

**STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL**

American Federation of State, County)	
and Municipal Employees, Council 31,)	
)	
Petitioner)	
)	
and)	Case No. S-RC-11-122
)	
Illinois State Board of Elections,)	
)	
Employer)	

**DECISION AND ORDER OF THE ILLINOIS LABOR RELATIONS BOARD
STATE PANEL**

On October 24, 2011, this Board issued a Decision and Order directing that Petitioner, American Federation of State, County and Municipal Employees, Council 31, be certified as the exclusive representative of the bargaining unit of approximately 55 employees of the Illinois State Board of Elections. American Fed'n of State, Cnty. & Mun. Empl. and State Bd. of Elections, 28 PERI ¶70 (IL LRB-SP 2011). The Executive Director issued such certification on October 28, 2011, and the Employer, Illinois State Board of Elections, then filed a petition for administrative review in the Illinois Appellate Court, Fourth District, pursuant to Section 9(i) of the Illinois Public Labor Relations Act, 5 ILCS 315/9(i) (2010). Illinois State Bd. of Elections v. Ill. Labor Relations Bd., No. 4-11-1074.

On April 5, 2013, while the administrative review remained pending in the Appellate Court, Public Act 97-1172 was signed by the Governor and became immediately effective. Among other things, that Act amended Section 3(o) of the Illinois Public Labor Relations Act to exclude the State Board of Elections from the Act's definition of a "public employer." 5 ILCS

315/3(o) (2010), as amended by P.A. 97-1172 (eff. April 5, 2013). On April 30, 2013, the Appellate Court issued an order denying the State Board of Elections' motion to vacate our prior decision, but granting its motion to vacate the certification of representative. That order remands the case to the Board, and directs the Board to issue an order in this case revoking our certification of representative.

In light of the change in the law, and consistent with order of the Appellate Court, we direct the Executive Director to revoke the certification of representative previously issued in this case.

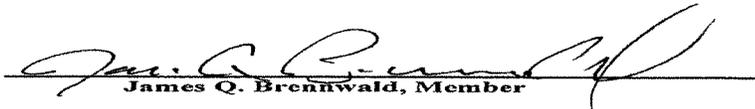
BY THE STATE PANEL OF THE ILLINOIS LABOR RELATIONS BOARD



John Hartnett, Chairman



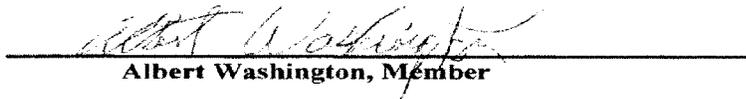
Paul S. Besson, Member



James Q. Brennan, Member



Michael G. Coli, Member



Albert Washington, Member

Decision made at the State Panel's public meeting in Chicago, Illinois, on May 16, 2013; written decision issued at Chicago, Illinois, on May 16, 2013.