

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

Minutes of the Meeting held on February 20, 2014
At 100 W. Randolph Street, Chicago, Illinois

I. OPENING OF THE MEETING AT 10:00 A.M.

II. PRESENT

Chairman Lynne Sered; Board Members Gilbert O'Brien and Michael Prueter; Executive Director Victor Blackwell; General Counsel Helen Higgins; Special Counsel John Brosnan; staff members Colleen Harvey and Susan Willenborg; extern Matt Nagy; and observers Kelly Coyle and Bob Shaevel were present. Board Member Ronald Ettinger and staff member Cindy Handy participated via videoconference from Springfield, Illinois. Pursuant to Section 7(a) of the Open Meetings Act, 5 ILCS 120/7(a), Board Member Michael Smith participated via telephone conference call due to illness.

III. APPROVAL OF MINUTES OF MEETING HELD JANUARY 16, 2014

Chairman Sered called for a motion to approve the minutes of the January 16, 2014 meeting. Member Prueter moved to approve the minutes of the January 16, 2014 meeting. Member Ettinger seconded the motion. The Board passed the motion unanimously, by a voice vote.

IV. BOARD ACTIONS

1. Chicago Board of Education/Hillarie Green
Case No. 2013-CA-0011-C

Chairman Sered called the case. This was an appeal from an Administrative Law Judge's Recommended Decision and Order finding that the Employer had admitted the allegations of the complaint by failing to file a timely answer. Associate General Counsel Susan Willenborg presented a memorandum recommending that the Administrative Law Judge's Recommended Decision and Order be reversed. After discussion, the Board directed that an opinion and order be drafted in accordance with the recommendation.

2. McLean County Unit District 5, a/k/a Board of Education of McLean
County Unit District 5/Jacqueline Dellamano
Case No. 2011-CA-0005-S

Chairman Sered called the case. This was an appeal from an Administrative Law Judge's Recommended Decision and Order finding that the Employer had violated the Act. Associate General Counsel Susan Willenborg presented a draft opinion and order affirming the Administrative Law Judge's Recommended Decision and Order. After discussion, Chairman Sered called for a motion to approve the draft opinion and order. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously to issue the draft opinion and order, by a voice vote.

3. **Harlem School District No. 122/Harlem Federation of Teachers, Local 540, IFT-AFT, AFL-CIO**
Case Nos. 2012-CA-0076-C, 2013-CA-0021-C

Chairman Sered called the case. This concerned a motion by the Employer to stay the Board's previously issued order. Associate General Counsel Susan Willenborg presented a draft order denying the motion to stay. After discussion, Chairman Sered called for a motion to approve the draft order. Member Ettinger so moved, and Member Prueter seconded the motion. The Board voted unanimously to issue the draft order, by a voice vote.

4. **Palatine Community Consolidated School District 99/Therapists in Education Union, Local 1211, IFT-AFT**
Case No. 2014-UC-0001-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order granting a unit clarification petition. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member O'Brien seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

5. **Illinois State University/AFSCME, Council 31, AFL-CIO**
Case No. 2014-UC-0001-S

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order granting a unit clarification petition. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

6. **Mount Olive Community Unit School District 5/Mount Olive Educational Support Personnel Association, IEA-NEA**
Case No. 2014-UC-0002-S

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order granting a unit clarification petition. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

7. **Evanston Township High School District 202/Evanston Township High School Support Systems Association, IEA-NEA**
Case No. 2014-UC-0005-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order granting a unit clarification petition. General

Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member O'Brien seconded the motion. The Board voted 4-0 not to take up the case on its own motion and to issue a final order, by a voice vote. Chairman Sered recused.

8. **St. Anne Grade School District 256/St. Anne Elementary Education Association, IEA-NEA**
Case No. 2014-UC-0008-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order granting a unit clarification petition. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Ettinger so moved, and Member O'Brien seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

9. **City Colleges of Chicago/Maria Ochoa**
Case No. 2012-CA-0078-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order dismissing an unfair labor practice charge. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

10. **Southern Illinois University (Edwardsville-East St. Louis Center)/LaShonda Coleman**
Case No. 2012-CA-0037-S

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order dismissing an unfair labor practice charge. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Ettinger so moved, and Member O'Brien seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

11. **Service Employees International Union, Local 73/Margo Muldrow**
Case No. 2012-CB-0019-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order dismissing an unfair labor practice charge. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member Prueter so moved, and Member O'Brien seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

12. **Chicago Board of Education/Eraina Smith**
Case No. 2013-CA-0046-C

Chairman Sered called the case. This was an unappealed Executive Director's Recommended Decision and Order dismissing an unfair labor practice charge. General Counsel Helen Higgins presented the case. After discussion, Chairman Sered called for a motion for the Board not to take up the case on its own motion and to issue a final order. Member O'Brien so moved, and Member Smith seconded the motion. The Board voted unanimously not to take up the case on its own motion and to issue a final order, by a voice vote.

V. BUDGET AND FISCAL

Fiscal Officer Cindy Handy presented an update on budget and fiscal matters, which included a discussion of FY 2014 expenditures and the FY 2015 budget.

VI. CASE STATUS REPORT

Executive Director Victor Blackwell presented a case status report.

VII. STRIKE REPORT

Executive Director Victor Blackwell presented a strike report.

VIII. LEGISLATIVE UPDATE

Staff member Colleen Harvey presented a legislative update.

IX. LITIGATION UPDATE

General Counsel Helen Higgins presented a litigation update.

X. REPORT ON JOINT COMMITTEE ON ADMINISTRATIVE RULES' REVIEW OF IELRB'S PROPOSED RULES CHANGES

Associate General Counsel Susan Willenborg presented a report on the Joint Committee on Administrative Rules' review of the IELRB's proposed Rules changes, including a review of the JCAR meeting.

XI. TRAINING ON ETHICAL REQUIREMENTS WITH RESPECT TO PROHIBITED POLITICAL ACTIVITY

Extern Matt Nagy and General Counsel Helen Higgins presented an ethics primer on prohibited political activity.

XII. CLOSED SESSION

Chairman Sered called for a motion for the Board to leave open session and enter closed session to discuss personnel issues pursuant to 5 ILCS 120/2(c)(1) of the Open Meetings Act. Member Prueter so moved, and Member O'Brien seconded the motion. The Board voted unanimously to leave open session, by a voice vote.

XIII. ADJOURNMENT

Upon the Board's return from closed session, Chairman Sered called for a motion to adjourn the meeting. The motion was made and seconded. The Board voted unanimously to adjourn the meeting, by a voice vote.

**ADOPTED AND APPROVED BY THE CHAIRMAN AND MEMBERS OF THE ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD THIS 20th DAY OF MARCH 2014.**