

STATE OF ILLINOIS
ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

Date Filed:

INSTRUCTIONS: File an original and 2 copies of this charge with IELRB Executive Director at the IELRB Office In Chicago or Springfield.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer:
Chicago Board of Education

b. Address (*street, city, state, ZIP code*)
1 N. Dearborn, Suite 950, Chicago, IL 60602

c. Employer Representative
Joseph T. Moriarty, Labor Relations
Officer

d. Telephone No.
773-553-1600

e. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of sections 14(a), subsections (5), 12(a-10), (c-5) (list subsections (1) (3) and (5) of the Illinois Educational Labor Relations Act, and these unfair labor practices are unfair practices within the meaning of the Act.

2. Basis of the Charge (*be specific as to facts, names, addresses, locations involved, dates, places, etc.*)

Employer CBE has engaged in bad faith bargaining, including surface bargaining, and has refused in bad faith to commence mediation or otherwise to implement impasse resolution procedures.

CBE and CTU commenced contract negotiations on November 13, 2014, and have since conducted eight formal bargaining sessions and numerous subcommittee and informal bargaining sessions. The parties have exchanged hundreds of proposals and counterproposals, but no agreements have been achieved on anything in nearly six months other than on minor technical issues.

CBE has refused to reach agreement on an impasse resolution procedure necessary to comply with the Act, contrary to the parties' precedent-setting 2012 agreement on negotiation protocols. Further, since on or about March 12, 2015, the Union has formally requested at least three times that the Board commence mediation, which is a statutory prerequisite, but CBE refuses to commence mediation despite the lengthy period of bargaining and lack of agreement on any substantive matters.

CBE has engaged in bad faith bargaining, including but not limited to surface bargaining, by its intentional refusal to achieve agreements on any bargainable issues, by its intentional refusal to commence mediation, and by its intentional delay of negotiations that will disrupt the 2015-16 academic calendar and interfere with the exercise of rights under the Act, including by unreasonably delaying the impasse procedures required by law.

The Act imposes no restriction on when either party may request mediation, but it requires in Section 13(a)(2) that mediation be utilized and makes it unlawful in Section 12(c-5) to refuse mediation. But CBE refuses to commence mediation.

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 14 of the Act.

3. Relief Sought

Order Chicago Board of Education to cease and desist from violating the Act, including by engaging in bad faith bargaining, surface bargaining, and refusing to participate in impasse resolution procedures and to commence mediation.

Order Chicago Board of Education to commence mediation immediately.

Order such other affirmative relief as necessary to effectuate the policies of the Act.

4. Full name of party filing charge (*if employee organization, give full name, including local name and number*)

Chicago Teachers Union

5a. Address (*street and number, city, state, and ZIP code*)
222 Merchandise Mart Plaza, Suite 400, Chicago, IL 60654

5b. Telephone No.
312-329-9100

6. Full name of national or international labor organization of which it is an affiliate or constituent unit (*to be filled in when charge is filed by a labor organization*) American Federation of Teachers, AFL-CIO

7. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By  Robert E. Bloch
(signature of representative or person making charge)

General Counsel
(title if any)

Address

DOWD, BLOCH, BENNETT & CERVONE, 8 S. Michigan Ave., 19th floor, Chicago, IL 60603 312-372-1361 May 6, 2015

(Telephone No.)

(date)