



Illinois Labor Relations Board

2020
ANNUAL REPORT



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

This is the 36th annual report of the Illinois Labor Relations Board (ILRB) giving an overview of decisions rendered, statistics of case activity, relevant court decisions, our budget and staffing for the period of July 1, 2019 through June 30, 2020.

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.

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

Sincerely,

/s/ William E. Lowry

William E. Lowry
Chairman

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Jurisdiction of the Board

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

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

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

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

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

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

Funding of the Board

The Illinois Labor Relations Board received a budget appropriation of \$1,734,000 for Fiscal Year 2020. The ILRB received its funding through the General Revenue Fund (GRF). The ILRB had a lump sum rather than line item budget for Fiscal Year 2020. The line item figures represented below reflect expenditures for those lines. Figures on each line, including the total, were rounded to the nearest dollar.

FY 2020 Actual Expenditures	
Regular Positions	1,131,968
Social Security/Medicare	82,406
Contractual Services	48,652
Travel	4,370
Commodities	875
Printing	1,094
Equipment	1,097
Electronic Data Processing	70,617
Telecommunication	21,406
Agency Ops/Lump Sum	57
Total	1,362,542

Illinois Labor Relations Board Members

STATE PANEL

William E. Lowry (Chairman)
Chicago

John S. Cronin
Mokena

Kendra Cunningham
Murrayville

Jose L. Guidino
Orland Hills

Thomas Willis
Addison

LOCAL PANEL

Robert M. Gierut (Chairman)
Darien

Charles E. Anderson
Chicago

Angela C. Thomas
Chicago

Illinois Labor Relations Board Staff

EXECUTIVE DIRECTOR
Kimberly F. Stevens

GENERAL COUNSEL
Helen J. Kim

PERSONNEL OFFICER
Carla Stone

ASSOCIATE GENERAL COUNSEL
Anna Hamburg-Gal

CHIEF FISCAL OFFICER
Aaron M. Itulya

ADMINISTRATIVE LAW JUDGES
Donald W. Anderson

COMPLIANCE OFFICER/
INVESTIGATOR/MEDIATOR
Olivia Campbell

Matthew S. Nagy
Michelle N. Owen
Sharon A. Purcell

INVESTIGATOR
Tiara Mackins

INFORMATION TECHNOLOGY
Jodi M. Marr

CASE MANAGER
Cody Huffines

Functions of the Board

Case Processing

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

Petition Management (Representation Cases)

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

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

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

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

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

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

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

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

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

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

Election Petitions

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

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

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

Majority Interest Petitions

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

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

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

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

Unfair Labor Practice Charges

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

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

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

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

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

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

Other Issues Before the Board

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

Mediation/Arbitration Cases

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

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

Strike Investigations

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

Declaratory Rulings

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

Police Decertification Cases

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

Rulemaking

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

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

Public Act 101-620

On December 20, 2019, Governor J.B. Pritzker signed into law Public Act 101-620, amending the Illinois Public Labor Relations Act (IPLRA) and the Illinois Educational Labor Relations Act (IELRA) in addition to the Illinois Freedom of Information Act. Public Act (FOIA). The IPLRA is amended as follows:

Section 6:

- Requires, on a monthly basis, public employers to provide the exclusive representative of public employees specific information regarding employees who are members of the represented bargaining unit represented by the respective union its represented employees within 10 days of hire of new employees.
- Provides that an employer commits an unfair labor practice by improperly disclosing the required information. Public Act 101-620 made concurrent changes to FOIA.
- Grants labor organizations reasonable access to represented employees for grievances and union business/meetings without loss of pay or charge to leave time; grants unions affirmative access to facility bulletin boards/mailboxes to communicate with represented employees. Employers and unions may agree to greater access through collective bargaining.
- Eliminates the fair share provision.
- Allows for a period of irrevocability of authorization of membership per agreement of the employer and labor organization. Deems the irrevocability period reasonable if period lasts one year, may be automatically renewed, and the authorization contains at least an annual 10-day period during which an employee may revoke authorization. These provisions apply retroactively and prospectively to claims regarding authorization periods.
- Includes language governing timing and implementation of deductions by the employer. Employees no longer represented by a union may elect to continue deductions.
- Provides all employee requests regarding deductions (authorize, revoke, cancel, change) to be made to the exclusive representative unless otherwise agreed by the parties, and requires the exclusive representative to transmit such information to the employer. In such cases, the employer shall rely on the provided information and process the deductions, and the union shall indemnify the employer.

Provides an employer's failure to comply with dues deduction provisions to be a "violation of the duty to bargain and an unfair labor practice".

- Grants ILRB exclusive jurisdiction over dues disputes under the Act. Provides for the ILRB to escrow disputed dues where an exclusive representative does not have an account for the purpose of escrowing such disputed dues.

New Section 6.5:

- Provides statement of defense to liability claims regarding fair share fees collected prior to the United States Supreme Court decision in Janus v. AFSCME, Council 31 (June 27, 2018) that applies to existing and future claims. Indicates that it is a declaration of existing law.

Section 10:

- Under new Section 10(a)(8), an employer engages in an unfair labor practice when it interferes with, coerces, deters, or discourages public employees from becoming or remaining members of a union, authorizing representation by a union, or authorizing dues or fee deductions. This section further prohibits an employer from intentionally permitting outside third parties to use the employer's email/communication systems to engage in such conduct. Provides that an employer's good faith implementation of a policy to prohibit such use of communication/email systems is a defense to a ULP charge.
- Under new Section 10(a)(9), an employer's disclosure of employee information under Section 6 is an unfair labor practice if the employer knows or should know it will be used to interfere with, coerce, deter, or discourage public employees from becoming or remaining members of a union, authorizing representation by a union, or authorizing dues or fee deductions.
- Under new Section 10(d), an employer is prohibited from discouraging union membership or dues deductions or otherwise interfere with the relationship between employees and their unions. Employers are required to refer all inquiries about union membership to the union, except that the employer may communicate with employees about payroll processes and procedures. Employers are also required to establish email policies in order to prohibit use of the employer's email system by outside sources.

Board and Court Decisions

I. Representation Issues

07/10/19

ILRB LP

Confidential Employees

In *American Federation of State, County and Municipal Employees, Council 31 and City of Chicago*, 36 PERI ¶ 12 (IL LRB-LP 2019) (Case No. L-RC-16-035), AFSCME filed a majority interest representation petition seeking to represent employees working in the title of Supervisor of Personnel Services (SPS) at various departments within the City of Chicago in an existing bargaining unit. The Board accepted the ALJ's recommended decision and order dismissing the petition because the SPSs are confidential employees pursuant to Section 3(c) of the Act. The Board agreed with the ALJ that the employees satisfied the authorized access test because the SPS had advanced knowledge of contemplated discipline in the normal course of their duties. The Board declined to abandon recent Board precedent as urged by AFSCME.

08/13/19

ILRB LP

Managerial Employees

In *International Brotherhood of Teamsters, Local 700 and Chicago Transit Authority*, 36 PERI ¶ 36 (IL LRB-LP 2019) (Case No. L-RC-18-021), the ALJ found that employees working in the classification of Project Manager-Construction ("Project Manager") at the Chicago Transit Authority ("CTA") were not managerial employees excluded from bargaining under Section 3(j) of the Act. Applying the traditional managerial test, the ALJ found the Project Managers did not engage in executive and management functions because they served as part of a team, playing a subordinate and advisory role, and thus lacked the requisite authority and discretion in carrying out their duties. The ALJ also determined their recommendations on major policy issues were not generally accepted. The Employer filed exceptions contending: (1) the ALJ disregarded the Employer's evidence demonstrating that the Project Managers are predominantly engaged in executive and management functions; (2) improperly relied on the testimony of one witness; (3) improperly relied on or distinguished Board precedent; and (4) incorrectly determined that Project Managers are public employees because they work as a team and improperly downplayed the significance of the Project Managers' recommendations as to day-to-day operations. The Board rejected the exceptions finding that the portions of the record identified by the Employer did not outweigh the evidence relied on by the ALJ and therefore did not compel rejection of the ALJ's recommendations regarding the managerial test. The Board, however, modified the RDO to exclude footnote 5 as noted in the Employer's exceptions.

09/12/19

ILRB SP

Confidential Employees

In *American Federation of State County and Municipal Employees, Council 31 and Chief Judge of the Circuit Court of Cook County*, 36 PERI ¶ 42 (IL LRB-SP 2019) (Case No. S-RC-18-003), the Board adopted the ALJ's Recommended Decision and Order dismissing the majority interest petition filed by Petitioner seeking to represent employees in the title Investigator III working in the Cook County Juvenile Temporary Detention Center. Following the Board precedent in *Ill. Dep't of Central Mgmt. Servs. (Corrections)*, 33 PERI ¶ 121 (IL LRB-SP 2017), *aff'd sub nom. Metro. Alliance of Police, Chapter 294 v. Ill. Labor Relations Bd., State Panel*, 2018 Il App (1st) 171322-U

(unpublished order), the ALJ determined the Investigator IIIs, who substantiated or unsubstantiated allegations of misconduct, were excluded from collective bargaining as confidential employees because they had advanced knowledge of discipline. Although the Board found some merit to the AFSCME’s contention that the decision in Ill. Dep’t of Central Mgmt. Servs. (Corrections) relied on by the ALJ inappropriately expanded the authorized access test to include advanced knowledge of discipline, it adopted the RDO because that decision was affirmed by the Appellate Court in an unpublished order and to maintain consistency with the Board’s Local Panel decision in City of Chicago, 36 PERI ¶ 12 (IL LRB-LP 2019).

10/9/19

ILRB SP

Executive Director Election Order/Contract Bar

In *Policemen’s Benevolent and Protective Association—Labor Committee and County of Marion and County Clerk, Treasurer, Supervisor of Assessments, Coroner and Sheriff of Marion County, and Laborers International Union of North America*, 36 PERI ¶ 53 (IL LRB-SP 2019) (Case No. S-RC-19-060), the petitioning union filed a majority interest petition seeking to represent employees at various offices within the County of Marion in a bargaining unit previously certified by the Board. The incumbent union and the County had bargained two separate collective bargaining agreements for the bargaining unit scheduled to expire on different dates. One agreement covered only the employees of the County Highway Department and is set to expire on November 30, 2020, two years after the other agreement covering the remainder of the bargaining unit which expired on November 30, 2018. The Executive Director found no issues of representation exist and ordered an election. She determined the County and the incumbent union improperly bargained separate agreements outside the Board’s representation proceedings and that contract bar did not apply because the Board does not recognize a separate unit of Highway Department employees. The County appealed the order for an election contending the CBA covering the Highway Department employees bars the election, pointing to Section 1210.135(a)(1) of the Board’s rules which bars the filing of representation petitions filed outside the designated window when a collective bargaining agreement is in effect covering “all or *some of the employees in the bargaining unit.*” The petitioning union responded by contending the current arrangement creates the potential for perpetual representation of the bargaining unit due to the staggered expiration dates. The Board found the circumstances presented novel issues and notably, raised, at least, an issue of law regarding the effect of the “all or some” phrase in Section 1210.135(a)(1) and remanded the case for hearing.

12/11/2019

ILRB SP

Bargaining Unit Appropriateness

In *Laborers’ Int’l Union of North America and County of Clinton (Highway Dep’t)*, 36 PERI ¶ 88 (IL LRB-SP 2019) (Case No. S-RC-19-018), the Laborers’ International Union of North America, Local 773 (Union) filed a majority interest petition seeking to represent two employees working as Engineering Technicians in the Clinton County (County) Highway Department in a stand-alone bargaining unit. The ALJ found the presumption of inappropriateness did not apply because the Union was seeking only a portion of employees who perform similar duties. The ALJ then found the petitioned-for stand-alone bargaining unit to be inappropriate under the factors set forth in Section 9(b) of the Act. The Board rejected the ALJ’s recommendations with respect to the inappropriateness of the bargaining unit and granted the majority interest petition. The Board found the 9(b) factors supported the appropriateness of the petitioned for stand-alone unit, noting that the Act and precedent requires the Board to determine *an* appropriate unit for bargaining, not *a more or the most* appropriate one.

II. Employer Unfair Labor Practices

08/13/19

ILRB LP

Repudiation/Modification Under Section 7

In *International Brotherhood of Teamsters, Local 700 and County of Cook and Sheriff of Cook County*, 34 PERI ¶ 72 (IL LRB-LP 2019) (Case No. L-CA-15-042), Local 700 alleged the Employers violated Sections 10(a)(4) and 10(a)(1) of the Act when Respondents required unit members—Correctional Officers in the Sheriff’s Department of Corrections (DOC)—to pass a Physical Agility Test (PAT) as a condition of transfer to the Sheriff’s Court Services Department (CSD). Local 700 alleges the PAT prerequisite to transferring out of DOC repudiated the collective bargaining process by refusing to comply with the “Lunch Premium Award” and subsequent related arbitration awards and modified the collective bargaining agreement without bargaining in good faith as required by Section 7 of the Act. The ALJ found the “Lunch Premium Award,” *inter alia*, established a process by which unit members could transfer from the Department of Corrections unit to the Court Services Department (CSD) bargaining unit which did not include the PAT requirement, and that process was later incorporated in the parties’ collective bargaining agreement. This all occurred at time when Local 700 represented deputy sheriffs working in DOC as well as CSD. Upon certification of the Illinois Fraternal Order of Police Labor Council (IFOP) as exclusive representative of CSD deputies, the Employer negotiated a collective bargaining provision with IFOP whereby the PAT requirement would be instituted for any employee entering the CSD after September of 2014. A subsequent arbitration award determined the Respondents and Local 700 had agreed not to use the PAT as a transfer requirement for employees seeking to transfer from DOC into CSD, that the Respondents had not amended their agreement with Local 700 so as to implement the PAT requirement, and that, rather, the Respondents simply implemented the PAT requirement so as to apply after transferring employees were on the CSD payroll as a way of evading the provisions of the Lunch Premium Award and subsequent awards. Based on these facts, the ALJ found the Respondents repudiated and unlawfully modified, the collective bargaining agreement with Local 700 in violation of Sections 10(a)(4) and 10(a)(1) of the Act.

The Respondents filed multiple exceptions to the ALJ’s Recommended Decision and Order (RDO), contending, *inter alia*, that because Local 700 was decertified as the representative of the CSD unit and replaced as the bargaining representative by the IFOP, it lacked standing to challenge the terms of the bargaining agreement between the Respondents and the IFOP and that the arbitrator had no jurisdiction to evaluate the terms of the agreement between the Respondents and the IFOP. On consideration of the Respondents’ exceptions, the Board found them to be without merit. The Board accepted the ALJ’s recommendations and adopted them as the decision of the Board, determining the allegations in the Complaint, as well as the ALJ’s findings, were tailored to the allegations regarding the terms of the agreement covering the DOC bargaining unit and that the ALJ had considered the terms of the agreement between the Respondents and IFOP only as evidence of the Respondents’ repudiation of their agreement with Local 700. Moreover, the Board found that since the IFOP agreement called for DOC employees who transferred to the CSD unit but who did not pass the PAT to be returned to the DOC unit, the Local 700 agreement still applied to those returning members.

08/13/19

ILRB SP

Default/Grounds for Variance

In *International Association of Fire Fighters, Local 50 and City of Peoria*, 36 PERI ¶ 27 (IL LRB-SP 2019) (Case No. S-CA-18-160), the ALJ found the Respondent in default for failure to answer the complaint for hearing and thus found the allegations of the complaint—that the Respondent violated the Act by failing to give Local 50 a signed copy of the memorandum of understanding (MOU) regarding the staffing of 17 machines and by violating the terms of the MOU by unilaterally implementing a “brownout” policy—to have been admitted. In response to exceptions filed by

the Respondent, the Board's State Panel determined that, although the Respondent claimed that it was not aware of the complaint until it received the ALJ's RDO, the grounds for granting a variance from the Board's rule relating to the time for answering a complaint were not present in this case. Citing an extensive list of communications to the Respondent and its representative, as listed in the representative's Notice of Appearance, including issuance by the ALJ of an Order to Show Cause to which there was no response by the Respondent, the State Panel found that the lack of a response to the complaint and the Order to Show Cause and the lack of persuasiveness of the reasons given by the Respondent for this failure to respond warranted the denial of a variance. The matter is pending administrative review in the Appellate Court, Third District.

09/12/19

ILRB LP

Executive Director's Dismissal—Retaliation/Joint Employer Status/Definition of Employer

In *Chicago Journeymen Plumbers' Local 130, U.A., and City of Chicago*, 36 PERI ¶ 37 (IL LRB-LP 2019) (Case No. L-CA-18-072), the Board reversed the Executive Director's dismissal of a charge filed by Local 130 alleging the City of Chicago retaliated against Stanley DeCaluwe for filing a grievance over his discharge from the City by directing one of its contractors, NPL Construction, to terminate his employment. The charge was dismissed because the Executive Director determined DeCaluwe was not a public employee at the time of the complained of conduct and NPL Construction was not a public employer. Local 130 appealed contending the allegations raised issues of fact and law regarding NPL Construction's status as a joint employer. The Board reversed the dismissal observing the charge raised several issues of law and fact regarding whether the City blacklisted DeCaluwe, whether City's direction to NPL Construction due to DeCaluwe's grievance filing constitute an unlawful retaliation, and whether NPL Construction itself can be considered an employer under the Act in addition to whether it can be considered a joint employer. The Board then remanded the matter for further investigation into the relationship between the City and NPL Construction.

09/12/19

ILRB LP

Executive Director's Dismissal—Nexus/New Allegations on Appeal

In *Bonnie K. Miller-Herron and State of Illinois, Department of Central Management Services (Financial and Professional Regulation)*, 36 PERI ¶ 41 (IL LRB-SP 2019) (Case No. S-CA-19-065), the Board affirmed the Executive Director's dismissal of the charge filed by Bonnier Miller alleging her employer engaged in unfair labor practices when it denied her request for a flexible schedule. The Executive Director determined that the available evidence failed to indicate the employer took action against Miller because she participated in any activity protected by the Act. In affirming the dismissal, the Board declined to consider the new allegations included in Miller's appeal because it found the investigation was designed to illicit information from Miller to substantiate an unfair labor practice charge, but Miller failed to provide such information.

09/16/19

Illinois Appellate Court, First District Rule 23 Unpublished Order Retaliation/Threats/Protected Activity/Use of Office Space

In *Erik Slater v. Illinois Labor Relations Board*, 2019 IL App (1st) 181007-U, in and unpublished order, the First District affirmed the Board's decision in *Erik Slater and Chicago Transit Authority*, 34 PERI ¶ 160 (IL LRB-LP) (Case No. L-CA-16-017) finding the Chicago Transit Authority engaged in unfair labor practices within the meaning

of Sections 10(a)(1) and 10(a)(2) and (1) of the Act. The court affirmed the Board’s findings and conclusions that the CTA violated Section 10(a)(1) and 10(a)(2) by threatening and taking several adverse actions against Slater for engaging in protected activity but did not violated those sections of the Act when it denied Local 308, and consequently Slater, use of office space, finding that such denial not an adverse action because neither Local 308 nor Slater had a proprietary interest in the office space.

10/9/19

ILRB LP

Effects Bargaining/Unilateral Change/Layoffs

In *Policemen’s Benevolent Labor Committee and County of Cook and Sheriff of Cook County*, 36 PERI ¶ 54 (IL LRB-LP 2019) (Case No. L-CA-18-037), the union alleged Respondents implemented the layoff of unit members, Lieutenants in the Sheriff’s Department of Corrections, without first bargaining to impasse, the layoff decision and its effects. The ALJ found Respondents were not obligated to first bargain the decision to layoff the Lieutenants but were obligated to bargain the effects of the layoff. The ALJ found the effects the union wished to bargain included the effective date, seniority of the laid off lieutenants, compensatory time, and the assignments of the remaining Lieutenants, but Respondents implemented the layoffs before completion of bargaining over these subjects. The ALJ thus concluded the Respondents violated Section 10(a)(4) and derivatively, Section 10(a)(1) of the Act. Respondents filed exceptions. The Board rejected the ALJ’s recommendations and dismissed the complaint for hearing. The Board found Respondents were not obligated to bargain over the effective date of the layoff as the effective date is an inevitable consequence of the layoff decision. Regarding the remaining effects the union wished to bargain, the Board determined the parties’ collective bargaining agreement indicated the parties had already bargained over seniority and compensatory time, and the union waived bargaining over assignments.

10/9/19

ILRB LP

Executive Director’s Dismissal—Retaliation

In *Derek B. Webb and City of Chicago*, 36 PERI ¶ 55 (IL LRB-LP 2019) (Case No. L-CA- 19-095), the Executive Director dismissed as untimely the charge filed by Derek Webb alleging the City of Chicago committed unfair labor practices when it ceased to assign him to the City’s Warrant Desk. The Board affirmed the Executive Director’s dismissal regarding the Warrant Desk allegation, but determined that Webb, a pro se litigant, amended his charge during the investigation to include allegations that the City retaliated against him by denying overtime opportunities because he engaged in protected activity and remanded the case for further investigation into the new allegations.

10/9/19

ILRB SP

Unilateral Change/Retaliation/Amendment to Complaint/Adequate Remedy

In *North Riverside Fire Fighters, Local 2714 and Village of North Riverside*, 36 PERI ¶ 56 (IL LRB-SP 2019) (Case No. S-CA-18-108), the Board adopted the ALJ’s findings and conclusions that the Village of North Riverside committed unfair labor practices in violation of Sections 10(a)(1), 10(a)(2), and 10(a)(4) but modified a portion of the remedy. The complaint for hearing alleged the Village unlawfully changed the health insurance of newly-hired firefighters during the pendency of impasse resolution proceedings and threatened to retaliate against the newly-hired firefighters because the union filed a grievance over the change in their health insurance. The union moved to amend the complaint to include the allegation that the Village terminated a probationary firefighter in retaliation for the union filing the health insurance grievance and for pursuing the unfair labor practice charge. The ALJ amended the

complaint to include the retaliation allegation and concluded the union successfully proved the allegations and supported recommending the Village's conduct violated the Act. Regarding the remedy for the discharge firefighter, the ALJ recommend the extension of the probationary period along with backpay and interest. The Board, however, determined the extension of the probationary period inadequately remedied the Village's unlawful conduct because merely extending the probationary period would only serve to provide another opportunity to discharge the firefighter. Thus, the Board ordered reinstatement as a permanent firefighter with backpay plus interest, finding such remedy would best effectuate the purposes of the Act.

11/18/19

ILRB LP

Amended Complaint/Weingarten Rights/Retaliation/Adverse Action/Motive

In *Isis Collins and Chicago Transit Authority*, 36 PERI ¶ 70 (IL LRB-LP 2019) (Case No. L-CA-18-049), Charging Party, a bus operator with the CTA, alleged the CTA violated the Act when it continued to question Charging Party about her on-duty injury after she asked for union representation, threatened her with discipline for requesting union representation, and then harassed her by threatening to call the police in retaliation for requesting union representation. The ALJ amended the complaint to include allegations regarding Charging Party's Weingarten rights and then determined the CTA violated Section 10(a)(1) when it continued to question her after she invoked her Weingarten rights and then retaliated against her for invoking them. The ALJ determined the interview regarding Charging Party's injury on duty was investigatory in nature because her manager advised that false statements given during the interview could be used against the Charging Party and the hard drive would be reviewed. The ALJ concluded Charging Party's request for union representation during the interview amounted to her invocation of Weingarten rights. The ALJ next found that the CTA unlawfully harassed and intimidated Charging Party by threatening to call the police to have her arrested and documenting and reporting her unauthorized presence on CTA property. The Board rejected the ALJ's recommendations that the CTA violated the Act and dismissed the complaint for hearing in its entirety. The Board rejected the ALJ's recommendation to amend the complaint, reasoning the interview at issue was not investigatory in nature such that Charging Party's Weingarten rights were invoked. The Board then rejected the ALJ's recommendations with respect to retaliation, finding the complained of actions did not constitute adverse employment actions and even if they could be considered to be adverse actions, there was no causal connection between the alleged harassment and Charging Party' call for union's assistance.

12/11/2019

ILRB SP

Timeliness/Submission of Permissive Subject/Interest Arbitration

In *Metropolitan Alliance of Police, Bolingbrook Chapter #3 and Village of Bolingbrook (Police Dep't)*, 36 PERI ¶ 87 (IL LRB-SP 2019) (Case No. S-CA-18-092), the Board rejected the ALJ's recommendation to dismiss the complaint for hearing as untimely and remanded the case to the ALJ to issue a supplemental recommended decision and order on the merits of complaint's allegations. The underlying charge alleged the Village engaged in unfair labor practices by submitting a permissive subject to an interest arbitrator who selected the Village's status quo proposal containing the permissive subject. The ALJ found the charge untimely based on his determination that the parties' submission of final offers to the interest arbitrator triggered the Act's six-month limitations period rather than the date of the award as argued by Charging Party. The Board, however, relying on the First District's decision in *Skokie Firefighters Union, Local 3033 v. Illinois Labor Relations Board, State Panel, et al.*, 2016 IL App (1st) 152478, found the triggering event to be the date the arbitrator issued his award and found the charge timely filed.

12/11/2019

ILRB SP

Repudiation/Employer Control/Jurisdiction

In *Laborers' Int'l Union of North America and Alexander County Housing Authority*, 36 PERI ¶ 85 (IL LRB-SP 2019) (Case No. S-CA-18-007), the Board accepted the ALJ's Recommended Decision and Order dismissing the complaint for hearing that alleged the Employer repudiated its collective bargaining agreement with Charging Party in violation of Section 10(a)(4) of the Act. The ALJ found the Employer lacked the requisite control over the decision to abrogate the parties' collective bargaining agreement and decisions regarding the terms and conditions of employment due to the U.S. Department of Housing and Urban Development's takeover of the Employer's implementation of the HUD's Low Income Housing Program. The Board noted that it lacked authority to find HUD's actions to have violated the Act for the Act's definition of "public employer" or "employer" does not include federal agencies. Charging Party petitioned for administrative review of the Board's decision. The petition is currently pending before the Illinois Appellate Court, Fourth District.

12/11/19

ILRB LP

Executive Director Dismissal/Timeliness/Retaliation

In *Derek Webb and City of Chicago*, 36 PERI ¶ 86 (IL LRB-LP 2019) (Case No. L-CA-19-110), Charging Party alleged the Employer engaged in unfair labor practices within the meaning of Section 10(a) of the Act by investigating him for providing his union with confidential information related to grievances and denying his requests for information under the Freedom of Information Act in retaliation for previously serving in union leadership roles. The Executive Director dismissed portions of the charge on timeliness grounds and the remainder of the allegations on grounds the available evidence failed to support a retaliation claim under either Section 10(a)(1) or Section 10(a)(2) of the Act. Upon Charging Party's appeal, the Board affirmed the Executive Director's dismissal.

12/11/19

ILRB LP

Unilateral Change/Abeyance

In *Fraternal Order of Police, Lodge #7 and City of Chicago*, 36 PERI ¶ 84 (IL LRB-LP 2019) (Case No. L-CA-17-034) FOP filed an unfair labor practice charge against the City of Chicago alleging the City unilaterally implemented its CR Matrix CR Guidelines in violation of Sections 10(a)(4) and 10(a)(1) of the Act. The ALJ found the City violated Sections 10(a)(4) and 10(a)(1) of the Act when it implemented the CR Matrix and Guidelines without first bargaining such with the Union. The Board, in consideration of the parties' ongoing negotiations for a successor agreement and at the parties' request, held the case in further abeyance with directions to the parties to report either the outcome, if any, or the status of negotiations on or before November 8, 2020.

12/17/19

ILRB LP

Unilateral Change/Abeyance

In *Fraternal Order of Police, Lodge #7 and City of Chicago (Department of Police)*, 36 PERI ¶ 91 (IL LRB-LP 2019) (Case No. L-CA-16-079), the ALJ found the City did not engage in unfair labor practices by unilaterally implementing a policy known as the "Transparency Policy" that provided for the release of video footage in connection with investigations into police officer misconduct. The Union filed exceptions and the City filed a response. In light of the parties continuing negotiations and at the request of the parties, the Board held the case in further abeyance and directed

parties to report either the outcome, if any, or the status of negotiations on or before November 8, 2020.

02/6/20

ILRB SP

Retaliatory Discharge/Reversal of Dismissal/Issuance of Complaint

In *American Federation of State, County, and Municipal Employees, Council 31, and County of DuPage (DuPage Care Center)*, 36 PERI ¶ 114 (IL LRB-SP 2020) (Case No. S-CA-19-121), the Board's Executive Director dismissed a charge alleging the Employer retaliated against one of its employees by discharging him for serving as a Union steward and for threatening to report a nursing supervisor to the Union regarding a dispute resulting from a voluntary overtime assignment. The Executive Director dismissed the charge for lack of evidence of the Employer's unlawful motive. She found the Union failed to provide a nexus between the employee's threat to report the nursing supervisor to the Union and his discharge. She also found dismissal warranted because the evidence demonstrated that the employee had in fact engaged in the conduct for which the Employer claimed he was discharged, and that the Employer would have discharged the employee in the absence of the alleged protected activity. Moreover, the Executive Director observed that Charging Party did not allege an independent Section 10(a)(1) claim. Nevertheless, she determined that the evidence failed to indicate a violation under either Section 10(a)(1) or 10(a)(2). Upon appeal, the Board reversed the dismissal and directed issuance of a complaint for hearing. The Board found the Union raised issues of both fact and law as to the elements of a prima facie case on the ultimate issue of whether the employee was discharged because of his protected union and concerted activity in violation of Section 10(a)(1) and 10(a)(2) of the Act.

02/6/20

ILRB SP

Unilateral Change/Mandatory Subject/Waiver

In *Policemen's Benevolent and Protective Association, Unit #5 and Springfield Firefighters, IAFF Local 37, and City of Springfield*, 36 PERI ¶ 113 (IL LRB-SP 2020) (Case Nos. S-CA-19-046, S-CA-19-066 *Consol.*), the Board adopted the ALJ's Recommended Decision and Order finding the City violated Sections 10(a)(4) and derivatively, 10(a)(1) of the Act when it implemented a rule change approved by the City's civil service commission which gave preference points to promotional candidates for City residency. Applying the Central City test, the ALJ found the use of residency preference points in the promotional process concerned a mandatory subject of bargaining and concluded the City was obligated to bargain the decision to change the rule. The ALJ further concluded the Charging Parties did not waive bargaining over residency preference points. Lastly, the ALJ determined the City unlawfully failed to maintain the status quo during the pendency of Section 14 interest arbitration with Charging Parties.

In adopting the ALJ's recommendations, the Board rejected the City's exceptions on both procedural and substantive grounds. Procedurally, the Board found one of the City's exceptions failed to comport with Section 1200.135(b)(2) of the Board's rules because the exception was not supported by citations to the record or authority. The Board also noted the City failed to contest many of the ALJ's findings and determinations forming the basis for his conclusion that the City engaged in unfair labor practices and thus, waived those exceptions. The Board then rejected the City's reliance on the Board's decision in City of Springfield (IBEW et al.), 35 PERI ¶ 15 (IL LRB-SP 2018), in which the Board reversed the ALJ's finding that the City unlawfully changed its accrued vacation payout policy by adopting an ordinance. The Board distinguished that case, finding that the parties had the opportunity to bargain, and in some cases did so, before the effective date of the ordinance, whereas in the instant case, the rule change became effective upon approval by the Commission and there was no indication in the record that Charging Parties were given notice of or an opportunity to bargain, or bargained, the proposed change before it was approved by the Commission.

03/10/20

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

In *Travis Koester v. Illinois Labor Relations Board, County of Sangamon and Sheriff of Sangamon County*, 2020 IL App (4th) 180754-U, the Fourth District, in an unpublished order, affirmed the Board's decision in *Travis Koester and County of Sangamon and Sheriff of Sangamon County*, 35 PERI ¶ 70 (IL LRB-SP 2018) (S-CA-16-133) dismissing the complaint for hearing. Charging Party, a member of the Sangamon County Sheriff's Tactical Response Unit (TRU), had alleged the Sangamon County Sheriff removed him from the TRU because he filed grievances in violation of Section 10(a)(1) of the Act. The grievances were filed over the promotion of three individuals, two of whom were fellow TRU members. Claiming trust among TRU members to be vital to the successful operation of the highly specialized law enforcement unit, Respondents removed Charging Party from the unit because the other TRU members expressed a lack of trust in the Charging Party due to the nature of the grievances filed. Charging Party's fellow TRU members requested his removal after a meeting with TRU members. The ALJ concluded the Respondent retaliated against Charging Party because he filed grievances in violation of Section 10(a)(1) of the Act. The Board rejected the ALJ's recommendation and dismissed the complaint, finding that the Charging Party had not established the requisite causation, i.e., that the Charging Party's filing of the two grievances was the motivating factor in the Sheriff's decision to remove him from the TRU, and finding instead, the evidence supported the conclusion that it was lack of trust in Charging Party by his fellow team members that caused his removal from the unit.

06/19/20

**ILRB LP
Dismissal/Retaliation**

In *Carmen Rentas and County of Cook, Health and Hospital System*, 37 PERI ¶ 2 (IL LRB-LP 2020) (Case No. L-CA-19-078), Charging Party, an Administrative Assistant IV at the County of Cook's Stroger Hospital, which is a title represented by the Retail, Wholesale, and Department Store, Local 200, filed an unfair labor practice charge which alleged that the County retaliated against her because of her race and/or national origin. The Executive Director dismissed the charge on grounds that Charging Party failed to allege the County took action against her for engaging in activity protected by the Act, noting that the charge appeared to claim the County took action against Charging Party because of her gender, national origin, and age. Upon appeal, the Board affirmed the dismissal.

III. Union Unfair Labor Practices

07/10/19

**ILRB LP
Executive Director's Dismissal—Breach of Duty of Fair Representation**

In *Glenn E. Jones and Amalgamated Transit Union, Local 241*, 36 PERI ¶ 11 (IL LRB- LP) (Case No. L-CB-19-020), the Executive Director dismissed a charge alleging that the Respondent Union had engaged in unfair labor practices when it allegedly breached its duty of fair representation by failing to seek enforcement on behalf of employees in the classification of bus server of the wage provisions of a collective bargaining agreement and by pursuing a grievance regarding those wage provisions on behalf of mechanics and car servers, but not bus servers. On appeal, the Board affirmed the dismissal because the Charging Party failed to raise issues of fact or law necessitating a hearing. In support of its decision, the Board noted it will not second guess a union's administrative decision regarding grievance handling unless there is compelling evidence of intentional misconduct, citing *American Federation of State, County and Municipal Employees, Council 31 (Jackson)*, 33 PERI ¶ 34 (IL LRB-SP 2016). With respect to the Charging Party's additional contention that the Union breached its duty of fair representation by

entering into a contract that was unfair to bus servers, the Board declined to accept the Executive Director's determination that part of the charge was untimely but found that the Executive Director correctly determined that the Charging Party had raised no issues of fact or law requiring a hearing on the merits as to that contention.

08/13/19

ILRB SP

Timeliness/Breach of Duty of Fair Representation

In *Vincent Clemens and Wauconda Professional Firefighters, International Association of Firefighters, Local 4876*, 36 PERI ¶ 28 (IL LRB-SP) (Case No. S-CB-18-036), the Executive Director dismissed a charge that the Respondent Union had engaged in unfair labor practices when it allegedly retaliated against the Charging Party by conspiring with the Employer (Wauconda Fire Protection District) to defeat his disability claim before the local pension board and by allegedly refusing to represent him in disciplinary matters. The Charging Party alleged that the Union engaged in such conduct in retaliation for the Charging Party's having supported another union during efforts to organize the Employer's fire captains and lieutenants. The Executive Director dismissed the charge on timeliness grounds and determined that, even if the charge were timely, it failed to raise issues warranting a hearing. On appeal, the Board affirmed the dismissal, finding the Executive Director correctly found the time period began to run on the date that the Union filed its petition to intervene in the hearing, rather than on the date of the hearing itself. With respect to the Charging Party's assertion that the Union's action was a continuing violation, the Board noted that the continuing violation doctrine cannot make actionable alleged unlawful conduct occurring outside the limitations period. In regard to the merits of the charge, the Board found the available evidence failed to indicate the existence of issues for a hearing, noting that although the Charging Party alleged that the Union was motivated against him in light of his having encouraged support of a rival union, nothing in the appeal or supporting materials indicated that the Union took the allegedly adverse action *because* of this alleged animus.

08/16/19

Illinois Appellate Court, First District Rule 23 Unpublished Order Timeliness/Breach of Duty of Fair Representation/Motion for Sanctions

In *Carlo J. Carlotta v. Illinois Labor Relations Board*, 2019 IL App (1st) 182002-U, the First District in an unpublished order affirmed the Board's decision in *Illinois Council of Police (Carlotta)*, 35 PERI ¶ 38 (IL LRB-SP 2018) (Case No. S-CB-18-021) sustaining the dismissal of Carlotta's charge alleging the Union engaged in intentional misconduct by refusing to arbitrate a grievance over his termination from employment. The court affirmed the Board's finding that Carlotta's appeal lacked merit and the Executive Director properly dismissed the charge.

10/9/19

ILRB SP

Executive Director's Dismissal—Timeliness/Breach of Duty of Fair Representation/Motion for Sanctions

In *Thomas Tate and Carmelita Terry and Illinois Municipal Police Association #1*, 36 PERI ¶ 53 (IL LRB-SP 2019) (Case No. S-CB-19-016), the Board affirmed the Executive Director's dismissal of the charge alleging the union breached its duty of fair representation when it withdrew and refused to settle grievances filed by the charging parties over their failure to be promoted. The Executive Director dismissed the charge because the available evidence failed to raise issues of fact or law for hearing. The charging parties appealed contending the Executive Director did not consider their claim that the union refused to settle their promotion grievance not to discriminate against charging parties but to work against them so that members of the union leadership would be promoted instead. The Board

found no evidence indicating misconduct on the part of the union. The Board also denied the union's motion for sanctions on procedural and substantive grounds.

11/18/2019

ILRB LP

Dismissal/Breach of Duty of Fair Representation/Discrimination/Grievance Handling/Fair Share Status

In *Derek B. Webb and American Federation of State, County, and Municipal Employees, Council 31*, 36 PERI ¶ 71 (IL LRB-LP 2019) (Case No. L-CB-19-038), Charging Party alleged his Union engaged in unfair labor practices within the meaning of Section 10(b) of the Act by failing to respond to Charging Party's inquiries regarding three previously filed grievances, refusing to file an unfair labor practice charge against his employer, the City of Chicago, and refusing to file additional grievances on his behalf, to retaliate against Charging Party for urging conversion to fair share membership instead of full-fledged membership with the Union. The Executive Director dismissed portions of the charge on timeliness grounds and the remainder of the allegations on grounds the available evidence failed to raise an issue of fact or law to warrant a hearing. Noting that under Board precedent a union is afforded substantial discretion in deciding to pursue grievances unless the union is motivated by vindictiveness, discrimination, or enmity, the Executive Director observed the Union provided evidence indicating it had "legitimate reasons" for the actions at issue and concluded the available evidence failed to indicate a causal connection between Charging Party's advocacy of fair share status. On appeal, the Board affirmed the dismissal.

01/9/20

ILRB LP

Dismissal/Breach of Duty of Fair Representation/Grievance Handling

In *Anthony Weeden and Service Employees International Union, Local 73*, 36 PERI ¶ 99 (IL LRB-LP 2020) (Case No. L-CB-19-052), Charging Party, an employee of Cook County Facilities Management who is represented by Respondent, alleged Respondent engaged in unfair labor practices within the meaning of Section 10(b) of the Act when it failed to advance Charging Party's discharge grievance to arbitration. The Executive Director dismissed the charge on grounds the record contained insufficient evidence of Respondent's intentional misconduct as there was scant evidence that Respondent was biased against or harbored any hostility toward Charging Party. Furthermore, the Executive Director found Charging Party failed to establish the necessary causal connection between the alleged bias and Respondent's decision not to pursue the grievance. On appeal, the Board affirmed the dismissal. The Board declined to consider Charging Party's evidence of the Union's alleged animosity because he failed to submit such evidence during the investigation and then failed to include such materials along with his appeal, citing Sections 1220.40(a)(1) and 1200.135(a)(1) of the Board's rules.

01/9/20

ILRB SP

Dismissal/Timeliness/Breach of Duty of Fair Representation

In *Tonette Elder and American Federation of State, County, and Municipal Employees, Council 31*, 36 PERI ¶ 101 (IL LRB-SP 2020) (Case No. S-CB-19-028), the charge alleged the Union engaged in unfair labor practices when it inadequately handled her discharge grievance due to the Union's bias against her. The Executive Director dismissed the charge as untimely and on grounds Charging Party failed to identify any Union bias, hostility or motive against Charging Party when it failed to acknowledge or accept documentation of Charging Party's promotion in handling her discharge grievance. The Executive Director also determined Charging Party failed to raise an issue for hearing as to Union's abuse of its discretion in handling grievances. On appeal, the Board affirmed the dismissal for the reasons

cited by the Executive Director.

01/9/20

ILRB SP

Dismissal/Breach of Duty of Fair Representation/Dues Payment Status

In *James Cochran and American Federation of State, County, and Municipal Employees, Council 31*, 36 PERI ¶ 102 (IL LRB-SP 2020) (Case No. S-CB-20-008), Charging Party alleged Respondent engaged in unfair labor practices when it failed to timely pursue his grievance because he was not a dues-paying member of the Respondent. The Executive Director dismissed the charge finding Charging Party failed to identify any evidence Respondent failed to pursue his grievance to discriminate against him. The Executive Director noted Charging Party failed to submit evidence Respondent processed dues-paying members' grievances more efficiently than those of non-dues paying members and that Charging Party advised Respondent that he did not want the grievance filed when Respondent's steward attempted to file the grievance within the contractual time period. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director, observing there was no material difference in the way the Executive Director construed the basis of the charge—discrimination based on dues payment status—and Charging Party's contention that his charge is based on the failure to fairly represent him due to his "non-paying member" status or his status as a "non-fair share paying member."

IV. Strike Investigations

7/10/19

ILRB SP

Strike Investigation

In *QComm and American Federation of State, County, and Municipal Employees, Council 31*, 36 PERI ¶13 (IL LRB-SP 2019) (Case No. S-SI-20-001), QComm filed a Petition for Strike Investigation with the State Panel pursuant to Section 18 of the Act and Section 1230.190 of the Board's Rules and Regulations, 80 Ill. Admin. Code Sections 1200 through 1240 (Rules). QComm, an intergovernmental emergency dispatch center, claimed that a strike threatened by AFSCME, Council 31, the exclusive representative of a bargaining unit composed of QComm employees performing telecommunications duties, constituted a clear and present danger to the health and safety of the public. After an investigation and expedited hearing, the Board found that a clear and present danger to the health and safety of the public would exist if the employees who are responsible for 911 emergency dispatch duties and perform functions that impact public health and safety engaged in a strike. The Board also found there were no available, adequate substitutes for the employees at issue in the event of a strike and observed that the parties failed to present any adequate compromise that would permit some dispatchers to strike while requiring other dispatchers to remain on the job.

General Counsel's Declaratory Rulings

S-DR-19-002 *City of Litchfield and Illinois Fraternal Order of Police Labor Council, 36 PERI ¶ 22 (IL LRB GC) 7/24/19*

The Employer filed a unilateral petition seeking a declaratory ruling regarding whether the Union's proposals to include the Patrol Dispatcher position in the recognition clause of the parties' collective bargaining agreement and to maintain reference to the rank of "sergeant" in the collective bargaining agreement provision pertaining to hours of work concerned permissive or mandatory subjects of bargaining.

Noting dispatchers are not part of the bargaining unit certified by the Board, the General Counsel determined the terms and conditions of employment of non-unit employees are not mandatory subjects of bargaining unless those terms and conditions "vitaly affect" the terms and conditions of employment of unit employees. In addition, the General Counsel observed, the Union's "recommendation" could also be viewed as a proposal to change the scope of the unit, which is a permissive subject of bargaining. Regarding the "sergeant" reference in the workday provision of the collective bargaining agreement, the General Counsel determined that it was a mandatory subject of bargaining because it concerned the hours of a unit employee.

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

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

L-DR-21-001 *Fraternal Order of Police, Lodge #7 and City of Chicago (Police Department) Illinois Fraternal Order of Police Labor Council, 37 PERI ¶ 48 (IL LRB GC) (October 16, 2020)*

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

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

L-DR-20-001 *Fraternal Order of Police, Lodge #7 and City of Chicago (Police Department) Illinois Fraternal Order of Police Labor Council, 37 PERI ¶ 65 (IL LRB GC) (October 30, 2020)*

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

Interest Arbitration Awards

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

S-MA-18-341	<u>Village of Oak Lawn and Oak Lawn Professional Firefighters, Local 3405, IAFF</u> Martin H. Malin, #733 1. Wages/Salaries 2. Benefit Freeze 3. Overtime, Overtime Distribution, Working Out of Classification 4. Minimum Staffing 5. General Principals 6. Retiree Medical Benefits 7. Residency 8. Paramedic Certification 9. Retroactivity	7/3/2019
S-MA-17-100	<u>St. Clair County (CENCOM) and Illinois FOP Labor Council</u> Mark W. Suardi, #735 1. Duration - Union's proposal 2. Wage Increases - Union's proposal 3. Funeral Leave - Employer's proposal	9/6/2019
S-MA-18-226 FMCS #: 191019-00680	<u>Village of Shiloh and Illinois FOP Labor Council</u> Jerome A. Diekemper, #736 1. Base pay - Village's proposal 2. Longevity step pay	10/1/2019
S-MA-19-005 Arb. Ref.: 19-262	<u>County of McHenry and McHenry County Sheriff and Illinois FOP Labor Council</u> Edwin H. Benn, #738 1. Duration 2. Insurance 3. Wages 4. Fair Share 5. Uniform language 6. Tentative agreements 7. Retroactivity	10/21/2019
S-MA-19-203	<u>City of Litchfield and Illinois FOP Labor Council</u> Michael Wojcik, #739 1. Vacation Days - Union's offer 2. Sick Days Accumulation - Employer's offer 3. Personal Leave Days - Employer's offer 4. Wages - Employer's offer 5. Take-Home Cars - Employer's offer	1/6/2020

S-MA-18-084	<u>County of McLean and Sheriff of McLean County and Illinois FOP Labor Council</u> James A. Murphy, #740 1. Wages - Employer's final offer 2. Demotions - Union's final offer as amended 3. Drug Testing - Union's final offer 4. Sick Leave - Employer's final offer	2/14/2020
S-MA-18-326	<u>City of Springfield and Policemen's Benevolent and Protective Association, Unit #5</u> Brian E. Reynolds, #741 1. Residency - Union's final offer 2. Wages - City's final offer 3. Sick Bonus Day Usage - Union's final offer	2/24/2020
S-MA-19-007 FMCS #: 190521-07339	<u>County of Williamson and Williamson County Sheriff and Illinois FOP Labor Council</u> Jerome A. Diekemper, #743 1. Wages - Union's proposal 2. Tentative agreements 3. Economic Terms retroactive to 12/1/2018	4/3/2020
S-MA-19-227	<u>City of Wood River and United Steelworkers Local 9189</u> Peter R. Meyers, #742 1. Vacation Buy-Back/Carryover - Union's proposal 2. Treatment of Workers Compensation Leave for Purposes of Premium Pay - Union's proposal 3. Sick Leave Buy-Back - Union's proposal 4. Work Schedule - Employers Proposal	4/16/2020
S-MA-18-345 S-MA-18-346 FMCS #: 190813-10014	<u>County of Shelby and Sheriff of Shelby County and Illinois FOP Labor Council</u> Gregory P. Szuter, #745 1. Base pay, Unit A - Employers final proposal 2. Base pay, Unit B - Union's final proposal 3. Insurance premium - Union's final proposal	5/11/2020
S-MA-19-194	<u>City of Highland and Illinois FOP Labor Council</u> Matthew W. Finkin, #744 Wages – City’s offer	5/14/2020
S-MA-19-227 Supplemental	<u>United Steelworkers Local 9189 and City of Wood River</u> Peter R. Meyers, #746 Insurance, Spouse Rule	6/22/2020

S-MA-19-220

City of Sycamore and Illinois FOP Labor Council
Edwin H. Benn, #747

6/22/2020

1. Duration
2. Wages
- . Insurance
4. Reopener
5. Clothing allowance and equipment
6. Tentative Agreements
7. Maintenance of Positions
8. Retention of Jurisdiction

L-MA-12-006

City of Chicago (Police Department) and Policemen's Benevolent and Protective Association, Unit 156B
George T. Roumell, #751

6/26/2020

Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
Unfair Labor Practice Charges			
CA	136	48	184
CB	<u>30</u>	<u>31</u>	<u>61</u>
Total	166	79	245
Representation Cases			
AC	0	0	0
RC	63	20	83
RD	8	0	8
UC	67	5	72
VR	1	0	1
DD	<u>17</u>	<u>0</u>	<u>17</u>
Total	156	25	181
Grievance Arbitration Cases	9	0	9
Mediation/Arbitration Cases	<u>269</u>	<u>4</u>	<u>273</u>
Total	278	4	282
Declaratory Rulings	0	2	2
Strike Investigations	1	0	1
Total Caseload	601	110	711

- 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	16	0	16
“No Representation” Prevailed	2	0	2
Cases Certified	18	0	18
Number of Units Certified (Majority Interest)	34	23	57
Voluntary Recognized Representatives	1	0	1
Revocation of Prior Certifications	17	0	17

Unfair Labor Practice Charges Workload

	2019	2020
Cases pending start of fiscal year	396	366
Charges filed during fiscal year	355	245
Total caseload	751	611
Total cases closed	385	255

Petition Management (Representation) Workload

	2019	2020
Petitions pending start of fiscal year	96	212
Petitions filed during fiscal year	316	181
Total caseload	412	393
Total cases closed	200	340

Case Actions in FY 2020

	STATE PANEL	LOCAL PANEL	TOTAL
I. BOARD DECISIONS			
(A) With exceptions filed			
CA	8	9	17
CB	4	3	7
RC	<u>3</u>	<u>2</u>	<u>5</u>
Total	15	14	29
(B) With no exceptions filed			
CA	8	4	12
CB	1	1	2
RC	1	10	11
UC	<u>0</u>	<u>6</u>	<u>6</u>
Total	10	21	31
(C) Strike Investigations			
	1	0	1
(D) Declaratory Ruling			
	1	0	1
II. ADMINISTRATIVE DISMISSALS			
(Not appealed to the Board)			
CA	35	40	75
CB	23	34	57
RC	<u>0</u>	<u>1</u>	<u>1</u>
Total	58	75	133
III. CERTIFIED			
AC	0	0	0
DD	16	0	16
RC/RM/RD	52	23	75
UC	67	5	72
VR	<u>1</u>	<u>0</u>	<u>1</u>
Total	136	28	164
IV. WITHDRAWALS			
CA	95	22	117
CB	10	5	15
RC	11	1	12
RD	6	0	6
UC	<u>154</u>	<u>0</u>	<u>154</u>
Total	276	28	304

Certifications of Representative

Case No.	Employer	Labor Organization	Date Certified	Prevailing Party	# of Employees	Unit Description
L-RC-19-034 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	7/3/2019	AFSCME	12	Add to Bargaining Unit #1 Program Development Coordinator Code 3899
S-RC-19-055	Illinois Secretary of State	Illinois FOP Labor Council and Policemen's Benevolent Labor Committee	7/12/2019	FOP	41	All police officers in the following classification: Capitol Police Investigator
S-RC-19-056	Illinois Secretary of State	Policemen's Benevolent Labor Committee and Int'l Brotherhood of Teamsters, Local 700	7/12/2019	PBLC	11	All employees in the Department of Police in the following classification: Investigator-Sergeant
S-RC-19-066 <i>Majority Interest</i>	Village of Schiller Park (Fire Department)	Associated Firefighters of Illinois, AFFI-IAFF	8/1/2019	AFFI	22	All full-time employees in the following titles: Firefighter Paramedic; Lieutenant Paramedic
S-RC-20-001 <i>Majority Interest</i>	Village of Crestwood	Illinois Council of Police	8/1/2019	ICOP	53	All part-time police officers
S-RC-20-002 <i>Majority Interest</i>	Bureau County Emergency Telephone System Board (BuComm)	Illinois FOP Labor Council	8/13/2019	FOP	10	All full-time and part-time employees in the following titles: Telecommunicator; Lead Telecommunicator
L-RC-18-021 <i>Majority Interest</i>	Chicago Transit Authority	Int'l Brotherhood of Teamsters, Local 700	8/14/2019	Teamsters	7	All full-time employees of the Capital Construction Division, in the following classification: Project Manager-Construction
L-RC-19-003 <i>Majority Interest</i>	City of Chicago (Police Department)	American Federation of State, County and Municipal Employees Council 31	8/14/2019	AFSCME	11	Add to Bargaining Unit #3 Criminal Intelligence Analyst (Code 9117)

S-RC-19-063 <i>Majority Interest</i>	Village of Rochester	Int'l Union of Operating Engineers, Local 965	8/21/2019	IUOE	1	Add to S-RC-19-038 Part-time Seasonal Mower
S-RC-20-007 <i>Majority Interest</i>	City of Bunker Hill	Laborers Int'l Union of North America, Local 338	8/22/2019	Laborers	6	All full-time and regular part-time employees in the following titles: Police Officer; Chief of Police; Water Clerk; Deputy Clerk
S-RC-20-011 <i>Majority Interest</i>	City of Springfield	American Federation of State, County and Municipal Employees Council 31	9/4/2019	AFSCME	3	Add to S-UC-17-082 Building Permit Assistant
S-RC-19-065	Village of Glenview	Metropolitan Alliance of Police, Glenview Police Officer Chapter 156 and Illinois FOP Labor Council	9/6/2019	MAP	50	All full-time sworn police officers below the rank of sergeant
S-RC-20-005 <i>Majority Interest</i>	City of Nashville	International Union of Operating Engineers, Local 148	9/11/2019	IUOE	31	All full-time maintenance and administrative employees in the following departments and titles: <u>Gas</u> : Foreman, Laborer; <u>Golf</u> : Greenskeeper; <u>Office</u> : Administrative Assistant, Billing Clerk, Bookkeeper; <u>Sewer</u> : Chief Operator, Laborer; <u>Street</u> : Crew Leader, Foreman, Laborer; <u>Water</u> : Laborer, Operator
S-RC-20-013 <i>Majority Interest</i>	City of Bunker Hill	International Union of Operating Engineers, Local 520	9/11/2019	IUOE	4	All municipality workers in the Street, Sewer, Water and Park Departments
L-RC-19-006 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	9/13/2019	AFSCME	11	Add to AFSCME Bargaining Unit #1 Business Consultant, Code 0350; Senior Business Consultant Code 0351

S-RC-20-010 <i>Majority Interest</i>	Chief Judge of the Circuit Court of Cook County	American Federation of State, County and Municipal Employees, Council 31	9/16/2019	AFSCME	5	Add to existing S-RC-19-050 Administrative Analyst I (Juvenile Temporary Detention Center); Exclude from S-RC-19-050 PREA Coordinator/ Administrative Analyst I/ Hearing Officer
L-RC-20-001 <i>Majority Interest</i>	County of Cook	Service Employees Int'l Union, Local 73	9/19/2019	SEIU	6	Add to L-RC-07-018 Contract Negotiator (Purchasing Department)
L-RC-20-004 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	9/26/2019	AFSCME	2	Add to existing Bargaining Unit #4 Senior Information Analyst (Civilian Office of Police Accountability). Exclude for existing Bargaining Unit #4 Senior Information Analyst (Department of Innovation and Technology)
S-RC-19-062	County of Lake and Sheriff of Lake County	Illinois FOP Labor Council and Teamsters Local 700	9/27/2019	Teamsters	191	Corrections Officer, Corrections Officer/Maintenance; Correctional Support; Jail Receptionist; Resident Field Coordinator
L-RC-20-005 <i>Majority Interest</i>	County of Cook	American Federation of State, County and Municipal Employees, Council 31	10/3/2019	AFSCME	7	Add to existing L-RC-10-005 Regional Coordinator, Training & Exercise Coordinator (Homeland Security and Emergency Management)
L-RC-20-006 <i>Majority Interest</i>	County of Cook, Health and Hospital System	American Federation of State, County and Municipal Employees, Council 31	10/3/2019	AFSCME	2	Add to existing Health Facilities Unit Patient Concierge (Public Health)

S-RC-10-015 <i>Majority Interest</i>	Town of Cicero (Water Department)	Laborers' Local 1092	10/3/2019	Laborers'	23	All full-time and part-time non-professional employees in the following titles: Inspector; Laborer; Meter Reader; Sewer Rodder; Station Attendant; Vac Truck Operator; Water Sampler
S-RC-20-009	McHenry County Circuit Clerk	American Federation of State, County and Municipal Employees, Council 31 and Metropolitan Alliance of Police, McHenry County Circuit Clerk's Chapter 515	10/15/2019	AFSCME	45	Accounting Coordinator; Accounting Specialist II; Court/Courtroom Specialist I; Court/Courtroom Specialist I-Senior; Court/Courtroom Specialist II; Court/Courtroom Specialist III; Lead Court/Courtroom Specialist
S-RC-20-019 <i>Majority Interest</i>	Saline County State's Attorney	Laborers Int'l Union of North American, Local 773	10/15/2019	Laborers	3	Saline County Assistant State's Attorney
L-RC-20-008 <i>Majority Interest</i>	County of Cook and Sheriff of Cook County	Service Employees Int'l Union, Local 73	10/23/2019	SEIU	2	Add to existing L-RC-16-003 unit Quality Review Assistant-Records
S-RC-20-021 <i>Majority Interest</i>	Homewood Flossmoor Park District	Int'l Union of Operating Engineers, Local 399	10/23/2019	IUOE	5	Building and Facility Technician
L-RC-20-007 <i>Majority Interest</i>	Chicago Transit Authority	Int'l Association of Machinists and Aerospace Workers, District Lodge 8	11/5/2019	IAMAW	12	Add to existing L-RC-14-008 Coordinator, Quality Improvement-Bus; Coordinator, Quality Improvement-Facilities; Coordinator, Quality Improvement-Rail; Project Coordinator, GIS; Coordinator, Engineering-Project Planning

L-RC-20-011 <i>Majority Interest</i>	County of Cook, Health & Hospital System	Service Employees Int'l Union, Local 73	11/7/2019	SEIU	40	Add to existing L-UC-17-007 Care Coordinator – Brain Injury; Care Coordinator – Elderly; Care Coordinator – Social Worker; Care Coordinator – Disability
L-RC-18-024 <i>Majority Interest</i>	County of Cook, Health & Hospital System	American Federation of State, County and Municipal Employees, Council 31	11/20/2019	AFSCME	7	Add to existing Health Facilities unit Patient Access Quality Management Coordinator; Cashier Division Supervisor II
L-RC-19-017 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	11/20/2019	AFSCME	1	Add to existing Bargaining Unit #1 Administrative Services Officer I-Excluded, Code 1303 (Family & Support Services)
S-RC-20-023 <i>Majority Interest</i>	City of Waukegan	Int'l Union of Operating Engineers, Local 150	11/20/2019	IUOE	1	Add to existing S-RC-12-033 Parking Supervisor
S-RC-20-024 <i>Majority Interest</i>	County of Brown (Highway Department)	Int'l Brotherhood of Teamsters, Local 916	11/20/2019	Teamsters	5	Operator, Highway Maintenance Foreman/Assistant County Engineer
S-RC-20-025 <i>Majority Interest</i>	Town of Cicero (Health Department)	Teamsters, Local 705	11/20/2019	Teamsters	3	Health Inspector
S-RC-20-027 <i>Majority Interest</i>	County of Pike (Pike County Ambulance Service)	Int'l Association of Machinists and Aerospace Workers, District Lodge 9	11/20/2019	IAMAW	12	Emergency Medical Technician (EMT), Paramedic
L-RC-20-010 <i>Majority Interest</i>	County of Cook and Sheriff of Cook County	Service Employees Int'l Union, Local 73	11/21/2019	SEIU	1	Add to existing L-RC-20-008 Administrative Support IV
S-RD-20-005	City of Springfield	Elaine S. Urekar and Int'l Brotherhood of Electrical Workers, Local 193	12/4/2019	No Rep		

S-RC-20-020	County of Kane and Sheriff of Kane County	Int'l Brotherhood of Teamsters, Local 700 and Policemen's Benevolent Labor Committee	12/6/2019	Teamsters	36	Court Security Officer
S-RC-20-016	County of Livingston and Sheriff of Livingston County	Illinois Council of Police and Illinois FOP Labor Council	12/11/2019	FOP (Incumbent)	35	All sworn, full-time correctional officers in the rank of lieutenant and below, all sworn, full-time court security officers, and all full-time secretaries and any full-time office manager
S-RC-19-018 <i>Majority Interest</i>	County of Clinton (Highway Department)	Laborers' Int'l Union of North America, Local 773	12/12/2019	Laborers	2	All full-time and part-time employees in the title of Engineer Technician
L-RC-18-030 <i>Majority Interest</i>	County of Cook (Cook County Public Defender)	American Federation of State, County and Municipal Employees, Council 31	12/17/2019	AFSCME	2	Add to L-RC-18-030 Mitigation Specialist
S-RC-20-031 <i>Majority Interest</i>	Village of Stone Park (Fire Department)	Int'l Brotherhood of Teamsters, Local 700	1/2/2020	Teamsters	13	All Firefighters and Firefighter/Paramedics
L-RC-20-002 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	1/10/2020	AFSCME	1	Add to AFSCME Bargaining Unit #1 Administrative Services Officer II (Family & Support Services) Code 1310
S-RC-20-029 <i>Majority Interest</i>	Springfield Mass Transit District d/b/a Sangamon Mass Transit District	Amalgamated Transit Union, Local 1249	1/16/2020	AFSCME	8	Add to S-RC-19-035 Dispatcher
L-RC-20-012 <i>Majority Interest</i>	County of Cook, Cook County Public Defender	American Federation of State, County and Municipal Employees, Council 31	1/21/2020	AFSCME	1	Include in S-UC-(S)-18-005 Administrative Assistant IV
S-RC-20-033 <i>Majority Interest</i>	Village of Harwood Heights	American Federation of State, County and Municipal Employees, Council 31	1/21/2020	AFSCME	1	Include in S-RC-20-033 Community Service Officer in the Police Department

S-RC-20-008 <i>Majority Interest</i>	Franklin-Williamson Bi-County Health Department	American Federation of State, County and Municipal Employees, Council 31	1/21/2020	AFSCME	12	Non-Professional Employees Billing Clerk; Front Desk Clerk; H.H. Aide/Billing Clerk; Home Health Clerk; Peer Counselor; Public Health Clerk; WIC Clerk; WIC Clerk/Front Desk Clerk
S-RC-20-008 <i>Majority Interest</i>	Franklin-Williamson Bi-County Health Department	American Federation of State, County and Municipal Employees, Council 31	1/21/2020	AFSCME	18	Professional Employees: Director of Emergency Preparedness; Director of Health Education; Director of Home Health; Home Health Nurse MCH Nurse; MCH/Public Health Nurse; Nursing Supervisor; Public Health Nurse; Sanitarian; Supervisor of Environmental Health; Supervisor of Home Health
L-RC-20-013 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	1/23/2020	AFSCME	2	Add to Bargaining Unit #4 Digital Media Coordinator; GIS Manager
S-RC-20-004 <i>Majority Interest</i>	County of Clinton and State's Attorney, Clerk/Recorder, Treasurer and Supervisor of Assessments	Policemen's Benevolent Labor Committee	1/23/2020	PBLC	1	Add to S-RC-18-014 Highway Office Manager
S-RC-20-022 <i>Majority Interest</i>	State of Illinois, Department of Central Management Services (Corrections)	Illinois State Employees Association, Laborers Int'l Union, Local 2002	1/28/2020	Local 2002	5	Include in VR-207 Corrections Treatment Senior Security Supervisor Code 09867
S-RC-20-034 <i>Majority Interest</i>	City of Waukegan (Public Works)	Int'l Union of Operating Engineers, Local 150	1/29/2020	IUOE	1	Add to S-RC-12-033 Animal Control Coordinator

S-RC-20-037 <i>Majority Interest</i>	Village of Stone Park (Fire Department)	Int'l Brotherhood of Teamsters, Local 700	1/29/2020	Teamsters	3	All Lieutenant Firefighters and Lieutenant Firefighter/ Paramedics
S-RC-20-039 <i>Majority Interest</i>	Village of Winnetka (Public Works)	Int'l Union of Operating Engineers, Local 150	1/31/2020	IUOE	21	All regular full-time employees in the classifications of Fleet Mechanic, Refuse Collector and Maintenance Worker
S-RC-20-040 <i>Majority Interest</i>	Bloomingtondale Township Highway Department a/k/a Bloomingtondale Township Road District	Int'l Union of Operating Engineers, Local 399	2/7/2020	IUOE	6	All full-time and regular part-time Laborers
S-RC-20-41 <i>Majority Interest</i>	Village of Cobden	Laborers Int'l Union of North America, Local 773	2/18/2020	Laborers	3	All full-time Police Officers
S-RC-20-046 <i>Majority Interest</i>	Village of Williamsville	Illinois FOP Labor Council	2/26/2020	FOP	3	All full-time sworn police officers
S-RC-20-035	Governors State University (Police Department)	Metropolitan Alliance of Police, Governors State University Police Chapter #717 and Illinois FOP Labor Council	3/11/2020	MAP	12	All University Civil Service Employees in the classification of Police Officer, Sergeant and Police Telecommunicator
S-RD-20-007	City of Collinsville	Amanda Guntrum and Int'l Union of Operating Engineers, Local 148B	3/11/2020	No Rep	9	
S-RC-19-058	Village of Wauconda	American Federation of State, County and Municipal Employees, Council 31	3/23/2020	AFSCME	1	Add to S-UC-10-021 Executive Administrative Assistant
L-RC-19-023 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	3/23/2020	AFSCME	2	Add to Bargaining Unit #1 Assistant Payroll Administrator Code 0114
S-RC-20-042 <i>Majority Interest</i>	Town of Cicero	Illinois FOP Labor Council	4/15/2020	FOP	14	Detention Officer (Lock Up Keeper); Parking Enforcement Officer; Parking Enforcement Supervisor

S-RC-20-051 <i>Majority Interest</i>	County of Will and Sheriff of Will County	Illinois FOP Labor Council	4/15/2020	FOP	5	Court Security Officers
S-RC-20-054 <i>Majority Interest</i>	Danville Public Building Commission (Vermillion County Emergency Communications Center)	Communication Workers of America	4/17/2020	CWA	11	Full and part-time Public Service Telecommunicators
L-RC-20-019 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	4/15/2020	AFSCME	1	Add to Bargaining Unit #4 Digital Asset Coordinator
S-RC-20-043	Village of Crete	Illinois FOP Labor Council and Metropolitan Alliance of Police, Chapter #36	4/23/2020	FOP	12	All full-time patrol officers
S-RC-20-014	State of Illinois, Department of State Police	Int'l Brotherhood of Teamsters, Local 700 and Troopers Lodge No. 41, Fraternal Order of Police	4/29/2020	Troopers (Incumbent)	105	SUPERVISORY UNIT: All sworn peace officers with the State Police Merit Board rank of Captain and Lieutenant.
S-RC-20-044	City of Hickory Hills	Illinois FOP Labor Council and Metropolitan Alliance of Police, Chapter #246	4/29/2020	FOP	19	All full-time patrol officers
S-RC-20-047	Village of Broadview	Illinois Council of Police and Illinois FOP Labor Council	4/29/2020	ICOP	5	All full-time employees in the classification of Telecommunicator
S-RC-20-048	Village of Midlothian	Illinois Council of Police and Int'l Brotherhood of Teamsters, Local 700	5/15/2020	ICOP	22	All full-time sworn peace officers in the titles of police officer and detective
S-RC-20-050	City of Braidwood	Policemen's Benevolent Labor Committee and Int'l Brotherhood of Teamsters, Local 700	5/15/2020	PBLC	13	All sworn full-time and part-time patrol officers below the rank of Sergeant
L-RC-20-018 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	5/19/2020	AFSCME	1	Add to Bargaining Unit #3 Health and Safety Analyst

L-RC-20-017 <i>Majority Interest</i>	County of Cook	American Federation of State, County and Municipal Employees, Council 31	5/21/2020	AFSCME	1	Add to L-RC-20-017 CI Manager (EMHS Homeland Security Department)
S-RC-20-059 <i>Majority Interest</i>	Village of Mundelein	Mundelein Firefighters, IAFF Local 4786	5/29/2020	IAFF	6	All full-time sworn fire department employees in the following ranks or titles: Firefighter/Paramedic; Lieutenant/Paramedic.
S-RC-20-057 <i>Majority Interest</i>	Dundee Township Highway Department	Int'l Brotherhood of Teamsters, Local #330	6/15/2020	Teamsters	6	All full-time and regular part-time Highway Maintenance Operators, Mechanics, Foreman and office clerical employees
L-RC-19-035 <i>Majority Interest</i>	City of Chicago	American Federation of State, County and Municipal Employees, Council 31	6/23/2020	AFSCME	1	Add to Bargaining Unit #1 Staff Assistant (Business Affairs and Consumer Protection)
S-RC-20-049	City of Wood Dale	Metropolitan Alliance of Police, Chapter #339 and Int'l Brotherhood of Teamsters Local 700	6/25/2020	MAP	26	All full-time sworn peace officers, assistant watch commanders and detectives below the rank of sergeant

Certification of Voluntarily Recognized Representative

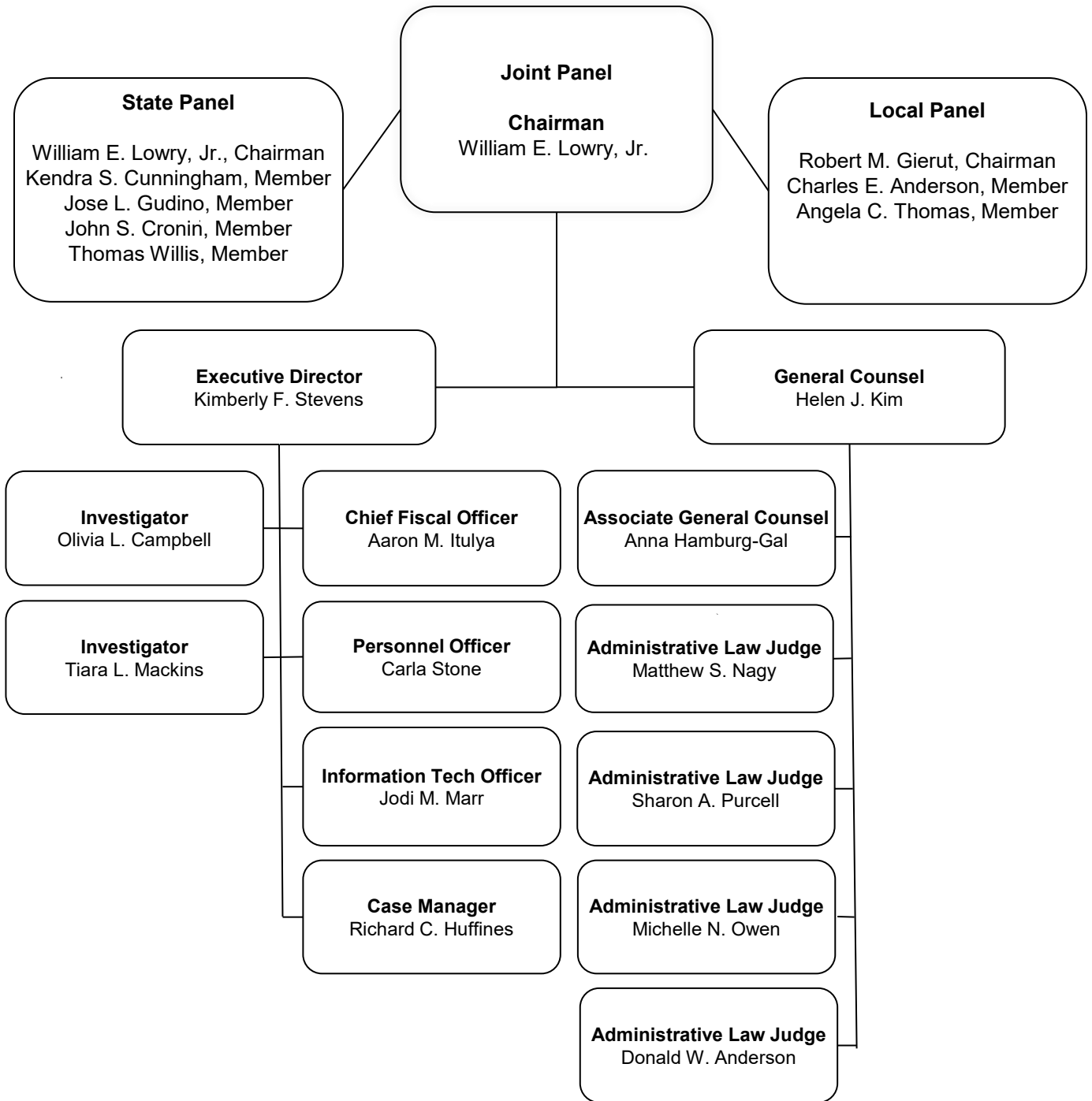
Case No.	Employer	Labor Organization	Certification Date	Unit Description
S-VR-20-001	County of LaSalle (Highway Department)	Laborers Int'l Union of North American, Local 393	9/30/2019	Area Foreman; Civil Engineer I, II, III, IV; Engineering Technician I, II, III, IV; Maintenance Supervisor

Revocation of Prior Certifications

Case No.	Employer	Labor Organization	Date Revocation	Unit4/ Description
S-DD-20-001	City of Aledo (Police Department)	Int'l Union of Operating Engineers, Local 150	7/25/2019	All full-time police officers in the rank of patrolman; all full-time police officers in the rank of sergeant
S-DD-20-002	St. Clair County Public Building Commission	Laborers Int'l Union of North American, Local 459	9/17/2019	All regular and full-time employees in the following titles: Crew Leader; Building Maintenance Worker; Painter; Carpenter; Grounds Worker; Utility Worker; Shift Operator; Switchboard Operator; Parking Garage Attendant
S-DD-20-003	Adams County Circuit Clerk	Int'l Association of Machinists and Aerospace Workers, Local 822	9/30/2019	All employees employed by the Adams County Circuit Clerk in the titles of Administrative Assistant and Chief Deputy
S-DD-20-004	County of Adams	Int'l Association of Machinists and Aerospace Workers, Local 822	9/30/2019	All regular full-time and part-time employees employed at the Adams County Clerk's office in the following title: Deputy Clerk; Deputy Clerk/Real Estate Tax Specialist
S-DD-20-005	Village of Broadview (Department of Public Works and Building Department)	Service Employees Int'l Union, Local 73	11/26/2019	All full-time and part-time employees of the Village of Broadview in its Department of Public Works and Building Department in the following classifications: Artisan 3; Artisan 4; Building Inspector; Building Department Foreman; Laborer 1; Mechanic; Public Works Foreman
S-DD-20-006	County of McHenry (Valley Hi Nursing and Rehabilitation)	Service Employees Int'l Union, Local 73	12/9/2019	All full-time and part-time employees of the County of McHenry, Valley Hi Nursing and Rehabilitation, in the following classifications: Activity Assistant; Administrative Specialist I; Admissions Coordinator; Certified Nursing Assistant I; Certified Nursing Assistant II; Cook; Custodian; Food Service Assistant; Food Service Worker; Front Desk Associate; Housekeeper; Laundry Worker; Medical Records Coordinator; Non-Certified Nursing Assistant; Office Assistant I; Pool Certified Nursing Assistant; Psych-Social Aide
S-DD-20-007	County of McHenry (Valley Hi Nursing and Rehabilitation)	Service Employees Int'l Union, Local 73	12/9/2019	All regular full-time and part-time employees of the County of McHenry, Valley Hi Nursing and Rehabilitation,

				in the following titles: Registered Nurse; Licensed Practical Nurse
S-DD-20-008	City of Aledo	Int'l Union of Operating Engineers, Local 150	1/31/2019	All full-time and regular part-time employees in the following classifications: Cemetery Sexton; Gas Division Worker; Street Maintenance Worker; Water/Wastewater Worker
S-DD-20-009	City of Countryside	Int'l Union of Operating Engineers, Local 150	2/5/2020	All employees in the Administrative Office in the following titles: Accountant; Clerk; Senior Clerk; Code Enforcement Officer; Office Clerk (part-time); Property Licensing and Inspection Officer
S-DD-20-010	Town of Cicero	Service Employees Int'l Union, Local 73	3/5/2020	All employees of the Town of Cicero in the following titles: Detention Officer (Lock Up Keeper); Parking Enforcement Officer; Parking Enforcement Supervisor.
S-DD-20-011	City of Braidwood	Service Employees Int'l Union, Local 73	3/12/2020	All Clerks in Accounting Department, Records Clerk in Police Department, Water Clerk, Zoning Clerks, Public Works Supervisor, Deputy Clerk, Police Civilian Supervisor, Communications Director, Dispatch Supervisor, Office Manager
S-DD-20-012	Village of Jerome	Illinois Fraternal Order of Police Labor Council	4/29/2020	All full time sworn police office in the classifications or ranks of Patrolman and Corporal
S-DD-20-015	City of Quincy (Fire Department)	District Lodge 9, Int'l Association of Machinists and Aerospace Workers	5/6/2020	All full-time and regular part-time employees of the City's Fire Department in the following title: Assistant Fire Chief
S-DD-20-016	Village of Hudson	Illinois Council of Police	5/12/2020	All part-time sworn peace officers in the classification or rank of patrol officer
S-DD-20-017	Village of Lisle	International Union of Operating Engineers, Local 150	6/17/2020	All full-time and regular part-time employees holding the positions of Public Works Person and Senior Public Works Person

Illinois Labor Relations Board Organizational Chart



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