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD June 12, 2012**

Chairman Gierut called for the approval of the minutes from the June 12, 2012 meeting. Member Anderson moved to approve the minutes of the June 12, 2012 meeting. Chairman Gierut seconded. The Board passed the motion unanimously, by a voice vote.

**IV. ADMINISTRATIVE MATTERS**

Chairman Gierut asked Executive Director Mlynski to present the Local Panel administrative actions report for the period of time from June 1 to June 30, 2012. She presented the report and summarized its highlights. The Board examined the report and discussed it.

**V. BOARD ACTIONS**

**1. Case No. L-CA-12-050  
Theodis Ivy/ City of Chicago**

Chairman Gierut asked General Counsel Post to call and present the case, noting that Member Lewis recused himself from the case. General Counsel Post stated that the Executive Director issued a dismissal on April 23, 2012, with an appeal filed. General Counsel Post reviewed the issues presented by Charging Party's appeal which alleges a violation of Section 10(a) of the Act. General Counsel Post recommended that the Board accept the Executive Director's dismissal because Charging Party failed to demonstrate there was an issue of fact or law warranting issuance of a complaint for hearing. After discussion, Member Anderson made a motion to accept the General Counsel's recommendation. Chairman Gierut seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. Case No. L-CB-12-033  
Wayne Harej/ Illinois Fraternal Order of Police**

Chairman Gierut asked General Counsel Post to call and present the case. General Counsel Post stated that on April 25, 2012, the Executive Director dismissed a charge filed by Charging Party, in which Charging Party alleged the Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. General Counsel Post reviewed the issues presented by Charging Party's appeal and recommended that the Board accept the Executive Director's dismissal. After discussion, Member Anderson made a motion to accept the General Counsel's recommendation. Member Lewis seconded the motion, and the Board passed it unanimously, by a voice vote.

**3. Case No. L-CA-11-006  
William Foster and Laura Foster/ Chicago Transit Authority**

Chairman Gierut asked General Counsel Post to call and present the case noting that he recused himself from the case. General Counsel Post stated that on October 21, 2011, the Board affirmed the Executive Director's dismissal and Charging Parties appealed the Board's decision to the Illinois Appellate Court. Pending briefing in the appellate court, a Board agent became aware that a premise of the dismissal had been in error. The

Board asked the court to remand the case to the Board for a consideration of the merits of the charge. The court granted our request. After discussion, General Counsel Post recommended that the Board affirm the dismissal because the Charging Parties' allegations do not assert a violation of the Act by the Respondent. After discussion, Member Anderson made a motion to accept the General Counsel's recommendation. Member Lewis seconded the motion, and the Board passed it unanimously, by a voice vote.

**VI. OTHER BOARD MATTERS**

The Board opted to review the fiscal and legislative reports in the joint panel meeting scheduled for 10:30 a.m. on this date. After a short discussion regarding whether there was a need for executive session, the Board concluded that it was unnecessary at this time.

**VII. ADJOURNMENT**

Chairman Gierut called for a motion to adjourn. Member Anderson made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

**Adopted and approved by the Chairman and Members of the Local Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 14<sup>th</sup> day of August, 2012.**