



Illinois Labor Relations Board

**2021
ANNUAL REPORT**





Illinois Labor Relations Board

To the Governor of the State of Illinois, the President of the Illinois Senate, the Speaker of the Illinois House, and the Members of the Illinois General Assembly:

This is the 36th annual report of the Illinois Labor Relations Board (ILRB) giving an overview of decisions rendered, statistics of case activity, relevant court decisions, our budget and staffing for the period of July 1, 2020 through June 30, 2021.

The ILRB has offices in Springfield and Chicago. The ILRB consists of two panels with five members on the State Panel and three members on the Local Panel. The panels hold monthly meetings and meet jointly at least twice a year. ILRB meetings are open to the public. Dates and locations can be found at <https://ilrb.illinois.gov>.

The Illinois Labor Relations Board is grateful to Governor J. B. Pritzker, Mayor Lori E. Lightfoot, and Cook County Board President Toni Preckwinkle for giving us the responsibility to help maintain a positive relationship between public employers and their employees.

Sincerely,

/s/ William E. Lowry

William E. Lowry
Chairman

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Jurisdiction of the Board

The Illinois Public Labor Relations Act (Act), 5 ILCS 315 (2014), enacted by Public Act 83-1012, effective July 1, 1984, and last amended effective December 20, 2019, governs labor relations between most public employers in Illinois and their employees, along with the labor organizations that represent these employees. Throughout the State, the Illinois Labor Relations Board (ILRB) regulates the designation of employee representatives; the negotiation of wages, hours, and other conditions of employment; and resolves or, if necessary, adjudicates labor disputes.

The State Panel has jurisdiction over public, non-educational employers and employees throughout the State of Illinois. Its jurisdiction includes state government, county governments, municipal governments covering populations not in excess of two million persons, and the Regional Transportation Authority.

The Local Panel has jurisdiction over units of local government with a population in excess of two million persons. This includes not only the County of Cook and the City of Chicago, but also other county- and city-wide governmental entities such as the Forest Preserve District of Cook County, the Metropolitan Water Reclamation District of Greater Chicago, the Chicago Housing Authority, the Chicago Transit Authority, and the Chicago Park District.

Together with the Illinois Educational Labor Relations Act, 115 ILCS 5 (2014), the Act provides comprehensive statutory regulation of public sector collective bargaining in Illinois. It has many similarities to the National Labor Relations Act, which regulates collective bargaining matters in the private sector, and to the laws of other states that regulate collective bargaining in the public sector.

The Board's duties under the Act include the following:

1. Rendering determinations on all charges alleging unfair labor practices under the Act, after investigation and, where necessary, hearing;
2. Processing petitions seeking the certification or decertification of collective bargaining representatives of public employees, often conducting hearings and elections upon such petitions;
3. Processing petitions to modify or clarify bargaining units and certifications of bargaining units;
4. Providing rosters of mediators, fact-finders, and arbitrators to parties covered by the Act in order to assist in resolving collective bargaining impasses and grievance disputes.
5. Conducting emergency investigations of public employee strikes and strike threats, upon demand, to determine whether judicial proceedings are warranted to restrain or prevent strike activity imperiling the health and safety of the public.

Funding of the Board

The Illinois Labor Relations Board received a budget appropriation of \$1,743,000 for Fiscal Year 2021. The ILRB received its funding through the General Revenue Fund (GRF). The ILRB had a lump sum rather than line-item budget for Fiscal Year 2021. The line-item figures represented below reflect expenditures for those lines. Figures on each line, including the total, were rounded to the nearest dollar.

FY 2021 Actual Expenditures	
Regular Positions	1,039,831
Social Security/Medicare	75,343
Contractual Services	69,182
Travel	0
Commodities	3,905
Printing	1,785
Equipment	135
Electronic Data Processing	91,559
Telecommunication	21,768
Agency Ops/Lump Sum	75
Total	1,303,583

Illinois Labor Relations Board Members

STATE PANEL

William E. Lowry (Chairman)
Chicago

John S. Cronin
Mokena

Kendra Cunningham
Murrayville

Jose L. Guidino
Orland Hills

Thomas Willis
Addison

LOCAL PANEL

Lynn O. Sered (Chairman)

Charles E. Anderson
Chicago

Angela C. Thomas
Chicago

Illinois Labor Relations Board Staff

EXECUTIVE DIRECTOR
Kimberly F. Stevens

GENERAL COUNSEL
Helen J. Kim

PERSONNEL OFFICER
Cody Huffines

ASSOCIATE GENERAL COUNSEL
Anna Hamburg-Gal

CHIEF FISCAL OFFICER
Aaron M. Itulya

ADMINISTRATIVE LAW JUDGES
Donald W. Anderson
Matthew S. Nagy
Michelle N. Owen
Sharon A. Purcell

COMPLIANCE OFFICER/
INVESTIGATOR/MEDIATOR

INVESTIGATORS
Tiara Mackins

INFORMATION TECHNOLOGY
Jodi M. Marr

CASE MANAGER
Cody Huffines

Functions of the Board

Case Processing

The Board has two primary programs, Petition Management (Representation Cases) and Unfair Labor Practice Charges. The following briefly describes the types of cases processed by the Board under each program and the procedures used to process them. All references to the Board are applicable to either the State or Local Panel.

Petition Management (Representation Cases)

Petition management (representation) cases can be initiated in several ways. A labor organization seeking recognition as the exclusive bargaining representative of a unit of employees in which no other labor organization has attained recognition rights has two options: request that the employer voluntarily recognize it or file a representation petition with the Board. If another labor organization is already recognized in accordance with the Act to represent the same group of employees, a representation petition must be filed with the Board.

The following types of petitions initiate representation proceedings before the Board:

- Representation/Certification Petitions (RC) are filed by employees, a group of employees, or labor organizations seeking certification of an exclusive collective bargaining representative for certain positions.

Labor organizations seeking certification as the exclusive bargaining representatives of employees may seek certification by filing a petition seeking an election or a Majority Interest Petition. Where a Majority Interest Petition is filed, the Board determines whether the labor organization has presented evidence that a non-coerced majority of employees in an appropriate unit signed valid cards or petitions indicating they want that labor organization to represent them for the purpose of collective bargaining. The Board can then certify the labor organization as the exclusive representative without an election.

In an Election Petition, a labor organization presents evidence that over 30 percent of the employees seek an election to determine whether a majority desires representation by the petitioning labor organization. The Board then conducts an election to determine the employees' desires regarding representation.

- Employer's Representation Petitions (RM) are filed by employers alleging that one or more labor organizations have presented a claim to be recognized as an exclusive collective bargaining representative for a majority of the employees in an appropriate unit.
- Voluntary Recognition Requests (VR) are requests for certification of a unit, without an election, where the labor organization demonstrates it has a majority showing of interest in an appropriate unit and the employer voluntarily recognizes it as the unit's exclusive representative.
- Decertification Petitions (RD) are filed by employees seeking an election by which they can indicate their desire to no longer be represented by the existing exclusive collective bargaining representative.
- Unit Clarification Petitions (UC) are filed by exclusive collective bargaining representatives or employers seeking to clarify or amend an existing bargaining unit through the addition or deletion of a position without an election.
- Petitions to Amend Certification (AC) are filed by exclusive collective bargaining representatives or employers seeking to amend a certification because of a change in name or structure.

- Declaration of Disinterest Petitions (DD) are filed by exclusive collective bargaining representatives to declare their disinterest in further representation of a bargaining unit.

Upon receipt of a representation petition, the Board provides the employer with a notice to be posted for the benefit of affected employees. An investigation is initiated to determine the adequacy of the showing of interest - based on employee authorization cards, petitions, or election results - and the appropriateness of the proposed bargaining unit.

Employees or competing labor organizations may file intervention petitions within specified time limits.

Petitions are dismissed by the Executive Director when they have been untimely filed, when the bargaining unit is clearly inappropriate, when the showing of interest is not adequate, or when the employer and/or employees are not covered by the Act.

Election Petitions

When an election petition is filed, and Board agent determines that the petition is consistent with the Act and its Rules, the agent will prepare a stipulation for consent election to be signed by the petitioner, the employer, the labor organization seeking to represent the employees, any incumbent, and any timely intervener. Upon approval of the Executive Director, a Board agent will hold the election.

If the investigation of the petition discloses the existence of a question concerning representation, the matter is assigned to an administrative law judge who may set it for hearing. Unlike unfair labor practice hearings, representation hearings are non-adversarial in nature. Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions.

After an election is conducted, any party may file objections with the Board alleging that the result was not fairly and freely chosen by a majority of the employees. If, after investigation and hearing, it is determined that the objections are valid, a new election is conducted. If no objections are filed or if the Board determines after investigation or hearing that filed objections are not well-founded, the Board either certifies the collective bargaining representative that received a majority of the votes cast as the exclusive representative or certifies that the election resulted in no representation. Subsequent elections cannot be conducted in the bargaining unit for one year following an election that results in a Board certification.

Majority Interest Petitions

When a majority interest petition is filed, it is investigated to ensure that the labor organization has provided evidence that a non-coerced majority of the employees in an appropriate unit want to be represented by it for the purposes of collective bargaining. If the employer objects to the petition because it believes that specific positions are not eligible to be represented in a bargaining unit (for example, because employees in the positions are supervisors, confidential employees, or managerial employees as defined by the Act), the Board will nevertheless certify the labor organization as the exclusive representative for the unit if the contested positions are not sufficient to affect the labor organization's majority support. Whether the disputed positions should be included in the bargaining unit will be resolved by use of the Board's unit clarification procedures.

If the majority interest petition proposes a bargaining unit that combines both professional and nonprofessional employees, the Board will first conduct an election to determine whether both the professional and nonprofessional employees want to be represented in a combined unit. If the professional and nonprofessional employees decline to be represented in a combined unit, the Board will certify separate professional and nonprofessional units, provided the labor organization has demonstrated majority support in each separate unit.

If a party or individual provides evidence demonstrating a material issue of fact or law that the labor organization's majority support was obtained by fraud or through coercion, an administrative law judge will determine whether there

is clear and convincing evidence of fraud or coercion. This recommendation can be reviewed by the Board. If the Board determines there is clear and convincing evidence of fraud or coercion, it will conduct an election to determine majority support for the labor organization in the appropriate unit. If the Board finds that there is not clear and convincing evidence of fraud or coercion, the Board will certify the unit based on the labor organization's evidence of majority support.

Unfair Labor Practice Charges

Section 10 of the Act prohibits employers and labor organizations from engaging in certain labor practices. An employer, a labor organization, or an employee may file a charge with the Board alleging such unfair labor practices. There are two categories of unfair labor practice charges:

- A *Charge Against Employer (CA)* alleges that an employer has violated one of the provisions under Section 10(a) of the Act; and
- A *Charge Against Labor Organization (CB)* alleges that a labor organization has violated one of the provisions under Section 10(b) of the Act.

Upon receipt of a charge, the case is assigned to an investigator. If the investigation reveals that there is no basis to sustain the charge, the Executive Director dismisses the charge. If, on the other hand, the investigation reveals the existence of a dispositive question of law or fact as to whether an unfair labor practice has been committed, the Executive Director will issue a complaint and the case will be set for hearing before an administrative law judge. In contrast to practices before the National Labor Relations Board, the Board does not perform the prosecutorial function once a complaint is issued. Instead, the charging parties or their representatives prosecute unfair labor practice cases. Because it does not prosecute, the Board's "issue of law or fact" standard for issuance of a complaint is less strenuous than the reasonable cause standard used by the National Labor Relations Board.

At unfair labor practice charge hearings, charging parties and respondents produce and examine witnesses, adduce evidence in support of their positions, and, typically, file written briefs. After considering the record and the parties' briefs, the administrative law judge will subsequently issue a recommended decision and order.

Parties may file appeals from the Executive Director's dismissal or file exceptions to an administrative law judge's recommended decision and order. The Board hears and rules on all appeals and exceptions. Parties aggrieved by Board decisions and orders may obtain judicial review in the Illinois Appellate Court. Parties may also seek to enforce a Board order in the Illinois Appellate Court.

In FY2014, the Board designated one of its investigators to function as its in-house mediator. This move allows the Board to provide mediation services to parties who have pending claims before the Board.

Other Issues Before the Board

In addition to cases that fall within the Board's two major programs, other issues also come before the Board. Below is an overview of various other ways the Board facilitates effective bargaining relationships between public employers and their employees.

Mediation/Arbitration Cases

The Board maintains a roster of qualified mediators and arbitrators. Upon request, the Board provides a list of mediators or arbitrators (MA) to parties who have reached an impasse in collective bargaining. The Act prohibits protective services employees (security employees, peace officers, firefighters) from striking. Disputes over their negotiations are subject to mandatory mediation and interest arbitration. Units of non-protective services

employees use mediation in the event of impasse and can use interest arbitration on agreement of the parties or in certain instances in negotiating a first contract. The parties may request the Board's roster for other services as well, such as fact-finding, grievance arbitration, and grievance mediation, which are provided at the request of one or both parties.

Strike Investigations

If a unit of non-protective services employees engages in a strike that the employer believes presents "a clear and present danger to the health and safety of the public," the employer may petition the Board for a strike investigation (SI). The Board has 72 hours to determine whether such a clear and present danger exists. The employer may then take the Board's findings to Circuit Court to seek to enjoin the work stoppage in a manner that would eliminate the danger. When employees have been enjoined from striking pursuant to this procedure, interest arbitration is used to resolve the issues in dispute.

Declaratory Rulings

Employers and labor organizations may also request that the Board's General Counsel issue a declaratory ruling (DR) stating whether the Act requires bargaining over a particular subject. Such requests must be made jointly, unless it involves a protective services employee unit where a request for interest arbitration has been made.

Police Decertification Cases

Amendments to Section 6.1 of the Illinois Police Training Act through Public Act 93-0655 instituted a process for the decertification of a police officer when it has been proven that, while under oath, he or she has knowingly and willfully made false statements as to a material fact going to an element of the offense of murder. There are two situations in which the ILRB State Panel may be required to conduct hearings involving alleged police perjury. In the first scenario, the Illinois Law Enforcement Training Standards Board (ILETSB) investigates verified complaints of police perjury in cases where there has been an acquittal. Following an investigation, ILETSB will forward a report to the Executive Director of the ILRB who will review the evidence to determine whether it is sufficient to warrant a hearing before an administrative law judge of the ILRB. In these cases, the Executive Director may either issue a non-appealable dismissal or order a hearing. In the second scenario, where there has been a finding of guilt on the offense of murder but a new trial is granted on direct appeal or a state post-conviction evidentiary hearing is ordered based on a claim of police perjury that goes to an element of the offense of murder, a request for hearing is filed directly with the ILRB without an investigation by ILETSB. If any of these cases proceed to hearing, an administrative law judge will make a recommendation to the ILRB State Panel as to whether certain police officers have committed perjury in homicide proceedings such that they should be decertified. The administrative law judge's decision may be appealed to the Board and the Board decision may be further appealed to court.

Rulemaking

The Board is authorized to promulgate rules and regulations governing its activity. 5 ILCS 315/5(i), (j) & (k) (2012). A vote of five of the eight Board members is necessary to enact or amend rules.

The Board has adopted regulations governing its internal structures (2 Ill. Adm. Code 2500), access to its records (2 Ill. Adm. Code 2501), general provisions applicable to all Board proceedings (80 Ill. Adm. Code 1200), procedures in representation cases (80 Ill. Adm. Code 1210), procedures in unfair labor practice cases (80 Ill. Adm. Code 1220), procedures for resolving collective bargaining impasses (80 Ill. Adm. Code 1230), procedures for police decertification cases (80 Ill. Adm. Code 1240), and procedures for implementing the gubernatorial designations for exclusion (80 Ill. Admin. Code 1300). The Board's rules are available at its offices or on its website at <http://ilrb.illinois.gov>

Referrals to Other Agencies

Board staff members spend a considerable amount of time assisting individuals who either call or walk into the Board's offices seeking information regarding their work-related problems. When, as often happens, a Board agent determines that the Board has no jurisdiction to remedy the problem presented by the person, the agent directs the person to the appropriate governmental agency.

Contract Repository/Reporting of Board Decisions

The Board serves as the repository of public sector collective bargaining agreements for employees under the Board's jurisdiction. Contracts are maintained in electronic format and are available upon request to the Board. All Board decisions are reported through the Public Employee Reporter for Illinois (PERI).

Legislative Amendments

Board Rulemaking Part 1210 Representation Proceedings Use of Electronic Signatures in Representation Petitions

The Board amended its rules on representation petitions to allow a labor organization to demonstrate a showing of interest in support of a petition by using the electronic signatures of employees. 80 Ill. Admin. Code §1210.80(d)(1)(C). The Board adopted the definition of “electronic signature” from the Uniform Electronic Transactions Act, 815 ILCS 333/1 *et seq.*, which defines that term as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” 80 Ill. Admin. Code §1210.80(e)(8). Any submissions supported by electronic signatures must contain the signers name, email address or other known contact information, and telephone number, the language to which the signer agreed, the date of submission, and the name of the employer. 80 Ill. Admin. Code §1210.80(e)(9). Such submissions should not contain sensitive personal identifiers, such as birth dates or social security numbers, and the Board will not accept submissions that include such identifiers. 80 Ill. Admin. Code §1210.80(e)(10).

Board and Court Decisions

I. Representation Issues

9/29/20

Illinois Appellate Court, First District Rule 23 Unpublished Summary Order Majority Interest/Confidential Exclusion/Authorized Access

In *Am. Fed. of State, Cnty., and Mun. Emps., Council 31 (AFSCME) v. Ill. Labor Relations Bd., et al.*, the First District dismissed AFSCME's appeal of the Board's Decision and Order in *AFSCME and Chief Judge of the Circuit Court of Cook County*, 36 PERI ¶ 42 (IL LRB-SP 2019) (Case No. S-RC-18-003). In its Decision and Order, the Board adopted the ALJ's Recommended Decision and Order dismissing the majority interest petition filed by Petitioner seeking to represent employees in the title Investigator III working in the Cook County Juvenile Temporary Detention Center. Following the Board's Decision and Order in *Ill. Dep't. of Central Mgmt. Servs. (Corrections)*, 33 PERI ¶ 121 (IL LRB-SP 2017), *aff'd sub nom. Metro. Alliance of Police, Chapter 294 v. Ill. Labor Relations Bd., State Panel*, 2018 Il App (1st) 171322-U (unpublished order), the ALJ determined the Investigator IIIs, who substantiated or unsubstantiated allegations of misconduct, were excluded from collective bargaining as confidential employees because they had advanced knowledge of discipline. Although the Board found some merit to the AFSCME's contention that the decision relied on by the ALJ inappropriately expanded the authorized access test to include advanced knowledge of discipline, it adopted the RDO because that decision was affirmed by the Appellate Court in an unpublished order and to maintain consistency with the Board's Local Panel decision in *City of Chicago*, 36 PERI ¶ 12 (IL LRB-LP 2019).

The court noted in its summary order that on appeal, AFSCME contended the Board violated Rule 23 by relying on the court's unpublished order affirming the Board's Decision in *Ill. Dep't. of Central Mgmt. Servs. (Corrections)*. The court also noted that the Board contended it properly applied its precedent and narrowly construed that precedent by limiting the scope of the confidential employee exclusion only to those who have an active involvement in creating work product substantiating an advanced knowledge of potential employee discipline. After full briefing, the court granted AFSCME's motion for leave to voluntarily dismiss its appeal, stating "the Union has accepted the Board's clarification that it narrowly construes its prior decision in moved to voluntary dismiss its appeal in [*Ill. Dep't. of Central Mgmt. Servs. (Corrections)*] as affirmed by our Court . . . and its direct relevance to the instant case."

3/15/21

ILRB SP

Decertification/Blocking Order

In *Michael Coutre and Village of Crestwood and Illinois Council of Police*, 37 PERI ¶ 85 (IL LRB-SP 2021) (Case No. S-RD-21-002), Petitioner Michael Coutre, a member of a bargaining unit represented by the Incumbent Illinois Council of Police, filed a petition seeking an election to determine whether members of the bargaining unit desired continued representation by the Incumbent union. An administrative law judge investigated the petition, resulting in recommendations to block the election and hold the matter in abeyance until the outcome of two unfair labor practice charges filed by the Incumbent against the Employer Village of Crestwood in Case Nos. S-CA-20-057 and S-CA-20-114. Both charges involved allegations that the Employer interfered in the instant petition and engaged in conduct frustrating the collective bargaining process. The Board accepted the ALJ's recommendations and held the matter in abeyance.

4/19/21

ILRB LP

Executive Director Order/Mail Ballot

In *Front Line Labor Alliance and County of Cook and Sheriff of Cook County, and International Brotherhood of Teamsters, Local 700*, 37 PERI ¶ 98 (IL LRB-LP 2021) (Case No. L-RC-21-006), the Incumbent representative Teamsters

appealed the Executive Director's order directing a mail ballot election over the Incumbent's objections, determining that under the circumstances—COVID-19 mitigation guidelines and safety concerns together with Board staffing issues—a mail ballot would allow for a timely and safe runoff election between Petitioner Front Line Labor Alliance and the Incumbent, and better assist the Board in effectuating the purposes of the Act in accordance with Section 1210.140 of the Board's rules. The Board rejected the Incumbent's contentions and affirmed the Executive Director's Order directing a mail ballot runoff election to determine the exclusive representative of the bargaining unit composed of correctional officers employed at the Cook County jail.

4/19/21

ILRB SP

Majority Interest Petition/Bargaining Unit Appropriateness/Community of Interest/Fraud and Coercion

In *American Federation of State, County, and Municipal Employees, Council 31 (AFSCME), and CGH Medical Center*, 37 PERI ¶ 100 (IL LRB-SP 2021) (Case No. S-RC-20-030), AFSCME filed a majority interest petition seeking to represent certain professional and non-professional job titles and classifications at the CGH Medical Center in a combined unit of approximately 800 employees. CGH Medical Center objected to the petition, claiming the petitioned-for RN- Specialty Unit and EMR Trainer positions lacked a community of interest with the petitioned- for bargaining unit. CGH also contended AFSCME obtained majority support through fraud and coercion. After an investigation and hearing, an ALJ issued a Recommended Decision and Order (RDO) finding the RN-Specialty Unit position appropriately included in the petitioned-for unit; the EMR Trainer position inappropriately included in the petitioned-for unit; and that CGH failed to establish by clear and convincing evidence that AFSCME obtained its majority support by fraud and/or coercion. CGH filed exceptions, and AFSCME filed cross-exceptions. The Board disregarded CGH's exceptions pursuant to Section 1200.135(b)(2) of the Board's rules and also noted that even if the Board considered CGH's exceptions, they were meritless. The Board adopted the ALJ's RDO but with qualification on the issue of fraud and coercion, agreeing with AFSCME that under the Board's rules and caselaw, CGH was required to provide clear and convincing evidence that AFSCME obtained majority of support through fraud and coercion at the time it objected to the petition, and that the ALJ erred in setting the matter for hearing on the issue of fraud and coercion based on assertions rather than clear and convincing evidence.

6/14/21

ILRB SP

Unit Clarification/Contract Bar/Severance

In *Policemen's Benevolent and Protective Association-Labor Committee and County of Marion, et al., Laborers International Union of North America, Local 119*, 38 PERI ¶ 6 (IL LRB-SP 2021) (Case Nos. S-RC-19-060, S-UC-21-018), the petitioning union filed a majority interest petition seeking to represent employees at various offices within the County of Marion in a bargaining unit previously certified by the Board. The County objected contending the petition was barred by the existing collective bargaining agreement between the Incumbent union and the County covering the employees at the County's highway department. The Incumbent union and the County had bargained two separate collective bargaining agreements for the bargaining unit, one agreement for the highway department employees and another agreement for the rest of the employees at issue. The agreements, however, were scheduled to expire on dates that were two years apart. In its October 9, 2019 Decision and Order, 36 PERI ¶ 53 (IL LRB-SP 2019)(Case No. S-RC-19-060), the Board reversed the Executive Director's order directing an election, finding the circumstances presented novel issues and raised an issue of law regarding the effect of the "all or some" phrase in Section 1210.135(a)(1) of the Board's rules relating to the contract bar and remanded the case for hearing.

Prior to the hearing upon remand, the Incumbent union filed a unit clarification petition seeking to sever the existing unit into two separate units, Unit 1 for the highway department employees and Unit 2 for the remaining employees. No objections to the Incumbent's petition were made. The ALJ consolidated the two cases and found that the Board's unit clarification procedures allowed the Incumbent to sever its singular unit. The ALJ also determined that the unit

clarification petition rendered moot the issues outlined in the Board's October 9, 2019 Decision and Order and recommended the conduct of an election in Case No. S-RC-19-060 to determine the representative for Unit 2.

The County filed exceptions and the Petitioning union responded, moved to intervene in the unit clarification petition and requested to withdraw its majority interest petition. The Board denied the motion to intervene but allowed Petitioner's response to the exceptions; accepted the ALJ's recommendations relating to the Incumbent's unit clarification petition; and acknowledged Petitioner's withdrawal of its representation petition and its effect on the issues in Case No. S-RC-19-060.

6/14/21

ILRB LP

Executive Director Order/Mail Ballot

In *Metropolitan Alliance of Police, Cook County Sheriff's Fugitive Unit Investigators #255 (MAP) and County of Cook and Sheriff of Cook County and International Brotherhood of Teamsters Local 700*, 38 PERI ¶ 1 (IL LRB-LP 2021) (Case No. L-RC-21-014), the Incumbent representative Teamsters appealed the Executive Director's order directing a mail ballot election over the Incumbent's objections, determining that under the circumstances—COVID-19 mitigation guidelines and safety concerns together with Board staffing issues—a mail ballot would allow for a timely and safe election between Petitioner MAP and the Incumbent union, Teamsters Local 700, and better assist the Board in effectuating the purposes of the Act in accordance with Section 1210.140 of the Board's rules. The Board rejected the Incumbent's contentions and affirmed the Executive Director's Order directing a mail ballot election to determine the exclusive representative of the bargaining unit composed of employees working in the title Investigator II Fugitive Unit employed by the County of Cook and the Sheriff of Cook County.

6/14/21

ILRB SP

Executive Director Order/Mail Ballot

In *Metropolitan Alliance of Police, Park Ridge Police Chapter #762 (MAP) and City of Park Ridge and International Brotherhood of Teamsters Local 700*, 38 PERI ¶ 4 (IL LRB-SP 2021) (Case No. S-RC-21-035), the Incumbent representative Teamsters appealed the Executive Director's order directing a mail ballot election over the Incumbent's objections, determining that under the circumstances—COVID-19 mitigation guidelines and safety concerns together with Board staffing issues—a mail ballot would allow for a timely and safe election between Petitioner MAP and the Incumbent union, Teamsters Local 700, and better assist the Board in effectuating the purposes of the Act in accordance with Section 1210.140 of the Board's rules. The Board rejected the Incumbent's contentions and affirmed the Executive Director's Order directing a mail ballot election to determine the exclusive representative of the bargaining unit composed of Patrol Officers employed by the City of Park Ridge.

6/14/21

ILRB SP

Executive Director Order/Mail Ballot

In *Illinois Council of Police and City of Markham and International Brotherhood of Teamsters Local 700*, 38 PERI ¶ 5 (IL LRB-SP 2021) (Case No. S-RC-21-036), the Incumbent representative Teamsters appealed the Executive Director's order directing a mail ballot election over the Incumbent's objections, determining that under the circumstances—COVID-19 mitigation guidelines and safety concerns together with Board staffing issues—a mail ballot would allow for a timely and safe election between Petitioner Illinois Council of Police and the Incumbent union, Teamsters Local 700, and better assist the Board in effectuating the purposes of the Act in accordance with Section 1210.140 of the Board's rules. The Board rejected the Incumbent's contentions and affirmed the Executive Director's Order directing a mail ballot election to determine the exclusive representative of the bargaining unit composed of all sworn full-time police officers in the rank of patrolman and sergeant employed by the City of Markham.

II. Employer Unfair Labor Practices

07/14/20

ILRB LP

Dismissal/Right to Counsel at Grievance Hearing/Causal Connection

In *Erma Lynette Sallis and County of Cook (Health Department)*, 37 PERI ¶ 7 (IL LRB-LP 2020) (Case No. L-CA-20-016), Charging Party, a Medical Laboratory Technician II, represented by the Service Employees International Union, Local 73, alleged the County violated Sections 10(a)(1), 10(a)(2), and 8 of the Act when it placed her on administrative leave and later refused to allow her attorney to represent her at the grievance meeting where she challenged that decision. 10(a)(2), and 8 of the Act. The Executive Director dismissed the charge's allegations regarding the right to private counsel at grievance meetings, noting that nothing in the Act or relevant caselaw provides such a right. The Executive Director then declined to consider the validity of the grievance provision contained in the collective bargaining agreement between SEIU and the County, noting that such review of collective bargaining agreements was within the jurisdiction of the circuit court, not the Board. Finally, the Executive Director dismissed the Section 10(a)(1) and 10(a)(2) allegations on the grounds that the Charging Party failed to present evidence of a causal connection between any protected, concerted activity by the Charging Party and the Respondent's decision to place her on administrative leave or exclude her private attorney from the grievance meeting. Upon appeal, the Board affirmed the dismissal.

07/14/20

ILRB SP

Dismissal/Protected Activity/Variance

In *Sharon Gladney and State of Illinois, Department of Central Management Services (Commerce & Economic Development)*, 37 PERI ¶ 12 (IL LRB-SP 2020) (Case No. S-CA-20-018), Charging Party alleged her employer engaged in unfair labor practices when it temporarily assigned her to the front desk at her work location and gave her a negative performance evaluation after she voiced concerns over the negative effects of her front desk assignment. The Executive Director dismissed the charge on grounds the available evidence failed to indicate Charging Party engaged in any protected concerted activity. Citing Board and NLRB precedent, the Executive Director determined Charging Party's complaints to management about the negative effects of working the front desk was not concerted activity as Charging Party admittedly raised issues about her work assignment solely on her own behalf and to explain how it affected her rather than raising issues on behalf of fellow employees or the effects on working conditions for other employees. On appeal, the Board found the appeal defective because it failed to comply with the Board's rules but granted a variance under Section 1200.160 of the Rules. Considering the appeal on the merits, the Board affirmed the dismissal for the reasons stated by the Executive Director. Member Willis concurring in part; dissenting on the grant of a variance, noting the instructions and time limitations were clearly laid out in the dismissal order.

08/19/094

ILRB LP

Dismissal/Timeliness/Retaliation

In *Laura Wicik and County of Cook, Health and Hospital System (Oak Forest Health Clinic)* 37 PERI ¶ 27 (IL LRB-LP 2020) (Case No. L-CA-19-094), Charging Party, an employee of the County of Cook's Oak Forest Health Clinic alleges the County unlawfully disciplined her and other employees for tardiness and denied her request for a witness to attend her discipline hearing in addition to her union representative. The Executive Director dismissed several allegations of the charge on timeliness grounds and the remaining allegations on substantive grounds. The Executive Director determined the allegations pertaining to the denial of Charging Party's request to bring an additional witness in February 2018 and her May 2018 three-day suspension were untimely because they occurred more than six months before December 17, 2018, the date she filed her charge. The Executive Director then dismissed the remaining

allegations on grounds the Charging Party failed to point to evidence indicating Respondent acted with improper motives when it imposed a ten-day suspension in November 2018 and further, failed to provide evidence Respondent treated her more harshly than similarly situated employees. On appeal, the Board affirmed the dismissal.

08/18/20

ILRB LP

Dismissal/Concerted Activity/Variance

In *Calvin L. Fields and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 28 (Case No. L-CA-19-108) (IL LRB-LP 2020), Charging Party, a deputy sheriff, alleged Respondents committed unfair labor practices when they disciplined Charging Party for failing his home checks after calling in sick. The Executive Director dismissed the charge on grounds the available evidence failed to indicate Charging Party engaged in any protected concerted activity and thus, failed to identify any evidence of the Employer's improper motives for the actions taken against him. On appeal, the Board found the appeal defective because it failed to comply with the Board's rules but granted a variance under Section 1200.160 of the Rules. Considering the appeal on the merits, the Board affirmed the dismissal for the reasons stated by the Executive Director.

08/18/20

ILRB SP

Dismissal/Abeyance

In *Int'l Brotherhood of Teamsters, Local 700 and Clerk of the Circuit Court of Cook County*, 37 PERI ¶ 31 (IL LRB-SP 2020) (Case No. S-CA-20-050), Charging Party alleged the Clerk of the Circuit Court of Cook engaged in unfair labor practices within the meaning of Section 10(a) of the Act. The charge involved Charging Party's objections to the presence of a third-party Compliance Administrator at the parties' grievance proceedings. The Compliance Administrator was appointed by the United States District Court for the Northern District of Illinois pursuant to a Supplemental Relief Order (SRO) entered by United States Magistrate Judge Sydney Schenkier to ensure the Clerk of the Court's compliance with the 1972 Shakman consent decree and the 1983 order entered in settlement of a lawsuit filed in Shakman v. Democratic Organization of Cook County, et al., 596 F. Supp. 177 (N.D.Ill. 1983). The Executive Director dismissed the charge on procedural and substantive grounds. Procedurally, she found the charge was untimely, and substantively, she found the August 15, 2019 order issued by Judge Schenkier to be dispositive of the matter. Charging Party timely appealed the dismissal, noting that it had appealed the August 15, 2019 order to the United States Court of Appeals for the Seventh Circuit. Due to the significance of the August 15 order on the grounds for dismissal, the Board held the case in abeyance for further consideration and directed the Charging Party to report to the Board the status or outcome of the appeal by or before the earlier of November 1, 2020, or within 14 days of the date the Seventh Circuit issues its decision on the appeal.

08/18/20

ILRB SP

Transfer of Bargaining Unit Work/Forced Waiver of Statutory Rights/Permissive Subject/Status Quo Pending Interest Arbitration

In *Mattoon Firefighters Association, Local 691 and City of Mattoon*, 37 PERI ¶ 30 (IL LRB-SP 2020) (Case No. S-CA-18-138), the Board rejected an ALJ's recommendations to dismiss the complaint for hearing based on an unfair labor practice charge filed by Charging Party claiming the City failed to bargain the impact of its decision to eliminate City-operated ambulance services in violation of Sections 10(a)(4) and 10(a)(1) of the Act. ALJ Nagy denied Charging Party's motion to amend the complaint for hearing to include allegations that: (1) the City's decision to eliminate City-operated ambulance services involved the Union's rights under the Substitutes Act and thus, concerned a permissive subject of bargaining over which the Union cannot be compelled to bargain to impasse; and (2) in the alternative, the decision to eliminate City-operated ambulance services was a unilateral change to a

mandatory subject of bargaining; but amended the complaint to include Charging Party's allegations that the City's actions changed the status quo after the Union invoked interest arbitration procedures in violation of Section 14(l) of the Act. He declined to amend the complaint to include the first two allegations because he determined those issues had been litigated in Case No. S-CA-18-084 in which the Board deferred to an arbitration award finding the City did not violate the parties agreement when it adopted a resolution eliminating City-operated ambulance services and observing the Substitutes Act did not prohibit the City from do so. He then determined that the status quo was not altered because the findings of the award were binding on the parties. Finally, the ALJ determined the City was not obligated to bargain the impact of its decision to eliminate ambulance services.

The Board rejected the recommendations regarding the denial of the motion to amend the complaint, finding the award to which the Board deferred in Case No. S-CA-18-084 only addressed the issue of whether the City was able to eliminate City-operated ambulance services and did not address the resultant bargaining issues presented by the instant case. Next, the Board, rejecting the City's interpretation of the Substitutes Act, found that the City was obligated under the Substitutes Act to obtain the Union's agreement before allowing the use of unqualified substitutes and such use amounted to a forced waiver of the Union's statutory rights. The Board also determined that notwithstanding the Substitutes Act, the City the transfer of work out of the bargaining unit resulting from the elimination of City-operated ambulance services is a mandatory subject of bargaining over which the City was obligated to bargain to impasse before imposing terms. Lastly, the Board rejected the ALJ's recommendations with respect to the Section 14(l) allegations. The Board reasoned the arbitration award did not address the transfer of work and so, the resultant transfer of work changed the existing terms and conditions of employment pending interest arbitration. The City petitioned the Illinois Appellate Court, Fourth District, for administrative review of the Board's decision. On September 22, 2020, the court granted the City's motion to stay enforcement of the Board's order pending resolution of the review action.

09/11/20
ILRB SP

Protected Activity/Nexus/Pre-hearing Orders

In *Marvin Perez and Chief Judge of the Circuit Court of Cook County*, 37 PERI ¶ 34 (IL LRB-LP 2020) (Case No. S-CA-19-047), the Board adopted the ALJ's Recommended Decision and Order dismissing the complaint for hearing which alleged Respondent suspended and terminated Charging Party in retaliation for his complaints against management and posting signs thanking a labor organization The ALJ found Charging Party failed to establish a prima facie case for violations under Section 10(a)(1) of the Act. He determined there was no evidence that several of the incidents constituted protected concerted activity and even assuming those incidents could be considered protected activity, the ALJ found no evidence Respondent took action against Charging Party because of his participation in that protected activity. Notwithstanding the failure to demonstrate a prima facie case, the ALJ found Respondent established that it had legitimate reasons for suspending and terminating Charging Party's employment. Moreover, the ALJ found Charging Party was not treated disparately and concluded that Respondent would have both disciplined and discharged Charging Party absent the alleged protected activity The Board, observing that Charging Party's exceptions focused on the ALJ's pre-hearing orders and on his rulings at the hearing, and did not take issue with any of the ALJ's determinations in the RDO, found Charging Party waived objections to the ALJ's findings of fact and analysis.

09/11/20
ILRB LP

Repudiation/Grievance Settlement/Meeting of Minds/Essential Terms

In *Amalgamated Transit Union, Local 308 and Chicago Transit Authority*, 37 PERI ¶ 32 (IL LRB-LP 2020) (Case No. L-CA-17-062), the Board rejected the ALJ's recommendations and dismissed the complaint for hearing in its entirety. The underlying charge alleged the CTA repudiated an agreement to settle a grievance filed by Charging Party over the

discharge of Shawn Stanford, who had been employed by the CTA as a Full-Time Temporary Flagman (FTTF), until he was discharged for making a false statement about whether he had “ever been convicted of any offense other than a traffic violation” during the application process for a transfer to a full-time permanent Rail Transit Operator (RTO) position. The ALJ found the Board had subject matter jurisdiction and then determined the parties reached a meeting of minds on the essential terms of the agreement to settle the grievance based in large part on Charging Party’s account of a May 4, 2017 phone conversation between representatives of Charging Party and the CTA. The Board, however, found the parties had not reached a meeting of the minds on all the essential terms of the settlement, noting that the evidence demonstrated essential issues as work location, background checks, and the effect on Stanford’s disciplinary record remained unsettled.

09/24/20

**Illinois Appellate Court, Third District Rule 23 Unpublished Order
Retaliation/Motive**

In *James Young v. Illinois Labor Relations Board and Village of University Park*, 2020 IL App (3rd) 180736-U, the Third District, in an unpublished order, affirmed the Board’s decision in *James Young and Village of University Park (Police Department)*, 35 PERI ¶ 52 (IL LRB-SP 2018) (Case Nos. S-CA-15-095 and S-CA-15-111), dismissing the complaint for hearing. The ALJ determined that Respondent violated Section 10(a)(1) and Sections 10(a)(2) and, derivatively, 10(a)(1), of the Act when it ordered Charging Party to surrender his department identification and badge, and when it discharged him in retaliation for engaging in protected activity but dismissed the remaining allegations in the complaint for hearing. The Board rejected the ALJ’s findings and conclusions that the Employer violated the Act, finding that the circumstantial evidence failed to show that the Employer acted with the requisite improper motive against Charging Party because of his protected activity. The Board found that the pattern of conduct and inconsistencies in the reasons for the Employer’s actions did not demonstrate improper motive as there was no evidence of shifting explanations, suspicious timing or expressed hostility.

10/9/20

ILRB LP

Adverse Action/Motive

In *Timothy Parker and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 43 (IL LRB-LP 2020) (Case No. L-CA-16-066), an ALJ issued a Recommended Decision and Order finding Respondents engaged in unfair labor practices in violation of Sections 10(a)(2) and 10(a)(1) of the Act. The ALJ amended the complaint for hearing to include allegations regarding an Article U transfer and found Respondents violated the Act when they changed Parker’s work assignment to medical movement and subjected him to a higher performance standard, took disciplinary action against Parker on two occasions, and transferred him out his division under an Article U transfer. She determined Charging Party engaged in protected activity, that Respondents were aware of that activity, and took several adverse employment actions against Charging Party. She then concluded this protected activity was a substantial motivating factor in all of the alleged adverse employment actions. She found both direct and circumstantial evidence demonstrated unlawful motive by the Respondents, observing that expressions of hostility, timing, disparate treatment, and shifting explanations evidenced Respondents’ unlawful motivation. The ALJ also determined the Respondents’ claimed legitimate business reasons for the medical movement reassignment and discipline were pretextual but found Respondents had, at least in part, relied on Charging Party’s involvement in a use of force incident in transferring Charging Party out of Division 6. The ALJ, however, found that Respondents failed to establish that Charging Party would have been moved out of Division 6 absent his protected concerted activity.

Respondents filed exceptions to the recommendations regarding the amendment of the complaint, the reassignment to medical movement, and the Article U transfer. The Board accepted the ALJ’s recommendations regarding the amendment of the complaint and the reassignment to medical movement but rejected the ALJ’s recommendations regarding the Article U transfer. The Board found the gravity of excessive force incidents together with the consistent

application of the Article U transfer policy demonstrated Respondents would have transferred Charging Party out of Division 6 even in the absence of protected concerted activity.

10/9/20

ILRB SP

Dismissal/Reversal/Issuance of Complaint/Duty to Bargain/Information Requests

In *American Federation of State, County, and Municipal Employees, Council 31*, 37 PERI ¶ 46 (IL LRB-SP 2020) (Case Nos. S-CA-20-099), Charging Party alleged Respondent violated Sections 10(a)(4) and (1) of the Act by refusing to bargain over the impact of the sale of Hope Creek Care Center (Center) and by agreeing to language in the sales agreement restricting changes to employment terms and conditions, and restricting the release of information to Charging Party in response to an information request. The charge also included allegations that Respondent failed to vest its bargaining representatives with authority to bargain. The Executive Director, relying on cases involving the NLRA cited by the Respondent, dismissed the charge finding (1) Respondent was not obligated to bargain over the impact of the sale of the nursing home before completion of the sale; (2) the provision alleged to pose the greatest restriction, allowed for flexibility during bargaining, pointing to Respondent's proposals to increase compensation made during the parties' negotiations in April 2020; (3) the agreement's requirement to transfer all personnel records to the buyer on the date of the sale as permissible hard bargaining rather than an instance of bad faith bargaining; and (4) regarding the restriction on the release of information, that Respondent had not denied or refused to comply with Charging Party's information requests and that much of the information was publicly available. She concluded that Respondent was unable to and had no obligation to provide documents to Charging Party's information requests.

The Board reversed the dismissal and directed issuance of a complaint for hearing on the charge's allegations. The observed that the Executive Director relied almost exclusively on NLRB and federal cases cited by Respondent for the failure to bargain allegations which raised issues of law for hearing. The Board further found that the allegations regarding the restrictions on bargaining, information requests, and the Respondent's obligation to impact bargain raised issues of both fact and law for hearing.

10/9/20

ILRB SP

Dismissal/Causal Connection

In *Jason Smith and the Clerk of the Circuit Court of Cook County*, 37 PERI ¶ 45 (IL LRB-SP 2020) (Case No. S-CA-19-011), Charging Party alleged Respondent engaged in unfair labor practices when it discharged Charging Party in retaliation for serving as a union leader and for previously filing charges with the Board. The Executive Director dismissed the charge because the available evidence failed to demonstrate a causal connection between his alleged protected concerted activity and his discharge and because the charge's allegations concerned the interpretation of a governing collective bargaining agreement. On appeal, the Board affirmed the dismissal for the reasons given by the Executive Director.

11/20/20

ILRB LP

Retaliation/Adverse Action/Motive

In *Illinois Fraternal Order of Police and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 56 (IL LRB-LP 2020) (Case No. L-CA-18-041), the Board rejected the ALJ's recommendations to dismiss the complaint for hearing alleging the Sheriff unlawfully retaliated against David Sheppard, a member of a bargaining unit represented by Charging Party for engaging in protected activity by suspending him without pay pending investigation into allegations Sheppard improperly obtained information used at a grievance meeting and then filing a complaint against him before the Sheriff's Merit Board seeking his discharge. The Sheriff claimed he sought Sheppard's discharge because Sheppard retrieved and copied confidential documents without authorization against the Sheriff's rules. Sheppard claimed he

had permission from his immediate supervisor to obtain those documents. The complaint alleged the Sheriff sought Sheppard's discharge because Sheppard was a union steward who retrieved and copied the documents for a pending grievance. Sheppard had served as a steward and a member of the prior representative's negotiating team as well as being elected to his local's Governing Board as Executive Secretary. Prior to his formal positions, Sheppard had been involved in union activity since at least 2006.

The ALJ recommended dismissal because he found Charging Party failed to establish a prima facie case for retaliation. The ALJ concluded Sheppard's accessing and copying documents for use in an upcoming grievance did not constitute protected activity because Sheppard's conduct was unreasonable under the circumstances and thus, unprotected by the Act. The ALJ also provided an alternative analysis under which he concluded the Sheriff violated Section 10(a)(1) but not Section 10(a)(2) of the Act. He found that although the Sheriff offered a legitimate, non-pretextual reason for seeking Sheppard's discharge, he found the Sheriff failed to establish that he would have sought Sheppard's termination regardless of his participation in protected activity. Regarding the 10(a)(2) violation, the ALJ found that Charging Party failed to present evidence of union animus.

The Board rejected the recommendations to dismiss the complaint, finding instead that Sheppard's conduct was "defensible in its context" and thus, enjoyed the Act's protections. The Board then accepted the ALJ's alternative analysis concerning the independent 10(a)(1) violation but rejected his findings and recommendations regarding the Section 10(a)(2) violation, noting that the record established Sheppard was a long-serving steward and active union member who had been involved in numerous grievances and attended six arbitrations. The Board concluded that the Sheriff based the disciplinary charges against Sheppard on the very same conduct that constituted protected union activity and found the Sheriff's conduct violated Section 10(a)(2). Respondents petitioned for administrative review, which is currently pending before the Illinois Appellate Court, First District. On January 14, 2021, the Board denied Respondents' motion for stay of enforcement pending administrative review.

11/23/20

ILRB SP

Submission of Permissive Subject/Interest Arbitration

In *Metropolitan Alliance of Police, Bolingbrook Chapter #3 and Village of Bolingbrook (Police Dep't)*, 37 PERI ¶ 59 (IL LRB-SP 2020) (Case No. S-CA-18-092), the Board adopted the ALJ's recommendations that the Village violated Sections 10(a)(4) and 10(a)(1) of the Act when it submitted, over the Union's objection, its status quo proposal that included language concerning a permissive subject of bargaining to interest arbitration. The language at issue concerned an interest arbitrator's authority over disputes relating to the Village's retiree health insurance fund. The Union's final offer proposed eliminating that language during the negotiations for a successor agreement. The ALJ determined the language concerned a permissive subject of bargaining because it restricted the scope of bargaining in negotiations for a future contract. The ALJ further determined that although the Union had previously agreed to the language at issue, the Union was not bound to continue to agree to include it in future contracts. Relying on *Skokie Firefighters Union, Local 3033 v. Ill. Labor Relations Bd.*, 2016 IL App (1st) 152478 and *Wheaton Firefighters Union, Local 3706 v. Ill. Labor Relations Bd.*, 2016 IL App (1st) 160105, the ALJ found the Village's submission and the arbitrator's selection of the status quo proposal which included a permissive subject of bargaining, resulted in a forced waiver of the Union's right to discontinue its agreement to include the language at issue and was severable from the rest of the agreement's language. The ALJ also concluded the Village bargained over a permissive subject to impasse and waived any argument that the parties' pre-arbitration conduct demonstrated that no impasse was reached. Finally, the ALJ determined the Union's failure to challenge the arbitrator's award on the grounds that the arbitrator exceeded his authority does not preclude the Board from exercising its statutory duty to review the unfair labor practice charge.

11/23/20

ILRB SP

Executive Director Dismissal/Timeliness/Effects Bargaining/Reversal of Dismissal

In *International Brotherhood of Teamsters, Local 700 and Clerk of the Circuit Court of Cook County*, 37 PERI ¶ 60 (IL LRB-SP 2020) (Case No. S-CA-20-050), Local 700 filed an unfair labor practice charge concerning its objections to the presence of a third-party Compliance Administrator at the parties' grievance proceedings. The Compliance Administrator was appointed by the federal court in a 2018 Supplemental Relief Order to ensure the Clerk of the Court's compliance with the 1972 Shakman consent decree. Upon learning of the Compliance Administrator's presence at the grievance proceedings, representatives of Local 700 sent a demand to bargain the effects of the Employer's practice of sharing employee and grievance information and to cease and desist sharing such information. The Executive Director dismissed the charge on grounds the charge was untimely, and that the available evidence failed to raise issues of law and/or fact warranting a hearing. On the timeliness issue, the Executive Director concluded the charge was untimely because she found the triggering event to have occurred on the date the Union emailed the Employer a demand to bargain shortly after it first learned of the Compliance Administrator's attendance at grievance proceedings in April 2019. Regarding the remaining basis for dismissal, the Executive Director found a Memorandum Opinion and Order issued by U.S. Magistrate Judge Schenkier on August 15, 2019, dispositive of the charge.

The Board reversed the dismissal and remanded the matter to the Executive Director to issue a complaint for hearing. The Board found the six-month filing period was triggered when the mandatory presence of the Compliance Administrator was "unambiguously announced" by the Employer. The Board then determined there were issues for hearing raised by Local 700's demand to bargain the effects of the Compliance Administrator's presence at grievance proceedings and information sharing.

12/1/20

ILRB SP

Executive Director Dismissal/Regressive Bargaining

In *Chicago News Guild and Chief Judge of the Circuit Court of Cook County*, 38 PERI ¶ 63 (IL LRB-SP 2020) (Case No. S-CA-19-118), the Board affirmed the Executive Director's dismissal of the unfair labor practice charge filed by the Union alleging the Chief Judge engaged in regressive bargaining on the issue of sick leave for unit members who work per diem. The Executive Director dismissed the charge on grounds the evidence failed to indicate the Employer withdrew its proposal on sick leave and replaced it with a less favorable one and determined the Union failed to provide evidence on the remaining elements of regressive bargaining.

12/8/20

**Illinois Appellate Court, Fourth District Rule 23 Unpublished Order
Public Employer/Repudiation/Authority to Abrogate CBA**

In *Laborers Local 773 v. Ill. Labor Relations Bd., et al.*, the Fourth District, in an unpublished order, affirmed the Board's decision in *Laborers' Int'l Union of North America and Alexander County Housing Authority*, 36 PERI ¶ 85 (IL LRB-SP 2019) (Case No. S-CA-18-007), in which the Board dismissed the complaint for hearing alleging the Employer repudiated its collective bargaining agreement with Charging Party in violation of Section 10(a)(4) of the Act. The Board found the Employer lacked the requisite control over the decision to abrogate the parties' collective bargaining agreement and decisions regarding the terms and conditions of employment due to the U.S. Department of Housing and Urban Development's takeover of the Employer's implementation of the HUD's Low Income Housing Program. The Board also noted that it lacked authority to find that HUD's actions violated the Act for the Act's definition of "public employer" or "employer" does not include federal agencies.

12/14/20

ILRB LP

Executive Director's Dismissal/Unilateral Change/Refusal to Arbitrate

In *International Brotherhood of Teamsters, Local 700 and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 67 (IL LRB-LP 2020) (Case No. L-CA-20-018), the Board affirmed the Executive Director's partial dismissal of the Union's unfair labor practice charge alleging the Employers violated the Act when they took several actions related to the grievance process, and the Sheriff's home check procedures and Medical Call-In Policy. The Executive Director dismissed the portion of the charge related to the Employers' (1) requirement that unit members serve suspensions upon a Step 3 determination rather than after arbitration; (2) failure to assign grievance numbers; (3) refusal to arbitrate home check grievances; direct dealing; and maintenance of a Medical Call-In Policy that restricts concerted activity by discouraging bargaining unit members from using sick and FMLA leave. She dismissed some of the allegations as untimely and all of the aforementioned allegations on substantive grounds, noting the available evidence failed to raise issues warranting a hearing.

01/20/21

ILRB SP

Executive Director Dismissal/Retaliation

In *Allison Hinton and State of Illinois, Department of Central Services (IDHS Chester Mental Health Center)*, 37 PERI ¶ 81 (IL LRB-SP 2021) (Case No. S-CA-20-071), the Board affirmed the Executive Director's dismissal of a charge alleging the Employer retaliated against Charging Party by delaying her promotion, disciplining and discharging her, and failing to respond to her grievances and to provide her with her complete personnel file, because Charging Party filed a grievance. The charge was dismissed for lack of evidence of the Employer's unlawful motive. The Executive Director found the Union failed to provide evidence of a nexus between Charging Party's protected concerted activity and the alleged adverse actions. She also found dismissal warranted because the charge's allegations implicated mere contractual violations for which the Board has declined to police.

01/20/21

ILRB SP

Executive Director Dismissal/Retaliation/Motive

In *Maurice G. Miner and State of Illinois, Department of Central Management Services*, 37 PERI ¶ 79 (IL LRB-SP 2021) (Case No. S-CA-19-022), the Board affirmed the Executive Director's dismissal of a charge alleging the Employer changed Charging Party's 2018 Annual Review to retaliate against Charging Party for filing a grievance. The charge was dismissed for lack of evidence of the Employer's unlawful motive. The Executive Director found the Union failed to provide evidence of a nexus between the filing of Charging Party's grievance the alleged alterations to Charging Party's performance evaluation.

02/17/21

ILRB LP

Executive Director Dismissal/Retaliation/Unilateral Changes/Timeliness

In *International Brotherhood of Teamsters, Local 700 and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 82 (IL LRB-LP 2021) (Case No. L-CA-20-038), the Board affirmed the Executive Director's dismissal of the Union's unfair labor practice charge alleging the Employers violated the Act when the Sheriff (1) filed a complaint with the Office of Professional Review to discharge Officer Allen Eason for violating the home check policy; (2) unilaterally implemented policies related to the home check provision of the parties' CBA; and (3) attempted to circumvent the contractual grievance procedure. The Executive Director dismissed the charge on timeliness grounds and on grounds the allegations failed to raise issues warranting a hearing. The Executive Director concluded the charge was untimely because Local 700 became aware of the Sheriff's actions a year before filing its charge. She also concluded that even

if the charge was timely filed, the available evidence indicated the allegations strictly involved matters of contract interpretation for which the Board has previously declined to resolve through its unfair labor practice proceedings.

03/15/21

ILRB LP

Executive Director Dismissal/Reversal/Retaliation/Causal Connection

In *David Evans, III and County of Cook and Sheriff of Cook County*, 37 PERI ¶ 90 (IL LRB-LP 2021) (Case No. L-CA-20-044), the Board reversed the dismissal of an unfair labor practice charge alleging the Respondents violated Sections 10(a)(1) and 10(a)(2) of the Act when the Sheriff initiated disciplinary action against Charging Party for insubordination based on his participation in protected activity and on his status as the first Black person to serve as Chief Union Steward for the bargaining unit. The Executive Director dismissed the charge on grounds the evidence failed to indicate a causal connection between Charging Party's protected activity and the disciplinary charges leveled against him. Charging Party appealed the dismissal contending motive and causation can be inferred because the Sheriff based his actions on the very same conduct that constituted protected activity. The Board found the events that took place after Charging Party attempted to meet Director Miller and led to the initiation of charges, were in dispute and thus, raised issues for hearing on causation. The Board reversed the dismissal and remanded the matter to the Executive Director to issue a complaint for hearing.

04/19/21

ILRB SP

Bargaining Pre and Post Initial CBA/Exercise of Discretion/Unilateral Change

In *American Federation of State, County, and Municipal Employees, Council 31 and County of DuPage (DuPage Care Center)*, 37 PERI ¶ 99 (IL LRB-SP 2021) (Case No. S-CA-19-116), AFSCME alleged the County refused to bargain over the discharge of a bargaining unit member, Janelle Gatson, shortly after AFSCME was certified as the exclusive representative of that unit but before the execution of the initial collective bargaining agreement. Following Illinois precedent and rejecting AFSCME's reliance on NLRB precedent, the ALJ recommended dismissal of the complaint for hearing. He found that according to Illinois caselaw and Board precedent, Gatson's termination was consistent with the County's established practice and thus, did not alter the status quo triggering the County's bargaining obligations. The ALJ also found the County had no obligation to bargain over the effects of Gatson's termination because bargaining over the effects of terminating Gatson would be tantamount to bargaining over the termination. Finally, the ALJ determined the County did not condition bargaining on the provision of legal authority, but instead merely refused to bargain and stated that it could be persuaded otherwise.

Upon review of the RDO and AFSCME's exceptions, the Board rejected the ALJ's recommendations and found the County violated Sections 10(a)(4) and 10(a)(1) of the Act. The Board declined to follow its prior decision in County of Grundy because it did not directly address the exercise of discretion in an employer's decision-making during the period after the certification of an exclusive representative but before the execution of the initial agreement and found the NLRB's analysis set forth in Total Security Management, holding that an employer is obligated to bargain over the imposition of discipline regardless of pre-existing practices if the employer exercises discretion in disciplining employees, to be more closely aligned with the purposes and public policy of the Act under these circumstances. The Board also rejected the ALJ's recommendations regarding the issue of post-termination bargaining upon AFSCME's demand, noting that discipline and discharge are mandatory subjects of bargaining and as such trigger decisional and effects bargaining upon demand. The County petitioned for administrative review of the Board's decision, which is currently pending before the Illinois Appellate Court, Second District. On July 22, 2021, the Board denied the County's motion for a limited stay of enforcement.

04/20/21

ILRB LP

Unilateral Change/Abeyance

In *Fraternal Order of Police, Lodge #7 and City of Chicago*, 37 PERI ¶ 102 (IL LRB-LP 2021) (Case No. L-CA-17-034) FOP filed an unfair labor practice charge against the City of Chicago alleging the City unilaterally implemented its CR Matrix CR Guidelines in violation of Sections 10(a)(4) and 10(a)(1) of the Act. The ALJ found the City violated Sections 10(a)(4) and 10(a)(1) of the Act when it implemented the CR Matrix and Guidelines without first bargaining such with the Union. The Board, in consideration of the parties' ongoing negotiations for a successor agreement and at the parties' request, held the case in further abeyance with directions to the parties to report either the outcome, if any, or the status of negotiations on or before September 9, 2021.

04/20/21

ILRB LP

Unilateral Change/Abeyance

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 37 PERI ¶ 102 (IL LRB-LP 2021) (Case No. L-CA-16-079), the ALJ found the City did not engage in unfair labor practices by unilaterally implementing a policy known as the "Transparency Policy" that provided for the release of video footage in connection with investigations into police officer misconduct. The Union filed exceptions and the City filed a response. In light of the parties continuing negotiations and at the request of the parties, the Board held the case in further abeyance and directed parties to report either the outcome, if any, or the status of negotiations on or before September 9, 2021.

5/14/21

ILRB SP

Executive Director Dismissal/Reversal/Retaliation/Motive

In *American Federation of State, County, and Municipal Employees, Council 31 and CGH Medical Center*, 37 PERI ¶ 110 (IL LRB-SP 2021) (Case No. S-CA-21-007), the Board reversed the dismissal of an unfair labor practice charge filed by AFSCME alleging the Respondent discharged Linda Bell, a Certified Nursing Assistant, in retaliation for Bell's support of AFSCME's organizing campaign. The Executive Director dismissed the charge on grounds the charge failed to raise issues for hearing because the evidence failed to show a causal connection between Bell's support of the organization campaign and Bell's discharge and because Respondent provided legitimate business reasons for discharging Bell. The Board, however, found there was evidence raising issues for hearing on motive and on whether Respondent would have discharged Bell notwithstanding Bell's participation in protected activity. As a result, the Board reversed the dismissal and remanded the matter to the Executive Director to issue a complaint for hearing alleging Respondent engaged in unfair labor practices in violation of Sections 10(a)(1) and 10(a)(2) of the Act.

5/14/21

ILRB SP

Executive Director Dismissal/Retaliation

In *Amalgamated Transit Union, Local 1028 and PACE Fox Valley Division*, 37 PERI ¶ 109 (IL LRB-SP 2021) (Case No. S-CA-20-126), the Board affirmed the Executive Director's dismissal of an unfair labor practice charge alleging the Employer violated Section 10(a) of the Act by charging a bargaining unit member for two unexcused absences in violation of the Employer's attendance policy. The charge was dismissed on grounds the available evidence failed to indicate that the Employer's actions constituted unlawful activity. She determined the charge's allegations involved breaches of the parties' collective bargaining agreement for which the Board has declined to police.

5/24/21

**Illinois Appellate Court, Fourth District Rule 23 Unpublished Order 7/23/21 Published Opinion
Unilateral Changes/Mandatory Subject**

In *City of Springfield v. Ill. Labor Relations Bd., et al.*, 2021 IL App (4th) 200164-U, the Fourth District, in an unpublished order, affirmed the Board's decision in *Policemen's Benevolent and Protective Association, Unit #5 and Springfield Firefighters, IAFF Local 37, and City of Springfield*, 36 PERI ¶ 113 (IL LRB-SP 2020) (Case Nos. S-CA-19-046, S-CA-19-066 *Consol.*) finding the City violated Sections 10(a)(4) and 10(a)(1) of the Act when it unilaterally adopted a rule change approved by the City's civil service commission giving preference points to promotional candidates for City residency. The Board found the use of residency preference points in the promotional process concerned a mandatory subject of bargaining and concluded the City was obligated to provide Charging Parties with notice and an opportunity to bargain over the rule change. The Board further concluded the Charging Parties did not waive bargaining over residency preference points. Lastly, the Board determined the City unlawfully failed to maintain the status quo during the pendency of Section 14 interest arbitration with Charging Parties.

Subsequently, the court granted Local 37's motion to publish, issuing its opinion on July 23, 2021 in *City of Springfield v. Ill. Labor Relations Bd., et al.*, 2021 IL App (4th) 200164. The court rejected the City's argument that it was not obligated to bargain over the change at the time of the amendment's adoption because the rule change did not apply to current members and would not apply to future union members for several years. The court held that Section 10-1-7(b) of the Illinois Municipal Code by its plain and unambiguous terms does not restrict application of the amendment to all City employees except members of the Charging Party's bargaining units or to newly hired police officers or firefighters. Similarly, the court rejected the City's reliance on the Board's decision in *City of Springfield (IBEW, et al.)*, 35 PERI ¶ 15 (IL LRB-SP 2018) and two Illinois Supreme Court decisions in *City of Decatur v. Am. Fed. of State, Cnty., & Mun. Emps., Local 268*, 122 Ill. 2d 353 (1988) and *Am. Fed. of State, Cnty., & Mun. Emps., Council 31, AFL-CIO v. County of Cook*, 145 Ill. 2d 475 (1991). The court agreed with the Board's finding that *City of Springfield (IBEW, et al.)* is distinguishable as the change at issue in that case was not immediately effective and the unions were given notice and an opportunity to bargain prior to the effective date. The court further found the two supreme court's decisions relied upon by the City inapposite, noting the two decisions "confirmed a public employer's duty to bargain . . . even over subjects that may also fall within the scope of a civil service commission." distinguishable and failed to support the City's contentions on appeal. Notably, the court found the City's willingness to bargain the impact of the rule change did not remove its obligation to provide notice and an opportunity to bargain its initial decision to adopt the rule change. Finally, the court found the City forfeited objections to the Board's findings regarding alteration of the status quo pending interest arbitration on appeal and noted that even if the court were to consider the issue on appeal, it would the City's challenge meritless. On August 31, 2021, the City filed a Petition for Leave to Appeal with the Illinois Supreme Court, which is currently pending.

III Union Unfair Labor Practices

7/15/2020

ILRB LP

Dismissal/Breach of Duty of Fair Representation/Adverse Representation Action

In *Erma Lynette Sallis and Service Employees International Union, Local 73*, 37 PERI ¶ 14 (IL LRB-LP 2020) (Case No. L-CB-20-016), Charging Party, employed by the County of Cook as a Medical Laboratory Technician II, a title represented by SEIU, alleged SEIU violated Section 10(b)(1) and (3) of the Act when it colluded with the County's hearing officer to obstruct her alleged right to be represented by her private attorney during her third step grievance hearing. The Executive Director found the Charging Party had not raised issues for hearing on the 10(b)(1) allegation because the Charging Party had not shown that she suffered an adverse representation action and did not provide evidence of SEIU's unlawful motive. Specifically, the Executive Director found that the Charging Party failed to

establish that a union member has a right to representation from a personal/private attorney during all stages of the grievance process or that the refusal of a private attorney would qualify as an adverse representation action. The Executive Director further noted that the Charging Party failed to produce evidence to show that the Union acted with an unlawful motive when it informed her that she could not have a private attorney at the grievance hearing. The Executive Director likewise found that the Charging Party had not raised issues for hearing on the Section 10(b)(3) allegation. She reasoned that the Charging Party failed to show that the Union was illegally motivated to induce the Employer to take an adverse action against her. The Executive Director concluded that the Charging Party also failed to show that the Board otherwise had jurisdiction over the allegation that the Union unlawfully denied her representation from her private attorney. Upon appeal, the Board affirmed the dismissal.

08/18/2020

ILRB LP

Dismissal/Breach of Duty of Fair Representation

In *Laura Wicik and American Federation of State, County, and Municipal Employees*, 37 PERI ¶ 29 (IL LRB-LP 2020) (Case No. L-CB-19-035), Charging Party alleged Respondent violated Section 10(b) of the Act when it failed to properly represent her at a grievance hearing over a three-day suspension and failed to file a grievance over her subsequent ten-day suspension. Charging Party claimed the Union's failure to take such action was in retaliation for her previous unfair labor charge against Respondent. The Executive Director dismissed the charge on grounds Charging Party failed to provide evidence and, consequently, to establish that the union engaged in intentional misconduct with regard to the Union's representation or failure to file a grievance over the ten-day suspension. The Executive Director observed that Charging Party was dissatisfied with the Union's representation but failed to point to any evidence the Union's actions, or lack thereof, were predicated on any hostility or animus against Charging Party due to her previous Board charge. Upon appeal, the Board affirmed the dismissal.

09/11/20

ILRB LP

Dismissal/Breach of Duty of Fair Representation/Intentional Misconduct

In *Jaime Hurley and Service Employees International Union, Local 73*, 37 PERI ¶ 33 (IL LRB-LP 2020) (Case No. L-CB-19-048), Charging Party alleged Respondent engaged in unfair labor practices when it caused her transfer to Stroger Hospital due to a memorandum of understanding (MOU) the Respondent executed with her Employer reducing her seniority to reflect her years as a part-time employee. The Executive Director dismissed the charge on grounds the charge failed to raise an issue of law or fact for hearing because Charging Party failed to identify evidence that Respondent engaged in intentional misconduct or that she engaged in activity that engendered the Respondent's hostility towards her. The Executive Director found the MOU signed on June 28, 2019, reflected the Respondent and Employer's long-standing practice and without more, did not indicate Respondent entered into the agreement because of any animus toward Charging Party. On appeal, Charging Party challenged the dismissal contending Respondent caused her wrongful transfer because the June 28, 2019 MOU was signed *after* she was transferred in March 2019 and points to a portion of the Respondent and Employer's collective bargaining agreement (CBA) that counts seniority from the date of an employee's last hiring date. Charging Party claimed that the CBA's definition of seniority, which does not prorate for part-time years, governs and thus, the MOU signed after her transfer does not apply. The Board, however, determined that even if the MOU was incorrectly applied, such incorrect application without some evidence indicating Respondent applied the MOU incorrectly out of animus or hostility toward Charging Party was not enough to undermine the Executive Director's findings and affirmed the dismissal.

10/9/20

ILRB LP

Dismissal/Breach of Duty of Representation/Intentional Misconduct

In *Debra Larkin and International Brotherhood of Teamsters, Local 700*, 37 PERI ¶ 44 (IL LRB-LP 2020) (Case No. L-CB-20-006), Charging Party alleged that Respondent engaged in unfair labor practices when it failed to resolve a grievance over her February 2017 discharge and for refusing to file a grievance challenging her March 2019 discharge. The Executive Director dismissed the charge on grounds Charging Party failed to provide evidence indicating the union engaged in intentional misconduct with regard to the Union's failure to pursue her grievances over her discharges. The Executive Director observed there was no evidence the Union held any animosity toward Charging Party much less failed to pursue grievances based on any improper motive, noting that under Section 6(d) of the Act and Board precedent, a labor organization is afforded considerable discretion in handling grievances, and a failure to achieve a desired result by a particular employee does not violate the Act. On appeal, the Board affirmed the dismissal on the grounds stated by the Executive Director.

11/23/20

ILRB LP

Executive Director Dismissal/Failure to Pursue Grievances/Intentional Misconduct

In *Jenise Givantt and Amalgamated Transit Union, Local 241*, 37 PERI ¶ 58 (IL LRB-LP 2020) (Case No. L-CB-20-014), Charging Party, an employee of the Chicago Transit Authority, alleged Respondent engaged in unfair labor practices within the meaning of Section 10(b) of the Act when it failed to pursue Charging Party's grievance over her discharge. The Executive Director dismissed the charge on grounds the record contained insufficient evidence that Respondent engaged in intentional misconduct or discriminated against Charging Party in failing to pursue her grievance, noting that under Section 6(d) of the Act and Board precedent, a labor organization is afforded considerable discretion in handling grievances and that a failure to achieve a desired result of a particular employee does not violate the Act. On appeal, the Board granted a variance from its proof of service rules and considered the appeal but affirmed the dismissal on the merits.

12/14/20

ILRB LP

Executive Director Dismissal/Breach of Duty of Fair Representation/Intentional Misconduct

In *Tommy Sams, Jr., and Amalgamated Transit Union, Local 241*, 37 PERI ¶ 68 (IL LRB-LP 2020) (Case No. L-CB-20-021), Charging Party, an employee of the Chicago Transit Authority, alleged Respondent engaged in unfair labor practices within the meaning of Section 10(b) of the Act when it delayed the arbitration of Charging Party's discharge grievance. Charging Party claimed Respondent delayed arbitration due to his negative standing with Respondent over financial matters and to ensure Charging Party would be ineligible to be elected to a union leadership role. The Executive Director dismissed the charge on grounds Charging Party failed to provide sufficient evidence indicating that Respondent engaged in intentional misconduct against Charging Party in delaying the arbitration of his discharge grievance, noting that under Section 6(d) of the Act and Board precedent, a labor organization is afforded considerable discretion in contract interpretation and grievance handling. She further observed the evidence indicated that the delay was attributable to Respondent's grievance backlog. On appeal, the Board affirmed the dismissal.

12/14/20

ILRB SP

Dismissal/Breach of Duty of Fair Representation/Discrimination

In *Gloria Marty and International Brotherhood of Teamsters, Local 700*, 37 PERI ¶ 69 (IL LRB- SP 2020) (Case No. S-CB-19-011), Charging Party alleged the Union engaged in unfair labor practices when it refused to pursue to arbitration her grievance over her bid placement, contending that the Union did not want to pursue arbitration because if

successful, the Chief Steward, who is male, as well as other male bargaining unit members and Union leaders would be adversely affected. The Executive Director dismissed the charge on grounds Charging Party failed to provide evidence indicating the Union engaged in intentional misconduct in failing to pursue her grievance to arbitration. She noted the Union treated Charging Party in the same manner as two other unit member grievances on the same issue and found the evidence indicated the Union based its decision on the merits of the grievance and the interests of the bargaining unit as a whole. On appeal, the Board affirmed the dismissal for the reasons given by the Executive Director.

01/20/21

ILRB LP

Dismissal/Reversal/Failure to Respond to Request for Information/Breach of Duty of Fair Representation

In *Frank Donis and International Brotherhood of Teamsters, Local 700*, 37 PERI ¶ 78 (IL LRB- LP 2021) (Case No. L-CB-19-047), the charge alleged Local 700 engaged in unfair labor practices by failing to take any action against Charging Party's employer for discriminating against employees protected under the Americans with Disabilities Act (ADA). The Executive Director dismissed the charge on grounds Charging Party failed to respond to a request for information in support of the charge. Upon appeal, the Board noted the appeal was untimely but granted a variance from the Board's appeal timeframe rule. The Board found that the request for information was sent to Charging Party's attorney rather than to Charging Party due to a miscommunication about Charging Party's legal representation. The Board then reversed the dismissal and remanded to the Executive Director for investigation.

02/17/21

ILRB SP

Dismissal/Breach of Duty of Fair Representation

In *Debra Cole and Illinois Fraternal Order of Police*, 37 PERI ¶ 85 (IL LRB-SP 2021) (Case No. S-CB-20-028), the charge alleged the Union engaged in unfair labor practices when it failed to properly represent Charging Party during arbitration proceedings. The Executive Director dismissed the charge as untimely and on grounds the evidence failed to indicate Respondent, or its representatives, failed to represent Charging Party due to any animus or hostility towards her. On appeal, the Board affirmed the dismissal for the reasons cited by the Executive Director.

05/14/21

ILRB LP

Dismissal/Breach of Duty of Fair Representation

In *Doris M. Smith and Amalgamated Transit Union, Local 214*, 37 PERI ¶ 108 (IL LRB-LP 2021) (Case No. L-CB-20-028), Charging Party alleged the Union engaged in unfair labor practices when it refused to assist her and file a grievance over the employer's denial of her reasonable accommodation request. The Executive Director dismissed the charge on grounds there was no evidence indicating Respondent's actions constituted intentional misconduct. The Executive Director observed there was no evidence Respondent's refusal was due to any bias or hostility toward Charging Party or disparate treatment. Rather, the evidence indicated Respondent actions were consistent with its practice in reviewing the employer's accommodations.

General Counsel's Declaratory Rulings

L-DR-20-002 *Fraternal Order of Police, Lodge #7 and City of Chicago (Police Department) Illinois Fraternal Order of Police Labor Council, 37 PERI ¶ 47 (IL LRB GC) (October 16, 2020)*

The Union filed a petition seeking a determination on whether the City's proposal to exclude terminations and early, low-level discipline from the grievance process and designate certain safety-related arbitration decisions as non-binding, concerned permissive subjects of bargaining. The General Counsel declined to defer the petition to the interest arbitration process as urged by the City and found the City's proposal to exclude terminations and early, low-level discipline from the grievance process to be permissive subjects of bargaining. The General Counsel also found the City's proposal to designate certain safety-related arbitration decisions as non-binding, to be a mandatory subject of bargaining.

L-DR-21-001 *Fraternal Order of Police, Lodge #7 and City of Chicago (Police Department) Illinois Fraternal Order of Police Labor Council, 37 PERI ¶ 48 (IL LRB GC) (October 21, 2020)*

The Petition sought a determination as to whether three proposals offered by the City concern permissive or mandatory subjects of bargaining. The City had proposed to remove the requirement that a complaint against an officer alleging non-criminal conduct be supported by a signed affidavit and instead allow for anonymous complaints and to remove the requirement that officers be advised of the identity of the complainants prior to officer interrogations/interviews. It also proposed to remove the time limits on retentions of officers' disciplinary record so that the City could retain them indefinitely.

The General Counsel found the City's proposals to eliminate the affidavit requirement for complaint register investigations of non-criminal conduct and to eliminate the obligation to inform officers of the complainant's name prior to the investigation, to be permissive subjects of bargaining but found its proposal for the indefinite retention of disciplinary records to be a mandatory subject.

L-DR-20-001 *Fraternal Order of Police, Lodge #7 and City of Chicago (Police Department) Illinois Fraternal Order of Police Labor Council, 37 PERI ¶ 55 (IL LRB GC) (October 30, 2020)*

The Union filed a petition seeking a determination on whether its proposal to exclude terminations and early, low-level discipline from the grievance process and designate certain safety-related arbitration decisions as non-binding, concerned permissive subjects of bargaining. The General Counsel declined to defer the petition to the interest arbitration process as urged by the City and found the City's proposal to exclude terminations and early, low-level discipline from the grievance process to be permissive subjects of bargaining. The General Counsel also found the City's proposal to designate certain safety-related arbitration decisions as non-binding, to be a mandatory subject of bargaining.

Interest Arbitration Awards

Following is a list of Interest Arbitration awards. For each award, the ILRB Case number, Arbitrator and date of issuance are noted. The issues and whose proposals were adopted follows.

<p><u>S-MA-17-027</u> FMCS 190429-00607</p>	<p><u>County of Lake and Lake County Sheriff and Teamsters Local 700</u> Lisa Kohn, #748</p> <ol style="list-style-type: none"> 1. Across the Board wages 2. Retroactivity of across-the-board wages (union's final offer) 3. Compensatory Time (employer's final offer) 4. Overtime formula (employer's final offer) 5. Holiday Eligibility (union's final offer) 6. Tentative agreements 	<p>8/11/2020</p>
<p><u>S-MA-17-296</u> FMCS 180620-05772</p>	<p><u>Village of Dolton and Illinois FOP Labor Council</u> (Lieutenants and Sergeants) Steven M. Bierig, #750</p> <ol style="list-style-type: none"> 1. Term of Agreement/Wages (Village's proposal) 2. Paid Time Due (Village's proposal) 3. Longevity Pay (Union's proposal) 4. Insurance Cost (Union's proposal) 5. Health Insurance Opt-Out (Union's proposal) 6. Substance Testing 7. Residency Requirement (Union's proposal) 8. Expungement of Records (Village's proposal) 9. Early Retirement Incentive (Village proposal) 	<p>8/18/2020</p>
<p><u>S-MA-20-057</u></p>	<p><u>County of Sangamon and Sheriff of Sangamon County and Illinois FOP Labor Council</u> Brian E. Reynolds, #749 Wages (Employer's final offer)</p>	<p>10/20/2020</p>
<p><u>L-MA-19-001</u> Arb Ref: 20.252</p>	<p><u>County of Cook and Sheriff of Cook County and Illinois FOP Labor Council</u> Edwin H. Benn, #752 Central Warrants 24-Hour Desk Officer Transition</p>	<p>11/20/2020</p>
<p><u>S-MA-19-113</u> FMCS 201126-01758</p>	<p><u>Village of Skokie and Illinois FOP Labor Council</u> Sinclair Kossoff, #753</p> <ol style="list-style-type: none"> 1. Duration (Village's final offer) 2. Holiday pay 3. Number of Holidays (union's final offer) 4. Wages (Village's final offer) 5. Equity adjustment 6. Longevity pay (Village's final offer) 	<p>11/27/2020</p>
<p><u>S-MA-17-106</u></p>	<p><u>County of Will and Sheriff of Will County and Illinois FOP Labor Council</u> Doyle O'Connor, #754</p> <ol style="list-style-type: none"> 1. Tentative Agreements 	<p>12/1/2020</p>

	<ul style="list-style-type: none"> 2. Group Insurance (County's proposal) 3. Economics/Wages (Union's proposal) 	
S-MA-18-050 FMCS 200103-02717	<u>County of Marion and Sheriff of Marion County and Illinois FOP Labor Council</u> Cynthia Stanley, #763 <ul style="list-style-type: none"> 1. Wages (Union's final proposal) 2. Wage retroactivity (Union's final proposal) 3. Pay differentials (Union's final proposal) 4. Command wage retroactivity (Union's final proposal) 	1/7/2021
S-MA-20-065	<u>County of Randolph and Sheriff of Randolph County and AFSCME, Council 31</u> Brian E. Reynolds, #756 <ul style="list-style-type: none"> 1. Duration 2. Wage Schedule 3. Longevity Bonus 4. Compensatory Time 	2/4/2021
S-MA-20-005 Arb. Ref: 20.233	<u>County of McHenry and Sheriff of McHenry County and Illinois FOP Labor Council</u> Edwin J. Benn, #755 <ul style="list-style-type: none"> 1. Duration 2. Wage Increases 3. Health Insurance (status quo) 4. Impasse Procedures 5. Compensatory Time Use (status quo) 6. Minimum Staffing-Communications and Court Security (status quo) 7. Weather-Related Closure 	3/2/2021
S-MA-19-132	<u>Village of River Forest and Illinois FOP Labor Council</u> Edwin Benn, #757 <ul style="list-style-type: none"> 1. Arbitration of discipline (Union's proposal) 	6/1/2021
S-MA-17-285	<u>Cook County State's Attorney and Illinois FOP Labor Council</u> Brian E. Reynolds, #758 <ul style="list-style-type: none"> 1. Wages (Employer's final offer) 2. Health Insurance Opt-out (Union's final offer) 	6/4/2021
FMCS 210120-03182	<u>City of Geneva and IAFF Local 4287</u> Edwin H. Benn, #759 <ul style="list-style-type: none"> 1. Duration 2. Wages 3. Drug and Alcohol Testing 4. Additional Holiday 5. Part-time and Paid On-Call Firefighter/Minimum Staffing 6. Prior Tentative Agreements 	6/16/2021

Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
Unfair Labor Practice Charges			
CA	116	51	167
CB	<u>13</u>	<u>34</u>	<u>47</u>
Total	129	85	214
Representation Cases			
AC	3	0	3
RC	57	17	74
RD	6	0	6
UC	89	12	101
VR	3	0	3
DD	<u>11</u>	<u>0</u>	<u>11</u>
Total	169	29	198
Grievance Arbitration Cases	12	0	12
Mediation/Arbitration Cases	<u>311</u>	<u>21</u>	<u>332</u>
Total	323	21	344
Declaratory Rulings	0	1	1
Strike Investigations	0	5	5
Total Caseload	621	141	762

- CA - Unfair Labor Practice Charge Against Employer
- CB - Unfair Labor Practice Charge Against Labor Organization
- AC - Petition to Amend Certification
- RC - Representation/Certification Petition
- RM - Employer Representation Petition
- RD - Decertification Petition
- UC - Unit Clarification Petition
- VR - Petition for Voluntary Recognition Certification
- DD - Declaration of Disinterest Petition
- DR - Declaratory Rulings

Representation Cases Certified

	STATE PANEL	LOCAL PANEL	TOTAL
Labor Organization Prevailed	1	3	4
“No Representation” Prevailed	9	0	9
Cases Certified	10	3	13
Number of Units Certified (Majority Interest)	32	8	40
Voluntary Recognized Representatives	3	0	3
Revocation of Prior Certifications	12	0	12

Unfair Labor Practice Charges Workload

	2020	2021
Cases pending start of fiscal year	366	356
Charges filed during fiscal year	245	202
Total caseload	611	558
Total cases closed	255	207

Petition Management (Representation) Workload

	2020	2021
Petitions pending start of fiscal year	212	53
Petitions filed during fiscal year	181	198
Total caseload	393	251
Total cases closed	340	169

Case Actions in FY 2021

	STATE PANEL	LOCAL PANEL	TOTAL
I. BOARD DECISIONS			
(A) With exceptions filed			
CA	14	12	26
CB	2	8	10
RC	4	2	6
RD	1	0	1
UC	1	0	1
Total	22	22	44
(B) With no exceptions filed			
CA	10	0	10
RC	2	8	10
UC	1	0	1
Total	13	8	21
(C) Strike Investigations	0	5	5
(D) Declaratory Ruling	0	3	3
II. ADMINISTRATIVE DISMISSALS (Not appealed to the Board)			
CA	18	18	36
CB	11	16	27
RC	0	0	0
Total	29	34	63
III. CERTIFIED			
AC	2	0	2
DD	13	0	13
RC/RM/RD	42	11	53
UC	67	8	75
VR	3	0	3
Total	127	19	146
IV. WITHDRAWALS			
CA	72	16	88
CB	4	1	5
RC	8	1	9
RD	2	0	2
UC	2	1	3
Total	88	19	107

Certifications of Representative

Case No.	Employer	Labor Organization	Date Certified	Prevailing Party	# of Employees	Unit Description
S-RC-20-049	City of Wood Dale	Metropolitan Alliance of Police, Chapter #339 and Int'l Brotherhood of Teamsters Local 700	6/25/2020 nunc pro tunc 7/6/2020	MAP	26	All full-time sworn peace officers, below the rank of sergeant
S-RC-20-045	Village of Glen Carbon	Illinois FOP Labor Council and Village of Glen Carbon and Policemen's Benevolent Labor Committee	7/6/2020	FOP	23	All Police Officers below the rank of Sergeant and Dispatcher
S-RC-20-055 <i>Majority Interest</i>	Village of Hebron	Illinois FOP Labor Council	7/13/2020	FOP	5	All full-time sworn police officers in the rank of sergeant and below
S-RC-20-060 <i>Majority Interest</i>	City of Quincy	Quincy Firefighters, Local 63, IAFF	7/15/2020	IAFF	3	Add to S-UC-(S)-00-002 Assistant Chief
S-RC-20-061 <i>Majority Interest</i>	Hamel Community Fire Protection District	Associated Firefighters of Illinois	7/15/2020	AFFI	5	All full-time paramedics and full-time emergency medical technicians
S-RC-20-056	Village of Steger	Illinois FOP Labor Council and Metropolitan Alliance of Police, Chapter #117	7/22/2020	FOP	17	All sworn full and part-time patrol officers in the rank of sergeant and below and all telecommunicators
S-RC-20-062 <i>Majority Interest</i>	Village of Peotone	Int'l Union of Operating Engineers, Local 399	8/10/2020	IUOE	2	All full-time and regular part-time Records Clerks and Administrative Assistants
S-RC-20-063 <i>Majority Interest</i>	Village of Lisle	Metropolitan Alliance of Police, Lisle Public Works Chapter #210	8/10/2020	MAP	13	All full-time and regular part-time employees holding the positions of Public Works Person and Senior Public Works Person.

L-RC-19-010 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	8/24/2020	AFSCME	20	Add to AFSCME Unit #1 Executive Administrative Assistant I Code 0801
S-RC-20-053 <i>Majority Interest</i>	Village of Broadview	Broadview Professional Firefighters Union, Local 5129	8/31/2020	IAFF	2	All sworn Firefighters below the rank of Captain
S-RC-21-001 <i>Majority Interest</i>	Decatur Public Building Commission	American Federation of State, County and Municipal Employees, Council 31	10/7/2020	AFSCME	8	All maintenance and mechanical maintenance employees
S-RC-21-004 <i>Majority Interest</i>	Ogle County Housing Authority	Int'l Brotherhood of Teamsters, Local 700	10/7/2020	Teamsters	3	Maintenance worker
S-RC-21-006 <i>Majority Interest</i>	City of Springfield	American Federation of State, County and Municipal Employees, Council 31	10/7/2020	AFSCME	4	Include in S-UC-09-032 Supervisor Exclude Equipment Service Foreman, Mechanic, Mechanic Foreman
S-RC-21-005 <i>Majority Interest</i>	City of Princeton	Int'l Brotherhood of Electrical Workers, Local 51	10/14/2020	IBEW	11	All employees of the Street, Sanitation and Cemetery Departments with the title of Laborer, Operator, Foreman or Driver
S-RC-20-036 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	10/27/2020	AFSCME	5	Include in RC-62-OCB Actor (A. Lincoln Presidential Library and Museum)
S-RC-21-013 <i>Majority Interest</i>	City of Sesser	Illinois FOP Labor Council	10/28/2020	FOP	3	All full-time sworn police officers
S-RC-21-018 <i>Majority Interest</i>	City of Urbana	American Federation of State, County and Municipal Employees, Council 31	10/28/2020	AFSCME	1	Include in S-UC-00-032 Evidence Technician
L-RC-21-003 <i>Majority Interest</i>	County of Cook	Service Employees Int'l Union, Local 73	12/2/2020	SEIU	3	Add to L-RC-19-009 GIS Developer (Bureau of Technology)

L-RC-21-005 <i>Majority Interest</i>	County of Cook, Health and Hospital System	Service Employees Int'l Union, Local 73	12/2/2020	SEIU	1	Add to L-AC-10-003 Pediatric Cardiac Sonographer
S-RC-21-007 <i>Majority Interest</i>	City of Bloomington	American Federation of State, County and Municipal Employees, Council 31	12/14/2020	AFSCME	1	Include in Existing historical unit Maintenance Coordinator
S-RC-21-012 <i>Majority Interest</i>	County of Macon and Macon County State's Attorney	Illinois FOP Labor Council	12/14/2020	FOP	14	All full-time Administrative Assistants; Victim Witness Coordinators; Personnel Director
S-RC-21-019 <i>Majority Interest</i>	Collinsville Township Highway Department	Laborers Int'l Union of North America, Local 44	12/14/2020	Laborers	11	All Fulltime Laborers, Mechanics, Crew Leaders, Foreman and Office Manager
S-RC-21-008	County of Knox and Sheriff of Knox County	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	12/16/2020	FOP	18	All peace officers in the ranks of Deputy and Investigator/Detective
S-RC-21-010	County of Lake and Sheriff of Lake County	Illinois FOP Labor Council and Illinois Council of Police	12/16/2020	FOP	154	Deputy Sheriff; Highway Patrol; Detective; Warrant Process Server; Process Server; Court Security; Radio Dispatcher; Assistant Radio Dispatcher; Lead Dispatcher Supervisor; Senior Utility Worker and Magnetometer Operator
L-RC-21-009	County of Cook and Sheriff of Cook County	Front Line Labor Alliance, Chapter 20 and Illinois FOP Labor Council	1/13/2021	FOP	830	All full-time employees in the Merit Board classification of Deputy Sheriff (Court Services)
L-RC-21-010	County of Cook and Sheriff of Cook County	Front Line Labor Alliance, Chapter 20 and Illinois FOP Labor Council	1/13/2021	FOP	88	All full-time Deputy Sheriffs in the rank of Sergeant (Court Services)

S-RC-21-022 <i>Majority Interest</i>	County of Jefferson	American Federation of State, County and Municipal Employees, Council 31	1/13/2021	AFSCME	2	Add to existing S-VR-16-003 unit Secretary (Public Defender's Office)
S-RC-21-029 <i>Majority Interest</i>	Lake County State's Attorney	Illinois FOP Labor Council	1/29/2021	FOP	7	Investigator; Senior Investigator
S-RD-21-003	Village of Bartlett	Eleanor Jembrzycki and Int'l Brotherhood of Teamsters, Local 700	1/29/2021	No Rep	10	
S-RC-21-023 <i>Majority Interest</i>	Chief Judge of the 19 th Judicial Circuit	American Federation of State, County and Municipal Employees, Council 31	2/1/2021	AFSCME	164	Administrative Assistant, Administrative Assistant II, Administrative Clerk, Aide-Kid K, Assistant Probation Officer, Cook, Executive Assistant, Interpreter, Judicial Assistant, Juvenile Counselor/ Teacher Assistant, Juvenile Counselor, Juvenile Detention Officer, Lab Clerk, Principal Juvenile Counselor, Principal Probation Officer, Probation Officer, Sr. Juvenile Counselor, Sr. Juvenile Counselor/ Teacher's Aide, Sr. Probation Officer.
L-RC-21-001 <i>Majority Interest</i>	County of Cook, Health & Hospital System	Service Employees Int'l Union, Local 73	2/1/2021	SEIU	5	Add to existing L-RC-20-011 Acupuncturist, Certified Hand Therapist; Behavioral Health Triage Social Worker
L-RC-19-015 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	2/8/2021	AFSCME	9	Add to existing Bargaining Unit #4 Data Services Administrator

S-RC-21-009	County of Knox and Sheriff of Knox County	Illinois FOP Labor Council and American Federation of State, County and Municipal Employees, Council 31	2/10/2021	FOP	34	Jailers, Lead Jailers, Sergeants, Matrons, Cook-Matrons, Court Security Officers, Chief Security Officer, Transportation officer, Civil Process Deputies/Officers, Process Servers
L-RC-21-008	County of Cook and Sheriff of Cook County	Illinois FOP Labor Council and American Federation of State, County and Municipal Employees, Council 31	2/23/2021	FOP	59	All Cook County Sheriff Police Officers in the rank of sergeant
S-RC-21-017 <i>Majority Interest</i>	Village of Harwood Heights	Metropolitan Alliance of Police, Harwood Heights Civilian Chapter #282	2/23/2021	MAP	14	Accounts Payable Clerk; Acting Public Works Superintendent; Building Department Administrator; Bus Driver; Community Service Officer in the Police Department; Executive Office Assistant; Police Office Clerk; Police Records Clerk; Police Records Office Manager; Project Director and Public Works Foreman of Water; Public Works Laborer; Public Works Laborer & Water Commissioner; Water Department Administrator
L-RC-19-028 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	3/1/2021	AFSCME	14	Add to AFSCME Unit #1 Contracts Coordinator Code 0345
S-RC-21-024 <i>Majority Interest</i>	City of Sterling	Int'l Brotherhood of Teamsters, Local 722	3/3/2021	Teamsters	13	All employees of the Public Works Department employed in Street Maintenance responsible for routine road maintenance, curb and gutter and sidewalks

L-RC-19-036 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	3/23/2021	AFSCME	3	Add to AFSCME Unit #1 Payroll Administrator – Finance Code 0121
S-RC-21-032 <i>Majority Interest</i>	County of LaSalle, LaSalle County Health Department	American Federation of State, County and Municipal Employees, Council 31	3/30/2021	AFSCME	27	Administrative Assistant, Case Management, Communicable Disease Investigator, Emergency Preparedness, Environmental Health Practitioner, Health Educator, Health Inspector, Immunization Coordinator, Nutritionist, Program Assistant, Public Health Nurse, Registered Nurse, Sanitarian, Secretary
S-RC-21-041 <i>Majority Interest</i>	County of Williamson and Sheriff of Williamson County	Laborers Int'l Union of North America, Local 773	3/30/2021	Laborers	5	All full-time telecommunicators
S-RC-21-040 <i>Majority Interest</i>	Skokie Public Library	Service Employees International Union, Local 73	4/2/2021	SEIU	122	Library professional/non-professional employees
L-RC-21-015	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	4/19/2021	AFSCME	5	Add to AFSCME Unit #3 Public Health Nutritionist III
S-RC-20-030 <i>Majority Interest</i>	CGH Medical Center	American Federation of State, County and Municipal Employees, Council 31	4/26/2021	AFSCME	800	Included: All full-time, permanent part-time and PRN non-professional medical employees employed at CGH Medical Center
S-RC-21-037	Village of Villa Park	Illinois FOP Labor Council and Metropolitan Alliance of Police, Chapter #24	5/11/2021	FOP	27	All sworn full-time Patrol Officers

S-RC-21-034	City of Rochelle	Illinois FOP Labor Council and Illinois Council of Police	5/25/2021	ICOP (Incumbent)	26	Included: All full-time peace officers of the City of Rochelle Police Department in the ranks of Sergeant and Patrolman, and all full-time employees of the City of Rochelle Police Department in the classifications of Communicator/ Dispatcher and Communications Supervisor.
S-RC-21-047 <i>Majority Interest</i>	Township of Stookey	Laborers' Int'l Union of North America, Local 459	5/25/2021	Laborers'	2	All clerical employees
S-RC-21-048 <i>Majority Interest</i>	City of Cahokia Heights	Illinois FOP Labor Council	5/28/2021	FOP	28	All sworn police officers below the rank of Lieutenant
S-RC-21-042	City of Earlville (Police Department)	Metropolitan Alliance of Police Earlville Police Chapter #138 and Int'l Brotherhood of Teamsters, Local 722	6/1/2021	MAP	10	All full-time and part-time peace officers in the following titles: Police Officer; Sergeant
S-RC-21-038	City of Canton	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	6/1/2021	FOP	27	All employees of the Police Department, both commissioned officers and other civilian employees
S-RC-21-052 <i>Majority Interest</i>	Village of Oak Brook	Illinois Council of Police	6/7/2021	ICOP	7	All persons employed working as Community Service Officers, Records Clerks and Administrative Assistant to the Commanders
S-RC-21-050 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	6/7/2021	AFSCME	2	Include in RC-63 Pipeline Safety Supervisor
S-RC-20-038 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	6/21/2021	AFSCME	11	Include in RC-29 Tobacco Compliance Specialist

S-RC-21-046 <i>Majority Interest</i>	Village of Carpentersville	Service Employees Int'l Union, Local 73	6/23/2021	SEIU	1	Include in S-AC-99-081 Building Engineer II
S-RC-21-025 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	General Teamsters/Professional & Technical Employees, Local Union No. 916	6/23/2021	Teamsters	1	Include in ProTech Unit Automotive Shop Supervisor

Certification of Voluntarily Recognized Representative

Case No.	Employer	Labor Organization	Date Certified	Unit Description
S-VR-21-001	County of Jackson and State's Attorney of Jackson County	American Federation of State, County and Municipal Employees, Council 31	2/23/2021	All Non-Professional clerical employees including but not limited to Business Manager, Information Clerk, Receptionist, Administrative Assistant, Paralegal, Victim Advocate, Witness Coordinator
S-VR-21-002	Village of North Riverside	Int'l Brotherhood of Teamsters, Local 703	3/3/2021	All full-time water foremen, public works foremen, mechanics and public works laborers
S-VR-21-003	Village of North Riverside	Int'l Brotherhood of Teamsters, Local 703	3/3/2021	All customer relations specialists, financial analysts, senior financial analysts, building administrative assistants, administrative assistants, records analysts and office managers

Amendment to Certification

Case No.	Employer	Labor Organization	Date Certified	Unit Description
S-AC-21-001	Hamel Community Fire Protection District	Int'l Association of Fire Fighters, Associated Firefighters of Illinois	3/30/2021	Change name from Associated Firefighters of Illinois to International Association of Fire Fighters, Associated Firefighters of Illinois
S-AC-21-002	County of Clark (Highway	Iron Workers Regional Shop,	5/11/2021	Change name from

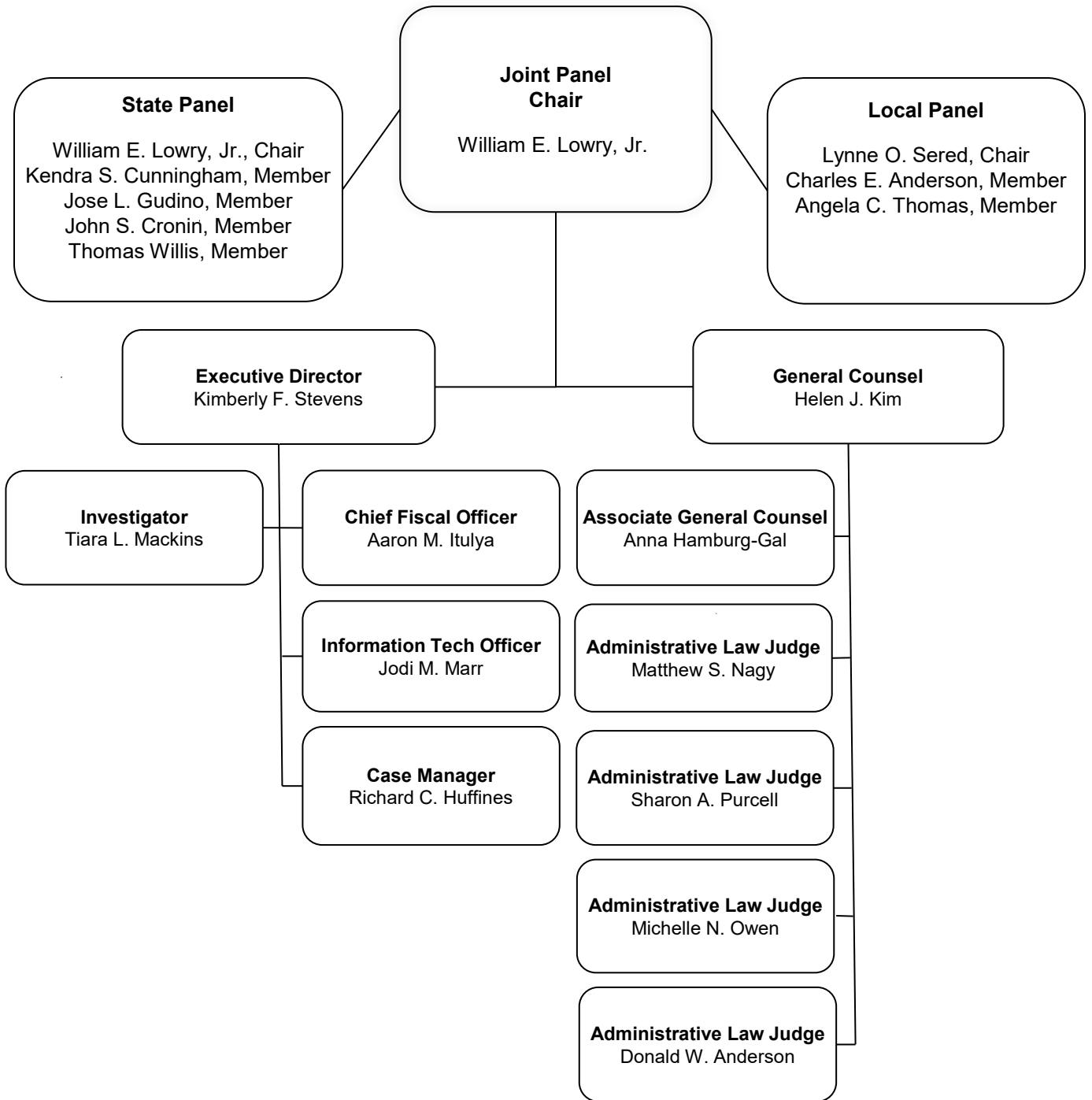
	Department)	Local Union No. 853		Int'l Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 429 to Iron Workers Regional Shop, Local Union No. 853
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Revocation of Prior Certification

Case No.	Employer	Labor Organization	Date Revocation	Unit Description
S-DD-20-013	Village of Stone Park (Fire Department)	Int'l Brotherhood of Teamsters, Local 700	8/31/2020	All Lieutenant Firefighters and Lieutenant Firefighter/Paramedics of the Stone Park Fire Department
S-DD-20-014	Village of Stone Park (Fire Department)	Int'l Brotherhood of Teamsters, Local 700	8/31/2020	All Firefighters and Firefighter/Paramedics of the Stone Park Fire Department
S-DD-21-001	City of Sullivan	Int'l Brotherhood of Electrical Workers, Local 51	9/9/3030	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.
S-DD-21-002	City of Harvey	Illinois Council of Police	11/13/2020	All City of Harvey full-time Telecommunicators.
S-DD-21-003	County of Massac and Treasurer of Massac County	Laborers Int'l Union of North America, Local 773	11/18/2020	All full time and part time clerical employees employed in the Massac County Treasurer's Office
S-DD-21-004	Village of Lombard	Service Employees Int'l Union, Local 73	11/30/2020	Employees of the Village of Lombard in the following titles: Accountant; Accounting Assistant; Accounts Payable/Accounts Receivable Clerk; Administrative Coordinator; Administrative Secretary-Community Development; Administrative Secretary-Finance; Administrative Secretary-Fire; Administrative Secretary-Police; Administrative Secretary-Public Works; Part-time Administrative Secretary-Village Manager's Office; Building Division Plan Review/Inspector I; Building Division Representative; Chief Electrical Inspector/Plan Reviewer; Civilian Engineering Technicians; Code Enforcement Coordinator; Code

				Enforcement Officers; Customer Service Representative; Development Services Inspector; Fire and Life Safety Specialists; Fire Prevention Inspectors; G.I.S. Technician; Human Resources Clerk; IT Specialist; Office Planner I; Plumbing Plan Review/Inspector; Public Works Data Clerk; Senior Building Division Representative; Senior Planner; Water Billing Representative.
S-DD-21-005	Village of Harwood Heights	American Federation of State, County and Municipal Employees, Council 31	1/21/2021	All persons employed permanent full-time or permanent part-time by the Village of Harwood Heights, in the following classifications or titles: Bus Driver; Dispatcher; Dispatch Supervisor; Maintenance; Court Officer Liaison; Office Staff; Police Office Clerk; Public Works Laborer; Foreman of Public Works; Administrative Office Manager and Community Service Officer in the Police Department.
S-DD-21-006	Belvidere Township Assessor	United Auto, Aerospace and Agricultural Implement Workers of America	3/16/2021	All full-time and regular part-time employees of the Township of Belvidere (Assessor's Office) in the positions of Deputy Assessor and Chief Deputy Assessor
S-DD-21-007	Village of Riverdale	Illinois FOP Labor Council	3/16/2021	All employees in the rank of Police Lieutenant
S-DD-21-008	Village of Arthur	Int'l Brotherhood of Electrical Workers, Local 41	3/31/2021	All employees of the Village of Arthur in the Public Works Department in the following classifications: Water Plant Superintendent; Street Superintendent; Street Maintenance Worker; Sewer Plant Superintendent.
S-DD-21-009	City of Marquette Heights	Illinois FOP Labor Council	4/7/2021	All full-time sworn officers in the ranks of Lieutenant and below
S-DD-21-010	County of Kendall (Highway Department)	Int'l Union of Operating Engineers, Local 150	4/27/2021	All full-time and part-time employees in the Kendall County highway Department in the following classifications: Engineering Technician and Highway Maintenance Crew Members.
S-DD-21-011	City of Auburn	Int'l Union of Operating Engineers, Local 965	5/13/2021	All employees of the City of Auburn in the following titles: Utility Clerk, Payroll Clerk

Illinois Labor Relations Board Organizational Chart



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