

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

**Minutes of the Local Panel Meeting
Held on March 11, 2014**

I. OPENING OF MEETING 10:00 A.M.—160 North LaSalle Street, Suite S-401, 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 February 13, 2014

Chairman Gierut called for approval of the minutes of the February 13, 2014 meeting. Member Anderson moved to approve the minutes. Member Lewis 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 February 1 through February 28, 2014. She presented the report and summarized its highlights. The Board examined the report and discussed it. Fiscal, legislative, and mediation reports were also presented to the Board by the Executive Director.

V. BOARD ACTIONS

1. Case No. L-CB-13-020

Salvatore Zicarelli/ Teamsters, Local 700

Chairman Gierut asked General Counsel Post to call the case. General Counsel Post stated that on September 17, 2013 the Executive Director issued a dismissal of the charge alleging that Respondent violated Section 10(b) of the Illinois Public Labor Relations Act. General Counsel Post then reviewed the issues raised by the Charging Party's appeal and Respondent's response. After his presentation, General Counsel Post recommended that the Executive Director's dismissal be affirmed. After discussion, Member Anderson moved to accept the Executive Director's dismissal and deny the Charging Party's extension of time request. Member Lewis seconded the motion, and the Board passed it unanimously, by a voice vote.

2. Case No. L-CA-10-043

Rhodda Thompson/ County of Cook (Hektoen Institute)

Chairman Gierut asked General Counsel Post to call the case. General Counsel Post called the case and asked Counsel Kazanjian to present and discuss the issues of the case. Counsel Kazanjian stated that Administrative Law Judge (ALJ) Owen issued a Recommended Decision and Order (RDO) finding Respondent violated Section 10(a)(1) of the Act. After his presentation and discussion he recommended that the Board adopt the ALJ's finding that the County and Hektoen are joint employers and that the County violated the Act in failing to complete Charging Party's performance evaluation in a timely manner, that the Board should reverse the ALJ's finding that the County violated the Act in its discharge/layoff of Charging Party, and that all other findings and recommendations of the ALJ should be allowed to stand as a non-precedential orders binding only upon the parties. After discussion, Member Anderson moved to reverse the RDO, find no violation, and dismiss the charge and thus find no need to address potential joint employer status. Member Lewis seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. EXECUTIVE SESSION

After a short discussion regarding whether there was a need for executive session, the Board concluded it was unnecessary.

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 15th day of April, 2014.