



# **Illinois Labor Relations Board**

**2018  
ANNUAL REPORT**

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# Illinois Labor Relations Board

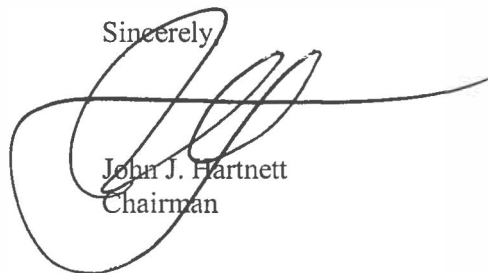
*To the Governor of the State of Illinois, the President of the Illinois Senate, the Speaker of the Illinois House, and the Members of the Illinois General Assembly:*

This is the 34th 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, 2017 through June 30, 2018.

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 [www.illinois.gov/ilrb](http://www.illinois.gov/ilrb).

The Illinois Labor Relations Board is grateful to Governor Bruce Rauner, Mayor Rahm Emanuel, 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



John J. Hartnett  
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 September 22, 2017, 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; and
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 its funding through the General Revenue Fund (GRF). The ILRB had a lump sum rather than line item budget for FY 2018. The line item figures represented below reflect expenditures for those lines. Figures on each line, including the total, were rounded to the nearest dollar. These figures include a lump sum supplemental appropriation which the ILRB received to address its prior year liabilities which resulted from the State's budget impasse.

FY 2018 Actual Expenditures	
Regular Positions	1,038,416
Social Security/Medicare	76,057
Contractual Services	98,057
Travel	7,278
Commodities	3,191
Printing	1,292
Equipment	24,974
Electronic Data Processing	147,304
Telecommunication	30,937
Agency Ops/Lump Sum	661
Total	1,428,167

## **Illinois Labor Relations Board Members**

### STATE PANEL

John J. Hartnett (Chairman)  
Springfield

Christopher E. Glynn  
Morton

John R. Samolis  
Lake Zurich

Keith A. Snyder  
Lincoln

### LOCAL PANEL

Robert M. Gierut (Chairman)  
Darien

Charles E. Anderson  
Chicago

Angela C. Thomas  
Chicago

## **Illinois Labor Relations Board Staff**

EXECUTIVE DIRECTOR  
Kimberly Stevens

GENERAL COUNSEL  
Helen J. Kim

PERSONNEL OFFICER  
Carla Stone

ASSOCIATE GENERAL COUNSEL  
Anna Hamburg-Gal

CHIEF FISCAL OFFICER  
Aaron Itulya

ADMINISTRATIVE LAW JUDGES  
Matthew Nagy  
Michelle Owen  
Sharon Purcell

INVESTIGATORS  
Olivia Campbell  
Aaron Itulya  
Yumnah Tayyab

INVESTIGATOR/MEDIATOR  
Michael Provines

INFORMATION TECHNOLOGY  
Jodi M. Marr

CASE MANAGER  
Lori Novak

# Functions of the Board

## Case Processing

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

### Petition Management (Representation Cases)

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

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

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

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

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

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

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

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

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

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

### **Election Petitions**

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

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

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

### **Majority Interest Petitions**

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

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



If a party or individual provides evidence demonstrating a material issue of fact or law that the labor organization's majority support was obtained by fraud or through coercion, an administrative law judge will determine whether there is clear and convincing evidence of fraud or coercion. This recommendation can be reviewed by the Board. If the Board determines there is clear and convincing evidence of fraud or coercion, it will conduct an election to determine majority support for the labor organization in the appropriate unit. If the Board finds that there is not clear and convincing evidence of fraud or coercion, the Board will certify the unit based on the labor organization's evidence of majority support.

### **Unfair Labor Practice Charges**

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

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

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

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

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

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

### **Other Issues Before the Board**

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

#### **Mediation/Arbitration Cases**

The Board maintains a roster of qualified mediators and arbitrators. Upon request, the Board provides a list of mediators or arbitrators (MA) to parties who have reached an impasse in collective bargaining. The Act prohibits

protective services employees (security employees, peace officers, firefighters) from striking. Disputes over their negotiations are subject to mandatory mediation and interest arbitration. Units of non-protective services employees use mediation in the event of impasse and can use interest arbitration on agreement of the parties or in certain instances in negotiating a first contract. The parties may request the Board's roster for other services as well, such as fact-finding, grievance arbitration, and grievance mediation, which are provided at the request of one or both parties.

### **Strike Investigations**

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

### **Declaratory Rulings**

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

### **Police Decertification Cases**

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

### **Rulemaking**

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

The Board has adopted regulations governing its internal structures (2 Ill. Adm. Code 2500), access to its records (2 Ill. Adm. Code 2501), general provisions applicable to all Board proceedings (80 Ill. Adm. Code 1200), procedures in representation cases (80 Ill. Adm. Code 1210), procedures in unfair labor practice cases (80 Ill. Adm. Code 1220), procedures for resolving collective bargaining impasses (80 Ill. Adm. Code 1230), procedures for police decertification cases (80 Ill. Adm. Code 1240), and procedures for implementing the gubernatorial

designations for exclusion (80 Ill. Admin. Code 1300). The Board's rules are available at its offices or on its website at <http://www.illinois.gov/ilrb>.

### **Referrals to Other Agencies**

The Board spends a considerable amount of time talking to members of the general public 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.

### **Law Library/Contract Repository**

Specialized public sector labor relations law libraries are maintained in the Board's Chicago and Springfield offices. The libraries contain the Illinois Public Employee Reporter and are open to the public. The Board also serves as the repository of public sector collective bargaining agreements for employees under the Board's jurisdiction.

## **Legislative Amendments**

HB0622—Labor Relations-Stay on Appeal—was signed into law on September 22, 2017, as Public Act 100-0516, effective upon signing. Public Act 100-0516 amends Section 11 of the Act and provides that the filing of an appeal to the Appellate court does not automatically stay the enforcement of the Board’s Order in unfair labor practice charges. An aggrieved party may apply for a stay with the Appellate Court after following the procedures prescribed by Supreme Court Rule 335.

Supreme Court Rule 335(g) provides that an application for a stay of a decision or order issued by an agency pending direct review to the Appellate Court should first be made to the agency. If a motion for a stay is made to the Appellate Court, the motion must show that application was made to the agency and denied or that application to the agency was impracticable.

## Board and Court Decisions

### I. Representation Issues

10/17/17

ILRB SP

#### Unit Clarification/Managerial Exclusion

In *State of Illinois, Department of Central Management Services (Department of Children and Family Services, Department of Employment Security) and American Federation of State, County and Municipal Employees, Council 31*, 34 PERI ¶ 79 (IL LRB-SP 2017) (Case Nos. S-UC-16-032, 033, 034), the Employer filed three unit clarification petitions each seeking to exclude a vacant Public Service Administrator (“PSA”) position from AFSCME represented bargaining units. The Board accepted the ALJ’s findings and conclusions that the petitions were appropriately filed and that the Board’s Decision and Order issued on September 2, 2016 (“September Order”), remanding this case for a hearing on the vacant positions at issue, made a substantial change in the Board’s caselaw affecting the bargaining rights of employees who will hold the at-issue positions in the future. A majority of the Board, however, disagreed with the ALJ that *Dep’t of Cent. Mgmt. Servs. v. Ill. Labor Relations Bd.*, 364 Ill. App. 3d 1028 (2006) (AFSCME Drug Screeners) and *Niles Twp. High Sch. Dist. 219, Cook Cty. v. Ill. Educ. Labor Relations Bd.*, 369 Ill. App. 3d 128 (1st Dist. 2006), are limited to confidential employees and found that those cases can be interpreted to extend to other statutorily excluded employees. The majority found that extending the reasoning of those cases in this manner is consistent with additional appellate court and Board caselaw and that, as with employees who are confidential under the Act, a unit clarification petition seeking to remove other statutorily excluded employees can be brought at any time. Finally, the Board adopted the ALJ’s findings and conclusions that the positions of Supervisory Regional Counsel and Manager for the Migrant and Seasonal Farmworker Program for IDES are managerial positions under Section 3(j) of the Act and granted the unit clarification petitions. Dissenting in part, Chairman Harnett and Member Nelson disagreed with the majority’s extension of the court’s holdings but concurred with the remainder of the majority’s decision.

11/15/17

ILRB SP

#### Majority Interest/Managerial Exclusion

In *American Federation of State, County and Municipal Employees, Council 31 and County of Will*, 34 PERI ¶ 91, (IL LRB-SP 2017) (Case No. S-RC-15-076), the Union sought to represent three Program Manager positions within the Employer’s Land Use Department Community Development Division. The Employer opposed the petition, asserting all three employees were managerial under the Act. The ALJ, however, found the Program Managers were not managerial employees, concluding there was insufficient evidence that the Program Managers were predominantly engaged in executive and management functions. The ALJ found the record indicated they lacked the requisite authority and discretion to establish program goals, the means for achieving those goals on a broad scale, or the specific methods or means in administering their respective programs. The ALJ also found there was insufficient evidence that the Program Managers exercised discretion in executing their duties sufficient to confer managerial status, noting the existence of predetermined requirements and procedures, government regulations, and a collaborative decision-making process and other levels of review. The Board adopted the ALJ’s findings and recommendations but clarified his findings regarding the lack of discretion to clarify that the mere existence of government regulations does not require a finding that an employee lacks managerial discretion. The Board also modified the ALJ’s findings and conclusions that the County failed to provide specific examples, noting that the cases cited by the ALJ do not require specific examples to be provided and that the quality of evidence is determinative.

11/15/17

**ILRB LP**

**Majority Interest/Managerial Exclusion**

In *American Federation of State, County and Municipal Employees, Council 31 and City of Chicago*, 34 PERI ¶ 90 (IL LRB-LP 2017) (Case No. L-UC-16-009), the Board adopted the ALJ's recommendation to certify the American Federation of State, County and Municipal Employees, Council 31, as the exclusive representative of all positions in the Principal Programmer Analyst (PPA) and Financial Planning Analyst (FPA) classifications employed by the City of Chicago (City) except for several specific positions she determined to be managerial or confidential under the Act. The Board adopted the ALJ's findings and conclusions that (1) the October 2001 Agreement did not preclude AFSCME from seeking to include the PPAs; (2) the PPA in the OIG is a confidential employee; (3) the six FPAs in the Family Act Financing Division are managerial; and (4) the FPAs in the Housing Preservation Division and TIF Designation and Amendments Section are not managerial. The Board declined to review the ALJ's recommendations that the PPA in the Fire Department is not a supervisory employee and that the five FPAs are not managerial because neither party filed exceptions as to these positions. The Board, however, rejected the ALJ's findings and conclusions as to the three FPAs in TIF Underwriting, one FPA in LIRI, and one FPA who split his time between two divisions, and found these employees are excluded from collective bargaining as managerial employees pursuant to Section 3(j) of the Act. In an unpublished decision, 2018 IL App (1<sup>st</sup>) 173061-U, the Illinois Appellate Court, First District, affirmed the Board's decision as to all the positions at issue except for the one FPA position working in two divisions. The court found that for that FPA position, the Board's findings were based on erroneous factual findings and remanded to the Board for further proceedings on the issue of managerial status.

12/13/17

**ILRB SP**

**Unit Clarification/Confidential Exclusion**

In *American Federation of State, County and Municipal Employees, Council 31 and City of Rolling Meadows*, 34 PERI ¶ 116 (IL LRB-SP 2017) (Case No. S-UC-16-029) AFSCME filed a unit clarification petition seeking to include twelve positions in the bargaining unit certified in Case No. L-RC-16-030. The Employer objected to the petition but before hearing, the parties agreed to include and exclude several of the positions sought and litigate the remaining three positions: Logistics Coordinator, Secretary to the Chief of Police; and Executive Secretary/Administrative Support Coordinator in the Public Works Department. The ALJ determined all three positions were confidential under Section 3(c) of the Act. The ALJ found the Logistics Coordinator and the Secretary to the Chief of Police satisfied the labor nexus test because in the regular course of their duties, they assisted individuals who formulate, determine, and effectuate labor relations policies, in a confidential capacity. The ALJ also found they satisfied the authorized access test because the employees were authorized to access labor relations information in the regular course of their duties. The ALJ then found the Executive Support Coordinator in the Public Works Department satisfied the reasonable expectation test and thus concluded that the position was also confidential. The Board agreed and adopted the ALJ's findings and conclusion as stated in the RDO, noting the exceptions failed to identify any error in the ALJ's findings of fact, analysis, or conclusions. The First District affirmed the Board's decision by Rule 23 Order, 2018 IL App (1<sup>st</sup>) 180096-U, issued on September 28, 2018.

01/22/18

**1st District Opinion**

**Majority Interest/Managerial Exclusion**

In *AFSCME Council 31 v. Ill. Labor Relations Bd., State Panel and State of Illinois, Central Mgmt. Servs.*, 2018 IL App (1st) 140656 (ILRB Case No. S-RC-11-078, 30 PERI ¶ 206, the court affirmed the Board's decision finding that directors at the Illinois Commerce Commission were managerial employees within the meaning of Section 3(j) of the Act and dismissing the majority interest petition filed by AFSCME. The court rejected the Union's argument that the Board erred in construing the word "predominately" in section 3(j) of the Act to mean either superiority in numbers or importance. Although, the court agreed with AFSCME that it would have been incorrect for the Board to conclude that being a gatekeeper alone was enough to confer managerial status on an

employee, the court ruled that in this case, the employees' statutorily defined duties, combined with other record evidence, supported the Board's determination as to each of them.

**03/06/18**

**ILRB LP**

**Majority Interest/Supervisory Exclusion**

In *International Brotherhood of Teamsters, Local 700 and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 144 (IL LRB-LP 2018) (Case No. L-RC-14-004), Local 700 sought to represent employees of the County of Cook and Cook County Sheriff in the rank of commander at the Cook County Department of Corrections (DOC) and to include them in a new bargaining unit. Applying the four-part supervisory test, the ALJ found that the commanders were not supervisors within the meaning of Section 3(r) and concluded they were public employees. Addressing the supervisory test, the ALJ found that the commanders satisfied the principal work requirement; disciplined their subordinates with independent judgment by effectively recommending the initiation of discipline to the Employee Discipline office; and adjusted grievances with independent judgment because they consistently conducted their own investigation into each grievance and had discretion to reverse any discipline issued. The ALJ rejected, however, the Sheriff's claim that the commanders also possessed the authority to direct, hire, and reward, or to make effective recommendations on such matters. The ALJ found the commanders authority to assign work, fill vacancies, approve overtime and time off was clerical/ministerial work, governed by rules, policies, and the collective bargaining agreement applicable to their subordinates. The ALJ found that the commanders' authority to serve on a hiring panel failed to demonstrate that the commanders exercised independent judgment or that their recommendations on the panel were effective. The ALJ then determined the commanders did not spend a preponderance of their work time, either quantitatively or qualitatively, exercising supervisory authority. The ALJ also determined the commanders were not managerial employees under Section 3(j) of the Act.

The Board adopted the ALJ's findings and conclusions regarding principal work and the commanders' authority to discipline and adjust grievances as stated in the RDO but rejected the ALJ's recommendations regarding the authority to direct and the preponderance of time. In finding that the commanders did not possess the requisite independent judgment in performing their oversight and review functions, the ALJ found that the commanders were restricted by the myriad rules and regulations and collective bargaining agreements the commanders were obligated to follow in the performance of their duties. The Board found the ALJ erred in this analysis, finding that the record indicated that those rules and regulations provided opportunities for discretion. The Board also found significant the ALJ's findings that the commanders possessed supervisory authority to discipline and adjust grievances, thereby possessing the discretionary authority to affect the terms and conditions of their subordinates' employment yet failed to take this into account in his analysis of the authority to direct. Finally, the Board determined the commanders also satisfy the preponderance of time element when considering the amount of time they spend exercising the supervisory authority to direct.

**03/06/18**

**ILRB SP**

**Unit Clarification; Managerial Exclusion**

In *State of Illinois, Department of Central Management Services and American Federation of State, County and Municipal Employees, Council 31*, 34 PERI ¶ 146 (IL LRB-SP 2018) (Case No. S-UC-17-036), the State filed a unit clarification petition seeking to exclude as managerial two vacant Public Service Administrator (PSA) positions from a unit represented by AFSCME. The ALJ found the petition to be procedurally appropriate under the rationales set forth in *State of Ill., Dep't of Cent. Mgmt. Servs. (Dep't of Children & Family Servs., Dep't of Emp. Sec.)*, (SOI/CMS I), 33 PERI ¶ 55 (ILRB-SP 2016) and in *State of Ill., Dep't of Cent. Mgmt. Servs. (Dep't of Children & Family Servs., Dep't of Emp. Sec.)*, (SOI/CMS II), 34 PERI ¶ 79 (ILRB-SP 2017). The ALJ then determined the positions to be managerial within the meaning of section 3(j) of the Act and therefore excluded from collective bargaining, finding the positions at issue undistinguishable from the Supervisory Regional Counsel positions excluded in as managerial in *SOI/CMS II*. Because she found the positions at issue had the same classification, title, and job description and reported to the same rank as those excluded in *SOI/CMS II*, the ALJ concluded that the testimony provided in *SOI/CMS II* concerning the duties and authority of the positions at issue

in that case, as well as the rationale for excluding those positions from the unit reasonably applied to the positions at issue here. She noted that in its response to the rule to show cause, the Union affirmatively adopted the evidence and its arguments presented in *SOI/CMS II* to support its contention that the positions at issue in this case are not managerial, suggesting no material difference between the positions. The ALJ rejected the Union's assertion that the rule to show cause shifted the burden of proof to the Union, explaining that the rule to show cause merely emphasized that the Employer already satisfied its burden based on the evidence and arguments presented in *SOI/CMS II*. She noted that in *SOI/CMS II*, the Board explained that the duties of "similar but distinct job positions" constitute relevant evidence of the vacant positions job duties, and that was precisely the evidence relied on in this case where the earlier record was incorporated into the record. The Board agreed and adopted the ALJ's findings and conclusions for the reasons given in the RDO.

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

**7/11/17**

### **ILRB SP**

#### **Failure and Refusal to Bargain – submitting status quo language to interest arbitration**

In *Skokie Firefighters Local 3033 and Village of Skokie*, 34 PERI ¶ 17 (IL LRB-LP 2017) (Case No. S-CA-14-053), pursuant to Appellate Court of Illinois, First District's mandate, the Board vacated its previous Decision and Order issued on August 31, 2015, and instead, held that Respondent, Village of Skokie, Sections 10(a)(4) and (1) of the Act when it submitted to interest arbitration status quo language concerning Article XXII, the examination process for the rank of Lieutenant, which in effect acted as a waiver of the Union's statutory rights under the Fire Department Promotions Act.

**7/11/17**

### **ILRB LP**

#### **Executive Director Dismissal – Retaliation**

In *Shadonna Davis and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 15 (IL LRB-LP 2017) (Case No. L-CA-17-026), the Board affirmed the Executive Director's dismissal of the charge, finding that the Charging Party had failed to raise an issue of fact or law warranting a hearing. Davis alleged that the Employer disparately and unfairly required her to return to her work assignment in Division 8 of the Cook County Jail in retaliation for complaining about seven-day-workweek schedules. Davis had previously been assaulted by an inmate in Division 8, but the Employer adjusted her assignment in that division to eliminate any contact with the inmate who assaulted her. While Davis demonstrated that she engaged in protected concerted activity in protesting the Employer's requirement that employees work weekends and that the Employer knew of her complaints, Davis did not establish that the Employer assigned her in retaliation for these complaints or that the Employer treated her disparately. Davis appealed, and the Local Panel affirmed the dismissal as written.

**8/9/17**

### **ILRB LP**

#### **Executive Director Dismissal – Jurisdiction**

In *Shelley Kaplan and City of Chicago (Department of Police)*, 34 PERI ¶ 43 (IL LRB-LP 2017) (Case No. L-CA-16-084), the Executive Director dismissed the charge because it failed to raise an issue of law or fact warranting a hearing. Kaplan alleged the Employer refused to provide her with her pension and benefits and that she was suspended in 2006 because she filed a discrimination claim in federal court based on her religion and disability. The Executive Director found that Kaplan failed to allege that she engaged in conduct protected by the Act, and that the Board did not have jurisdiction to address issues that occurred more than ten years prior to the filing of the charge. Kaplan timely appealed, and the Local Panel affirmed the dismissal as written.



**8/9/17**

**ILRB LP**

**Executive Director Dismissal – Service Rules on Appeal; Variance; Retaliation**

In *Dudlita Prewitt and City of Chicago (Department of Family and Support Services)*, 34 PERI ¶ 44 (IL LRB-LP 2017) (Case No. L-CA-17-020), Prewitt alleged that the Employer took employment actions against her in retaliation for filing a grievance and in retaliation for filing a disability discrimination complaint with another agency. The Executive Director dismissed the charge, finding that the Board lacked jurisdiction over the portions of the charge alleging retaliation based on a discrimination complaint, and finding that Prewitt did not show that the Employer took any action against her based on her grievances. Prewitt appealed timely but failed to provide proof of service on the Employer of the appeal. The Local Panel granted a variance from the Board's service rules and allowed the appeal but affirmed the dismissal as written.

**8/15/17**

**ILRB LP**

**Executive Director Dismissal – Retaliation**

In *Kalaveeta Mitchell and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 50 (IL LRB-SP 2017) (Case No. L-CA-17-011), Mitchell alleged that the Employer ultimately terminated her to retaliate against her for complaints she made to management about inadequate training and for complaints she made to the Union about the Employer's practice of changing employees' regular days off. The Executive Director dismissed the charge, finding that Mitchell failed to provide evidence that the Employer acted against Mitchell because it was motivated by her protected concerted activity and further finding that Mitchell was not treated disparately and was discharged for her performance rather than because of protected activity. Mitchell timely appealed, and the Local Panel affirmed the dismissal as written.

**09/07/17**

**ILRB LP**

**Executive Director Dismissal – Retaliation; Untimely Response; Variance**

In *Megan E. Cook and Sheena Williamson*, 34 PERI ¶ 59 (IL LRB-SP 2017) (Case Nos. L-CA-16-070 and L-CA-16-071), Mitchell alleged that the Employer ultimately terminated her to retaliate against her for complaints she made to management about inadequate training and for complaints she made to the Union about the Employer's practice of changing employees' regular days off. The Executive Director dismissed the charge, finding that Mitchell failed to provide evidence that the Employer took action against Mitchell because it was motivated by her protected concerted activity and further finding that Mitchell was not treated disparately and was discharged for her performance rather than because of protected activity. Mitchell timely appealed, and the Local Panel affirmed the dismissal as written.

**09/29/17**

**1st District Opinion filed 03/27/17; Modified Upon Grant of Petition for Rehearing  
Timeliness**

In *Amalgamated Transit Union, Local 241 v. Ill. Labor Relations Bd., and Chicago Transit Authority*, IL App (1st) 160999, 33 PERI ¶ 107, (ILRB Case No. L-CA-14-022, 32 PERI ¶ 161), the court granted petitions for rehearing filed by the CTA and the Board, and issued a new opinion modifying its March 27 opinion by remanding to the Board to determine whether the Union had the requisite notice of the CTA's contract with Cubic to implement the new Ventra system more than six months before filing the ULP. In its earlier opinion, the court reversed the Board's finding regarding the notice issue holding that the Union did not have the unambiguous explicit notice needed to trigger the six-month period. The court's remand to the Board for further proceedings on the merits of the Unions claims from its March opinion was not modified.

**09/29/17**

**1st District**

**Duty to Bargain; Termination of Contract; Interest Arbitration**

In *Village of North Riverside v. Ill. Labor Relations Bd., and North Riverside Firefighters and Lieutenants Union Local 2714, IAFF*, 2017 IL App (1st) 162251, (ILRB No. S-CA-15-032, 33 PERI ¶ 33). The court affirmed the Board decision finding that the Village unlawfully notified the Union that the parties' collective bargaining agreement would be terminated. Village appealed contending that the Board improperly interpreted Section 7 of the Act which the Village argued negates any obligation for the employer to maintain the status quo throughout interest arbitration procedures. The court rejected this argument and held that Section 7 does not grant public employers the right to unilaterally terminate a collective bargaining agreement with employees who are prohibited from striking.

**10/17/17**

**ILRB LP**

**Executive Director Dismissal – Repudiation; Information Requests; Unilateral Change; Violation of Arbitration Awards; Retaliation**

In *International Brotherhood of Teamsters, Local 700 and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 72 (IL LRB-LP 2017) (Case No. L-CA-15-042), the Union alleged that the Employers violated the Act by repudiating the parties' collective bargaining agreement, refusing to provide the Union with requested, relevant and necessary information, making numerous unilateral changes to employees' terms and conditions of employment, violating certain grievance arbitration awards and letters of agreement, and retaliating against an Assistant Chief Union Steward for engaging in protected activity. The Executive Director issued a complaint on portions of the charge but dismissed the portions related to the Employers' decision to impose new criteria for the transfer of Correctional Officers to vacant Deputy Sheriff positions, reasoning that the Union did not raise issues of fact or law for hearing on this alleged violation because the allegation simply described a contract dispute or, alternatively, a dispute concerning the enforcement of an arbitration award, over which the Board has no jurisdiction. The Union timely appealed a portion of the dismissal related to the Employers' inclusion of a Physical Agility Test (PAT) as part of the disputed transfer criteria. The Local Panel allowed the dismissal to stand as to the issues not appealed by the Union. The Local Panel reversed the dismissal as to the allegation appealed by the Union, finding that it raised issues of fact and law for hearing and directed the Executive Director to issue a complaint on that allegation.

**10/17/17**

**ILRB LP**

**Executive Director Dismissal –Retaliation**

In *Michael J. Conroy and City of Chicago (Fire Department)*, 34 PERI ¶ 73 (IL LRB-LP 2017) (Case No. L-CA-17-001), Conroy alleged that the Employer retaliated against him for filing OSHA complaints with the Illinois Department of Labor by taking four separate actions against him. The Executive Director dismissed the charge, finding that Conroy failed to demonstrate that the Employer retaliated against Conroy in the manner he alleged. Conroy timely appealed the dismissal as to one of the alleged actions by the Employer, and the Employer responded. The Local Panel allowed the dismissal to stand as to the issues not appealed by Conroy, but remanded the allegation that Conroy appealed for further investigation. Specifically, Conroy alleged that the Employer required him to attend a particular training in retaliation for making OSHA complaints, and the Local Panel held that dismissal of this allegation was premature where the Employer had not provided evidence to support its denial that it had treated Conroy disparately.

**11/6/17**

**Fifth District Opinion**

**Unilateral Change**

In *American Federation of State, County and Municipal Employees, Council 31 and State of Ill., Dep't of Cent. Mgmt, Servs.*, 2017 IL App (5<sup>th</sup>) 160229 (IL LRB-SP 2016, Case No. S-CA-16-006, 33 PERI ¶ 3), the court reversed the Board's decision and remanded for further proceedings. The court held that the State's failure to pay

step increases to AFSCME represented bargaining unit members during negotiations for a successor agreement was an unfair labor practice in violation of the Act, as those payments constituted the *status quo*. The court also found the Board erred in finding that the parties' 2012-2015 CBA violated the clear and plain language of Section 21.5(b) of the Act, rendering the agreement null and void under Section 21.5(c) of the Act. Finally, the court remanded to the Board to determine the remedy.

**11/06/17**

**Fifth District Opinion**

**Unilateral change/Coercion**

In *American Federation of State, County and Municipal Employees, Council 31 and State of Illinois, Department of Central Management Services*, 2017 IL App (5<sup>th</sup>) 160046 (IL LRB-SP 2016, Case No. S-CA-16-007, 32 PERI ¶ 128), the court reversed and remanded the Board's dismissal of a charge filed by AFSCME alleging one of several FAQs posted to the State's website in June 2015, which indicated that striking employees would be responsible for the full cost of their health insurance, was coercive and constituted a unilateral change in bargaining unit members' terms and conditions of employment. The Board and the Executive Director found that a 10(a)(2) claim was not ripe, and that the FAQ, while it could serve as a disincentive to strike, was not coercive and was not a unilateral change, as the State merely publicized an existing policy. The court reversed, finding the Board abused its discretion in failing to find there were questions of fact and/or law regarding the existence of the policy before the posting, and the coercive nature of the policy, and remanded to the Board for further proceedings. The court also found that if AFSCME ultimately prevails on its claim that the policy itself constituted a threat, the State's policy announcement would not be protected as free speech under Section 10(c) of the Act.

**12/13/17**

**ILRB LP**

**Unfair Labor Practice - Employer's Knowledge of protected concerted activity**

In *Teamsters Local 700 and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 10 (IL LRB-LP 2017) (Case No. L-CA-15-047), the Board adopted the ALJ's recommendations and found that the Sheriff of Cook County did not violate Sections 10(a)(2) and 10(a)(3) of the Act when he placed one of his deputies on unpaid leave and then terminated his employment. The Board agreed with the ALJ's conclusion that the Union failed to establish a *prima facie* case for either a Section 10(a)(2) or 10(a)(3) violation in that the evidence failed to establish that any of the individuals involved in deciding on the adverse actions were aware of the deputy's protected activities. The Board, however, modified the ALJ's analysis to address the first, third, and fourth elements of the *prima facie* case regarding the deputy's termination. The Board also adopted the ALJ's findings and conclusion that the Sheriff did not violate Section 10(a)(1) either independently or derivatively, finding the Union waived its exceptions to the ALJ's findings.

**1/17/18**

**ILRB SP**

**Executive Director Dismissal – Retaliation; Service Rules on Appeal; Variance**

In *Margo E. Porche and Illinois State Toll Highway Authority*, 34 PERI ¶ 123 (IL LRB-SP 2018) (Case No. S-CA-17-008), Porche alleged that the Employer harassed and retaliated against her for filing an EEOC claim. The Executive Director dismissed the charge, finding that Porche had not alleged that she engaged in activity protected by the Act. Porche timely filed an appeal of the dismissal. Porche did not include a certificate of service with her appeal showing that she served it upon the Union, and the Union did not respond. The State Panel noted that a variance from the Board's service rule was warranted and accepted the appeal. Upon review, the State Panel affirmed the dismissal.

**2/6/18**

**ILRB SP**

**Executive Director Dismissal – Retaliation**

In *Lloyd Miller and Village of Mount Prospect (Fire Department)*, 34 PERI ¶ 138 (IL LRB-SP 2018) (Case No. S-CA-18-002), Miller alleged that the Employer discharged him in retaliation for disagreeing with the Employer's changes to the lieutenants' promotional examination, agreed to by the union, and for running for a position on the Union's Executive Board. The Executive Director dismissed the charge on the grounds that Miller did not present evidence of a causal connection between his protected activity and the Employer's decision to discharge him; rather, the Employer discharged Miller pursuant to an investigation into his alleged misconduct. Miller timely appealed. In his appeal, Miller asked the Board to withhold judgment on the dismissal so that he may retain an attorney, challenge the Respondent's denial of his FOIA request for documents allegedly relevant to this unfair labor practice charge, and present the documents to the Board as evidence. On the merits, Miller appealed the Executive Director's finding that he failed to present evidence of a causal connection between his protected activity and the Respondent's decision to discharge him. Upon review, the State Panel declined to hold the case in abeyance. The State Panel upheld the dismissal with modification, disagreeing with the Executive Director that there was a probability that the Employer did not know of Miller's protected activity when it discharged him but finding that this knowledge alone did not raise an issue for hearing.

**3/6/18**

**ILRB SP**

**Executive Director Deferral – *Dubo* Deferral; Unilateral Change; Jurisdiction**

In *Teamsters Local 700 and Village of Midlothian Police Department*, 34 PERI ¶ 145 (IL LRB-SP 2018) (Case No. S-CA-16-118), the Executive Director deferred the Union's charge to the parties' agreed-upon grievance resolution process. In the charge, the Union alleged that the Employer made a unilateral change to terms and conditions of employment, a mandatory subject of bargaining, without giving the Union the opportunity to bargain. Upon review, the State Panel found that the case was properly deferred to arbitration. The State Panel upheld the dismissal with modification, noting that the Board retains jurisdiction to determine whether any outstanding issues remain for resolution by the Board after the grievance resolution process concludes.

**01/17/18**

**ILRB SP**

**Default Judgment; Misnomer**

In *International Union of Operating Engineers, Local 150 and Algonquin Township Highway Department*, 34 PERI ¶ 124 (IL LRB-SP 2018) (Case No. S-CA-17-137), Local 150 filed an unfair labor practice charge against the Respondent Algonquin Township Highway Department alleging that Respondent repudiated the parties' collective bargaining agreement when it refused to arbitrate several discharge grievances. When Respondent failed to answer the complaint within the required time period, the ALJ recommended a default judgment finding Respondent committed an unfair labor practice in violation of Sections 10(a)(4) and (1) of the Act. Respondent filed exceptions contending the ALJ's findings and conclusions should be rejected for lack of service on the proper entity. Respondent claimed the Algonquin Highway Department is not the same entity as the Algonquin Township Road District (Road District), which it contended is the proper party to the proceedings and the collective bargaining agreement at issue, pointing to the Board's Certification in Case No. S-RC-17-051 in support its assertions. The Board rejected the ALJ's recommendations and remanded the matter for further proceedings. The Board found that although the exceptions were not persuasive on the issue of whether the Highway Department and the Road District are separate and distinct entities, the exceptions along with the certification raised questions as to proper respondent in this case and thus Respondent was not properly served with the complaint for hearing. The Board also noted that because Local 150 filed an identical charge in Case No. S-CA-18-067 listing the employer as the "Algonquin Township Road District, a/k/a Algonquin Township Highway Department," a remand would provide a hearing on the proper respondent for this case and efficiently address the later identical charge.

**02/06/18**

**ILRB LP**

**Abeyance/Deferral**

In *Amalgamated Transit Union, Local 308 and Chicago Transit Authority*, 34 PERI ¶ 134 (IL LRB-LP 2018) (Case No. L-CA-14-066), Local 308 filed a charge alleging that the Chicago Transit Authority committed unfair labor practices in violation of Sections 10(a)(4) and (1) of the Act, when it announced six changes affecting the way work hours were determined for rail operators in the wake of a highly publicized train derailment at the CTA's Blue Line O'Hare terminal in March of 2014. Before filing the charge, the Union filed several grievances over the changes, alleging that those changes constituted breaches of the parties' collective bargaining agreement. After a hearing before the ALJ, the parties arbitrated, using transcripts from the hearing, grievances involving four of the six changes before an arbitration panel chaired by Arbitrator Daniel Nielsen and the remaining two changes before a panel chaired by Arbitrator Steven Bierig. Both panels issued awards upholding in total, the grievances as to four of the six changes. The CTA petitioned the court to vacate both awards and then later appealed the courts' orders denying the petitions. In the interim, the ALJ issued an RDO finding the CTA violated Sections 10(a)(4) and (1) as to all six changes. The Board, however, found deferral to the award under the *Spielberg* doctrine would be appropriate, but because both arbitration awards were under review in the Appellate Court, the criterion requiring adherence to the arbitration award for a *Spielberg* type deferral could not be satisfied at this juncture, and held the case in abeyance pending the outcome of the appellate review of the arbitration awards. After the parties advised the Board that the Appellate Court affirmed the arbitration awards and that they would not pursue further appeals, on September 11, 2018, the Board issued its deferral of the matter to the arbitration awards in *Amalgamated Transit Union, Local 308 and Chicago Transit Authority*, 35 PERI ¶ 44 (IL LRB-LP 2018) (Case No. L-CA-14-066).

**02/06/18**

**ILRB SP**

**Repudiation/Refusal to Process Grievances/Control**

In *International Brotherhood of Teamsters, Local 700 and Chief Judge of the Circuit Court of Cook County*, 34 PERI ¶ 136 (IL LRB-SP 2018) (Case Nos. S-CA-10-213; S-CA-12-137), the Teamsters filed an unfair labor practice charges against the Office of the Chief Judge (Respondent) involving Respondent's conduct following the appointment of a Transitional Administrator (TA) by the U.S. District Court. The court appointed the TA to oversee compliance with directives in connection with a lawsuit related to the administration of the Cook County Juvenile Temporary Detention Center (JTDC). The Teamsters alleged the Respondent repudiated the parties' collective bargaining agreement by refusing to arbitrate disciplinary and discharge grievances. The Board, noting the unique circumstances presented by the charges, adopted the ALJ's recommendations finding the Respondent did not violate Sections 10(a)(4) and (1) of the Act when it refused to arbitrate grievances while the TA controlled the JTDC. Moreover, the Board noted that neither party filed exceptions to the ALJ's determinations regarding Respondent's conduct after the TA's removal and therefore, declined to review those portions of the RDO, allowing the RDO to stand as a non-precedential disposition of those issues.

**04/17/18**

**ILRB LP**

**Threats/Protected Activity/Use of Office Space**

In *Erik Slater and Chicago Transit Authority*, 34 PERI ¶ 160 (IL LRB-LP) (Case No. L-CA-16-017), the Board accepted in part, the ALJ's recommendations that the Chicago Transit Authority engaged in unfair labor practices within the meaning of Sections 10(a)(1) and 10(a)(2) of the Act. The Board adopted the ALJ's findings and conclusions that the CTA violated Section 10(a)(1) when it (i) barred the Union from posting on areas of the garage designated for personal or commercial use; (ii) threatened Slater with discipline if he continued to speak at a March 7, 2015 rap session; (iii) and when it instructed Slater not to discuss the Chicago Teachers Union strike on CTA property. The Board also adopted the ALJ's recommendations that there were no violations of the Act when the CTA (i) postponed all grievances and hearings involving Slater and hearings where Slater was to be the Union representative for unit members and (ii) threatened Slater with discipline for making photocopies for the Union on CTA copy machines. The Board, however, rejected the ALJ's findings and conclusions that the CTA

violated Sections 10(a)(1) and 10(a)(2) when it denied Local 241, and consequently Slater, use of office space, finding that such denial was not an adverse action because neither Local 241 nor Slater had a proprietary interest in the office space.

**06/05/18**

**ILRB LP**

**Unilateral Change/Mandatory Subjects/Abeyance**

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 34 PERI ¶ 178 (IL LRB-LP 2018) (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 and 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 ALJ determined the CR Matrix was a mandatory subject of bargaining, finding that changes to the disciplinary consequences to employees for violating City rules were mandatory subjects of bargaining, as were changes to the procedures for selecting disciplinary penalties and the designation of new penalty ranges for each category of rule violation. The ALJ also determined the Union did not waive its right to bargain the CR Matrix and Guidelines, either by contract or past practice and that the City did not bargain with the Union over the CR Matrix and Guidelines by simply expressing a willingness to discuss a subject that must be bargained. At the May 8, 2018 oral argument, the parties advised the Board that they were scheduled to begin negotiations for a successor agreement on May 26, 2018 and that City rescinded discipline imposed under the CR Matrix. The Board in consideration of this information determined that the “spirit and purposes” of the Act were best served by holding the case in abeyance so that the parties could explore avenues for agreement to resolve this case and it directed the parties to report on the status of their negotiations.

**5/8/18**

**ILRB SP**

**Executive Director Dismissal – Failure to Respond to Board Request for Information**

In *International Brotherhood of Electrical Workers, Local 193 and City of Springfield*, 34 PERI ¶ 169 (IL LRB-SP 2018) (Case No. S-CA-17-037), the Union alleged that the Employer violated the Act by unilaterally imposing a drug testing policy. The Executive Director dismissed the charge on the grounds that the Union failed to respond to the Board investigator’s requests for information about the charge, and the available information did not raise an issue for hearing. The Union timely appealed the dismissal. Upon review, the State Panel considered evidence presented by the Union that it attempted to respond to the Board investigator’s requests but that, through no fault of the Union, the Board investigator never received the response. Based on that information, the State Panel reversed the dismissal and remanded for further investigation.

**5/8/18**

**ILRB SP**

**Executive Director Dismissal – Failure to Respond to Board Request for Information**

In *Policemen’s Benevolent Labor Committee and Village of Glen Carbon (Police Department)*, 34 PERI ¶ 170 (IL LRB-SP 2018) (Case No. S-CA-18-073), the Union alleged that the Employer violated the Act by failing to abide by the terms of two grievance settlement agreements. The Executive Director dismissed the charge on the grounds that the Union failed to respond to the Board investigator’s requests for information about the charge, and the available information did not raise an issue for hearing. The Union timely appealed the dismissal, contending that its failure to respond was excusable neglect and that dismissal was too harsh a penalty. Upon review, the State Panel rejected the contention of excusable neglect and noted that the Union had already filed an identical charge, presumably in response to the dismissal. Therefore, the State Panel affirmed the dismissal.

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

**07/11/17**

**ILRB SP**

#### **Submission of Permissive Subject to Interest Arbitration; Health Insurance**

In *State of Illinois, Department of Central Management Services and Troopers Lodge #41, Fraternal Order of Police*, 34 PERI ¶ 18 (IL LRB-SP 2017), the Board affirmed an ALJ's determination that the Troopers Lodge #41, Fraternal Order of Police (Union) did not violate Section 10(b) of the Act when it submitted its health insurance proposal to an interest arbitration panel and then refused to withdraw it. The Board noted that the Union's conduct was lawful because it did not have a clear indication that health insurance was a permissive subject of bargaining. The Board noted that the State did not make timely and clear objections to the arbitration panel's consideration of the issue, and that the Union acted lawfully when it submitted its health insurance proposal and then insisted that the panel consider the health insurance issue.

The Board affirmed the ALJ's threshold finding that health insurance was not exempt from the duty to bargain on the grounds that it was a matter "specifically provided for" under the State Employees Group Insurance Act. The Board found that the State Employees Group Insurance Act does not foreclose or prohibit collective bargaining over health insurance for the State. The Board noted that the State Employees Group Insurance Act sets forth a minimum level of services and does not set forth premiums, deductibles, co-payments, or other similar contours of a health plan. The Board acknowledged that the State Employees Group Insurance Act also imposed certain requirements upon the Director of CMS to design health benefit plans consistent with that Act and to enter contracts with health insurance carriers that take into consideration existing terms and conditions of employment. However, it found that the State Employees Group Insurance Act allowed the Director to engage in collective bargaining while exercising his statutory authority to design, and enter into contracts for, health benefits.

Next, the Board modified and narrowed the ALJ's finding that health insurance is a mandatory subject of bargaining for the State. The Board accepted the ALJ's analysis that health insurance affects wages, hours, and terms and conditions of employment. However, the Board found, contrary to the ALJ, that health insurance is also a matter of inherent authority for the State. It reasoned that health insurance benefits and associated costs impact the State's budget in a significant way, and that the State's statutory obligation to provide employees with health insurance might limit its ability to provide services to the public when its spending budget is decreased. The Board similarly reasoned that health insurance relates to the State's business because the State must maintain a workforce, and provide its employees with attendant benefits, to provide its public services. In addition, the Board narrowed the ALJ's finding that the benefits of bargaining over health insurance outweigh the burdens on the State's inherent managerial authority. The Board focused on the specific aspects of health insurance outlined in the parties' submissions, including premiums, deductibles, co-payments, and out-of-pocket maximum (OPMs), along with concerns regarding procurement and choice of vendor. To that end, the Board noted that premiums, deductibles, co-payments, and OPMs are mandatory subjects of bargaining, but that the choice of vendor and the process by which the State procures health insurance are permissive subjects.

Finally, the Board reversed the ALJ's finding that sanctions were warranted against the State.

**7/11/17**

**ILRB LP**

#### **Executive Director Dismissal – Service Rules on Appeal; Variance; Untimely Charge; Failure to Respond to Requests for Information**

In *Karen Lindberg and Service Employees International Union, Local 73*, 34 PERI ¶ 16 (IL LRB-LP 2017) (Case No. L-CB-17-006), the Executive Director dismissed the charge, finding that Lindberg failed to respond to the investigator's request for additional information in support of the charge, and that the charge was untimely filed. Lewis appealed the dismissal but failed to provide proof of service on the Union. The Local Panel granted a variance of the Board's service rules, allowing the appeal despite the procedural deficiency. Moreover, the Local Panel found that the charge was timely filed in August of 2016 because it claimed that the alleged misconduct

took place in July of 2016, and not in July of 2015 as noted by the Executive Director. However, the Local Panel upheld the dismissal because Lewis failed to respond to requests for additional information from the investigator, and the available evidence was not sufficient to raise an issue of law or fact warranting a hearing. Therefore, the Local Panel affirmed the dismissal with modification.

**7/11/17**

**ILRB LP**

**Executive Director Dismissal – Service Rules on Appeal; Variance; Untimely Charge; Duty of Fair Representation**

In *Germy Webster and Amalgamated Transit Union, Local 308*, 34 PERI ¶ 70 (IL LRB-LP 2017) (Case No. L-CB-17-026), the Executive Director dismissed the charge, finding that Webster's charge was untimely and, in the alternative, that Webster failed to raise an issue of fact or law warranting a hearing. Webster alleged that the Union breached its duty of fair representation when it failed to inform him about his ability to appeal an arbitration award upholding his termination, and by refusing to pursue such an appeal on his behalf. Webster appealed the dismissal but failed to provide proof of service upon the Union of his appeal. The Local Panel granted a variance from the Board's rules to allow the appeal. However, the Local Panel found that Webster's charge was filed untimely because he originally attempted to file the charge on a National Labor Relations Board form that was not recognized by the ILRB as an attempt to file a charge with the ILRB, and there was no proof that the Union received this charge until Webster properly filed this charge with the ILRB in February 2017, more than nine months after the alleged misconduct. Moreover, the Local Panel found that, even if the charge was timely filed, it would uphold the dismissal on the merits. Therefore, the Local Panel allowed Webster's appeal but affirmed the dismissal.

**8/9/17**

**ILRB LP**

**Executive Director Dismissal – Duty of Fair Representation**

In *Shelley Kaplan and Fraternal Order of Police, Lodge No. 7*, 34 PERI ¶ 44 (IL LRB-LP 2017) (Case No. L-CB-16-055), Kaplan alleged that the Union breached its duty of fair representation when it allegedly refused to assist her in obtaining back pay and benefits. The Executive Director dismissed the charge, finding that Kaplan failed to raise an issue of law or fact for hearing because she failed to provide evidence of a motive for the Union to breach its duty of fair representation. Kaplan timely appealed the dismissal, and the Local Panel affirmed the dismissal as written.

**8/9/17**

**ILRB SP**

**Executive Director Dismissal – Duty of Fair Representation; Untimely Response to Appeal; Variance**

In *Randy L. Railey and Metropolitan Alliance of Police*, 34 PERI ¶ 49 (IL LRB-SP 2017) (Case No. S-CB-17-022), Railey alleged that the Union breached its duty of fair representation when it refused to refuse Railey's grievance regarding promotion. The Executive Director dismissed Railey's charge, finding that he failed to present evidence that the Union has engaged in intentional misconduct due to any animosity toward the Charging Party, noting that Section 6(d) of the Act generally affords unions a considerable amount of discretion in pursuing grievances. The Executive Director determined that there was no indication that the Union held any animus toward the Charging Party based on the grievances he filed or that the Union disregarded the Employer's alleged violations of the collective bargaining agreement simply because the violation involved the Charging Party. Railey timely filed an appeal of the dismissal. The Union responded untimely but sought a variance to file its response *instanter*. The State Panel granted the variance and allowed the Union's response. Upon review, the State Panel affirmed the dismissal as written.



**09/07/17**

**ILRB SP**

**Executive Director Dismissal – Duty of Fair Representation; Timeliness; Untimely Appeal**

In *Laura Wicik and American Federation of State, County, and Municipal Employees, Council 31*, 34 PERI ¶ 60 (IL LRB-LP 2017) (Case No. L-CB-17-021), Charging Party alleged that the Union breached its duty of fair representation when it failed to file grievances over discipline she received from her employer and when two union representatives harassed her at her workplace. The Executive Director dismissed the charge on grounds that there was no indication the Union failed to pursue Charging Party's grievance because it held any animus toward or bias against the Charging Party. The allegations based on instances occurring in December of 2015 were dismissed on timeliness grounds. Charging Party filed an appeal but failed to properly serve her appeal on the Union pursuant to Section 1200.20(f) of the Board's Rules. The Local Panel declined to grant a variance, striking the appeal and affirming the dismissal as written.

**10/17/17**

**ILRB LP**

**Executive Director Dismissal – Service Rules on Appeal; Variance; Timeliness**

In *Dudlita Prewitt and American Federation of State, County and Municipal Employees, Council 31*, 34 PERI ¶ 74 (IL LRB-LP 2017) (Case No. L-CB-17-028), the Executive Director dismissed the charge, finding that the charge was untimely filed more than six months after the alleged unlawful activity. Prewitt appealed the dismissal but failed to provide proof of service on the Union. The Local Panel granted a variance of the Board's service rules, allowing the appeal despite the procedural deficiency. However, the Local Panel found that the charge was untimely filed and affirmed the dismissal.

**10/17/17**

**ILRB SP**

**Executive Director Dismissal – Duty of Fair Representation; Jurisdiction**

In *Michael Dill and East St. Louis Firefighters, IAFF Local 23*, 34 PERI ¶ 76 (IL LRB-SP 2017) (Case No. S-CB-17-020), the Executive Director dismissed the charge on grounds that the Board lacks jurisdiction over internal union policies and practices and that the Union had no duty to represent Dill during the relevant time period. Moreover, the Executive Director found that there was no evidence indicating that the Union engaged in a discriminatory action against Dill. The State Panel upheld the dismissal but narrowed its holding only to find that the Board lacks jurisdiction over internal union policies and practices and declined to reach the other issues raised by the Executive Director.

**12/13/17**

**ILRB SP**

**Executive Director Dismissal – Duty of Fair Representation**

In *Elizabeth Cintron and American Federation of State, County and Municipal Employees, Council 31*, 34 PERI ¶ 105 (IL LRB-SP 2017) (Case No. S-CB-16-032), the Executive Director dismissed the charge on grounds that the available evidence failed to demonstrate that the Union failed to properly represent Cintron in her disciplinary matters with the Employer. Moreover, the Executive Director found that there was no evidence of intentional misconduct on the part of the Union. Cintron timely appealed. The State Panel found that the appeal lacked merit and upheld the dismissal by the Executive Director.

**12/13/17**

**ILRB LP**

**Executive Director Dismissal – Duty of Fair Representation; Service Rules on Appeal**

In *Paul T. Foertsch and Chicago Fire Fighters Union, IAFF Local 2*, 34 PERI ¶ 102 (IL LRB-LP 2017) (Case No. L-CB-18-001), the Executive Director dismissed the charge, which alleged that the Union engaged in unfair labor practices when it refused to represent Foertsch on the grounds that he was not a member of the Union. Foertsch timely appealed the dismissal but did not include a certificate of service, and there was no indication that the Union received a copy of Foertsch's appeal. The Union filed no response. The Local Panel struck the appeal

because it did not conform to the Board's rules. The Local Panel noted that, even if it were to accept the appeal as properly served on the Union, it would find that Foertsch's arguments on appeal would not justify disturbing the dismissal. Accordingly, the Local Panel affirmed the dismissal.

**1/17/18**

**ILRB LP**

**Executive Director Dismissal – Service Rules on Appeal; Variance; Timeliness; Failure to Respond to Requests for Information**

In *Halas Wilbourn and Amalgamated Transit Union, Local 308*, 34 PERI ¶ 122 (IL LRB-LP 2018) (Case No. L-CB-18-003), the Local Panel affirmed the Executive Director's dismissal of the charge on grounds that the Charging Party failed to respond to the investigator's request for additional information in support of the charge and that the available evidence did not raise an issue of fact or law for hearing. Wilbourn appealed but failed to provide proof of service upon the Union of his appeal, and the Union also alleged that the appeal was untimely. The Local Panel found that the appeal was timely and allowed a variance from the Board's service rules because the appeal was not accompanied by a proper certificate of service. However, the Local Panel found that the appeal lacked merit and affirmed the dismissal.

**12/13/17**

**ILRB SP**

**Failure to Ratify TA/Advance Notice of Support**

In *State of Illinois, Department of Central Management Services and Illinois Nurses Association*, 34 PERI ¶ 104 (IL LRB-SP 2017) (Case No. S-CB-16-029), the State and INA signed a tentative agreement (TA) for a successor collective bargaining agreement. The TA was submitted to INA members for ratification, but the membership voted to reject the TA. The State then filed an unfair labor practice charge alleging INA engaged in unfair labor practices by either failing to support ratification of the TA or advising the State in advance that INA would not advocate in favor of ratification. A majority of the Board adopted the ALJ's findings and conclusions that INA's conduct did not constitute an unfair labor practice but modified her conclusions of law to find that "once parties reach a tentative agreement (TA), *negotiators that participated in the negotiation process* are bound to support the agreed upon TA or advise the opposing party in advance that they will not support the agreement." See *Harvey Park District and American Federation of Professionals*, 23 PERI ¶ 132 (IL LRB-SP 2007), *aff'd* 386 Ill. App. 3d 773 (4th Dist. 2008); *American Federation of State, County and Municipal Employees, Council 31 and County of Fulton and Fulton County Sheriff*, 7 PERI ¶ 2020 (IL SLRB 1991). A majority of the Board found INA presented uncontradicted, un rebutted evidence that its lead negotiator gave the notice to one of the State's negotiators prior to signing a TA between the parties that the Union would take a neutral stance on the TA with its membership. The majority rejected the ALJ's conclusions of law that the Union did affirmatively support the TA and that the missing witness rule should be applied to the lack of testimony by the State's negotiator. Member Snyder, dissenting in part, disagreed with the majority's finding that INA provided advance notice, noting that INA gave varying explanations of the notice given to the State, but agreed that requiring implementation of the TA would not be appropriate given the facts of the case.

**3/6/18**

**ILRB LP**

**Executive Director Dismissal – Duty of Fair Representation**

In *Edward Donaldson and Amalgamated Transit Union, Local 241*, 34 PERI ¶ 143 (IL LRB-LP 2018) (Case No. L-CB-18-002), Donaldson alleged that the Union violated the Act when it failed to provide him with a share of the backpay awarded by an arbitrator on a grievance between the Employer and the Union. The Executive Director dismissed the charge, reasoning that Donaldson failed to identify an unlawful motive for the Union's actions and that the Union produced evidence that disproved Donaldson's claim of disparate treatment. Donaldson timely appealed. Upon review, the Local Panel affirmed the dismissal, finding that Donaldson did not demonstrate that the Union treated him differently than other similarly situated employees and that Donaldson did not present evidence establishing that the Union took action against him for an unlawful reason.

4/11/18

**ILRB SP**

**Executive Director Dismissal – Retaliation; Jurisdiction**

In *Raviel Winters and State of Illinois, Department of Central Management Services (Corrections – Stateville Correctional Center)*, 35 PERI ¶ 34 (IL LRB-SP 2018) (Case No. S-CA-17-042), Winters alleged that the Employer failed to select him for an interview for a posted position in retaliation for his protected activity. The Executive Director dismissed the charge on the grounds that the available evidence did not demonstrate that Winters was not promoted or selected for an interview because of his participation in protected activity and that the Board lacked jurisdiction over issues of veteran's preference and claims of racial discrimination and harassment by the Employer as raised by Winters. Upon review, the State Panel affirmed the dismissal and corrected the case caption to reflect the correct department of the Employer that employed Winters.

4/17/18

**ILRB LP**

**Executive Director Order – Appointment of Counsel**

In *Theopolis Hoffman and Service Employees Int'l Union, Local 73*, 34 PERI ¶ 161 (IL LRB-LP 2018) (Case No. L-CB-16-038), Hoffman asked the Executive Director to appoint counsel so that he could have legal representation in a hearing on his complaint in Case No. L-CB-16-038. The Executive Director applied the Board's rules on appointment of counsel and found that, pursuant to those rules, Hoffman did not qualify for appointment of counsel due to income requirements, and the Executive Director had no discretion to grant a request for appointment of counsel when it did not comply with the Board's rules. Upon review, the Local Panel reversed the denial of Hoffman's request and granted a variance from the Board's rules on appointment of counsel, finding that it would be unreasonable to deny Hoffman's request for appointment of counsel under the circumstances.

6/5/18

**ILRB LP**

**Executive Director Dismissal – Duty of Fair Representation**

In *Reginald J. Dean and American Federation of State, County and Municipal Employees, Council 31*, 34 PERI ¶ 179 (IL LRB-LP 2018) (Case No. L-CB-16-051), Dean alleged that the Union improperly failed to represent him concerning the Employer's layoffs and staff transitions related to his position. The Executive Director dismissed the charge on grounds that the charge failed to raise an issue of law or fact for hearing because there was no evidence indicating that the Union's actions constituted intentional misconduct. Dean timely appealed. The Local Panel affirmed the Executive Director's dismissal.

## **IV. Procedural Issues**

07/10/18

**ILRB SP**

**Compliance/Make Whole Remedies**

In *American Federation of State, County and Municipal Employees, Council 31 and State of Illinois, Department of Central Management Services*, 35 PERI ¶ 14 (IL LRB-SP 2018) (Case No. S-CA-16-006), the Board affirmed the ALJ's dismissal of an unfair labor practice complaint involving the State's failure to pay bargaining unit members certain increases, including step increases, during negotiations for a successor collective bargaining agreement. The Charging Party, AFSCME, subsequently appealed the matter to the Appellate Court of Illinois, Fifth District. On November 6, 2017, the court reversed the Board's decision finding the State engaged in an unfair labor practice when it altered the *status quo ante* by withholding step increases. The court also remanded the matter to the Board for further proceedings consistent with the court's Opinion. On May 1, 2018, the court issued its mandate to the Board. The State filed a Motion to Set a Hearing to Determine the Specific Remedy and Whether There Are Sufficient Appropriations to Fund that Remedy, to which AFSCME filed a response. The State then filed a Motion to Strike Portions of AFSCME's Response or in the Alternative File a Reply in Support of Its Motion to Set a Hearing and an accompanying memorandum of law. The Board, in accordance with the

court's mandate, denied the State's motions, vacated its decision dismissing the complaint, and found that the State of Illinois engaged in an unfair labor practice when it failed and refused to bargain in good faith with the Union, in violation of Section 10(a)(4) and (1) of the Act. The Board referred the matter to its compliance process as set forth in 80 Ill. Admin. Code § 1220.80.

## General Counsel's Declaratory Rulings

**S-DR-18-002** *Village of Maywood and Illinois Council of Police*  
10/16/2017; 34 PERI ¶ 77

The Employer filed a unilateral petition seeking a determination as to whether a “minimum manning” provision in the parties’ expired contract concerns a mandatory or permissive subject of bargaining within the meaning of the Act, and if permissive, whether the subject can be excluded from interest arbitration. Relying on the holdings in *County of Cook v. Ill. Labor Rel. Bd., Local Panel*, 347 Ill. App. 3d 538, 545-46 (1<sup>st</sup> Dist. 2004) and *Vill. of Oak Lawn v. Ill. Labor Rel. Bd., State Panel*, 964 N.E.2d 1132, 1137 (1<sup>st</sup> Dist. 2011), the General Counsel found that the minimum manning provision concerned a permissive subject and that Section 14(i) excludes “minimum manning” for peace officers in interest arbitration decisions.

**S-DR-18-001** *Streator Professional Firefighters, IAFF-AFFI, Local 56 and City of Streator*  
1/30/2018; 34 PERI ¶ 133

The Employer unilaterally filed a petition seeking a determination as to whether certain of its proposals relating to shift manning involve a permissive or mandatory subject of bargaining within the meaning of Act. The Union contended the City’s proposals, which sought to use non-bargaining unit employees in place of its bargaining unit members, fell within the parameters of the Substitutes Act, and thus, concerned a permissive subject of bargaining. The General Counsel agreed and found the Employer’s proposals concerned a permissive subject of bargaining, rejecting the City’s contention that the phrase “temporary or permanent substitute” is ambiguous and noting the plain language of the Substitutes Act clearly makes the temporary or permanent substitution of, in this case, bargaining-unit members who are full-time firefighters a permissive subject of bargaining. *See* 65 ILCS 5/10-1-14 (2016).

**S-DR-18-003** *City of Decatur and Decatur Police Benevolent and Protective Association Labor Committee*  
3/26/2018; 34 PERI ¶ 159

The Employer unilaterally filed a petition seeking a declaratory ruling as to whether its proposals regarding compensatory time and holiday pay offered mandatory, permissive, or prohibited subjects of bargaining within the meaning of the Act, and if determined to be permissive, whether the subjects can be excluded from interest arbitration. The Union objected on procedural and substantive grounds. Regarding the procedural grounds, the Union contended the petition should have been filed on or before December 14, 2016, the first day of hearing before the interest arbitrator instead of on November 20, 2017, a continuation of the December 2016 hearing. The General Counsel, after bifurcating procedural and substantive issues, first determined the petition was timely filed under Section 1200.143(b) of the Board’s rules, finding the first day of the interest arbitration hearing was November 20, 2017, because no hearing commenced on December 14, 2016—no opening statements were made by either party, no substantive issues were discussed on the record, and no testimony or other evidence was introduced. The General Counsel then found the proposals at issue to be mandatory subjects of bargaining. Regarding the Employer’s proposal to change the cap on compensatory time accruals, the General Counsel

found the proposal to concern a mandatory subject under *Central City*, rejecting the Union's contentions that the proposal would require a waiver of rights under the FLSA. The General Counsel also found that the Employer's proposal to cap the accrual of holiday time going forward, to be a mandatory subject of bargaining under *Central City*, rejecting the Union's claims that the holiday time proposal violated IRS regulations.

## 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-15-125 FMCS No 16-02604-1	<u>County of Kankakee and Sheriff of Kankakee County and Illinois FOP Labor Council</u> Cary Morgen, #698 1. Wages (Union's final offer)	7/21/2017
S-MA-15-347 Second Supplemental	<u>Illinois Department of State Police and Illinois Troopers Lodge #41, Fraternal Order of Police</u>	7/24/2017
Northbrook Sergeants Arb. Ref: 17-171	<u>Village of Northbrook and Combined Counties Police Association</u> Edwin H. Benn, #697	9/1/2017
S-MA-16-249	<u>City of East Peoria and Policemen's Benevolent Labor Committee</u> Matthew W. Finkin, #699 1. Wages (Union's offer)	9/20/2017
S-MA-16-053	<u>County of Perry and Illinois FOP Labor Council</u> Matthew W. Finkin, #700 1. Wages (Union's final offer) 2. Clerical employees' longevity pay (Union's final offer) 3. Assignment wage differential (County's final offer) 4. Medical insurance (Union's final offer) 5. Holiday pay (County's final offer) 6. Sick pay (County's final offer) 7. Vacation time (Union's final offer) 8. Overtime use and accrual (Union's final offer)	9/26/2017
S-MA-17-108 Arb. Ref. 17.224	<u>County of Warren and Sheriff of Warren County and American Federation of State, County and Municipal Employees, Council 31</u> Edwin H. Benn, #701 1. Duration 2. Wages 3. Insurance Reopener 4. Sick Leave	10/6/2017
S-MA-16-001	<u>City of Springfield and Police Benevolent and Protective Association, Unit 5</u> Marvin Hill, Jr., #708 1. Wages (City's final offer) 2. Residency (Union's final offer (status quo)) 3. Sick Sellback (Union's final offer (status quo))	10/16/2017
S-MA-15-319 FMCS No. 17-00236-6	<u>Western Illinois University and Illinois Fraternal Order of Police Labor Council</u> Sinclair Kossoff, #703 1. Wages (Union's final offer) 2. Shifts (Employer's final offer)	10/17/2017

<p>S-MA-16-119 Arb. Ref.: 17.231</p>	<p><u>Village of Maywood and Illinois Council of Police</u> Edwin H. Benn, #702</p> <ol style="list-style-type: none"> <li>1. Arbitration (Union's position)</li> <li>2. Manning (Village's position)</li> <li>3. Sick Leave Days (status quo)</li> <li>4. Extended Sick Leave (status quo)</li> </ol>	<p>10/18/2017</p>
<p>S-MA-16-007</p>	<p><u>County of Kendall and Sheriff of Kendall County and Illinois FOP Labor Council</u> Matthew W. Finkin, #706</p> <ol style="list-style-type: none"> <li>1. Use of part-timers (Employer's offer)</li> <li>2. Termination of seniority (Employer's offer)</li> <li>3. Vacation requests (Union's offer)</li> <li>4. Sick leave (Employer's offer)</li> <li>5. Wages (Union's offer)</li> <li>6. Longevity pay (Employer's offer)</li> <li>7. Uniform allowance</li> <li>8. Insurance (Employer's offer)</li> <li>9. Duration (Union's offer)</li> </ol>	<p>11/1/2017</p>
<p>S-MA-15-260 FMCS No. 16-01763-7</p>	<p><u>Village of Bolingbrook and Metropolitan Alliance of Police, Bolingbrook Chapter #3</u> Dennis P. McGilligan, #704</p> <ol style="list-style-type: none"> <li>1. Wages (Village's final offer)</li> <li>2. Employee contributions to health insurance (Union's final offer)</li> <li>3. New Section 8.8 subsection (Union's final offer)</li> <li>4. Adding Appendix E (Union's final offer)</li> <li>5. Arbitrator's Authority (Village's final offer)</li> <li>6. Retroactivity</li> <li>7. Residency (Union's final offer)</li> <li>8. Management rights (Union's final offer)</li> <li>9. Hours worked (Union's final offer)</li> <li>10. Discipline (Village's final offer)</li> </ol>	<p>11/3/2017</p>
<p>S-MA-16-010 Arb. Ref. 17.271</p>	<p><u>County of McHenry and Illinois FOP Labor Council</u> Edwin H. Benn, #705</p> <ol style="list-style-type: none"> <li>1. Wages</li> <li>2. Insurance Percentage of Premium Paid by Employees</li> <li>3. Wellness (Employer's proposal)</li> <li>4. Impasse Resolution (status quo)</li> </ol>	<p>11/7/2017</p>
<p>S-MA-15-269</p>	<p><u>County of Iroquois and Illinois FOP Labor Council</u> Brian Clauss, #713</p> <ol style="list-style-type: none"> <li>1. Hours of Work/Work Schedule (Union's offer)</li> <li>2. Wage Increases (Union's offer)</li> <li>3. Step Pay Plan (Union's offer)</li> <li>4. Management's Rights "Work Schedule Rotations" provision (Employer's offer)</li> <li>5. Compensatory Time Bank Maximum (Union's offer)</li> <li>6. Overtime Compensation (Union's offer)</li> <li>7. Shift Bidding by Seniority/Rotation (Employer's offer)</li> <li>8. Vacation Scheduling (Arbitrator's team)</li> </ol>	<p>12/29/2017</p>

	<ul style="list-style-type: none"> <li>9. Personal Day Payout/Forfeit (Union's offer)</li> <li>10. Health Insurance Deductible (Employer's offer)</li> <li>11. Affordable Care Act Language (Employer's offer)</li> <li>12. Personal Day Notice (Union's offer)</li> </ul>	
S-MA-16-012 Arb. Ref: 17.318	<u>Village of Richton Park and Illinois FOP Labor Council</u> Edwin H. Benn, #710 <ul style="list-style-type: none"> <li>1. Duration</li> <li>2. Wages</li> <li>3. Use of Part-time Officers</li> <li>4. Sick Leave Use and Impact of Officer Involved Shooting</li> <li>5. Prior Tentative Agreements</li> <li>6. Retroactivity</li> <li>7. Retention of Jurisdiction</li> </ul>	1/3/2018
FMCS: 170522-55295-6	<u>Village of South Holland and Metropolitan Alliance of Police, Chapter #690 (Stipulated)</u> Stephen L. Hayford, #711 <ul style="list-style-type: none"> <li>1. Wages</li> <li>2. Retroactivity</li> <li>3. One-time Law Enforcement Equity Adjustment</li> <li>4. Insurance</li> <li>5. Alcohol and Drug Testing</li> </ul>	1/4/2018
S-MA-15-374 FMCS #160816-56713-1	<u>County of DuPage and Sheriff of DuPage County and Metropolitan Alliance of Police, DuPage County Sheriff's Police Chapter #126</u> Brian Clauss, #712 <ul style="list-style-type: none"> <li>1. Sick Leave Accrual (Union's offer)</li> <li>2. Annual Sick Leave Payout (Union's offer)</li> <li>3. Sick Leave Payout at Separation (Union's offer)</li> <li>4. Benefit Continuation (Employer's offer)</li> <li>5. Normal Work Hours (Union's offer)</li> <li>6. Work Schedules by Unit (Employer's offer)</li> <li>7. Automobile (Employer's offer)</li> <li>8. Stipends (Employer's offer)</li> <li>9. Deputy in Charge Pay/FTO Stipends (Union's offer)</li> <li>10. Entire Agreement (Employer's offer)</li> <li>11. PER 1-1 Sick Leave (Union's offer)</li> <li>12. Workers Compensation (Employer's offer)</li> <li>13. Benefit Continuation (Employer's offer)</li> </ul>	1/17/2018
S-MA-17-116 FMCS #17080-54778	<u>City of Evanston and Evanston Firefighters Association, Local No. 742 IAFF (Stipulated)</u> Sharon K. Imes, #715 <ul style="list-style-type: none"> <li>1. Duration and Renegotiations</li> <li>2. Salary Schedule and Comp Bank Contribution</li> <li>3. Group Insurance</li> <li>4. Sick Leave</li> <li>5. Post-Employment Health Plan</li> <li>6. Rate of Pay for Serving in Higher Rank</li> <li>7. Maintenance of Service Levels</li> </ul>	3/14/2018



S-MA-16-017 FMCS #: 170620-01981	<u>International Brotherhood of Teamsters, Local 700 and County of Lake and Sheriff of Lake County</u> Martin H. Malin, #716 1. Step Increase (Employer's final offer)	3/19/2018
S-MA-17-059 FMCS No. 17-54514	<u>City of Collinsville and Illinois Fraternal Order of Police Labor Council</u> Mark W. Suardi, #717 1. Retroactive pay	4/27/2018
S-MA-16-197 FMCS #181012-00360	<u>Village of Morton and Policemen's Benevolent &amp; Protective Association Labor Committee</u> Thomas F. Gibbons, #718 1. Wages (Union's final offer) 2. Health Insurance (Union's final offer) 3. Compensation Time (Employer's final offer) 4. Vacation Scheduling 5. Residency (Employer's final offer)	5/29/2018
S-MA-16-123 FMCS #170412-01473-6	<u>Village of Lake Bluff and Illinois FOP Labor Council</u> Steven M. Bierig, #720 1. 2018 Wages (Union's offer) 2. Use of Part-Time Officers (Union's position)	6/6/2018
S-MA-16-213 FMCS #181102-01129, Arb. Ref. 18.067	<u>Village of Swansea and Illinois FOP Labor Council</u> Edwin H. Benn, #719 1. Wages (Village's offer)	6/13/2018

## Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
<b>Unfair Labor Practice Charges</b>			
CA	166	82	248
CB	<u>38</u>	<u>52</u>	<u>90</u>
Total	204	134	338
<b>Representation Cases</b>			
AC	2	0	2
RC	63	33	96
RD	9	0	9
UC	62	6	68
VR	3	0	3
DD	15	0	<u>15</u>
TOTAL	154	39	193
Grievance Arbitration Cases	11	0	11
Mediation/Arbitration Cases	<u>353</u>	<u>21</u>	<u>374</u>
Total	364	21	385
Declaratory Rulings	5	0	5
Strike Investigations	0	0	0
<b>Total Caseload</b>			

- 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	21	5	26
“No Representation” Prevailed	6	0	6
Cases Certified	37	5	32
Number of Units Certified (Majority Interest)	33	18	51
Voluntary Recognized Representatives	2	0	2
Revocation of Prior Certifications	15	0	0

### Unfair Labor Practice Charges Workload

	2017	2018
Cases pending start of fiscal year	312	331
Charges filed during fiscal year	278	338
Total caseload	590	669
Total cases closed	259	273

### Petition Management (Representation) Workload

	2017	2018
Cases pending start of fiscal year	57	88
Petitions filed during fiscal year	242	193
Total caseload	299	281
Total cases closed	211	185

## Disposition of Cases Active in FY 2018

	State Panel	Local Panel	Total
<b>I. BOARD DECISIONS</b>			
<b>(A) With exceptions filed</b>			
CA	10	12	22
CB	5	10	15
RC	1	1	2
UC	5	1	6
Total	21	24	45
<b>(B) With no exceptions filed</b>			
CA	9	3	12
CB	1	0	1
RC	4	4	8
UC	1	0	1
Total	15	7	22
<b>(C) Strike Investigations</b>	0	0	0
<b>(D) Declaratory Ruling</b>	4	0	4
<b>II. ADMINISTRATIVE DISMISSALS (Not appealed to the Board)</b>			
CA	32	31	63
CB	23	22	45
RC	0	1	1
RD	2	0	2
UC	1	0	1
Total	58	54	112
<b>III. CERTIFIED</b>			
AC	1	0	1
DD	15	0	15
RC/RM/RD	60	23	83
UC	60	6	66
VR	2	0	2
Total	138	29	167
<b>IV. WITHDRAWALS</b>			
CA	96	27	123
CB	15	4	19
RC	4	5	9
RD	2	0	2
UC	5	2	7
Total	122	38	160

## Certifications of Representative

Case No.	Employer	Labor Organization	Date Certified	Prevailing Party	# of Employees	Unit Description
L-RC-17-019 <i>Majority Interest</i>	County of Cook, Health and Hospital System	Local 200, Chicago Joint Board, Retail, Wholesale and Department Store Union	7/5/2017	Local 200	1	Add to L-UC-17-001 Medical Staff Liaison (Stroger Hospital)
L-RC-17-062 <i>Majority Interest</i>	Springfield Mass Transit District dba Sangamon Mass Transit District	Amalgamated Transit Union, Local 1249	7/12/2017	ATU	5	Accountant 1; Bookkeeper 2; Grants and Procurement Specialist 1; Maintenance Assistant; Video and Software Technician
L-RC-17-018 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	7/13/2017	AFSCME	1	Add to Bargaining Unit #1 Prepress Technician Code 6423
L-RC-15-020 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	7/13/2017	AFSCME	6	Add to Bargaining Unit #4 Regional Nutrition Coordinator Code 3413; Principal Database Analyst Code 0659
S-RC-17-060 <i>Majority Interest</i>	Village of Robbins	Illinois Council of Police	7/17/2017	ICOP	12	All part-time police officers in the ranks of Commander and Sergeant
S-RC-17-055	Village of Burr Ridge	International Brotherhood of Teamsters, Local 700 and Illinois FOP Labor Council	7/21/2017	Teamsters	18	Full-time sworn peace officers below the rank of Corporal
S-RC-17-063 <i>Majority Interest</i>	DeKalb Park District	Teamsters Local 330	8/17/2017	Teamsters	29	All full-time and regular part-time maintenance employees
L-RC-18-004 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	8/17/2017	AFSCME	3	Add to Bargaining Unit #1 Lead Pressman Code 6418

L-RC-15-024 <i>Majority Interest</i>	County of Cook	Service Employees Int'l Union, Local 73	8/21/2017	SEIU	2	Add to L-RC-16-015 Accountant III (Bureau of Technology) Exclude from L-RC-16-015 Service-Oriented Architecture Architect (Bureau of Technology)
S-RC-18-001 <i>Majority Interest</i>	Village of Schiller Park	Illinois Fraternal Order of Police Labor Council	8/21/2017	FOP	4	All full-time employees in the title of Sergeant
S-RC-18-002 <i>Majority Interest</i>	Long Grove Fire Protection District	Associated Firefighters of Illinois	8/21/2017	AFFI	8	All full-time employees in the following positions: Firefighter/EMT; Firefighter/Paramedic; Lieutenant Paramedic
S-RD-17-015	Town of Cicero	Nancy A. Moscinski and Service Employees Int'l Union, Local 73	8/28/2017	No Rep		
S-RD-17-016	Town of Cicero	Jose Caro and Service Employees Int'l Union, Local 73	8/28/2017	No Rep		
S-RC-18-004 <i>Majority Interest</i>	County of McHenry and County Clerk of McHenry County	American Federation of State, County and Municipal Employees, Council 31	10/2/2017	AFSCME	13	Bookkeeper/Redemption Clerk; Tax Ext/Redemption Clerk; County Tax Extender; Tax Redemption Clerk; Vital Records Clerk; Accounts Payable Clerk; Imagery/Redemption Clerk; Elections Administrative Analyst; Vital Records Election Clerk; Tax Clerk Deputy; Elections Technician; Deputy Clerk
S-RC-18-005 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services	American Federation of State, County and Municipal Employees, Council 31	10/2/2017	AFSCME	1	Add to RC-062 Executive I, Option SS (Corrections)
S-RC-18-011 <i>Majority Interest</i>	Decatur Park District	United Steel, Paper and Forestry,	10/4/2017	USW	3	All full-time and part-time Airport Firefighters

		Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union (USW)				
S-RC-18-010 <i>Majority Interest</i>	Knox County Circuit Clerk	American Federation of State, County and Municipal Employees, Council 31	10/5/2017	AFSCME	17	Deputy Circuit Clerk; Deputy Circuit Clerk/Jury Commission Clerk; Chief Deputy Circuit Clerk
S-RC-17-056 <i>Majority Interest</i>	Village of Broadview	Broadview Professional Firefighters, IAFF Local 5129	10/12/2017	IAFF	20	All sworn Firefighters below the rank of Lieutenant
L-RC-17-006 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	10/24/2017	AFSCME	1	Add to Bargaining Unit #1 Coordinator-Inventory Management and Property Control
L-RC-18-012 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	11/9/2017	AFSCME	6	Add to Bargaining Unit #1 Executive Secretary II Code 0810 Excluding Position No. 46926 Dept. of Family and Support Services
S-RC-15-076 <i>Majority Interest</i>	County of Will	American Federation of State, County and Municipal Employees, Council 31	11/15/2017	AFSCME	3	Add to S-RC-17-041 Program Manager for the Neighborhood Stabilization Program (NSP)/Foreclosure Stabilization Program (FSP), and the Financial Analyst for all of the Employer's Land Grant Programs; Program Manager for the Community Development Block Grant Program (CDBG), the HOME Investment Partnerships Program (HOME), and the Illinois Housing Development Authority Abandoned Property Grant Program (APP);

						Policy, Planning and Compliance Manager for the Community Development Division
S-RC-17-052 <i>Majority Interest</i>	City of Rock Island	American Federation of State, County and Municipal Employees, Council 31	11/16/2017	AFSCME	9	Add to Historical Unit - Chapter B: Grounds and Facilities Maintenance Worker; Lead Mechanic & Maintenance Technician; Grounds Maintenance Worker; Mechanic & Maintenance Technician; Spray Technician; Turf Equipment Mechanic; Recreation and Grounds Maintenance Worker
L-RC-18-014 <i>Majority Interest</i>	County of Cook, Health & Hospital System	American Federation of State, County and Municipal Employees, Council 31	11/29/2017	AFSCME	1	Add to Health Facilities bargaining unit: Public Health Janitor III Job Code 5501
S-RC-18-012	County of Clinton and Sheriff of Clinton County	Policemen's Benevolent Labor Committee and Int'l Brotherhood of Teamsters, Local 50	12/13/2017	PBLC	6	Cook; Deputy Secretarial Clerk; Maintenance; Janitor
S-RC-18-013	County of Clinton (Health Department)	Policemen's Benevolent Labor Committee and Teamsters, Automotive, Petroleum and Allied Trades, Local 50	12/13/2017	PBLC	6	Registered Nurse; Deputy Clerk; Environmental Health Practitioner
S-RC-18-014	County of Clinton and State's Attorney, Clerk/Recorder, Treasurer and Supervisor of Assessments	Policemen's Benevolent Labor Committee and Teamsters, Automotive, Petroleum and Allied Trades, Local 50	12/13/2017	PBLC	15	Deputy Assessor; Chief Deputy Assessor/Cartographer; Chief Deputy; Cartographer/Deputy Assessor; Chief Deputy of Recording; Legal Secretary; Deputy Clerk, Chief Deputy of Elections



S-RC-18-015	Clinton County Circuit Clerk	Policemen's Benevolent Labor Committee and Teamsters, Automotive, Petroleum and Allied Trades, Local 50	12/13/2017	PBLC	5	Chief Deputy Clerk; Deputy Clerk
S-RC-18-017	County of Marshall and Sheriff of Marshall County	Policemen's Benevolent Labor Committee and Teamsters, Chauffeurs and Helpers, Local 627	12/13/2017	Teamsters (Incumbent)	8	Employees at its Lacon facility in the following titles: Dispatcher-911 Telecommunicator; Administrative Secretary; Jail Officer
S-RD-18-003	County of Effingham (Highway Department)	David Bushue and Int'l Brotherhood of Teamsters, Local 26	12/13/2017	No Rep		
S-RD-18-004	County of Schuyler and Sheriff of Schuyler County	Spencer Bedwell and Illinois FOP Labor Council	12/13/2017	FOP (Incumbent)	3	Deputy; Jail Administrator; Jailer/Dispatcher; Sheriff's Secretary; Task Force Officer
S-RC-18-006	Village of Maywood	Metropolitan Alliance of Police, Maywood Police Chapter 513 and Illinois Council of Police	12/28/2017	MAP	38	Full-time Police Officers below the rank of Sergeant
S-RC-18-020 <i>Majority Interest</i>	Greater Peoria Mass Transit District	Amalgamated Transit Union, Local 416	12/28/2017	ATU	7	Unit B: Customer Service Representative; Lead Customer Service Representative
S-RC-18-020 <i>Majority Interest</i>	Greater Peoria Mass Transit District	Amalgamated Transit Union, Local 416	12/28/2017	ATU	4	Unit C: Accounting Specialist (Finance Department); Transportation Specialist; Maintenance Specialist
S-RC-18-023 <i>Majority Interest</i>	Illinois Valley Regional Dispatch Center	Metropolitan Alliance of Police, Illinois Valley Regional Dispatch Center Chapter 609	12/28/2017	MAP	11	Telecommunication Officer; Lead Telecommunication Officer

S-RC-18-025 <i>Majority Interest</i>	Village of Stickney	International Brotherhood of Teamsters, Local 700	12/28/2017	Teamsters	30	Firefighter
L-RC-18-010	County of Cook, Health & Hospital Systems	United Services of America, Ltd. And Service Employees Int'l Union, Local 73	1/5/2018	SEIU (Incumbent)	509	Stroger Hospital/Cermak Health Services Non-Professional Unit
S-RC-18-007	County of Kane and Sheriff of Kane County	Metropolitan Alliance of Police, Kane County Sheriff's Civilian Chapter #756 and Policemen's Benevolent Labor Committee	1/9/2018	PBLC (Incumbent)	36	Civilian Info Processor; Civilian Corrections; Civilian Process Server; Civilian Mechanic; Civilian Evidence Custodian
S-RC-18-008	County of Kane and Sheriff of Kane County	Metropolitan Alliance of Police, Kane County Sheriff's Peace Officer Chapter #756 and Policemen's Benevolent Labor Committee	1/9/2018	MAP	77	All deputized Peace Officers and deputized Peace Officer Sergeants
L-RC-18-017 <i>Majority Interest</i>	County of Cook (Department of Revenue)	American Federation of State, County and Municipal Employees, Council 31	1/10/2018	AFSCME	3	Add to existing L-RC-18-008 Administrative Hearings Clerk; Administrative Assistance (Administrative Hearings Department)
S-RC-18-019	City of Blue Island	Metropolitan Alliance of Police, Blue Island Police Chapter #549 and Illinois FOP Labor Council	1/12/2018	MAP	32	Full-time sworn peace Officers below the rank of Deputy Chief and Community Service Officer
S-RD-18-006	City of Paris	John Kaufman and Teamsters, Local 26	1/19/2018	No Rep	26	
S-RC-18-021	County of Effingham and Sheriff of Effingham County	Illinois FOP Labor Council and Southern Illinois Laborers District Council	1/29/2018	FOP	3	All full-time maintenance employees

S-RC-18-024	County of Jo Daviess and Sheriff of Jo Daviess County	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	2/5/2018	FOP	26	Deputy Sheriff; Detective; Corrections Officer; Telecommunications Officer; Court Security Officer; Chief Court Security Officer
S-RC-18-027 <i>Majority Interest</i>	Village of Glenwood	Laborers Int'l Union of North America, Local 681	2/22/2018	Laborers	9	Public Works employees in the titles of Maintenance Worker; Crew Leader
L-RC-18-015	County of Cook and Sheriff of Cook County	Illinois FOP Labor Council and Metropolitan Alliance of Police, Cook county Sheriff's Telecommunications Vehicle Service and Electronic Monitoring Chapter 261	3/12/2018	FOP	76	Vehicle Service Man; Radio Dispatcher/ Telecommunicator; Vehicle Service Technician II
S-RC-18-035 <i>Majority Interest</i>	Village of Mt. Morris	Illinois FOP Labor Council	3/15/2018	FOP	4	Full-time officers in the ranks of Sergeant and below
S-RC-18-036 <i>Majority Interest</i>	City of Auburn	International Union of Operating Engineers, Local 965	3/15/2018	IUOE	2	Utility Clerk Payroll Clerk
L-RC-18-016	County of Cook and Sheriff of Cook County	Illinois FOP Labor Council and American Federation of State, County and Municipal Employees, Council 31	3/19/2018	FOP	426	Cook County Sheriff's Police Officer below the rank of Sergeant
S-RC-18-033	Whiteside County Circuit Clerk	Illinois FOP Labor Council	3/19/2018	FOP	12	Deputy Circuit Clerks
S-RC-18-037 <i>Majority Interest</i>	Wood River Township Assessor	Int'l Association of Machinists and Aerospace Workers, District Lodge 9	4/11/2018	IAMAW	6	Chief Deputy Assessor; Deputy Assessor
L-RC-18-001	City of Chicago	Union Services of America, Ltd. and Service Employees Int'l Union, Local 73	4/12/2018	SEIU (Incumbent)	109	Branch Custodian I, II, III, IV; Custodian Worker; Lead Custodian Worker;

						Foreman of Custodial Workers; Superintendent of Custodian Workers; Chief Superintendent of Custodial Workers; Metal Caretaker; Station Laborer; Foreman of Station Laborers; Watchman
L-RC-18-020 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	4/16/2018	AFSCME	1	Add to Bargaining Unit #3 Animal Placement Coordinator – Hourly Code 3486 Exclude: Manager of Emergency Management Services Code 8621
S-RC-18-038 <i>Majority Interest</i>	Village of Frankfort	Int'l Union of Operating Engineers, Local 150	5/2/2018	IUOE	29	Public Works, Utilities and Police Department classifications: Laborer; Foreman; Crew Leader; Operator; Mechanic; Maintenance Worker; Waste Operator; Water Operator
L-RC-18-022 <i>Majority Interest</i>	County of Cook (Department of Homeland Security and Emergency Management)	Int'l Brotherhood of Teamsters, Local 700	5/3/2018	Teamsters	10	Emergency Logistics Officer
L-RC-18-023 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	5/3/2018	AFSCME	2	Add to Bargaining Unit #1 Reprographics Technician IV (City Clerk) Code 0691; Assistant Program Director (DPH) Code 3091
S-RC-18-040 <i>Majority Interest</i>	Village of Western Springs (Public Works)	Int'l Brotherhood of Teamsters, Local 700	5/3/2018	Teamsters	8	Maintenance Journeyman 1/MJ1; Maintenance Journeyman 2/MJ2

S-RC-18-029	Village of Westchester	Metropolitan Alliance of Police, Westchester Police Civilian Chapter #875 and Combined Counties Police Association	5/3/2018	MAP	3	Community Service Officer; Records Clerk; Senior Records Clerk
S-RC-18-030	City of Park Ridge	Metropolitan Alliance of Police, Park Ridge Police Chapter #762 and Teamsters, Local 700	5/3/2018	Teamsters (Incumbent)	39	Patrol Officer
S-RD-18-007	State's Attorney of Effingham County	Kristina M. Richards and Southern Illinois Laborers District Council	5/3/2018	No Rep	3	
S-RC-18-042 <i>Majority Interest</i>	City of Evanston	American Federation of State, County and Municipal Employees, Council 31	5/10/2018	AFSCME	14	Add to S-UC-18-042 Assistant Program Coordinator; Youth/Young Adult Outreach Worker; Youth/Young Adult Outreach Dev Worker; Part-Time Youth/Young Adult Outreach Program Assistant; Safety Specialist; Human Resources Assistant; Human Resources Assistant/Benefits Coordinator; Payroll/Pension Specialist; Payroll/Pension Administrator
L-RC-18-019	County of Cook, Health & Hospital System (John H. Stroger, Jr. Hospital)	Int'l Brotherhood of Teamsters, Local 700 and Metropolitan Alliance of Police, John H. Stroger, Jr. Hospital Police Sergeants Chapter #270	5/10/2018	Teamsters	7	Hospital Security Officer II CCH

S-RC-18-034	Village of Frankfort	Metropolitan Alliance of Police, Frankfort Police Sergeants Chapter 768 and Int'l Union of Operating Engineers, Local 150	5/23/2018	MAP	5	Full-time and regular part-time Sergeants
S-RC-18-044 <i>Majority Interest</i>	Wood River Drainage and Levee District	Int'l Brotherhood of Electrical Workers, Local 649	5/23/2018	IBEW	5	Assistant Superintendent; Maintenance Worker; Secretary/Treasurer; Superintendent of Maintenance
S-RC-18-041 <i>Majority Interest</i>	Kendall County Circuit Clerk	American Federation of State, County and Municipal Employees, Council 31	5/24/2018	AFSCME	19	Deputy Circuit Clerk – Civil; Deputy Circuit Clerk – Criminal; Deputy Circuit Clerk – Scanner; Deputy Circuit Clerk – Traffic; Financial Manager; Temporary Employee
S-RC-18-046 <i>Majority Interest</i>	Village of Peotone (Public Works Department)	Int'l Union of Operating Engineers, Local 399	5/24/2018	IUOE	5	General Laborer; Senior Water/Sewer Operator
S-RC-18-031	City of Christopher	Illinois FOP Labor Council and Laborers Int'l Union of North America, Local 773	6/4/2018	FOP	6	Sworn Peace Officer; Maintenance Worker
S-RC-18-039	Circuit Clerk of Effingham County	Illinois FOP Labor Council and Southern Illinois Laborers District Council	6/4/2018	FOP	11	Chief Deputy Clerk Civil; Chief Deputy Clerk Criminal; Deputy Clerk Civil; Deputy Clerk Criminal
S-RC-18-049 <i>Majority Interest</i>	Village of Westchester	Teamsters Local 705	6/4/2018	Teamsters	7	Finance Clerk; Administrative Secretary; Public Works Secretary; Principal Clerk/Deputy Village Clerk; Fire Department Secretary; Building/Zoning Secretary; Accounts Payable/Finance Clerk; Public Administrative Staff Assistant

S-RC-18-043 <i>Majority Interest</i>	City of Springfield (City, Water, Light and Power)	Int'l Brotherhood of Electrical Workers, Local 193	6/7/2018	IBEW	42	Projects Manager; Projects Manager II; Engineer I; Engineer II; Engineer III; Engineer IV; Engineering Technician I; Engineering Technician II; Engineering Technician III; Engineering Technician IV; Engineering Technician V; Technical Specialist I; Technical Specialist II; Technical Specialist III; Technical Specialist IV
S-RC-18-051 <i>Majority Interest</i>	Collinsville Township (Supervisor's Office, Assessor's Office, Senior Center)	Laborers Int'l Union of North America, Local 44	6/7/2018	Laborers	11	Office Administrator; Administrative Assistant; General Assistance Administrator; Senior Center Director; Senior Center Cook; Second Deputy Assessor; Third Deputy Assessor; Fourth Deputy Assessor; Assistant Chief Deputy Assessor; Chief Deputy Assessor
S-RC-18-022 <i>Majority Interest</i>	Chief Judge of the 18 <sup>th</sup> Judicial Circuit	American Federation of State, County and Municipal Employees, Council 31	6/19/2018	AFSCME	30	Add to S-UC-13-049 Support staff in the Department of Probation and Court Services in the following classifications: Legal Secretary; Senior Legal Secretary; Principal Legal Secretary; Principal Account Clerk; Court Interpreter; Drug Test Technician
S-RC-18-047 <i>Majority Interest</i>	Chief Judge of the Circuit Court of Cook County	American Federation of State, County and Municipal Employees, Council 31	6/19/2018	AFSCME	3	Add to S-RC-89-099 Management Analyst IV
S-RC-18-048 <i>Majority Interest</i>	City of Springfield	Int'l Brotherhood of Electrical Workers, Local 193	6/20/2018	IBEW	29	Computer Network Specialist 1; Computer Network Specialist 2; Computer Network Specialist 3; Computer Network Specialist 4;

						Data Coordinator; Database Administrator 2; Programmer Analyst 1; Programmer Analyst 2; Programmer Analyst 3; Software Specialist; Systems Analyst; Technical Support Specialist; Technical Support Specialist 1; Web Designer
L-RC-18-003 <i>Majority Interest</i>	County of Cook and Sheriff of Cook County	Int'l Brotherhood of Teamsters, Local 700	6/21/2018	Teamsters	5	Drug Testing Technician

### Certification of Voluntarily Recognized Representative

Case No.	Employer	Labor Organization	Date Certified	Unit Description
S-VR-18-001	Central Illinois Regional Dispatch Center	American Federation of State, County and Municipal Employees, Council 31	1/2/2018	Emergency Communications Specialist
S-VR-18-002	QComm 911	American Federation of State, County and Municipal Employees, Council 31	5/23/2018	Full-time employees performing telecommunications duties

### Amendment of Certification

Case Number	Employer	Labor Organization	Date Certified	Amendment
S-AC-18-001	Peoria City/County Health Department	American Federation of State, County and Municipal Employees, Council 31	6/13/2018	Change employer name from County of Peoria and Peoria County Board of Health to Peoria City/County Health Department

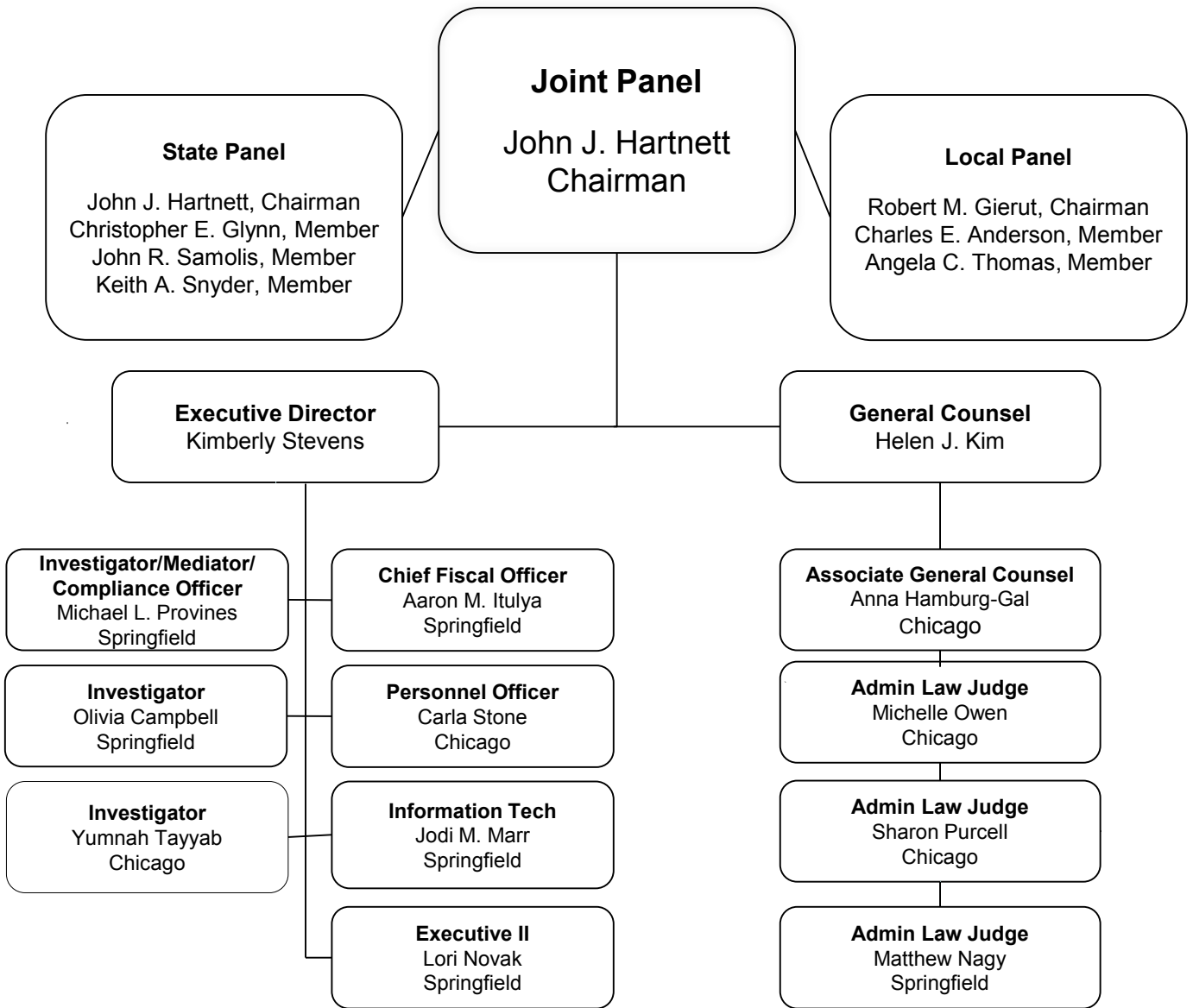


## Revocation of Prior Certification

<b>Case No.</b>	<b>Employer</b>	<b>Labor Organization</b>	<b>Date Revocation</b>	<b>Unit Description</b>
S-DD-18-001	City of Rock Falls	Illinois FOP Labor Council	7/28/2017	All full-time telecommunicators and community service officers
S-DD-18-002	Village of Braceville	General Teamsters, Local 179, IBT	8/1/2017	Part-Time Maintenance; Part-Time Maintenance/Deputy Clerk; Supervisor of Public Works; Village Clerk; Village Treasurer; Water Plant Operator
S-DD-18-003	City of North Chicago (Comptroller's Office)	Service Employees International Union, Local 73	8/1/2017	All employees of the City of North Chicago in its Comptroller's Office in the following titles: Accounting Manager; Accountant; Accounts Payable Clerk; Payroll Coordinator; Senior Billing Specialist
S-DD-18-004	Lawrence County State's Attorney	Laborers International Union of North America, Local 1197	8/10/2017	All full-time and permanent part-time employees in the following title: Administrative Assistant
S-DD-18-005	Decatur Park District	United Steel Workers Local 7-837-04	9/18/2017	All full-time, seasonal and part-time employees in the following classifications: Airport Safety Officers, ARFF, Airport Police I, II and III and Park Police I, II, and III
S-DD-18-006	Village of Broadview	Service Employees International Union, Local 73	9/29/2017	All sworn Firefighters below the rank of Lieutenant employed by the Village of Broadview
S-DD-18-007	State's Attorney of Marion County	Laborers International Union of North America, Local 1197	10/20/2017	All full-time and permanent part-time clerical employees and persons in the title of classification of Victims/Witness Advocate
S-DD-18-008	Village of Mundelein (Fire Department)	Mundelein Fire Officer's Association	11/29/2017	All persons in the rank or title of Lieutenant
S-DD-18-009	City of Sterling	Illinois FOP Labor Council	1/3/2018	All full-time dispatchers/telecommunicators
S-DD-18-010	County of Adams and Sheriff of Adams County	Int'l Association of Machinists and Aerospace Workers	4/9/2018	All full-time and regular part-time employees of the Adams County Sheriff's Department working as 'SWAP' employees

S-DD-18-011	County of Adams	Int'l Association of Machinists and Aerospace Workers	4/26/2018	All full-time and regular part-time employees of the Animal Control Department working as Animal Warden and Assistant Animal Warden
S-DD-18-012	County of Ogle and county Clerk and Recorder of Ogle County	Int'l Brotherhood of Teamsters, Local 722	4/26/2018	All full-time and regular part-time employees in the titles of Chief Deputy Clerk; Chief Deputy Recorder; Deputy Clerk; Deputy Recorder
S-DD-18-013	Village of Frankfort	Int'l Union of Operating Engineers, Local 150	5/3/2018	All full-time and regular part-time Police Sergeants
S-DD-18-014	Village of Villa Park	Int'l Brotherhood of Teamsters, Local 700	5/19/2018	All full-time sworn personnel employed by the Police Department in the rank or title of Sergeant and Lieutenant
S-DD-18-015	County of Fayette (Probation Office)	Laborers Int'l Union of North America	5/19/2018	All full-time and permanent part-time clerical employees

# Illinois Labor Relations Board FY 2018



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