



Illinois Labor Relations Board

**2025
ANNUAL REPORT**



Illinois Labor Relations Board

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

This is the 40th 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, 2024 through June 30, 2025.

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

The Illinois Labor Relations Board is grateful to Governor J. B. Pritzker, Mayor Brandon Johnson, 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 June 1, 2022, 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 \$2,588,100 for fiscal year 2025. 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 2025. The line-item figures represented below reflect expenditures for those lines. Figures were rounded to the nearest dollar.

FY 2025 Actual Expenditures	
Personal Services	1,504,592
Social Security/Medicare	108,913
Contractual Services	120,122
Travel	2,957
Commodities	3,748
Printing	0
Equipment	710
Electronic Data Processing	7,730
Telecommunication	21,966
Agency Ops/Lump Sum	46
Total	1,770,784

Illinois Labor Relations Board Members

STATE PANEL

William E. Lowry (Chair)
Chicago

Kendra Cunningham
Murrayville

Jeffrey W. Mears
Vienna

Frances A. Hurley
Chicago

LOCAL PANEL

Lynne O. Sered (Chair)
Evanston

Charles E. Anderson
Chicago

Angela C. Thomas
Chicago

Illinois Labor Relations Board Staff

EXECUTIVE DIRECTOR
Kimberly F. Stevens

GENERAL COUNSEL
Helen J. Kim

CHIEF FISCAL OFFICER
Aaron M. Itulya

ASSOCIATE GENERAL COUNSEL
Anna Hamburg-Gal

PERSONNEL OFFICER/CASE
MANAGER/INFORMATION
TECHNOLOGY OFFICER
Brianna N. Klein

ASSISTANT TO GENERAL COUNSEL
Lashonda T. Channel

COMPLIANCE OFFICER/
INVESTIGATOR/MEDIATOR
Olivia L. Campbell Reed

ADMINISTRATIVE LAW JUDGES
Donald W. Anderson
Joseph S. Moy
Michelle N. Owen
Sharon Purcell

INVESTIGATORS
Aaron M. Eisfelder
Richard Cody Huffines
Tiara L. Mackins

LABOR REALTIONS
REPRESENTATION SPECIALIST
Lora S. Rausch

OFFICE ASSOCIATE
Lexie M. Robinson

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 FY 2014, the Board designated one of its investigators to function as its in-house mediator. This move allows the Board to provide mediation services to parties who have pending claims before the Board.

Other Issues Before the Board

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

Mediation/Arbitration Cases

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

Strike Investigations

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

Declaratory Rulings

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

Police Decertification Cases

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

Rulemaking

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

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

Referrals to Other Agencies

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

Contract Repository/Reporting of Board Decisions

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

Legislative Amendments

None during reporting period.

I. Representation Issues

8/12/24

ILRB-SP

Majority Interest Petition/Supervisory Exclusion/Peace Officers

In *Illinois FOP Labor Council and City of Elgin*, 41 PERI ¶ 40 (ILRB-SP 2024) (Case No. [S-RC-20-028](#)), the Board adopted, with modification, an ALJ's Recommended Decision and Order (RDO) recommending dismissal of the majority interest petition filed by IFOP, seeking to represent sergeants in the City of Elgin's police department. Applying the four-part supervisory test, the ALJ concluded the employees should be excluded as supervisory employees within the meaning of Section 3(r) of the Act. The ALJ determined that the petitioned-for employees perform work that is substantially different from that of their subordinates and exercise supervisory authority to direct and discipline with independent judgment.

9/12/24

ILRB SP

Majority Interest Petition/Workers' Rights Amendment

In *Illinois Council of Police and Village of Bellwood*, 41 PERI ¶ 50 (ILRB-SP 2024) (Case No. [S-RC-23-017](#)), the Board adopted an ALJ's Recommended Decision and Order (RDO) as a decision of the Board, dismissing the majority interest petition filed by ICOP which sought to represent all full-time peace officers in the rank of Master Sergeant employed by the City of Bellwood. Based on the parties' stipulation that the Master Sergeants are supervisors within Section 3(r) of the Act, the ALJ dismissed the petition, rejecting the Union's contention that the Act's supervisory exclusion is unconstitutional under the Worker's Rights Amendment. The ALJ reasoned that the Board lacked the authority to determine the constitutionality of statutes or question their validity, citing the Illinois Supreme Court's decision in *Goodman v. Ward*, 241 Ill. 2d 398 (2011).

10/10/24

ILRB-SP

Unit Clarification/Historical Units/Public Employer

In *City of Decatur and Am. Fed. State, Cnty., Mun. Empls., Council 31, and Amalgamated Transit Union, Local 859*, __ PERI ¶ __ (ILRB-SP 2024) (Case No. [S-UC-24-037](#)), the City filed a unit clarification petition to include several newly created transit maintenance positions in an existing bargaining unit represented by AFSCME. The positions were created after the City assumed responsibility for public transit maintenance from MV Transportation, a private contractor, and hired former MV Transportation transit maintenance employees into the newly created positions at issue. ATU filed a petition to intervene, asserting the Board should recognize its historical representation of the transit maintenance positions and were previously recognized in collective bargaining agreements between ATU and MV Transportation. The Executive Director dismissed ATU's petition to intervene, reasoning that ATU's representation ceased when the former MV Transportation employees were hired by the City, a public employer. She also reasoned that the Board's rules do not provide for

intervention in unit clarification proceedings before the matter is set for hearing before an administrative law judge. On appeal, the Board affirmed the dismissal of the petition to intervene because it was inappropriately filed. The Board also noted that even if it were to consider the petition, ATU's substantive arguments were unpersuasive.

12/12/2024

ILRB-SP

Decertification Petition/Ballot Challenge/Voter Eligibility

In *Julie Rusteberg, International Union of Operating Engineers, Local 148, and County of Monroe and Circuit Clerk's Office*, 41 PERI ¶ 88 (ILRB-SP 2024) (Case No. [S-RD-24-001](#)), Local 148 objected to the decertification petition, claiming that Petitioner should be excluded from the decertification proceedings. Local 148 contended Petitioner no longer shared a community of interest with the bargaining unit members because the employer recently gave Petitioner managerial duties to remove her from the bargaining unit. Local 148 also filed a blocking charge which was dismissed but not appealed. The Executive Director determined that although the employer and Local 148 filed a stipulated unit clarification petition removing Petitioner from the bargaining unit, Petitioner was eligible to vote in the decertification election because she was a member of the bargaining unit as of payroll period ending March 31, 2024, the stipulated eligibility period. On appeal, the Board affirmed the Executive Director's order, finding that Local 148 failed to present any evidence or argument that undermined the Executive Director's determination of voter eligibility.

02/11/2025

ILRB SP

Majority Interest Petition/Supervisory and Managerial Exclusions/Battalion Chiefs

In *Roselle Professional Firefighters Association, Local 4501, IAFF, and Village of Roselle, Fire Department*, 41 PERI ¶ 134 (ILRB-SP 2025) (Case No. [S-RC-25-028](#)), the Board adopted an ALJ's Recommended Decision and Order (RDO) granting the majority interest petition filed by the Union which sought to include three employees in the title of Battalion Chief employed by the Village of Roselle in its existing bargaining unit. The ALJ found that the employees did not fall within the Act's supervisory or managerial exclusions as alleged by the Village and recommended the Battalion Chiefs be included in the bargaining unit. The ALJ found that although the Battalion Chiefs perform work that is substantially different from that of their subordinates, have the authority to direct and discipline recommend discipline with independent judgement, they do not spend a preponderance of time exercising supervisory authority. Regarding the managerial exclusion, the ALJ found that the Battalion Chiefs are neither engaged in executive and management functions nor do they direct the effectuation of management policies and practices. The Board accepted the ALJ's RDO, rejecting the Village's exceptions, and the Union's cross-exceptions to the ALJ's findings regarding the first three parts of the four-part supervisory test.

02/11/2025

ILRB-SP

Decertification Petition/Contract Bar/Lack of Showing of Interest

In *Brian Baase, Service Employees International Union, Local 73, and Park Ridge Park*

District 41 PERI ¶ 120 (ILRB-SP 2025) (Case No. [S-RD-25-006](#)), the Executive Director dismissed the decertification petition on grounds the petition was filed outside the contract bar window and because the petition was filed without the requisite showing of interest. On appeal, Petitioner claimed that he and other bargaining unit members had expressed their dissatisfaction with the Union through emails and correspondent before the collective bargaining agreement had become effective. Petitioner also claimed that he was unaware of the showing of interest requirement. The Board found Petitioner's contentions unavailing and affirmed the Executive Director's dismissal of the petition.

03/13/2025

ILRB-SP

Unit Clarification/Confidential Exclusion/Petition Appropriateness/Vacant Positions

In State of Ill., Dep't of Cent. Mgmt. Servs., and Am. Fed. of State, Cnty., & Mun. Empls., Council 31, 41 PERI ¶ 126 (ILRB-SP 2025) (Case No. [S-UC-25-008](#)), the State filed a unit clarification petition to exclude as confidential a newly created but vacant Administrative Assistant II position from the bargaining unit represented by AFSCME. The position was created to serve as a staff assistant to the Deputy Director of the Department of Innovation and Technology. AFSCME objected to the petition contending the petition should be dismissed because the position was vacant, pointing to recent amendments to the Act providing that confidential exclusions must be based on actual duties and not solely on job descriptions. The Executive Director granted the petition, finding that the State provided an affidavit from the Deputy Director attesting to the anticipated duties of the position in addition to the job description supporting and excluded position as confidential. On appeal, AFSCME contended that the amendment to Section 3(c) of the Act precludes confidential employee determinations of vacant positions because they necessarily rely solely on job descriptions. AFSCME contends the amendment overrules the Board's 2016 Decision and Order finding that there was sufficient evidence in addition to the job description to hold a hearing on a vacant position, departing from previous Board policy. AFSCME also contended that the petition was procedurally defective because it did not fall with the listed appropriate circumstances set forth in Section 9(a-6) of the Act. The Board reversed and remanded to an ALJ for hearing on threshold statutory construction issues relating to the amendments to Section 3(c) and 9(a-6) of the Act.

04/10/2025

ILRB-SP

Majority Interest Petition/General Exclusionary Clauses

In American Federation of State, County, and Municipal Employees, Council 31, and State of Illinois, Department of Central Management Services, 41 PERI ¶ 134 (ILRB-SP 2025) (Case No. [S-RC-25-028](#)), AFSCME filed a majority interest petition to include a Museum Section II position at the Department of Natural Resources to its existing bargaining unit. The Executive Director dismissed the petition, reasoning that because the position was previously excluded from the petitioned-for unit, unit clarification was the appropriate process to include the position. AFSCME appealed, contending that the general exclusionary clause in the previous certification does not bar a subsequent majority interest petition. Finding merit to the appeal, the Board reversed and remanded the matter to the Executive

Director for further processing of the petition.

II. Employer Unfair Labor Practices

07/18/24

ILRB LP

Executive Director Dismissal/Prima Facie Case/Retaliation

In *Nicole Williams and Chicago Transit Authority*, 41 PERI ¶ 33 (ILRB-SP 2024) (Case No. [L-CA-24-020](#)), Charging Party alleged that the CTA engaged in unfair labor practices in violation of Sections 10(a)(1) and 10(a)(2) of the Act when it failed to process her application for a bus instructor training program in retaliation for Charging Party's campaign for a leadership position with her Union. The Board's Executive Director dismissed the charge on the grounds the available evidence failed to raise issues for hearing. On appeal, the Board reversed the dismissal and remanded the matter to the Executive Director to issue a complaint for hearing. The Board found that there was sufficient evidence to raise issues on each element of Charging Party's prima facie case for retaliation under Section 10(a)(1) and (a)(2) of the Act.

07/18/24

ILRB SP

Executive Director Dismissal/Suspicious Timing/Retaliation

In *Donte' Eskeridge and State of Illinois, Department of Central Management Services*, 41 PERI ¶ 31 (ILRB-SP 2024) (Case No. [S-CA-24-046](#)), Charging Party alleged that his Employer reached an agreement with his union to conduct a lottery to determine seniority for unit members with the same hire date in retaliation for filing an unfair labor practice charge in a different case. The Executive Director dismissed the charge, finding there was insufficient evidence to support a causal connection between the filing of the charge and the alleged offensive conduct. The Executive Director noted that timing of the conduct was the only evidence of a causal connection which is insufficient to establish a prima facie case of retaliation. On appeal, the Board affirmed the dismissal.

08/12/24

ILRB SP

Executive Director Dismissal/Investigatory Interview/Concerted Activity

In *D'Juana Ratliff and State of Illinois, Department of Central Management Services*, 41 PERI ¶ 38 (ILRB-SP 2024) (Case No. [S-CA-24-062](#)), the Charging Party alleged that the Employer engaged in unfair labor practices when it harassed her in the workplace and denied her union representation at two disciplinary meetings in violation of her Weingarten rights, in retaliation for complaining about her supervisors. The Executive Director dismissed the charge finding that the available evidence failed to raise issues warranting a hearing. First she found that the evidence failed to indicate a causal connection between the Employer's actions and Charging Party's complaints—the alleged protected activity. The Executive Director also observed that Charging Party's complaints were personal in nature and thus, did not constitute concerted activity. Regarding the Weingarten rights allegation, the Executive Director determined that the disciplinary meetings were not

investigatory interviews that would trigger Charging Party's Weingarten rights. The Board affirmed the dismissal of the charge.

8/16/24

Illinois Appellate Court, First District

Rule 23 Order—2024 IL App (1st) 231466-U

Make Whole Remedies/Damages for Emotional Distress

In *Janda and Bollinger v. Ill. Labor Relations Bd., et al.*, the court issued a Rule 23 order affirming the Board's decision in *County of Cook and Sheriff of Cook County (Janda and Bollinger)*, 40 PERI ¶ 11 (ILRB-LP 2023) (Case No. [L-CA-21-033](#)). In the underlying Board decision, the Board adopted the ALJ's Recommended Decision and Order finding that the Respondents engaged in unfair labor practices when the Cook County Sheriff filed a complaint register against Janda and Bollinger and transferred them to less favorable assignments in retaliation for speaking out against the practice of "cross-watching" and threatened them in response to their protected, concerted activity in violation of Section 10(a)(1) of the Act. Relevant to the issues on appeal, the Board rejected the Charging Parties' exceptions to the remedies recommended by the ALJ and declined to adopt the NLRB's decision in *Thryv, Inc., and the Int'l Brotherhood of Electrical Workers, Local 1269*, 373 NLRB No. 22, slip op. 19, claiming that that case expanded available remedies to include consequential damages as part of a make-whole remedy, including compensation for emotional distress. The Board observed that the NLRB's decision did not purport to change the law on make-whole relief as asserted by the Charging Parties and that adoption of consequential damages would establish a remedy broader than the one described in Thryv.

On appeal, the court ruled that the Board did not err in failing to award damages for emotional distress. The court observed that Thryv was recently vacated by the Fifth Circuit Court of Appeals and that notwithstanding vacatur of the award, *Thryv* did not require the award of non-pecuniary damages such as damages for emotional distress. The court also noted that the appellants failed to provide any other support of their contentions.

09/12/24

ILRB LP

Disclosure of Prohibited Information/Third-Party Request of Employee Contact Information/ULPs Under Section 10(a)(8) and (a)(9)

In *American Federation of State, County, and Municipal Employees, Council 31, and City of Chicago*, 41 PERI ¶ 48 (ILRB-SP 2022) (Case No. [L-CA-22-033](#)), AFSCME alleged the City of Chicago engaged in unfair labor practices in connection with the City's response to a Freedom of Information Request for information about City employees in AFSCME represented bargaining units. An ALJ found that found that the names and contact information of bargaining unit members as provided by the City in its response fell within the categories of information prohibited from disclosure under Section 6(c-5) of the Act but concluded that the City's disclosure of that information did not constitute an unfair labor practice under Section 10(a)(9) of the Act because the evidence failed to establish that the City knew or should have known the information would be used for purposes set forth in Section 10(a)(9). She further determined that the City's failure to notify AFSCME of the

April 2021 Request or to provide a AFSCME a copy or summary of its response to such a request was not an unfair labor practice under Section 10(a)(9). Next, the ALJ found that City violated Section 10(a)(8) of the Act when it failed to take action to implement a policy to prevent further third-party access to its email or other communications systems after AFSCME apprised the City of an email from Opt Out Today.

AFSCME took exception to the absence of a finding that the City's disclosure of bargaining unit members' contact information was prohibited by Section 6(c-5), added to the Act as part of the 2019 post-Janus amendments, constituted an independent violation of Section 10(a)(1) of the Act. Noting the case presented issues of first impression, the Board remanded the matter to the ALJ to amend the complaint for hearing to include an independent Section 10(a)(1) allegation and to provide findings and recommendations on the amended allegation. In addition, the Board noted that the complaint contained allegations that the disclosure of employee contact information constituted a violation of Section 10(a)(8) irrespective of a third-party's use of an employer's email system and instructed the ALJ to provide findings and recommendations on those allegations.

09/12/24

ILRB SP

Retaliation/Unilateral Change/Legitimate Business Reorganization

In *Metropolitan Alliance of Police, Chapter, and City of Harvey (Police Department)*, 41 PERI ¶ 49 (ILRB-SP 2024) (Case No. [S-CA-21-110](#)), MAP alleged the City of Harvey engaged in unfair labor practices when it passed an ordinance eliminating the rank of sergeant and creating new lieutenant positions. An ALJ denied the Village's motion to exclude from evidence anti-union statements made by the Mayor of Harvey, which the Village contended, were obtained through unlawful eavesdropping. Based in part on the admitted statements, the ALJ concluded the Village passed the ordinance in retaliation for the sergeants' participation in protected union activity. Applying the three-step Central City analysis, the ALJ also concluded that the City failed and refused to bargain over the decision, and its effect, to eliminate the rank of sergeant and create new lieutenant positions. She rejected the City's contention that it passed the ordinance as part of a legitimate business organization.

10/28/24

Illinois Appellate Court, First District

Rule 23 Order—2024 IL App (1st) 221924-U

Shift Trades/Mandatory Subject/Waiver Language/Alteration of Status Quo

In *City of Park Ridge v. ILRB and Park Ridge Fire Fighters, IAFF, Local 2687*, the court affirmed, in a Rule 23 Order, the Board's decision in *Park Ridge Fire Fighters, IAFF, Local 2687 and City of Park Ridge*, 39 PERI ¶ 64 (ILRB-SP 2022) (Case No. [S-CA-19-079](#)). In its decision, the Board accepted an ALJ's recommendation that the City violated Sections 10(a)(4) and 10(a)(1) of the Act when it unilaterally changed its policy regarding qualifications for shift trades and thereby altered the status quo during the pendency of interest arbitration proceedings. The Board first accepted the ALJ's findings that qualifications for shift trades concerned a mandatory subject of bargaining, affirming the ALJ's findings under the three-

part Central City analysis. The Board next affirmed the ALJ's findings that Charging Party did not waive bargaining over qualifications for shift trades because the parties' collective bargaining agreement contained no language evidencing that Charging Party clearly and unmistakably relinquished its right to bargain. Finally, the Board accepted the ALJ's findings that Respondent improperly altered the status quo regarding shift trades during the pendency of interest arbitration proceedings, where Respondent had allowed such trades for 25 years and neither party made proposals to modify the relevant provision during negotiations for a successor agreement.

11/14/2024

ILRB LP

Effects Bargaining/Duty to Bargain/Unilateral Change/Information Requests

In *Fraternal Order of Police, Lodge 7, and Policemen's Benevolent and Protective Association, Units A, B, and C, and City of Chicago*, 41 PERI ¶ 76 (ILRB-LP 2024) (Case No. [L-CA-22-008](#)), Charging Parties alleged the City of Chicago committed unfair labor practices in connection with the City of Chicago's COVID-19 vaccination mandate. The Board accepted the ALJ's recommended decision and order finding that the City committed unfair labor practices in violation of Section 10(a)(4) and (a)(1) of the Act when it failed and refused to bargain in good faith over the effects of its COVID-19 vaccine policy and failed to provide the Charging Parties with necessary and relevant information. The Board also accepted the ALJ's findings and recommendations contained in her February 27, 2023 order which deferred the decisional bargaining issues to Arbitrator Roumell's February 23, 2023 award but found deferral of the effects bargaining issues inappropriate.

The ALJ found that the City's vaccination policy and reporting requirements resulted in the following bargainable effects: (1) consequences for non-compliance; (2) implementation date; (3) paid time off for employees who become vaccinated; (4) injury on duty status for those employees suffering side effects from the vaccination; (5) indemnification of officers who incurred medical expenses as a result of obtaining the vaccine; (6) who would bear the costs of testing and the breadth of the testing requirement; and (5) incentives to encourage employees to become vaccinated. The ALJ determined that the Charging Parties sought to bargain over these effects and did not waive their rights to bargain over them. The ALJ further found that the City unilaterally changed the consequences for employees' failure to report their vaccination status after implementation of the City's policy, eliminated the testing requirements for unvaccinated employees, and rescinded the existing mask mandate, all of which concerned mandatory subjects of bargaining. Finally, the ALJ denied the City's renewed motion to defer the effects bargaining allegations to arbitration. unilateral implementation of its vaccination policy and sick leave addendum to the arbitration award issued by Arbitrator George T. Roumell, Jr., on December 15, 2021, under the Spielberg deferral doctrine.

The City filed a petition for administrative review of the Board’s decision to the Illinois Appellate Court, First District. The review matter is currently in the briefing stage.

11/14/2024

ILRB SP

Failure to Bargain in Good Faith/Information Requests

In *Association of Professional Police Officers, and City of Aurora, Police Department*, 41 PERI ¶ 77 (ILRB-SP 2024) (Case No. [S-CA-23-024](#)), the Union alleged that the City of Aurora engaged in unfair labor practices when it denied the Union’s information requests related to the discipline of six unit members. The City refused the requests, asserting that under its current policy, the City does not provide Office of Professional Standards investigation files before demanding arbitration. The Board accepted an ALJ’s findings and recommendations that the information requested was necessary and relevant to the Union’s performance of its representation duties, the City was obligated to timely respond to them regardless of whether the Union would eventually receive them once arbitration was demanded, and the City’s current policy undermines the collective bargaining process by attempting to control the timing of responding to a union’s information requests.

11/27/2024

Illinois Appellate Court, First District

Rule 23 Order—2024 IL App (1st) 231106-U

Retaliation/Nexus/Credibility Determinations

In *Denise Brooks v. Ill. Labor Relations Bd., et al.*, the court issued a Rule 23 order affirming the Board’s decision in *Chicago Transit Authority (Brooks)*, 39 PERI ¶ 120 (ILRB-LP 2023) (Case No. [L-CA-14-040](#)). In the underlying Board decision, the Board accepted an ALJ’s Recommended Decision and Order dismissing the unfair labor practice charge filed by Charging Party alleging that the CTA engaged in unfair labor practices in violation of Sections 10(a)(2) and 10(a)(1) of the Act, when it failed to return Charging Party to her previous position after her injury on duty in retaliation for her participation in protected, concerted activity. The Board rejected as meritless Charging Party’s exceptions to the ALJ’s credibility findings which it claimed were inappropriate because they were not made by the ALJ who conducted the hearing. The Board also rejected Charging Party’s claim that the ALJ failed to apply the “Cat’s Paw Theory.”

On administrative review, the court ruled that Charging Party failed to establish that she suffered an adverse employment action and also failed to establish a nexus between her supervisor’s alleged animus and the decision not to reinstate Charging Party to her previous position. The court concluded that the Board did not exceed its authority in relying on the determinations made by an ALJ who did not preside over the hearing.

12/10/2024

ILRB LP

Executive Director Dismissal/Timeliness

In *Jeffrey Battles and City of Chicago, Department of Finance*, 41 PERI ¶ 83 (ILRB-LP 2024) (Case No. [L-CA-24-032](#)), Charging Party alleged the Respondent discharged him for filing a grievance over its denial of Charging Party's request to return to his previously assigned work schedule. The Board's Executive Director dismissed the unfair labor practice charge as untimely because the charge was filed outside the Act's six-month limitations period. On appeal, Charging Party claimed that he was unfamiliar with the Board's proceedings and that he did not receive any assistance or information from the Respondent or his union. The Board affirmed the dismissal on timeliness grounds, finding that lack of knowledge or confusion about the law does not toll the limitations period. The Board also found no evidence that the Respondent took any affirmative action to conceal the date of the discharge, thereby causing Charging Party to file the charge outside the limitations period.

12/18/2024

Illinois Appellate Court, First District

Rule 23 Order—2024 IL App (1st) 232153-U

Permissive Subjects/Waiver of Statutory Rights

In *Policemen's Benevolent & Protective Association of Illinois, Units 156 A, B, and C—Sergeants, Lieutenants, and Captains v. Ill. Labor Relations Bd., et al.*, the court issued a Rule 23 order affirming the Board's decision in *City of Chicago*, 40 PERI ¶ 40 (ILRB-LP 2023) (Case No. [L-CA-21-026](#)). In the underlying Board decision, PBPA alleged that the City of Chicago engaged in unfair labor practices in violation of Section 10(a) of the Act when it submitted a proposal concerning a permissive subject of bargaining to the parties' contractual impasse resolution procedures which was then included in the parties' successor agreement through an arbitration award. The Union claimed the City's affidavit override proposal was a permissive subject of bargaining because it sought a waiver of unit members' right to have any complaint lodged against them supported by an affidavit under the Uniform Peace Officer's Disciplinary Act, ("Disciplinary Act"), 50 ILCS 725/1 *et seq.* The matter was held in abeyance pending the outcome of the Union's lawsuit seeking to vacate the arbitration award. The Executive Director determined abeyance was appropriate, reasoning that the court's ruling on whether the arbitration award ran afoul of the Disciplinary Act would likely be dispositive of the instant charge. The arbitration award litigation ended with an unpublished ruling by the Illinois Appellate Court, First District, affirming the circuit court's decision to uphold the arbitration award. *Policemen's Benevolent & Protective Assoc., Unit 156 A, B, & C*, 2023 IL App (1st) 220762-U. Following the court's ruling, the Executive Director dismissed the charge on the grounds the allegations failed to raise issues for hearing, noting the court found that the Disciplinary Act does not grant a right to sworn affidavits as the Union alleged. As such, the Executive Director concluded there was no forced waiver of statutory rights. On appeal, the Board affirmed the dismissal, observing that the Charging Party failed to address the Executive Director's finding that the Appellate Court's interpretation of the Disciplinary Act resolved the issue at the heart of Charging Party's claim, *i.e.*, whether the City's affidavit override proposal concerns a permissive subject of bargaining.

On administrative review, the court ruled that the Board appropriately followed the court's holding in the arbitration litigation case which foreclosed the only basis supporting the Union's allegation that the City's affidavit override proposal constituted a permissive subject of bargaining. The court also rejected the Union's contention that the Board failed to consider other factors supporting the Union's position that the proposal concerned a permissive subject of bargaining, finding that the Union forfeited the argument because it failed to raise the argument before the Board and also failed to properly present it to the court.

01/09/2025

ILRB LP

Motion to Stay

In *Fraternal Order of Police, Lodge 7, and Policemen's Benevolent and Protective Association, Units A, B, and C, and City of Chicago*, (ILRB-LP January 9, 2025) (Case No. [L-CA-22-008](#)), the Board denied the City's motion for a stay pending resolution of its petition for review in the Illinois Appellate Court.

01/09/2025

ILRB SP

Executive Director Dismissal/Retaliation/Concerted Activity/Interference with Employee Rights

In *Hilary Gurley and State of Illinois, Department of Central Management Services, Department of Corrections*, 41 PERI ¶ 108 (ILRB-SP 2025) (Case No. [S-CA-25-012](#)), Charging Party alleged that her Employer engaged in unfair labor practices when it unfairly scored her skills screening test administered to fill a position vacancy and then took certain actions against Charging Party for filing grievances over the scoring of the test and the filling of the vacancy. The Executive Director dismissed based on her finding that the allegations should be deferred to the grievance resolutions executed by the Employer and the Union and because the available evidence failed to indicate a causal connection between the Charging Party's protected activity and the Respondent's alleged adverse employment actions. On appeal, the Board affirmed the dismissal on grounds that the available evidence failed to support the allegations that the Employer retaliated against Charging Party in violation of Section 10(a)(1), (2), and (3), but found that deferral to the grievance resolution was inappropriate in under these facts.

03/13/2025

ILRB-SP

Executive Director Dismissal/Bargaining Obligations/Joint Employer Status

In *Amalgamated Transit Union, Local 859, and City of Decatur*, 41 PERI ¶ 124 (ILRB-SP 2025) (Case No. [S-CA-24-041](#)), the charge alleged that the City of Decatur unlawfully refused to negotiate with Union over the terms and conditions of employment of the mechanics who perform maintenance work on the Decatur Public Transit System. The charge also alleged that the City unlawfully assisted another labor organization by unilaterally deciding that the transit maintenance employees would be represented by a labor organization that is not their historical exclusive representative. The Executive Director dismissed the charge on the grounds that the Board lacks jurisdiction over the allegations, reasoning that

the Union is not a labor organization within the meaning of the Act because its membership consists entirely of employees of a private company, MV Transportation. The Executive Director rejected the Union's claims that the Respondent became a successor employer to MV Transportation when the City assumed transit maintenance functions formerly performed by MV Transportation, observing that MV Transportation's continued existence precluded a finding of successorship. On appeal, the Board reversed and remanded the matter for issuance of a complaint for hearing. The Board determined that the allegations and available evidence raised several issues warranting a hearing, including: (1) whether the City and its private contractor prior to the Act's effective date were joint employers; (2) if a joint employer relationship existed, whether the City historically recognized the Union as the representative of its employees as joint employers; and (3) whether the Respondent became a successor employer. The Board also noted that the certification of AFSCME as the exclusive representative of the transit employees as a result of the City's unit clarification petition did not require dismissal because the allegations concern conduct prior to and in connection with those proceedings.

03/13/2025

ILRB SP

Executive Director Dismissal/Response to Board Request for Information/Variance

In *Devlin Boatman, and PACE, South Division*, 41 PERI ¶ 125 (ILRB-SP 2025) (Case No. [S-CA-25-018](#)), the Board's Executive Director dismissed an unfair labor practice charge alleging that the Employer unlawfully discharged Charging Party. Construing the charge to allege retaliation, the Executive Director observed that although Charging Party provided evidence of an adverse employment action, there was insufficient evidence that the Employer discharged him for any unlawful reason. On appeal, the Board affirmed the dismissal for the reasons given by the Executive Director.

03/13/2025

ILRB LP

Executive Director Dismissal/Untimely Appeal

In *Ricky Lenior and Chicago Transit Authority*, 41 PERI ¶ 121 (ILRB-LP 2025) (Case No. [L-CA-25-033](#)), Charging Party alleged that the CTA discharged him in retaliation for his complaints to his exclusive representative that CTA representatives were targeting him. The Executive Director dismissed the charge on the grounds that Charging Party failed to respond to the investigator's request for information. On appeal, Charging Party claimed that he mailed the requested information via U.S. mail and provided the proof of delivery receipt from the U.S. Postal Service. After granting a variance to cure the appeal's procedural defects, the Board reversed the dismissal and remanded the matter to the Executive Director for further investigation.

04/10/2025

ILRB LP

Default Judgement/Untimely Service of Charge/Statute of Limitations

In *Victor Amo, and Chicago Park District*, 41 PERI ¶ 132 (ILRB-LP 2025) (Case No. [L-CA-24-033](#)), Charging Party alleged that the Park District failed to promote him because he did

not hold any union leadership positions. An ALJ issued a Recommended Decision and Order finding the Park District in default for failing to answer the complaint for hearing, thereby admitting all of the material facts and conclusions as alleged the complaint for hearing and thus, concluding that the Park District violated Section 10(a)(1) and (2) of the Act. On exceptions, the Park District contended that the Board lacked jurisdiction because it was not served with the unfair labor practice charge Board within the Act's six-month limitations period, citing Chicago Fire Fighters Union, Local 2, 25 PERI ¶ 156 (IL LRB-LP 2008) as support. The Park District also contended that even if it were properly served with the charge, the complaint for hearing is defective because it is based in part on Charging Party's unsuccessful October 2023 application for promotion, which occurred outside the six-month limitation period.

The Board rejected the Park District's exceptions and accepted the ALJ's RDO. The Board declined to follow its decision in Chicago Fire Fighters Union, Local 2, 25 PERI ¶ 156 (IL LRB-LP 2008) because that decision was effectively rendered invalid by the court's Rule 23 order in *Lyman v. Ill. Labor Relations Bd., et al.*, 25 PERI ¶ 157, reversing that the Board decision on the merits. The Board rejected the Park District's second exception, finding the allegation regarding the October 2023 application timely filed. The Board reasoned that the offending conduct was the denial of the application, not submission of the and inferred that Charging Party became aware of the denial of his application within the six-month limitation period. The Board also denied the Park District request to schedule a compliance hearing at the that point in the proceedings. Finally, the Board noted that the Park District did not take exception to the ALJ's findings and recommendations relating to the Park District's untimely answer to the compliance and resulting default judgment and deemed them waived.

04/10/2025

ILRB SP

Executive Director Dismissal/10(a)(3) Retaliation/Nexus

In *Woody Gallagher, and State of Illinois, Department of Central Management Services, Department of Human Rights*, 41 PERI ¶ 133 (ILRB-SP 2025) (Case No. [S-CA-25-038](#)), Charging Party alleged that the Employer violated Section 10(a)(3) of the Act when it took several actions against him for filing an unfair labor practice charge against the Employer in Case No. S-CA-25-008. The Executive Director dismissed the charge, finding that the available evidence failed to indicate that the Employer took the alleged actions because Charging Party filed an unfair labor practice charge with the Board. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director.

05/08/25

ILRB SP

Executive Director Dismissal/Retaliation/Interference with Union Activity

In *University Park Professional Fire Fighters Association, IAFF/AFFI Local 3661, and Village of University Park, Fire Department*, 41 PERI ¶ 146 (ILRB-SP 2025) (Case No. [S-CA-24-035](#)), the Union alleged that the Village unilaterally implemented a new biometric timekeeping system without first giving the Union notice and an opportunity to bargain over the decision or its effects and also failed to respond to information requests. The Union also alleged that the Village delayed the Union President's wage increase because of her

participation in protected activity. An ALJ issued a recommended decision and order finding that although the Village was not obligated to bargain over the decision to implement the new biometric pay system, it was obligated to bargain over the impact of that decision on employees. She then found that the implementation was unilateral because the Village implemented its decision one week after Charging Party's bargaining demand but before effects bargaining took place. The ALJ also found that the Village failed to respond to the Union's information requests which interfered with the Union's ability to formulate and draft proposals. Lastly, the ALJ found the Village unlawfully delayed the Union President's wage increase. Upon the Village's exceptions, the Board accepted the ALJ's findings and recommendations regarding effects bargaining and information requests. The Board then noted that neither party filed exceptions to the recommendations regarding the wage increase delay and let that portion of the RDO stand as a non-precedential order binding on the parties.

6/12/2025

ILRB LP

Executive Director Dismissal/Threats/Coercion/Jurisdiction/Standing

In *Roberto Pagan, Michael Webber, Andrew Galvan, Kyle Lohnes, Adam Ward, Frank Give, and Diego Avelar and Chicago Transit Authority*, 42 PERI ¶ 9 (ILRB-LP 2025)(Case No. [L-CA-25-022, -023, -025, -028, -029, -031, and -032](#)), Charging Parties alleged that the CTA engaged in unfair labor practices when it threatened to discharge them by using an accelerated process to discipline them for misusing their employee identification to leave work early. Charging Parties alleged that the CTA coerced them into signing last chance agreements which provided for a 15-day suspension and 6-month probationary period. The Executive Director dismissed the charges, finding that the available evidence failed to indicate that the Charging Parties engaged in protected activity, that the CTA's offer to sign the last chance agreements did not constitute a threat or coercion, and that to the extent the allegations implicate contractual or bad faith bargaining claims, Charging Parties lack standing to pursue such claims. On appeal, the Board found Charging Parties' appeal procedural sound but affirmed the dismissal for the reasons stated by the Executive Director.

III. Union Unfair Labor Practices

7/18/24

ILRB SP

Dismissal/Intentional Misconduct/Retaliation for Resigning from Union Membership

In *Donte' Eskeridge and International Union of Operating Engineer, Local 399*, 41 PERI ¶ 32 (ILRB-SP 2024) (Case No. [S-CB-24-011](#)), the Charging Party alleged that the Union violated Section 10(b)(1) of the Act when it reached an agreement with the employer conduct a lottery to determine seniority among three employees hired on the same date. Charging Party alleged that the Union entered into this agreement, which disadvantaged him, because he resigned from membership in the Union. The Executive Director dismissed the charge on grounds the evidence failed to indicate that the Union engaged in intentional misconduct in entering into an agreement with the employer to resolve seniority. On appeal, the Board considered Charging Party's racial discrimination claims raised on appeal but found them unsupported by the evidence and affirmed the dismissal.

8/12/24

ILRB LP

Dismissal/Standing/Jurisdiction/Intentional Misconduct

In *Nicole Williams and Amalgamated Transit Union, Local 241*, 41 PERI ¶ 36 (ILRB-LP 2024) (Case Nos. L-CB-24-015, -021), Charging Party alleged the Union engaged in unfair labor practices by intentionally violating the collective bargaining agreement and by failing to pursue hers and other unit member's grievances in retaliation for participating in protected activity. The Executive Director dismissed the charge in Case No. L-CB-24-015 on standing and jurisdictional grounds and dismissed the charge in Case No. L-CB-24-021 on the grounds that the evidence failed to demonstrate that the Union engaged in intentional misconduct with respect to the failure to pursue certain grievances. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director.

10/10/24

ILRB LP

Dismissal/Standing/Jurisdiction/Collusion/Intentional Misconduct/Internal Union Policies

In *Nicole Williams and Amalgamated Transit Union, Local 241*, __ PERI ¶ __ (ILRB-LP 2024) (Case Nos. L-CB-25-001), Charging Party alleged the Union engaged in unfair labor practices by unlawfully entering into an MOU to extend the expiring collective bargaining agreement, fraudulently obtaining union member ratification, and by failing to abide by its internal by-laws. The Executive Director dismissed the allegations regarding the MOU and the failure to abide by the Union's by-laws on standing and jurisdictional grounds. She dismissed the remaining allegations on the grounds that the evidence failed to demonstrate that the Union engaged in intentional misconduct with respect to the failure to pursue certain grievances. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director.

1/09/2025

ILRB LP

ED Dismissal/Breach of Duty of Fair Representation/Timeliness

In *Michael Norwood, and Amalgamated Transit Union, Local 241*, 41 PERI ¶ 106 (ILRB-SP 2025) (Case No. [L-CB-25-014](#)), the charge alleged that Local 241 breached its duty of fair representation when it failed to pursue a grievance that he filed over losing his seniority and treating him disparately due to his religious beliefs. The Executive Director dismissed the charge as untimely because the charge was filed more than one year after Charging Party became aware that his grievance was not being advanced beyond the second step of the governing grievance process, falling well outside the Act's six-month limitations period. The Executive Director dismissed the charge on grounds that the available evidence failed to support allegations of intentional misconduct sufficient to raise issues for hearing. On appeal, the Board observed that Charging Party did not address the Executive Director's timeliness determinations and sustained the dismissal on timeliness grounds. The Board declined to address the merits, observing that it lacks jurisdiction over charges filed outside the Act's limitations period.

2/11/2025

ILRB LP

Executive Director's Dismissal/Breach of Duty of Fair Representation/Statement of Service/Rules Variance

In *Gregory Brown, and Amalgamated Transit Union, Local 241*, 41 PERI ¶ 111 (ILRB-LP 2025) (Case No. [L-CB-25-019](#)), Charging Party alleged the Union violated its duty of fair representation by failing to pursue the grievance he filed challenging the employer's determination of his seniority upon his rehire. Charging Party alleged the Union failed to pursue his grievance because of his gender and his past criticisms of the Union. The Executive Director dismissed the charge finding the evidence failed to indicate that the Union took any action against Charging Party based on his gender or any bias or hostility towards him constituting intentional misconduct. On appeal, the Board noted the employees identified by Charging Party as comparables were not similarly situated and found that the available evidence failed to indicate that the Union engaged in intentional misconduct. The Board affirmed the dismissal on the grounds stated by the Executive Director.

05/08/2025

ILRB LP

Dismissal/Breach of Duty of Fair Representation/Standing

In *Debra J. Larkins, and International Brotherhood of Teamsters, Local 700*, 41 PERI ¶ 145 (ILRB-LP 2025) (Case No. [L-CB-25-021](#), [L-CB-25-022](#)), the Charging Party alleged that the Union engaged in unfair labor practices when it failed to submit the grievance filed on Charging Party's behalf as written by Charging Party (L-CB-25-021), and then refused to pursue that grievance to arbitration. Charging Party also alleged that the Union failed to respond to her inquiries about the status of her grievance. The Executive Director dismissed both charges on grounds that the Charging Party failed to comply with the investigator's request for supporting evidence and that the available evidence failed to indicate that the Union engaged in intentional misconduct. On appeal, the Board affirmed the dismissal of the charge for the reasons stated by the Executive Director.

06/12/2025

ILRB SP

Executive Director Dismissal/Breach of Duty of Fair Representation/Untimely Charge

In *Anya Hoskins and Illinois Nurses Association*, 42 PERI ¶ 11 (ILRB-SP 2025) (Case No. [S-CB-25-014](#)), the Charging Party alleged the Union breached its duty of fair representation in connection with a grievance it filed on her behalf. In working through the grievance procedure, the Union relayed a settlement offer from the employer to the Charging Party, which Charging Party rejected. The charge alleged that the Union failed to represent her in her efforts to be re-assigned to a different position with her employer after being discharged for her failure to return to work after exhausting her temporary leave of absence. The Board's Executive Director dismissed the charge based on the lack of evidence that the Union engaged in intentional misconduct. On appeal, the Board affirmed the dismissal for the reasons stated by the Executive Director.

IPLRA UPDATES
Legislative Amendments/Rulemaking
FY 2025

Legislative Amendment
Public Act 103-0856
Adoption of Timeliness Goals and Reporting Requirements

On August 9, 2024, Governor J.B. Pritzker signed into law Public Act 103-0856, eff. January 1, 2025, amending Sections 5 and 11 of the Illinois Public Labor Relations Act (IPLRA). The amendment to Section 11 adds subsection (i) which sets forth timeliness goals for the processing of unfair labor practice charges, including timeliness goals for completing investigations to dismissal, complaint for hearing, or deferral (100 days), scheduling the start of hearings upon issuance of a complaint for hearing (60 days), issuing recommended decisions and orders upon close of the record (120 days), and issuing Board decisions and orders within 90 days of the completion of the Board's process for filing appeals. The amendment to Section 5 modifies subsection (e) to add specific reporting requirements relating to the processing of unfair labor practice charges and timeliness goals, on an annual basis.

Board Rulemaking
Part 1210 Representation Proceedings

The following are substantive amendments to the Board's Rules and Regulations which took effect during FY 2025:

1. The Board amended Sections 1210.107 (representation hearings) and 1220.50 (unfair labor practice hearings) of its rules to require parties to provide CDs or DVDs in triplicate if they wish to submit video and audio evidence. 48 Ill. Reg. 18017; 48 Ill. Reg. 18025, eff. 12/5/2024.
2. The Board amended Section 1210.170 of its rules regarding unit clarification petitions to reflect changes to Section 9(a-6) of the Act which sets forth the circumstances under which a labor organization or public employer may seek to clarify an existing bargaining unit. 48 Ill. Reg. 18017, eff. 12/5/2024.

Calendar Year (CY) 2025 Timeliness Goal Metrics

CY2025 Casework			
	Filed	Resolved	Pending
ULP	210	165	45
RC/UC	267	225	42

CY2025 Pending Cases							
	1-100	101-150	151-200	201-250	251-300	301-350	351-400
CA/CB	43	2	0	0	0	0	0
RC/UC	26	4	2	4	0	0	0

CY2025 Timeliness Goal Metrics		
	State Panel	Local Panel
Average Number of Days to Issuance of Unfair Labor Practice Charge	68.7	58.7
Average Number of Days to issuance of Board Decision	88.8	63
Average Number of Days to Schedule Hearings	153.6	228.7
Average Number of Days to issuance of Recommended Decision and Order	79	NA
Average Number of Days to issuance of Board Decision on RDO with Exceptions Filed	NA	NA
Average Number of Days to issuance of Board Decision with no Exceptions Filed	60.5	NA

The Unfair Labor Practice Charges that exceed 100 days of investigation without issuance of a disposition were due to the extensive record and allegations requiring additional investigation. The scheduling of hearings exceeded 60 days due to the parties' scheduling requests, parties' failure to respond to ALJ scheduling inquiries, and ALJ availability.

Interest Arbitration Awards

Interest Arbitration Awards for FY25 can be found on the Boards website at [Interest Arbitration - Arbitration/Mediation](#).

Bargaining Unit Certifications

FY25 Bargaining Unit Certifications can be found on the Board's website at [FY25 Bargaining Unit Certifications.pdf](#).

Caseload Statistics

	STATE PANEL	LOCAL PANEL	TOTAL
Unfair Labor Practice Charges			
CA	107	53	160
CB	50	35	85
Total	157	88	145
Representation Cases			
AC	2	2	4
RC	62	25	87
RD	11	0	11
UC	146	16	162
VR	2	0	2
DD	17	0	17
Total	240	43	283
Grievance Arbitration Cases	8	0	8
Mediation/Arbitration Cases	370	3	373
Total	378	3	381
Declaratory Rulings	0	0	0
Strike Investigations	0	0	0
Total Caseload	775	134	809

- 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	11	2	10
“No Representation” Prevailed	4	0	1
Cases Certified	11	0	11
Number of Units Certified (Majority Interest)	36	12	38
Voluntary Recognized Representatives	0	0	0
Revocation of Prior Certifications	0	0	14

Unfair Labor Practice Charges Workload

	2024	2025
Cases pending start of fiscal year	336	314
Charges filed during fiscal year	205	242
Total caseload	541	556
Total cases closed	227	103

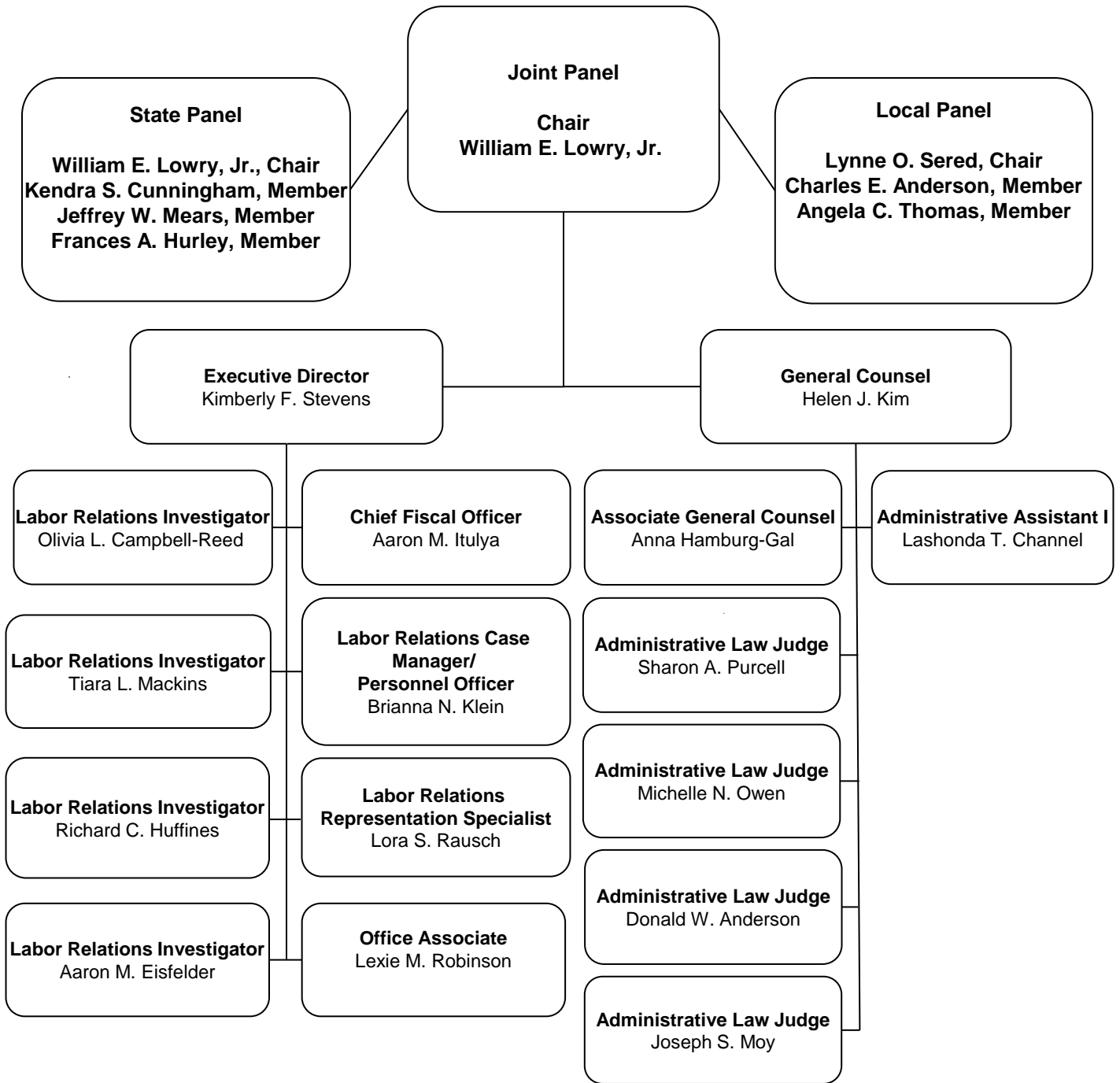
Petition Management (Representation) Workload

	2024	2025
Petitions pending start of fiscal year	100	95
Petitions filed during fiscal year	194	280
Total caseload	294	375
Total cases closed	199	238

Case Actions in FY 2025

	STATE PANEL	LOCAL PANEL	TOTAL
I. BOARD DECISIONS			
(A) With exceptions filed			
CA	6	11	17
CB	1	4	5
RC	1	0	1
UC	0	0	0
Total	8	15	23
(B) With no exceptions filed			
CA	7	1	8
CB	0	0	0
RC	1	0	1
UC	1	0	1
Total	9	1	10
(C) Strike Investigations			
	0	0	0
(D) Declaratory Ruling			
	0	0	0
II. ADMINISTRATIVE DISMISSALS			
(Not appealed to the Board)			
CA	0	0	0
CB	0	1	1
UC	1	0	1
RD	2	1	3
Total	3	2	5
III. CERTIFIED			
AC	2	1	3
DD	13	0	13
RC/RD	54	16	70
UC	124	13	137
VR	0	0	0
Total	193	30	223
IV. WITHDRAWALS			
CA	42	14	56
CB	14	2	16
RC	2	4	6
RD	0	0	0
UC	0	1	1
Total	58	21	79

Illinois Labor Relations Board Organizational Chart



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