



# **Illinois Labor Relations Board**

**2022  
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 37th 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, 2021 through June 30, 2022.

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 2022. 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 2022. 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 2022 Actual Expenditures	
Regular Positions	1,059,311
Social Security/Medicare	76,187
Contractual Services	117,963
Travel	196
Commodities	3,359
Printing	50
Equipment	0
Electronic Data Processing	73,221
Telecommunication	22,091
Agency Ops/Lump Sum	0
Total	1,352,378

## **Illinois Labor Relations Board Members**

### STATE PANEL

William E. Lowry (Chairman)  
Chicago

John S. Cronin  
Mokena

Kendra Cunningham  
Murrayville

Jeffrey W. Mears  
Vienna

### 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

### ASSISTANT TO GENERAL COUNSEL

Lashonda Channel

### CASE MANAGER

Cody Huffines

### ADMINISTRATIVE LAW JUDGES

Donald W. Anderson

Michelle N. Owen

### INFORMATION TECHNOLOGY

Jodi M. Marr

Sharon A. Purcell

### COMPLIANCE OFFICER/ INVESTIGATOR/MEDIATOR

Olivia Campbell Reed

### INVESTIGATOR

Tiara Mackins

## 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 <https://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**

### **Public Act 102-0686 Supervisor Definition for Fire Fighter Units**

Public Act 102-0686 amended Section 3(r) of the Illinois Public Labor Relations Act (IPLRA). The amendments to Section 3(r) modify the definition of “supervisor” and provide that in fire fighter units (rather than new fire fighter units), employees shall consist of fire fighters of the highest rank of company officer and below (currently, highest rank not specified). The amendments also provide that a company officer may be responsible for multiple companies or apparatus on a shift, multiple stations, or an entire shift, that there may be more than one company officer per shift, and that all other ranks above that of the highest company officer shall be supervisors (currently, highest rank not specified).

### **Public Act 102-0151**

Public Act 102-0151 amended Sections 3, 9, and 21.5 of the Illinois Public Labor Relations Act (IPLRA). The amendments to Section 3 require consideration of a public employee’s actual job duties in assessing whether the employee falls within the confidential, managerial, or supervisory exemptions. The amendments to Section 9 set forth the circumstances under which unit clarification petitions may be filed. The amendments to Section 21.5(a) prohibit collective bargaining agreements entered into by an executive branch constitutional officer and labor organizations to extend beyond 12 months after the date the term of executive officer begins. The amendments to Section 21.5(b) clarify that the provisions of subsection b do not apply to salary, pay schedules, or benefits that would continue because of the duty to maintain the status quo and to bargain in good faith.

### **Public Act 102-0596**

Public Act 102-0596, amended Sections 9 and 10 of the Illinois Public Labor Relations Act (IPLRA) and Sections 7, 8, and 14 of the Illinois Educational Labor Relations Act (IELRA). The amendments to Section 9 of the IPLRA allow for the use of electronic signatures to evidence a showing of interest in support of representation petitions and also provide for electronic voting systems in addition to paper ballots. The amendments to Section 10 prohibit public employers from taking certain actions in response to a lawful strike.

## Board and Court Decisions

### I. Representation Issues

8/12/21

**ILRB SP**

#### **Unit Clarification/Supervisory Authority/Preponderance of Time**

In *International Union of Operating Engineers, Local 150 and Village of Winnetka*, 38 PERI ¶ 26 (IL LRB-SP 2021) (Case No. S-UC-20-051), Local 150 filed a unit clarification petition seeking to include four job titles—Refuse Supervisor, Fleet Supervisor, Sewer Supervisor, and Street Supervisor—in the Village’s Public Works Department. The Village objected contending the employees are supervisory employees excluded from collective bargaining pursuant to Section 3(r) of the Act. After hearing, the ALJ found the petitioned-for employees did not satisfy the four- part supervisory test. Although the ALJ found the employees’ principle work substantially differed from the work of their subordinates and exercised supervisory authority to discipline, she determined they did not spend a preponderance of their time, either quantitatively or qualitatively, on supervisory functions. The Board adopted the ALJ’s RDO recommendations to grant the unit clarification petition.

9/24/21

**ILRB SP**

#### **Bargaining Unit Appropriateness/Presumption of Inappropriateness**

In *International Brotherhood of Teamsters, Local 325 and Reaching Across Illinois Library System (RAILS)*, 38 PERI ¶ 41 (IL LRB-SP 2021) (Case No. S-RC-21-003), Local 325 filed a majority interest petition seeking to represent five employees in the titles driver/sorter, sorter/driver, and floater (driver/sorter/floater) employed by RAILS at its Rockford facility in a new bargaining unit. RAILS objected to the petition asserting the petitioned-for bargaining unit was inappropriate because it sought only a portion of the employees, those working at the Rockford facility, working in driver/sorter/floater title rather than all the employees working in the title at RAILS’s three other facilities. The ALJ found the presumption of inappropriateness applied but concluded the presumption was rebutted by the distinct and distant geographical locations of the Employer’s Rockford, Bolingbrook, East Peoria, and Coal Valley facilities which allowed employees little contact with employees outside of their assigned facility and provided a rational basis for seeking a smaller unit of the drivers/sorters/floaters at the Rockford facility. The ALJ also determined finding the proposed unit inappropriate would deny the petitioned-for employees their rights under the Act and leave their representation dependent on the Union or another labor organization to file another petition seeking all of the Employer’s drivers/sorters/floaters. Additionally, the ALJ found the petitioned-for unit was appropriate under Section 9(b) of the Act. The Board adopted the ALJ’s RDO as a decision of the Board.

10/21/21

**ILRB LP**

#### **Majority Interest/Managerial Employees/Authorized Access**

In *American Federation of State, County, and Municipal Employees, Council 31, and City of Chicago*, 38 PERI ¶ 48 (IL LRB-LP 2021) (Case No. L-RC-19-024), the Board accepted with modification the ALJ’s recommendations to grant the majority interest petition filed by AFSCME. AFSCME sought to represent in its existing bargaining unit, certain individuals employed by the City of Chicago working in the Attorney job classification at various departments and offices. The City opposed the petition contending that all the petitioned-for employees were managerial, that some of the employees were also confidential, and that the Attorney in the

City's Department of Public Health was also supervisory under the Act. The ALJ found that the parties stipulated that certain Attorneys were managerial employees under the Act but determined that the remaining petitioned-for employees did not fall within any of the Act's exemptions claimed by the City.

The City filed exceptions to the ALJ's findings that the Attorneys in the City's Department of Business Affairs and Consumer Protection (BACP) and the Office of the City Clerk (OCC) were not managerial under the alternative managerial test in addition to his findings that the COPA Attorneys do not fall under the confidential employee exclusion. The City contended that the same confidential attorney-client relationship the Board and court found conferred managerial status on the attorneys in the City's Law Department in Salaried Employees of North America (SENA) and City of Chicago (Department of Law), 4 PERI ¶ 3028, *aff'd sub nom.*, SENA, et al. v. Ill. Local Labor Relations Bd., et al., 202 Ill. App. 3d 1013 (1<sup>st</sup> Dist. 1990), existed between not only the in-house petitioned-for Attorneys at BACP and OCC and their respective departments but also between all of the petitioned-for Attorneys and their respective departments. Regarding confidential employee status, the City argued the COPA Attorneys' close collaboration with COPA investigators gave them comparable access to confidential information the Board found conferred confidential employee status in City of Chicago (Office of the Inspector General), 31 PERI ¶ 6 (IL LRB-LP 2014). The Board rejected the City's exceptions, noting the evidence did not support the City's arguments and distinguishing the cases relied upon by the City.

**11/18/21**

**ILRB-SP**

**Unit Clarification/Reclassification**

In *Am. Fed. of State, Cnty., and Mun. Emps., Council 31 (AFSCME), and State of Illinois, Dep't of Central Management Services (Office of the State Fire Marshall) and International Brotherhood of Boiler Makers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers, Local No. 1 (Boiler Makers), Ill. Labor Relations Bd., et al.*, 38 PERI ¶ 72 (IL LRB-SP 2021) (Case Nos. S-UC-(S)-21-055, S-UC-21-057), OFSM reclassified its PSA Option 8B position, a position included in a bargaining unit represented by AFSCME, into a Boiler Safety Supervisor position to no longer require four years of college or a professional license. The reclassification did not change any of the duties or functions of the previous position. Upon the reclassification, AFSCME filed a stipulated unit clarification petition to include the reclassified Boiler Safety Supervisor position in its existing unit. The Boiler Makers intervened, contending the reclassification created a new position with a substantial change in job duties, and then filed its own unit clarification petition, seeking to represent that same classification in its existing bargaining unit which included employees in the Boiler Safety Audit Specialist job title. The ALJ consolidated the petitions for resolution, determined that there were no issues warranting a hearing, and then issued a Recommended Decision and Order (RDO), recommending the Board grant AFSCME's stipulated unit clarification petition and dismiss the Boiler Makers's unit clarification petition. The ALJ found the reclassification created a successor title, rather than a new title with substantially different job duties, and thus, the Boiler Safety Supervisor Position should be treated in the same manner as the PSA Option 8B position. The Boiler Makers took exception to the ALJ's recommendations, contending that its unit clarification petition raised issues for hearing and the ALJ's failure to consider that the repeated temporary assignment of Boiler Makers represented employees to perform PSA Option 8B work shifted that work to Boiler Makers's bargaining unit work. The Board rejected the exceptions and adopted the ALJ's RDO in its entirety.

**1/7/2022**

**Illinois Appellate Court, Fourth District  
Opinion—2022 IL App (4th) 200519  
Decertification/Standing/Insufficient Record**

In *City of Sullivan v. Ill. Labor Relations Bd., et al.*, the Fourth District, reversed and remanded for further proceedings, the Board’s grant of the Petition for Declaration of Disinterest filed by the *Int’l Brotherhood of Electrical Workers, Local 51* (Board Case No. S-DD-21-001). The City of Sullivan petitioned for review of the Executive Director’s Revocation of Prior Certification revoking the certification of the International Brotherhood of Electrical Workers, Local 51 (Union), as the exclusive representative of certain employees in the City of Sullivan’s Water and Sewer, Street and Gas Department pursuant to the Petition for Declaration of Disinterest filed by the Union. The Fourth District first found the City had standing to appeal the revocation of certification and then found the Board provided an insufficient record with no substantive findings for the court to review. Thus, the court reversed the revocation of certification and remanded the matter to the Board with instructions to make reopen investigation, make factual findings, conduct a hearing if warranted, detail the basis for its conclusions, and create a sufficient record.

**1/13/22**

**ILRB LP  
Majority Interest Petition/Supervisory Exclusion**

In *National Association of Transportation Supervisors (NATS) and Chicago Transit Authority (CTA)*, 38 PERI ¶ 85 (IL LRB-LP 2022) (Case No. L-RC-20-020), the Board adopted the ALJ’s Recommended Decision and Order (RDO) recommending dismissal of the majority interest petition filed by NATS, which sought to represent certain individuals employed by the CTA in the job titles Manager, Transportation-Rail; Manager, Rail Car Appearance; and Manager, Maintenance-Rail. The CTA opposed the petition, contending the petitioned-for employees should be excluded from collective bargaining because they are supervisors under Section 3(r) of the Act. Applying the four-part supervisory test, the ALJ concluded the employees should be excluded as argued by the CTA. He determined the petitioned-for employees perform work that is substantially different from that of their subordinates and exercise supervisory authority to direct and discipline with independent judgment. He also found that the Manager, Transportation-Rail and Manager, Maintenance-Rail, did not possess the authority to hire. The ALJ then determined the petitioned-for employees spend the preponderance of their work time, both quantitatively and qualitatively, directing or disciplining their subordinate employees.

**2/10/22**

**ILRB LP  
Majority Interest Petition/Confidential, Managerial, and Supervisory Exclusions/Accretion**

In *American Federation of State, County, and Municipal Employees, Council 31 (AFSCME), and City of Chicago*, 38 PERI ¶ 94 (IL LRB-LP 2022) (Case No. L-RC-19-020), the Board adopted the ALJ’s Recommended Decision and Order (RDO) and granted the majority interest petition filed by AFSCME which sought to represent certain individuals employed by the City in the title Information Coordinator. The City objected to the inclusion of eight Information Coordinator positions, contending six positions are confidential employees, eight are managerial, and one is supervisory pursuant to Sections 3(c), (j), and (r) of the Act respectively. After hearing, the ALJ concluded that all of the petitioned-for employees are public employees as none of the statutory exclusions asserted by the City applied and recommended that AFSCME be certified as the exclusive representative of the Information Coordinator by inclusion in AFSCME’s existing Unit #1 bargaining unit and “excluding all supervisory, managerial, and confidential employees.”

The City took exception to the ALJ's bargaining unit description, contending that it effectively accretes positions into the bargaining unit that were not contemplated by AFSCME's petition. The City asserted the RDO's bargaining unit description should be modified to list the names and employing department of the nine Information Coordinator positions that it claims were the only ones at issue and to list, as excluded, the names of the seven new employees the City claims were not included in AFSCME's petition. The Board rejected the exceptions, finding the City did not take exception to any of the ALJ's findings and recommendations that the employees in the Information Coordinator job title are public employees and deemed them waived under the Board's rules, and that the City's sole exception to the unit description unsupported.

## **II. Employer Unfair Labor Practices**

**7/22/21**

**ILRB LP**

### **Effects Bargaining/Unilateral Changes/Mandatory Subjects/Mid-term Interest Arbitration**

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 38 PERI ¶ 20 (IL LRB-LP 2021) (Case Nos. L-CA-17-037 and L-CA-20-024, *consol. for decision*), the Board adopted the ALJ's Recommended Decision and Order finding the City of Chicago engaged in unfair labor practices relating to body worn cameras for bargaining unit members. In Case No. L-CA-17-037, the ALJ issued an RDO (RDO I) finding the City failed to bargain the effects of the 2017 expansion of its Body Worn Camera Pilot Program. Three years later, the same ALJ issued an RDO (RDO II), resolving the charge filed in Case No. L-CA-20-024 by finding that the City violated Sections 10(a)(4) and 10(a)(1) when it unilaterally implemented its Last, Best, Final Offer on the effects of the body worn camera policy as well as when it unilaterally increased buffering times on the body worn cameras without first bargaining over the effects. For both cases, the ALJ recommended limited remedies. The cases were consolidated for the filing of exceptions at the parties' joint request.

The City filed exceptions contending the ALJ erred in determining the implementation of body worn cameras resulted in bargainable effects with respect to the safety and discipline issues associated with the expansion of Body Worn Camera Pilot Program. The City also filed exceptions contingent on the Board's acceptance of the ALJ's recommendations in RDO I and the City contended that in the event the Board accepted the ALJ's recommendations concerning bargaining violations as set forth in RDO I, then the Board should find that RDO II superseded RDO I with respect to "any arguably appropriate remedy arising from RDO I." The City then contended that should the Board RDO II did not supersede RDO I, and an independent obligation as to remedy remained, the City asserted that the ALJ's findings in RDO II that (1) the City is obligated to proceed to mid-term interest arbitration over BWC effects due to the alleged inequity between Section 14 and non-Section 14 employees; and (2) the failure to find that the City bargained in good faith to impasse during the effects bargaining were in error. The Board disregarded the City's exceptions because they failed to comport with Section 1200.135(b)(2) of the Board's rules and on the merits, noting that regarding the issue of mid-term interest arbitration, the City conceded the ALJ followed Board precedent but disagreed with the Board's decisions which were affirmed by the court.

**07/22/21**

**ILRB SP**

### **Executive Director Dismissal/Reversal/Retaliation/Causal Connection**

In *Tammy Powell and Sangamon County Sheriff's Office*, 38 PERI ¶ 23 (IL LRB-SP 2021) (Case No. S-CA-20-120), the Board reversed the dismissal of an unfair labor practice charge filed by Charging Party alleging Respondent took a series of employment actions against her because she prevailed in her grievance arbitration



challenging her discharge. The Executive Director dismissed the charge on grounds the available evidence failed to demonstrate Respondent retaliated against Charging Party because she prevailed at arbitration. The Executive Director noted that the complained-of actions were the subject of a dispute over the terms of the arbitration award reinstating Charging Party, which the parties arbitrated and were waiting for a decision. She also found dismissal warranted because Respondent provided legitimate business reasons for its actions. The Board, however, found Charging Party provided enough evidence to raise issues for hearing on Respondent's motive for its actions and on whether Respondent's reasons are indeed legitimate and not pretextual. 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 Section 10(a)(1) of the Act.

**09/24/21**

**ILRB SP**

**Executive Director Dismissal/Reversal/Protected Activity/Unilateral Changes/Causal Connection**

In *Professional Fire Fighters of Elmhurst, Local 3541, IAFF, and City of Elmhurst*, 38 PERI ¶ 40 (ILRB- SP 2021) (Case No. S-CA-21-014), the Board affirmed the Executive Director's partial dismissal of the Union's unfair labor practice charge alleging the City of Elmhurst violated the Act when it implemented unilateral changes to return to work requirements and procedure for light duty assignments, fitness for duty, worker's compensation leave, and personnel investigation procedures and surveillance, during the pendency of interest arbitration proceedings. The charge also alleged the unilateral changes were made in retaliation for employees engaging in protected activity. The Executive Director issued a complaint for hearing on the allegations that the City made implied threats of discipline in violation of Section 10(a)(1) of the Act and violated Sections 10(a)(2) and (1) of the Act by discouraging employees from engaging in activities for mutual aid and protection.

The Executive Director, however, dismissed the remaining allegations on grounds the available evidence failed to raise issues of fact or law warranting a hearing. She dismissed the allegations that the City unilaterally implemented changes to unit members' terms and conditions of employment and repudiated the parties' collective bargaining agreement. She found that the alleged changes were not substantial enough to constitute repudiation of the parties' collective bargaining agreement or to trigger the Employer's statutory bargaining obligations. Regarding the allegations that the City violated certain unit members' rights under HIPPA, the Workers' Compensation Act, and the Fireman's Disciplinary Act, the Executive Director observed the Board lacked jurisdiction over those statutes and thus dismissed those allegations. The retaliation and discrimination allegations were dismissed because Charging Party failed to identify the protected concerted activity engaged in by the unit members in question and because the evidence failed to point to a causal connection between the alleged protected activity and adverse employment actions.

On appeal, the Board reversed the partial dismissal and directed the issuance of a complaint for hearing on the remaining allegations that the City violated Sections 10(a)(1), 10(a)(2), and 10(a)(4) of the Act. Viewing the allegations and evidence as whole, the Board found that Charging Party submitted sufficient evidence to raise issues for hearing on whether the City unilaterally changed the status quo regarding the fitness for duty requirements and procedures, light duty assignments, employee investigatory methods and practices during the pendency of interest arbitration, and on the remaining retaliation and discrimination claims. The Board noted the protected, concerted activity in this case was the assertion of contractual rights by each unit member that there was sufficient evidence to warrant a hearing on the issue of causation.

**10/21/21**

**ILRB LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago*, 38 PERI ¶ 48 (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 March 9, 2022.

**10/21/21**

**ILRB LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 38 PERI ¶ 58 (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 March 9, 2022.

**10/26/21**

**Illinois Appellate Court, Fourth District Rule 23 Unpublished Order Collateral Estoppel/Transfer of Work/Mandatory Subjects/Substitutes Act**

In *City of Mattoon v. Ill. Labor Relations Bd., et al.*, 2021 IL App (4th) 200417-U, the Fourth District, in an unpublished order, affirmed the Board's decision 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 found the City failed and refused 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. The Board determined that the issues presented by the charge were not previously litigated in Board Case No. S-CA-18-084 in which the Board affirmed the deferral of the charge in that case to an arbitration award finding the City did not violate the parties' collective bargaining agreement when it adopted a resolution to eliminate City-operated ambulance services. The Board noted the present case involved the use of unqualified substitutes and the transfer of bargaining unit work resulting from the City's elimination of ambulance services which were not at issue in the arbitration. The Board then concluded the City's use of unqualified substitutes constituted a forced waiver of the Union's rights under the Substitutes Act, rejecting the City's argument that the Substitutes Act applies only to hiring of firefighters. The Board also determined that notwithstanding the Substitutes Act, 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 found the resultant transfer of work changed the existing terms and conditions of employment pending interest arbitration.

The Fourth District held that collateral estoppel did not apply and that the Board did not clearly err by failing to defer to the arbitration award. The court then concluded the Board did not clearly err by deciding the City committed an unfair labor practice based on its failure to bargain to impasse over the transfer of bargaining unit work, a mandatory subject of bargaining, and unilateral changes to the status quo pending interest arbitration but

did not reach the Substitutes Act interpretation issues. On November 16, 2021, the City petitioned the court for rehearing.

**12/3/2021**

**Illinois Appellate Court, First District**

**Opinion—2021 IL App (1st) 192209**

**Failure to Bargain/Effects Bargaining/Waiver**

In *Policemen’s Benevolent Labor Committee v. Ill. Labor Relations Bd., et al.*, the First District, affirmed the Board’s decision in *Policemen’s Benevolent Labor Committee and County of Cook and Sheriff of Cook County*, 36 PERI ¶ 85 (IL LRB-LP 2019) (Case No. L-CA-18-037), which dismissed PBLC’s charge alleging the employers implemented the layoff of lieutenants in the Sheriff’s Department of Court Services without first bargaining to impasse the layoff decision and its effects. The Board rejected the ALJ’s recommendations that the Respondents were obligated to bargain the effects the union wished to bargain, which included the effective date, seniority of the laid off lieutenants, compensatory time, and the assignments of the remaining Lieutenants, but implemented the layoffs before completion of bargaining over these subjects. The Board found Respondents were not obligated to bargain over the effective date of the layoff as the effective date is an inevitable consequence of the layoff decision. Regarding the remaining effects the union wished to bargain, the Board determined the parties’ collective bargaining agreement indicated the parties had already bargained over seniority and compensatory time, and the union waived bargaining over assignments.

**01/13/22**

**ILRB SP**

**Executive Director Dismissal/Repudiation/Mere Contract Interpretation**

In *International Brotherhood of Teamsters, Local #916 and Illinois Secretary of State*, 38 PERI ¶ 84 (IL LRB-SP 2022) (Case No. S-CA-21-042), the Board affirmed the dismissal of an unfair labor practice charge filed by Local 916 (Union) alleging that the Employer violated Sections 10(a)(4) and 10(a)(1) by repudiating a side letter to the parties’ collective bargaining agreement relating to pesticide certification. Local 916 claimed Respondent repudiated the side letter by refusing to “meet and discuss” pesticide certification issues when Charging Party requested to do so on September 17, 2020, claiming that the time period for discussion set forth in the side letter had expired. The Executive Director dismissed the charge finding the allegations involved differing interpretations of the phrase “within the first year of the new contract term” which constituted a mere contractual breach rather than an unlawful repudiation. Upon Local 916’s appeal, the Board agreed with the Executive Director that the allegations involved an isolated breach of the terms of the side letter, and there was little evidence suggesting that the Employer’s assertion of its interpretation of the terms of the side letter constituted a repudiation of the collective bargaining process. The Board found that the side letter expressly stated that “[w]ithin the first year of the new contract term, the parties agree to meet and discuss the issue of pesticide certification, [etc.]” and that Local 916’s claim necessarily depended on a determination of the parties’ intention concerning the phrase “[w]ithin the first year of the new contract term,” a determination that is more appropriately resolved through the parties’ contractual grievance process.

**02/10/22**

**ILRB SP**

**Retaliation/Motive**

In *Dustin Ward and Peoria Park District (Pleasure Driveway and Park District of Peoria)*, 38 PERI ¶ 97 (IL LRB-SP 2022) (Case No. S-CA-19-127), Charging Party, a probationary police officer, alleged the Employer discharged him in retaliation for his participation in protected concerted activity in violation of Sections 10(a)(2)

and 10(a)(1) of the Act. After hearing, an ALJ found that Charging Party failed to establish his prima facie case and recommended dismissal of the charge. The ALJ determined that although Charging Party established that he engaged in protected concerted activity, which included, among other things, discussing unionizing efforts with fellow employees and signing a union authorization card, the evidence failed to establish that his participation in protected activity was the substantial motivating factor in his discharge. The Board accepted the ALJ's recommendations and adopted the Recommended Decision and Order as a decision of the Board.

**03/14/22**

**ILRB LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago*, 38 PERI ¶ 108 (IL LRB-LP 2022) (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, 2022.

**03/14/22**

**ILRB LP**

**Unilateral Change/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 38 PERI ¶ 107 (IL LRB-LP 2022) (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, 2022.

**03/14/2022**

**ILRB LP**

**Executive Director Dismissal/Union Flyer Distribution/Union Waiver/Work Rules**

In *Eric Basir and Chicago Transit Authority*, 38 PERI ¶ 105 (IL LRB-LP 2022) (Case No. L-CA-21-027), the Board affirmed the Executive Director's dismissal of the unfair labor practice charge filed by Charging Party alleging the CTA engaged in unfair labor practices in violation of Sections 10(a)(2) and 10(a)(1) of the Act, when it ordered Charging Party, a CTA employee and member of a bargaining unit represented by the Amalgamated Transit Union, Local 308 ("Union"), and Audra Thompson, to cease distributing union related flyers in CTA breakrooms on two occasions in December 2020. . The Executive Director dismissed the charge noting that an employer may restrict the distribution of union flyers and material if the union has clearly and unmistakably waived them under a collective bargaining agreement or through bargaining. *See State of Ill., Dep't of Central Mgmt. Servs. (Corrections) v. Ill. Labor Relations Bd.*, 373 Ill. App. 3d 242 (4th Dist. 2007); *Village of Oak Park v. Ill. State Labor Relations Bd.*, 168 Ill. App. 3d 7, 20 (1st Dist. 1988). She further noted an employer's work rules may restrict distribution of union materials so long as the employer does not enforce them in a discriminatory manner to interfere with protected union activity. *See Palatine Community Consolidated School District #15*, 18 PERI ¶ 1043 (IL ELRB 2002). Applying the foregoing decisions, the Executive Director found the CTA implemented, prior to December 2020, COVID-19 Workforce Guidelines which inherently limited protected

activities because they prohibit employee gatherings where social distancing is not possible. She also found the Union agreed to these guidelines and thus, temporarily agreed to waive unit members' rights. Moreover, the Executive Director determined there was no evidence the CTA indiscriminately enforced these rules when it instructed Charging Party and Thompson to cease distributing the flyers in the break rooms. Charging Party appealed the dismissal, but the Board found the appeal defective because Charging Party failed to include a statement of service as required by the Board's rules, and struck the appeal.

**04/14/2022**

**ILRB LP**

**Unilateral Change/Deferral/Abeyance**

In *Fraternal Order of Police, Lodge #7, and Police Benevolent & Protective Association, Units A, B, C, and City of Chicago (Department of Police)*, 38 PERI ¶ 111 (IL LRB-LP 2022) (Case No. L-CA-22-008), Charging Parties alleged the City of Chicago committed unfair labor practices in violation of Sections 10(a)(4) and (1) of the Act by refusing and failing to bargain in good faith over the City's COVID-19 vaccination policy. Shortly after the complaint for hearing was issued, an arbitrator issued an award denying grievances filed by the Charging Parties alleging the City violated the terms of the parties' collective bargaining agreements by implementing its vaccination policy and order several actions to be undertaken by a specified date. The ALJ recommended partial deferral of the failure to bargain over the vaccination policy allegations and hearing on the allegations pertaining to the City's failure to respond to the Charging Parties' information requests. The Board noting that the Charging Parties had appealed their lawsuit seeking to vacate the arbitration award held the matter in abeyance, including the proceedings before the ALJ, pending the outcome of the appeal in the Illinois Appellate Court.

**04/14/22**

**ILRB SP**

**Failure to Timely Answer/Default Judgement/Retaliation**

In *Laborers Int'l Union of North America, Local 751 and Village of Bradley*, 38 PERI ¶ 112 (IL LRB-SP 2022) (Case No. S-CA-20-110), Charging Party alleged the Village engaged in unfair labor practices in violation of Sections 10(a)(1) and 10(a)(2) of the Act when it took action against Jeff Hackley, a unit member and steward, in retaliation for engaging in protected union activity. The ALJ found that the Village failed to answer the complaint for hearing issued by the Executive Director within the fifteen-day time period proscribed by the Board's rules, noting that the Village admitted its answer was submitted eleven days after it was due to be filed, and denied the Village's request for leave to file a late answer. The ALJ also denied the Village's implicit request for a variance from the Board's rules regarding the timeframe for answering complaints for hearing. As a result, the ALJ found the Village admitted all the allegations in the complaint for hearing and concluded it committed unfair labor practices as alleged. Upon the Village's exceptions, the Board found the Village failed to challenge any of the ALJ's findings and recommendations relating to the filing of an untimely answer and resulting default judgment and adopted the ALJ's RDO in its entirety as a decision of the Board.

**04/18/22**

**IL LRB-SP**

**Compliance to Board Orders/Untimely Objection**

In *International Brotherhood of Teamsters, Local 700, and Chief Judge of the Circuit Court of Cook County*, (IL LRB-SP 2022) (Case No. S-CA-17-096-C), the Board's Compliance Officer issued an order directing the Chief Judge to disburse backpay and compensatory time in accordance with the ordered remedies. The Board granted a variance from the Board's rules providing for objections to a compliance order to be filed within 7 days of service of the order and allowed the Chief Judge to file objections *instanter*.

**06/10/22**

**ILRB SP**

**Spielberg Deferral/Forced Waiver/Arbitration Award**

In *Midlothian Fire Fighters Professional Association Local 3148 and Village of Midlothian*, 39 PERI ¶ 6 (IL LRB-SP 2022) (Case No. S-CA-22-002), Charging Party alleged the Village submitted an argument to an arbitrator, which was accepted in the arbitrator's award, that resulted in a forced waiver of the Union's right to midterm bargaining over changes to unit member health insurance benefits and coverage. The Executive Director issued a complaint for hearing based on those allegations. Upon the Village's motion to defer, an ALJ recommended deferral of the complaint to the arbitration award, finding the factors under the Spielberg doctrine satisfied, and thus recommended dismissal of the complaint for hearing. The Board, however, rejected the ALJ's recommendations and remanded the matter to the ALJ for hearing on the complaint. The Board determined deferral to the award was inappropriate as the allegations in the complaint were based on the arbitration award itself and whether the award forced a waiver of Charging Party's rights under the Act.

**06/10/22**

**ILRB LP**

**Retaliation/Prima Facie Case/Imputing Motive**

In *Rotonda Malone-Cole and County of Cook and Sheriff of Cook County*, 39 PERI ¶ 3 (IL LRB-LP 2022) (Case No. L-CA-20-043), Charging Party alleged the Respondents committed unfair labor practices in violation of Section 10(a) of the Act when they filed a complaint register against Charging Party and then de-deputized and discharged her in March 2020 for engaging in protected union activity. After hearing, an ALJ found that Charging Party failed to establish her prima facie case under Sections 10(a)(1), 10(a)(2), and 10(a)(3) of the Act. Regarding the Section 10(a)(1) and 10(a)(2) allegations, although she found that Charging Party participated in protected activity and that Charging Party's de-deputizing and discharge were adverse employment actions, the ALJ determined that there was insufficient evidence that Respondent took adverse action against Charging Party because of her grievance filing and/or to encourage or discourage support for the Union. The ALJ likewise found there was insufficient evidence that Respondents took adverse actions against Charging Party because she provided testimony to the Board in support of the Union's unit clarification petition in July 2019. Upon Charging Party's exceptions, the Board found them meritless including Charging Party's contention that the ALJ failed to impute motive under the "Cat's Paw" theory and accepted all of the ALJ's recommendations.

**6/30/2022**

**Illinois Appellate Court, First District**

**Rule 23 Order—2022 IL App (1st) 201190-U**

**Retaliation/Motive/Disparate Treatment**

In *Timothy Parker v. Ill. Labor Relations Bd., et al.*, the First District, in a Rule 23 Order, affirmed the Board's decision in *Timothy Parker and County of Cook and Sheriff of Cook County*, 36 PERI ¶ 85 (IL LRB-LP 2019) (Case No. L-CA-16-066), in which the Board dismissed allegations that the employers committed unfair labor practices by retaliating against Parker, a correctional officer working in Division Six of the Sheriff's Department of Corrections, when the Sheriff transferred him to a no inmate contact position in the warehouse pending the outcome of the investigation into a use of force incident. Although the ALJ found Parker's protected activity was a substantial motivating factor in the transfer out of his Division Six assignment and that the employers failed to establish that Parker would have been moved out of Division Six absent his protected concerted activity, the Board found the gravity of the excessive force incident together with the consistent application of the Article U transfer policy demonstrated that Parker would have been transferred out of Division Six in the absence of protected

concerted activity.

### **III. Union Unfair Labor Practices**

**07/22/21**

**ILRB SP**

#### **Dismissal/Breach of Duty of Fair Representation/Public Employee**

In *Jonnie Bankston and American Federation of State, County, and Municipal Employees, Council 31*, 38 PERI ¶ 24 (IL LRB-SP 2021) (Case No. S-CB-21-006), 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 follow COVID-19 mitigation mandates from the Governor of Illinois and the Center for Disease Control (CDC). The Executive Director dismissed the charge, observing the Board lacked jurisdiction over the Charging Party's claims which did not concern any matters falling within the Act's provisions. She also noted that Charging Party is not a public employee as defined by the Act but an inmate in a State of Illinois correctional center who filed the charge to complain of conditions at the correctional facility due to the failure to follow COVID-19 related guidelines. Charging Party appealed, claiming that as an inmate of a State correctional facility he is a third-party beneficiary of contracts involving the Illinois Department of Corrections, including collective bargaining agreements. Citing 730 ILCS 5/3-2-2(1)(c), he claims he is entitled to a hearing before the Board. After considering the appeal, the Board affirmed the dismissal.

**9/24/21**

**ILRB LP**

#### **Rule to Show Cause Remand**

In *Carmelita Otis, et al., and Chicago Joint Board, Local 200*, 38 PERI ¶ 38 (IL LRB-LP 2021) (Case No. L-CB-06-035-C), the Board adopted the ALJ's recommended findings concerning Respondent Chicago Joint Board, Local 200, Retail, Wholesale, Department Store Union (Local 200)'s ability to pay the restitution and/or distribution of the \$375,000 settlement to the Charging Parties in accordance with the Board's May 19, 2010 Decision and Order plus interest accrued since the date that order was issued. The current matter came before the Board on remand from the Illinois Appellate Court's June 26, 2018 order issued upon a rule to show cause action which was filed with the court and entered on March 23, 2017. Upon review of the recommended findings and Local 200's exceptions, the Board denied the request for oral argument and found that Local 200 failed to provide any compelling reason to reject the ALJ's recommendations.

**11/18/21**

**ILRB LP**

#### **Executive Director Dismissal/Duty of Fair Representation/Untimely Appeal**

In *Kierra Cox and Amalgamated Transit Union, Local 241*, 38 PERI ¶ 62 (IL LRB-LP 2021) (Case No. L-CB-21-003), Charging Party, an employee of the Chicago Transit Authority, alleged Local 241 engaged in unfair labor practices within the meaning of Section 10(b) of the Act when one of its representatives failed to attend a meeting on her behalf, leading her to be discharged. The Executive Director dismissed the charge on grounds there was insufficient evidence that Respondent engaged in intentional misconduct, 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 struck the appeal on timeliness grounds but noted that even if the appeal had been timely, it would have affirmed the dismissal on the merits.

**11/18/21**

**ILRB SP**

**Executive Director Dismissal/Breach of Duty of Fair Representation/Intentional Misconduct/Internal Union Policies**

In *James William Gertie and International Brotherhood of Teamsters, Local 731*, 38 PERI ¶ 66 (IL LRB-LP 2021) (Case No. S-CB-21-012), the Board's Executive Director dismissed charge which alleged that the Union breached its duty of fair representation in connection with the negotiation and ratification of the 2021 successor collective bargaining agreement between the Union and the Employer Pace/Northwest Division. Charging Party claimed the Union improperly agreed to include a retroactive provision in the 2021 agreement that would expose unit members to financial liability and then failed to afford Charging Party and other unit members a reasonable opportunity to review the 2021 agreement before the ratification vote. The charge was dismissed because there was no evidence the Union discriminated against Charging Party by negotiating and entering into the 2021 Agreement that included the provision in question or did so to retaliate against Charging Party or other unit members because of protected activity. She then dismissed the claims the Union failed to give Charging Party and other unit members a reasonable opportunity to review the 2021 Agreement before ratification on grounds the Union's ratification procedures implicate internal union policies over which the Board has declined to exercise jurisdiction. The Executive Director also dismissed as time-barred, the allegations relating to the Union's review and vote notice in February 2020. On appeal, the Board affirmed the dismissal, noting that Charging Party failed to point to any evidence that the Union was targeting Charging Party or to identify any bias, hostility or other improper motivation towards him sufficient to raise an issue for hearing on the Union's alleged intentional misconduct. The Board also found that although Charging Party provided new information with his appeal, none of that information supported his claims that the Union breached its duty of fair representation.

**12/16/21**

**ILRB SP**

**Dismissal/Breach of Duty of Fair Representation/Causing Employer to Discriminate**

In *Joan Daniel and American Federation of State County and Municipal Employees, Council 31*, 38 PERI ¶ 77 (IL LRB-SP 2021) (Case No. S-CB-21-013), Charging Party, employed by the State of Illinois Department of Human Services (Employer) as Director of Medical Records at the Elizabeth Ludeman Developmental Center filed a charge alleging the Union violated Section 10(b) of the Act when it intentionally engaged in open acts of intimidation and animus by bullying her and making false statements about her. The Executive Director dismissed the charge finding the evidence failed to indicate Respondent took any action aimed at retaliating against Charging Party. She further determined the evidence failed to indicate the Union engaged in unfair labor practices under a Section 10(b)(3) analysis, noting the lack of an adverse employment action taken against Charging Party by the Employer at the behest of the Union. Charging Party appealed the dismissal, but the Board struck the appeal because it lacked the requisite statement of service on the Union. The noted that even if it were to consider the appeal, it would have affirmed the dismissal on the merits.

**12/16/21**

**ILRB LP**

**Dismissal/Breach of Duty of Fair Representation/Standing**

In *Nicole Williams and Amalgamated Transit Union, Local 241*, 38 PERI ¶ 76 (IL LRB-LP 2021) (Case No. L-CB-21-018), the charge alleged Local 241 engaged in unfair labor practices by mishandling grievances in violation of the collective bargaining agreement between Local 241 and the employer. The Executive Director dismissed the charge finding Charging Party lacked standing to allege violations under Section 10(a)(4) of the



Act and failed to provide evidence Local 241 engaged in intentional misconduct. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director.

**12/16/21**

**ILRB LP**

**Dismissal/Breach of Duty of Fair Representation**

In *Robert Alamo and Chicago Fire Fighters Union, Local 2*, 38 PERI ¶ 75 (IL LRB-LP 2021) (Case No. L-CB-21-005), the charge alleged the Union engaged in unfair labor practices when it refused to process several grievances on his behalf and failed to timely and accurately respond to inquiries due to his race and status as a veteran. The Executive Director dismissed the charge on grounds Charging Party failed to respond to a request for information in support of the charge. On appeal, the Board affirmed the dismissal, noting that Charging Party failed to explain or account for his failure to respond to the request for information.

**01/13/22**

**ILRB LP**

**Dismissal/Breach of Duty of Fair Representation**

In *Eric Brown and Amalgamated Transit Union, Local 241*, 38 PERI ¶ 83 (IL LRB-LP 2022) (Case No. L-CB-21-022), Charging Party alleged the Union engaged in unfair labor practices by failing to inform him of the arbitrator's ruling on his discharge grievance, allowing the employer to appeal the ruling, failing to execute and provide updates on the status of the agreement settling the court action, failing to allow Charging Party to present a witness at certain meeting, and failing to update Charging Party on the status of his union dues. The Executive Director dismissed the charge on timeliness grounds and on grounds there was insufficient evidence the Union's actions were taken due to any hostility or bias the Union held against Charging Party. On appeal, the Board affirmed the dismissal, finding Charging Party failed to provide any evidence indicating the Union engaged in intentional misconduct.

**04/14/22**

**ILRB LP**

**Dismissal/Breach of Duty of Fair Representation**

In *LaCretia Gray and Amalgamated Transit Union, Local 241*, 38 PERI ¶ 110 (IL LRB-LP 2022) (Case No. L-CB-21-019), Charging Party, a bus operator employed by the Chicago Transit Authority, alleged the Union engaged in unfair labor practices when it failed to adequately represent her in processing her grievances over the CTA's conduct of its November 2020 Fall Holiday-Section Pick. The Executive Director dismissed the charge observing that there was no evidence the Union took any action against Charging Party for improper reasons. Charging Party appealed the dismissal, but the Board struck the appeal because it lacked the requisite statement of service on the Union.

**06/10/22**

**ILRB SP**

**Dismissal/Breach of Duty of Fair Representation**

In *Paulette McKenna and Service Employees International Union, Local 73*, 39 PERI ¶ 8 (IL LRB-SP 2022) (Case No. S-CB-22-006), Charging Party, a Personal Assistant within the Illinois Department of Human Services, Division of Rehabilitation Services ("IDHS), alleged the Union violated the Act when it failed to assist her with her grievance and provide her with information in a timely manner. The Executive Director dismissed the charge as untimely and on grounds the Charging Party failed to identify evidence that the Union engaged in

intentional misconduct, observing that there was no evidence indicating the Union intentionally took any adverse action against Charging Party due to her race or her persistence in pursuing her grievance. She noted that to the extent the allegations involve the Union’s negligence and its failure to pursue her grievance based on its merits, such conduct does not constitute intentional misconduct under the Act. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director

**06/10/22**

**ILRB LP**

**Dismissal/Breach of Duty of Fair Representation**

In *Dorian Kidd and Laborers Int’l Union of North America, Local 1001*, 39 PERI ¶ 5 (IL LRB-LP 2022) (Case No. L-CB-22-004), Charging Party, a General Laborer employed by the City of Chicago, alleged the Union engaged in unfair labor practices when it failed to file a grievance over his discharge from employment. The Executive Director dismissed the charge on grounds Charging Party failed to provide requested information during the investigation, relying on Board precedent upholding dismissal on such grounds. On appeal, the Board granted a variance from its rules requiring a statement of service and then affirmed the dismissal for the reasons stated by the Executive Director. The Board noted that Charging Party failed to state a reason for his failure to respond to the request for information and that the information submitted with the appeal failed to support his claims that the Union engaged in intentional misconduct.

**IV. Strike Investigations**

**09/24/21**

**ILRB LP**

In *County of Cook and Service Employees International Union, Local 73*, 38 PERI ¶ 39 (IL LRB-LP 2021) (Case No. L-SI-22-001), the Cook County Health & Hospital System filed a petition for strike investigation pursuant to Section 18 of the Act contending that a strike threatened by SEIU representing a bargaining unit composed of approximately 1600 employees performing a range of duties related to the provision of medical services constituted a clear and present danger to the health and safety of the public. The County sought to prevent the strike of certain employees in addition to the more than 400 employees that the Board had found to be essential employees in its June 23, 2021 order. The Board conducted an investigation, and at the conclusion of the hearing, the parties advised that a tentative agreement had been reached and the striking employees were returning to work. The Board after holding the matter in abeyance, dismissed the petition as moot.

**General Counsel’s Declaratory Rulings**

**L-DR-22-001**

*Fraternal Order of Police, Lodge #7, and Police Benevolent & Protective Association, Units A, B, C, and City of Chicago (Department of Police)*, 38 PERI ¶ 116 (IL LRB-LP GC 2022) (January 4, 2022)

The Employer unilaterally filed a petition seeking a determination as to whether its COVID-19 vaccination policy (“vaccination policy”) concerns a permissive or mandatory subject of bargaining within the meaning of the Act. The General Counsel dismissed the petition because it raised material issues of disputed fact that rendered the matter more appropriate for resolution in the parties’ unfair labor practice proceeding in Case No. L-CA-22-008, which was pending at that time.

**S-DR-22-001**

*City of Decatur and International Association of Fire Fighters, Local 505*, 39 PERI ¶ 2 (IL LRB-SP GC 2022) (May 20, 2022)

The parties jointly filed a petition seeking a determination regarding whether the maintenance of the position of Fire Inspector and a specific or minimum number of positions concerns a mandatory or permissive subject of bargaining within the meaning of the Act. The Union contended, among other things, that the maintenance of Fire Inspectors in the bargaining unit and their staffing levels concern mandatory subjects of bargaining because they involve historical subjects of bargaining for which the limitations on an employer's bargaining obligations under Sections 4 and 14(i) of the Act are not applicable. The Employer contended the Union's proposal concerns a permissive subject of bargaining under Section 14(i) because it directly affects the total number of employees in its Fire Department, citing *City of Danville*, 31 PERI ¶ 187 (IL LRB-SP GC 2014). It also asserts that the Union's proposal is a permissive subject of bargaining under a *Central City* analysis because the Union cannot address its concerns regarding its organizational structure, standards of service or functions of the City, and direction of employees.

The General Counsel found the maintenance of the position of Fire Inspector and a specific or minimum number of Fire Inspector positions concern mandatory subjects of bargaining because they were matters that the parties bargained for before the effective date of the Act.

## **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.

**S-MA-18-144**

**7/8/2021**

*City of Rockford and Policemen's Benevolent Labor Committee, Unit #6,*

Robert R. Cox, Arbitrator

1. Health Insurance Premiums
2. Holidays
3. Special Assignment Units

**L-MA-19-001**

**7/15/2021**

*County of Cook and Sheriff of Cook County and Illinois FOP Labor Council,*

Edwin H. Benn, Arbitrator

1. Serving criminal fugitive warrants

**S-MA-16-068**

**8/2/2021**

*City of East St. Louis and Illinois FOP Labor Council,*

Jacalyn J. Zimmerman, Arbitrator

1. Tentative agreement – Wages

**S-MA-19-067**

**10/27/2021**

*Tazewell County Consolidated Communications and Illinois FOP Labor Council,*

Carol J. Tidwell, Arbitrator

1. Wages including retroactivity (Employer's proposal)
2. Impasse Resolution (Employer's proposal)
3. Management assistance (Arbitrator's language)
4. Residency (Union's proposal)
5. Insurance coverage (resolved by agreement of parties)
6. Insurance carrier change (Arbitrator's language)
7. Insurance premiums (Employer's proposal as constructed by arbitrator)
8. Overtime (Arbitrator's language)
9. Comp Time (Employer's proposal)

**S-MA-21-152**

**11/19/2021**

*Village of Rochester and International Union of Operating Engineers, Local #965,*  
Brian E. Reynolds, Arbitrator

1. Stayover Overtime (Union's final offer)

**L-MA-19-002**

**11/29/2021**

*County of Cook and Sheriff of Cook County and AFSCME Council 31, Locals 2226, 3692, 3958*  
Peter R. Meyers, Arbitrator

1. Disciplinary process applicable to Correctional Sergeants and Lieutenants

**S-MA-20-159 (Stipulated)**

**12/14/2021**

*Village of Norridge and Metropolitan Alliance of Police, Chapter #249,*  
Martin H. Malin, Arbitrator

1. Delete Section 2.2 fair share
2. Court time
3. Health/Dental Benefits
4. Duration
5. Add suspension and termination language
6. Definition of a grievance
7. Wages and benefits during investigation of formal charges
8. Drug testing
9. Wages

**S-MA-22-121 (Interim Opinion)**

**12/30/2021**

*State of Illinois, Department of Central Management Services (Corrections) and American Federation of State,  
County and Municipal Employees, Council 31,*  
Edwin H. Benn, Arbitrator

1. Vaccine mandate (Employer's proposal)

**S-MA-22-121, Award after Remand**

**1/19/2022**

*State of Illinois, Department of Central Management Services (Corrections) and American Federation of State,  
County and Municipal Employees, Council 31,*  
Edwin H. Benn, Arbitrator

The issues in this award also cover the DOC and DJJ facilities, but involve:

1. COVID 19 vaccination mandates for visitors, vendors and contractors seeking access to DOC and DJJ facilities (Union's proposal adopted)
2. Timeframes for receiving vaccinations after vaccination exemption requests are denied
3. Documentation requirements for vaccinations exemptions
4. Pay and time off for COVID-related circumstances

**S-MA-21-072**

**2/7/22**

*County of St. Clair and Sheriff of St. Clair County and Illinois FOP Labor Council,*

Thomas F. Gibbons, Arbitrator

1. Wages (Union's final offer)

**Arb. Ref: 21-074**

**3/10/22**

*City of Country Club Hills and Illinois Council of Police,*

Edwin H. Benn, Arbitrator

**S-MA-20-092**

**5/9/22**

*Bureau County Emergency Telephone System Board and Illinois FOP Labor Council,*

Brian Clauss, Arbitrator

1. Holiday pay (Employer's final offer)
2. Compensatory time (Employer's final offer)
3. Annual wage adjustment (Union's final offer)
4. Wage rates (Union's final offer)
5. Implementation of pay scale (Union's final offer)
6. Shift differential pay (Employer's final offer)
7. Non-economic issue: Overtime mandate approximate to benefit time off (Arbitrator's draft)

## Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
Unfair Labor Practice Charges			
CA	123	40	163
CB	<u>22</u>	<u>24</u>	46
Total	145	64	209
Representation Cases			
AC	3	1	4
RC	63	10	73
RD	5	0	5
UC	97	16	113
VR	1	0	1
DD	<u>16</u>	<u>0</u>	<u>16</u>
Total	185	27	212
Grievance Arbitration Cases			
	7	0	7
Mediation/Arbitration Cases			
	319	9	328
Total	326	9	335
Declaratory Rulings			
	2	1	3
Strike Investigations			
	0	1	1
Total Caseload	658	102	760

- 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	14	2	16
“No Representation” Prevailed	1	0	1
Cases Certified	15	2	17
Number of Units Certified (Majority Interest)	39	16	55
Voluntary Recognized Representatives	0	0	0
Revocation of Prior Certifications	16	0	16

### Unfair Labor Practice Charges Workload

	2021	2022
Cases pending start of fiscal year	356	351
Charges filed during fiscal year	202	209
Total caseload	558	560
Total cases closed	207	220

### Petition Management (Representation) Workload

	2021	2022
Petitions pending start of fiscal year	53	82
Petitions filed during fiscal year	198	210
Total caseload	251	292
Total cases closed	169	210



## Case Actions in FY 2022

	STATE PANEL	LOCAL PANEL	TOTAL
<b>I. BOARD DECISIONS</b>			
<b>(A) With exceptions filed</b>			
CA	8	9	17
CB	3	8	11
RC	1	3	4
RD	0	0	0
UC	3	0	<u>3</u>
Total	15	20	35
<b>(B) With no exceptions filed</b>			
CA	3	2	5
RC	3	1	4
UC	0	1	1
Total	6	4	10
<b>(C) Strike Investigations</b>			
	0	1	1
<b>(D) Declaratory Ruling</b>			
	1	1	2
<b>II. ADMINISTRATIVE DISMISSALS (Not appealed to the Board)</b>			
CA	28	16	44
CB	<u>8</u>	<u>19</u>	27
Total	36	35	71
<b>III. CERTIFIED</b>			
AC	3	0	3
DD	16	0	16
RC/RM/RD	54	18	72
UC	84	11	95
VR	<u>0</u>	<u>0</u>	<u>0</u>
Total	157	29	186
<b>IV. WITHDRAWALS</b>			
CA	81	25	106
CB	12	4	16
RC	14	1	15
RD	5	0	5
UC	<u>3</u>	<u>0</u>	<u>3</u>
Total	115	30	145

## Certifications of Representative

Case No.	Employer	Labor Organization	Date Certified	Prevailing Party	# of Employees	Unit Description
L-RC-21-007 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	07/14/2021	AFSCME	1	Add to AFSCME Unit #4 Chief Planning Analyst
L-RC-21-006	County of Cook and Sheriff of Cook County (Department of Corrections)	Front Line Labor Alliance, Chapter 10 and Int'l Brotherhood of Teamsters, Local 700	7/14/2021	Teamsters (Incumbent)	2818	Correctional Officer; Investigator II (Intensive Supervision) employed in Electronic Monitoring Unit & Records unit in the Department of Community Supervision & Intervention; Cook County Sheriff's Boot Camp Instructor; Correctional Officers employed at the Department of Women's Justice; Canine Officers employed within the Corrections K-9 unit; Investigators and Deputy Sheriffs in the Use of Force Review Unit (excluding Denise Klueg and Israel Malave)
S-RC-21-040 <i>Majority Interest</i>	Skokie Public Library	Service Employees Int'l Union, Local 73	7/14/2021	SEIU	116	Access Services Assistant; Adult Program Coordinator; Acquisitions Assistant; Advisory Librarian; Advisory Specialist; Bookmobile Assistant II; Building Engineer; Building Services Evening Shift Lead; Collection Development Librarian I; Collection Development Librarian II; Collection Development

						Specialist; Community Engagement Librarian; Communications Coordinator; Custodian; Digital Collections Librarian; Experiential Learning Lead; Experiential Learning Specialist; Information Specialist; Information Technology Specialist; Lead Materials Handler; Lead Patron Services Assistant; Materials Handler; Materials Page; Materials Processor; Patron Services Assistant; Production Specialist/Designer; Production Specialist/Photographer; Production Specialist/Videographer; Program Assistant; Reference Librarian; Safety Officer; Senior Cataloger; Senior Communications Strategist; Volunteer and Accessibility Services Specialist; Young Adult Advisory Specialist; Young Adult Librarian; Youth and Family Program Coordinator; Youth Program Librarian I; Youth Services Librarian I; Youth Services Librarian II; and Youth Services Librarian I/Staff Artist.
S-RC-21-056 <i>Majority Interest</i>	Village of Orland Hills	Illinois Council of Police	7/14/2021	ICOP	16	All sworn part-time patrol officers
S-RC-21-054 <i>Majority Interest</i>	Oak Park Public Library	Int'l Union of Operating Engineers, Local 399	7/30/2021	IUOE	4	All full-time and regular part-time skilled maintenance workers

L-RC-21-016 <i>Majority Interest</i>	County of Cook, Health & Hospital System	American Federation of State, County and Municipal Employees, Council 31	7/30/2021	AFSCME	2	Add to Health Facilities Unit Web Developer (Dept. of Web Intelligence)
L-RC-21-017 <i>Majority Interest</i>	County of Cook (Cook County Public Defender)	American Federation of State, County and Municipal Employees, Council 31	8/4/2021	AFSCME	3	Include in L-RC-20-012 Social Case Worker
L-RC-21-014	County of Cook and Sheriff of Cook County	Metropolitan Alliance of Police, Cook County Sheriff's Fugitive Unit Investigators Chapter #255 and Int'l Brotherhood of Teamsters, Local 700	8/9/2021	MAP	7	All full-time Investigator IIs employed in the Fugitive Unit within the Department of Community Supervision and Intervention of the Sheriff's Office
S-RC-21-033	Village of Lena	Int'l Brotherhood of Teamsters, Local 325	8/9/3032	No Rep	4	
S-RC-21-036	City of Markham	Illinois Council of Police and Int'l Brotherhood of Teamsters, Local 700	8/10/2021	Teamsters (Incumbent)	28	All sworn full-time police officers in the rank of patrolman and sergeant
S-RC-21-044	City of Granite City	Policemen's Benevolent Labor Committee and American Federation of State, County and Municipal Employees, Council 31	8/10/2021	PBLC	24	All white-collar employees in the following titles: Trainees, Clerks, Associates, Assistants, Administrators, and Telecommunicators
S-RC-21-035	City of Park Ridge	Metropolitan Alliance of Police, Park Ridge Police Chapter #762, and Int'l Brotherhood of Teamsters, Local 700	8/19/2021	MAP	42	All sworn full-time peace officers in the following rank or title: Patrol Officer
S-RC-21-049	City of Madison	Policemen's Benevolent and Protective Association and Int'l Brotherhood of Teamsters, Local no. 525	9/1/2021	PBPA	4	All Police Department Telecommunicators and Computer Operators
S-RC-21-055 <i>Majority Interest</i>	Niles-Maine District Library	American Federation of State, County and Municipal Employees, Council 31	9/9/2021	AFSCME		Acquisition Assistant, Adult Outreach Services Librarian, Adult Services Assistant, Assistant DS Department Head, Assistant Supervisor, Digital Services

						Assistant, Digital Services IT Assistant, Digital Services Librarian, Digital Services Specialist, Graphic Design Coordinator, IT Services Assistant, IT Specialist, Librarian, Librarian School Liaison, Maintenance Assistant, Maker Space Assistant, Materials Services Acquisition Assistant, Materials Services Assistant, Materials Services Clerk, Multi-Media Assistant, Outreach Services Assistant, Patron Services Associate I, Patron Services Associate II, Patron Services Associate III, Patron Services Team Leader, PR Marketing Coordinator, Security Monitor, Teen Youth Services Librarian, Youth Services Assistant, Youth Services Librarian
S-RC-22-002 <i>Majority Interest</i>	CGH Medical Center	American Federation of State, County and Municipal Employees, Council 31	9/9/2021	AFSCME	13	Include in existing S-RC-20-030 unit:  Behavioral Health Technical, Behavioral Health Specialist, Licensed Clinical Therapist, Recreational Therapist
S-RC-21-051	Village of Bethalto	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	9/15/2021	FOP	13	All Police Personnel in the rank of Sergeant and below, Civilian Police Assistants, Dispatchers and Lead Dispatchers

S-RC-22-007 <i>Majority Interest</i>	Village of Calumet Park (CalCOMM 9-1-1 Emergency Community Action Center)	Illinois Council of Police	9/23/2021	ICOP	22	All full-time and part-time employees working as Dispatcher, Dispatcher OIC, Supervisor, or Training Officer.
S-RC-22-006 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	9/30/2021	AFSCME	2	Include in RC-062 Resources Placement Specialist; Patrol
S-RC-22-009 <i>Majority Interest</i>	Village of Homer Glen	Int'l Union of Operating Engineers, Local 150	9/30/2021	IUOE	14	All full-time and regular part-time employees in the following classifications: Mechanic, Foreman, Maintenance Worker
S-RC-21-016 <i>Majority Interest</i>	City of Watseka	Int'l Union of Operating Engineers, Local 399	10/21/2021	IUOE	5	All employees of the Water and Wastewater Department
L-RC-22-002 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	11/10/2021	AFSCME	3	Include in AFSCME Unit #3 Labor Standards Investigator
L-RC-22-003 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	11/10/2021	AFSCME	3	Include in Coordinator of Warehouse Operations
S-RC-21-053 <i>Majority Interest</i>	City of Roodhouse	Int'l Union of Operating Engineers, Local 148	11/10/2021	IUOE	2	Include in S-RC-11-132 Part-time Laborer, Secretary
S-RC-22-004 <i>Majority Interest</i>	St. Charles Public Library	American Federation of State, County and Municipal Employees, Council 31	11/10/2021	AFSCME	72	Circulation Associate, Circulation Clerk, Circulation Specialist, Communications Assistant, Facilities Assistant, Graphic Artist, IT Associate, IT Support Coordinator, Outreach Assistant, Programs and Public Relations Coordinator, Reader Services Assistant, Reference Assistant, Security Assistant, Tech Services Specialist, Youth Services Assistant, Business Librarian,

						Cataloging Librarian, Collection Development Librarian, Digital Services Librarian, Early Literacy Librarian, Electronic Resources Librarian, IT Technical Educator, Middle-School Librarian, Pre-School Outreach Librarian, Reference Librarian, School Services Librarian, Young Adult Librarian, Youth Services Librarian.
S-RC-22-016 <i>Majority Interest</i>	Jackson County Board of Health	Laborers Int'l Union of North America, Local 773	11/22/2021	Laborers	7	All full-time employees that work in Environmental Health Department, including but not limited to the Associate Environmentalist, Compliance Specialist, Program Manager, and Support Staff.
S-RC-21-021 <i>Majority Interest</i>	Oak Lawn Public Library	American Federation of State, County and Municipal Employees, Council 31	11/22/2021	AFSCME	73	Circulation Clerk, Computer Technician, Content Coordinator, Customer Service Representative, Graphic Designer, ILL Coordinator, Library Associate, Library Assistant, Maintenance Assistant, Page, PS Assistant, Security Monitor, Senior Library Assistant, Senior Library Assistant Coordinator, Senior Page, Senior Financial Assistant, Librarian, Local History Coordinator
S-RC-22-008 <i>Majority Interest</i>	Waukegan Public Library	American Federation of State, County and Municipal Employees, Council 31	12/1/2021	AFSCME	37	All full-time and regular part-time employees including Administrative Assistant, Branch Coordinator,

						Collection Assistant, Collection Management Acquisition Clerk, Custodian, Customer Service Clerk, Customer Service Clerk I, Customer Service Clerk II, Inventory Clerk I, Maintenance Technician, Processing Clerk, Safety Monitor, Collection Management Cataloger, Children's Librarian, Librarian, Adult Education Services Coordinator, Adult Literacy Coordinator, Children's Reference Assistant, Collections Coordinator, Digital Literacy Coordinator, Graphic Artist, Health Literacy Coordinator, Home Delivery Assistant, Reference Assistant, and Patron Services Assistant.
S-RC-22-010	Chief Judge of the 4 <sup>th</sup> Judicial Circuit	Illinois FOP Labor Council and Laborers Int'l Union of North America, Local 1197	12/1/2021	FOP	7	All full-time and part-time probation officers employed by the Chief Judge of the 4th Judicial Circuit.
S-RC-22-013 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	12/1/2021	AFSCME	5	Include in RC-63 Research Analyst
S-RC-22-014 <i>Majority Interest</i>	County of St. Clair (Department of Mid America Airport Maintenance)	Int'l Union of Operating Engineers, Local 148	12/1/2021	IUOE	6	All full-time and regular part-time Building Maintenance, Vehicle Maintenance and Ground Maintenance employees
L-RC-22-004 L-RC-22-005 <i>Majority Interest</i>	County of Cook, Health & Hospital System	Cook County Pharmacists Association, Chicago Joint Board, RWDSU Local 200	12/10/2021	Pharmacists Association	2	Include in L-RC-17-017 Graphic Design Manager; Position Control



						Analyst
S-RC-22-020 <i>Majority Interest</i>	Village of Indian Head Park	Metropolitan Alliance of Police, Indian Head Park, Part-time Police Chapter #503	12/10/2021	MAP	15	All part-time sworn police officers
S-RC-22-021 <i>Majority Interest</i>	County of Clark (E-911 Center)	Illinois Council of Police	12/10/2021	ICOP	4	All full-time non-supervisory dispatchers
S-RC-22-023 <i>Majority Interest</i>	Village of Homer Glen	Int'l Union of Operating Engineers, Local 150	12/10/2021	IUOE	4	All full-time and regular part-time employees in the Public Works Department or Parks Department in the following classifications: Mechanic, Foreman, and Maintenance Worker.
S-RC-22-025 <i>Majority Interest</i>	Nokomis-Witt Area Ambulance Service	Int'l Brotherhood of Teamsters, Local 525	12/10/201	Teamsters	4	All full and part time Emergency Medical Service workers
S-RC-22-012 <i>Majority Interest</i>	County of Whiteside and Whiteside County Board of Health	American Federation of State, County and Municipal Employees, Council 31	1/7/2021	AFSCME	89	All full-time and regular part-time employees including: Animal Control Officer; Billing and Coding Secretary; Community Health Clinic Secretary; Dental Assistant; Dental Secretary; Environmental Health Inspector; Environmental Health Secretary; Fiscal Assistant; Hearing and Vision Technician; Lead Animal Control Officer; Lead Billing and Coding Secretary; Lead Community Health Clinic Secretary; Lead Dental Secretary; Licensed Practical Nurse; Maintenance Worker; Medical Assistant; Phlebotomist; Public Health Secretary; Receptionist; and Risk Safety Enforcement Officer; Clinical

						Therapist; Community Health Clinic Case Manager; Community Health Clinic Registered Nurse; Dental Hygienist; Licensed Clinical Social Worker; Nurse Practitioner; Nutritionist; Physician Assistant; Public Health Case Manager; Public Health Registered Nurse; and Ryan White Case Manager.
S-RC-22-015	City of Palos Heights	Metropolitan Alliance of Police, Palos Heights Police chapter #99 and Illinois FOP Labor Council	1/7/2021	MAP	24	All regular full-time sworn peace officers in the ranks of patrolman, detective, sergeant and corporal
L-RC-22-006 <i>Majority Interest</i>	City of Chicago, Department of Aviation	Int'l Brotherhood of Teamsters Local 700	1/12/2022	Teamsters	4	All individuals working in the title of: Airport Operations Center Coordinator (TC 8631)
S-RC-22-026 <i>Majority Interest</i>	Village of Lindenhurst	Illinois FOP Labor Council	1/12/2022	FOP	10	All sworn police officers below the rank of Sergeant
S-RC-22-030 <i>Majority Interest</i>	Village of Dwight (Emergency Medical Service Department)	Int'l Brotherhood of Teamsters Local 700	1/12/2022	Teamsters	8	All full-time EMS employees including paramedics and EMTs
S-RC-21-003 <i>Majority Interest</i>	Reaching Across Illinois Library System	Int'l Brotherhood of Teamsters, Local 325	1/28/2022	Teamsters	5	Drivers/sorters, sorter/drivers and Floaters employed at Rockford facility
L-RC-22-007 <i>Majority Interest</i>	City of Chicago, Department of Aviation	Illinois Council of Police	2/9/2022	ICOP	5	All persons in the job title classification of Aviation Surveillance Security Specialist
L-RC-22-008 <i>Majority Interest</i>	County of Cook, Health & Hospital System	Cook County Pharmacists Association, Chicago Joint Board, RWDSU Local 200	2/9/2022	Pharmacists Association	1	Include in L-RC-22-005 Provider Enrollment Specialist
S-RC-22-005 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	2/9/2022	AFSCME	23	Include in RC 62 Military Security Police I & II, Military Crash Fire Rescue I & II

S-RC-22-004	City of Freeport	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	2/9/2022	FOP	26	All sworn peace officers in the ranks of patrolman and corporal
S-RC-22-018 <i>Majority Interest</i>	City of Blue Island	Metropolitan Alliance of Police, Blue Island Police clerks, Chapter #535	2/25/2022	MAP	7	All Police Department civilians employed as Police Clerk
S-RC-21-015 <i>Majority Interest</i>	Village of Mokena	Metropolitan Alliance of Police, Chapter #733	3/3/2022	MAP	5	All sworn full-time peace officers in the rank of Sergeant
L-RC-19-020 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	3/21/2022	AFSCME	9	Include in AFSCME Unit #1 Information Coordinator Code 0729
L-RC-20-018 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	3/21/2022	AFSCME	1	Include in AFSCME #3 Supervising Veterinary Technician
S-RC-22-028	Village of Maywood	Illinois Council of Police and MAP, Maywood Chapter 486	4/4/2022	ICOP	5	All sworn peace officers in the rank of Sergeant
S-RC-22-032	County of Will and Sheriff of Will County	MAP, Will County Court Security Officers, Chapter #354 and Illinois FOP Labor Council	4/4/2022	MAP	16	All full time Court Security Officers
S-RC-22-041 <i>Majority Interest</i>	Bloomington Fire Protection District	Bloomington Professional Firefighters Union, IAFF Local 3272	4/4/2022	IAFF	3	Include in S-RC-92-051 Battalion Chief
S-RC-21-043	Village of Sauk Village	Illinois Council of Police and Illinois FOP Labor Council	4/4/2022	FOP (Incumbent)	19	All full-time police officers in the ranks of Sergeant and Patrol Officer
L-RC-21-012 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	4/20/2022	AFSCME	3	Modifications to AFSCME Unit #1: <b>Include:</b> Director of Administration I (Public Health held by Kathleen Baggett; Transportation held by Monique Clay-Glanton; Department of Buildings formerly held by Ware King) <b>Exclude:</b> Director of Administration I (Transportation held

						by Geraldine Bates and Dewanna Hendricks)
L-RC-21-011 <i>Majority Interest</i>	County of Cook, Health & Hospital System	American Federation of State, County and Municipal Employees, Council 31	4/20/2022	AFSCME	4	Include in Health Facilities Unit: Patient Financial Services Quality Management Coordinator
S-RC-2-043 <i>Majority Interest</i>	City of Pana	American Federation of State, County and Municipal Employees, Council 31	5/9/2022	AFSCME	2	Add to existing S-UC-08-270 Treasurer's Office Employees
S-RC-22-051 <i>Majority Interest</i>	City of Springfield (Departments of Public Works, Engineering and Sewer and Operations)	Int'l Brotherhood of Teamsters, Local 916	5/9/2002	Teamsters	12	Employees of the City of Springfield Departments of Public Works, Engineering, and Sewer and Operations in the following positions: Engineering Technician I, II, III, IV, and V at the North 17th Street and 800 East Monroe Locations
S-RC-22-050 <i>Majority Interest</i>	Forest Preserve District of DuPage County	Metropolitan Alliance of Police, Forest Preserve of DuPage County Facilities Management Chapter #798	5/11/2022	MAP	18	All full-time maintenance workers in the Facilities Management Division
S-RC-22-045 <i>Majority Interest</i>	Village of Norridge	Metropolitan Alliance of Police, Norridge Police Civilians Chapter #384	5/18/2022	MAP	4	All non-sworn employees in the positions of Records Clerks and Community Service Officer
S-RC-22-039	Village of Roxana	Illinois FOP Labor Council and United Steelworkers of America	5/18/2022	FOP	4	All Police Officers
S-RC-22-036	Village of Manhattan	Illinois Council of Police and Int'l Brotherhood of Teamsters Local 700	5/18/2022	ICOP	8	All full-time sworn Police Officers below the rank of Sergeant
S-RC-22-031 <i>Majority Interest</i>	City of Aurora	Metropolitan Alliance of Police, Aurora IT Civilians, Chapter #525	5/18/2022	MAP	18	All full-time employees employed by the Information Technology Department in the

						following titles: System Analyst I, System Analyst II, GIS Analyst II, GIS Specialist, GIS Project Analyst, Telecom Engineer, Support Desk Engineer I, PMO Administrator, Project Manager, Network Engineer I, and Network Engineer III
S-RC-22-054 <i>Majority Interest</i>	New Lenox Fire Protection District	New Lenox Professional Firefighters Local 5097. IAFF	5/18/2022	IAFF	3	Include in S-RC-16-056 Battalion Chiefs
S-RC-22-046 <i>Majority Interest</i>	City of Sandwich	Metropolitan Alliance of Police, Sandwich Public Works, Chapter #441	5/18/2022	MAP	7	All maintenance employees in the Public Works Department
S-RC-22-048 <i>Majority Interest</i>	Town of Cicero (Rodent Control)	Laborers' Local 1092, LIUNA and the Construction and General Laborers' District Council of Chicago and Vicinity	5/19/2022	LIUNA	7	Add to S-RC-20-015 All full-time and part- time non-supervisory employees in the Rodent Control Department included but not limited to Rodent Control Technicians and clerical employees
S-RC-22-053 <i>Majority Interest</i>	County of Will and Treasurer of Will County	Int'l Association of Machinists and Aerospace Workers	5/20/2022	IAMAW	15	All full-time and regular part time clerical and accounting staff
S-RC-22-057 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	6/6/2022	AFSCME	3	Add to RC-62 Pipeline Safety Analyst Trainee
L-RC-22-010 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	6/6/2022	AFSCME	3	Add to AFSCME Unit #4 Associate Fire Prevention Engineer
L-RC-22-009 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	6/23/2022	AFSCME	4	Add to AFSCME #3 Information Services Coordinator
S-RC-22-047	County of Macon and Sheriff of Macon County	Illinois FOP Labor Council and Macon County Sheriff's Office Command Officers'	6/23/2022	FOP	11	All Deputy Sheriff Command Officers with the Command Officer rank of

		Association				Sergeant or above
S-RC-22-042	Village of Northbrook	Metropolitan Alliance of Police, Northbrook Police Chapter #373 and Northbrook Police Association and Illinois FOP Labor Council	6/28/2022	MAP	57	All sworn full-time peace officers and civilian communications officers

### Amendment to Certifications

Case Number	Employer	Labor Organization	Date Certified	Amendment
S-AC-22-001	County of Kane and Sheriff of Kane County	Policemen's Benevolent and Protective Association Labor Committee	12/10/2021	Change employer name from County of Kane to County of Kane and Sheriff of Kane County
S-AC-22-002	Village of Harwood Heights	Metropolitan Alliance of Police	05252022	Change unit description to include titles omitted from original S-RC-21-017 certification
S-AC-22-003	County of Madison	Mid-America Carpenters Regional Council	06132022	Change labor organization name from Chicago Regional Council of Carpenters to Mid-America Carpenters Regional Council

### Revocation of Prior Certification

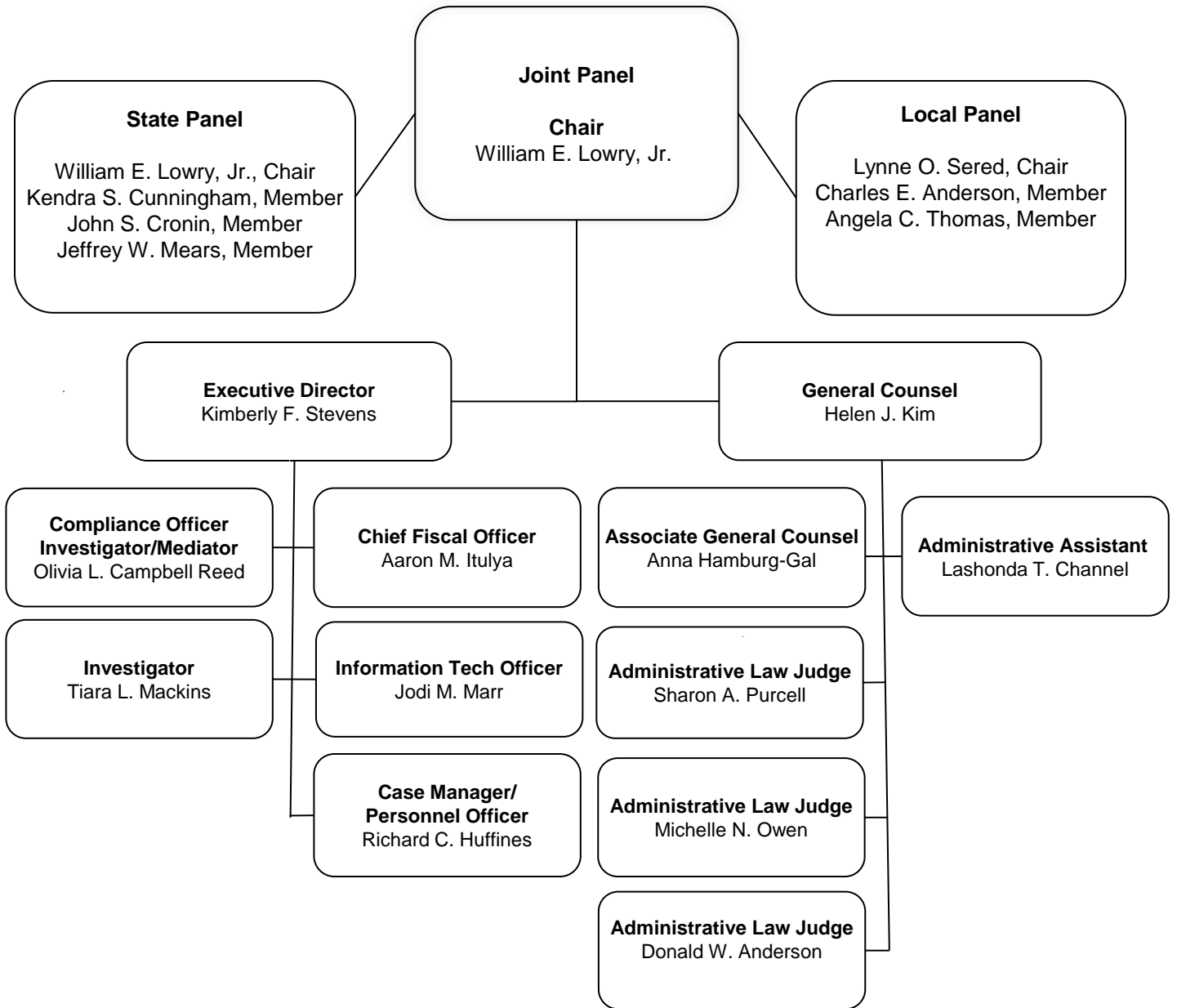
Case No.	Employer	Labor Organization	Date Revocation	Unit Description
S-DD-22-001	Pike County Circuit Clerk	Int'l Union of Operating Engineers, Local 965	7/22/2021	All full-time and regular part-time clerical and secretarial personnel in the titles Deputy Clerk and Chief Deputy Clerk
S-DD-22-002	County of Pike, Pike County Treasurer, Pike County Clerk/Recorder and Pike County Supervisor of Assessments	Int'l Union of Operating Engineers, Local 965	7/22/2021	All full-time employees in the titles of Deputy Clerk, Chief Deputy Clerk, and GIS Mapping Coordinator employed in the following Pike County Offices: County Clerk, County Treasurer, Supervisor of Assessments, GIS Mapping, and the Pike County State's Attorney Office

S-DD-22-003	City of Batavia	Int'l Brotherhood of Teamsters, Local 673	7/30/2021	All full and part time employees of the City of Batavia, Department of Police in the positions of Records Clerks and Community Service Officer.
S-DD-22-004	Village of Chatham	Int'l Union of Operating Engineers, Local #965	8/16/2021	All full-time and regular part-time employees of the Village of Chatham, including the Office Staff, Street Department, Water and Sewer Department, Public Properties and Parks Department, Janitor, and Mechanic.
S-DD-22-005	State of Illinois, Department of Central Management Services (Department of Military Affairs)	Service Employees Int'l Union, Local 73	9/8/2021	All Military Security Police I & II; Military Crash Fire Rescue I & II, employed by the State of Illinois, Department of Military Affairs.
S-DD-22-006	County of St. Clair (Department of Mid America Airport Maintenance)	District 9, Int'l Association of Machinists and Aerospace Workers	10/18/2021	All full-time and regular part-time Building Maintenance, Vehicle Maintenance and Ground Maintenance employees
S-DD-22-007	Decatur Public Building Commission	American Federation of State, County and Municipal Employees, Council 31	10/20/2021	All maintenance and mechanical maintenance employees in the maintenance department
S-DD-22-008	Decatur Park District	United Steel, Paper & Forestry, Rubber, Manufacturing, Energy, Allied Industrial & Service Workers Int'l Union	11/1/2021	All full-time, and regular part-time Airport Firefighters employed by the Decatur Park District.
S-DD-22-009	Ogle County Housing Authority	Int'l Brotherhood of Teamsters, Local 722	11/15/2021	Employees with the title or description of Maintenance Worker
S-DD-22-010	City of Blue Island	American Federation of State, County and Municipal Employees, Council 31	1/11/2022	All Police Department civilians employed as Switchboard Operator, Record Clerk and Desk Clerk
S-DD-22-011	City of Bushnell	Int'l Brotherhood of Electrical Workers, Local 51	4/18/2022	All Public Works Laborers that work in Streets, Water, Wastewater, Parks, etc.
S-DD-22-012	Village of Carpentersville	Service Employees Int'l Union, Local 73	4/18/2022	Part-time Firefighters
S-DD-22-014	Village of Worth	Service Employees Int'l Union, Local 73	5/19/2022	All persons employed in the following titles: Records Clerk; Building Department Clerk; Receptionist; Deputy Treasurer; General Clerk; Secretary; Water Department Clerk; Deputy Clerk; Accounts Receivable Clerk; Assistant Finance Director; Administrative Assistant; and any other clerical support staff
S-DD-22-015	City of East St. Louis	Teamsters, Automotive, Petroleum and Allied Trades,	5/24/2422	All persons employed as clerical support staff in the following

		Local No.50		departments: Police; Fire; TIF; CDBC; City Manager's office; Personnel; Regulatory Affairs; Finance
S-DD-22-013	City of East St. Louis a	Illinois FOP Labor Council	6/7/2022	All sworn police officers with the rank of sergeant and below ("officers")
S-DD-22-016	City of Burbank	Combines Counties Police Association	6/29/2022	All full-time sworn Police Officers.



# Illinois Labor Relations Board Organizational Chart



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