



OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

January 8, 2021

Dear Senator,

I write to urge you to vote “NO” on HB 2275, which seeks to repeal Section 4.5 of the Illinois Educational Labor Relations Act. A repeal of Section 4.5 at this critical time would impair our efforts to reopen Chicago Public Schools and jeopardize our fiscal and educational gains.

Section 4.5 passed as part of a package of educational reforms in 1995 and was subsequently amended eight years later, *by agreement* between the Chicago Teachers Union (CTU) and Chicago Public Schools (CPS). At that time, certain subjects of collective bargaining between CTU and CPS were made permissive and left to the discretion of the Board of Education. However, the section also mandated a continuous obligation on CPS to bargain with CTU over the impact of many operational decisions.

None of these changes were made in a vacuum. The General Assembly was acutely aware of the tumultuous history of CPS/CTU bargaining and sought to bring stability to the school system through these changes. Despite claims by CTU leadership, a review of the labor history shows that the addition of Section 4.5 achieved those aims. The pre-Section 4.5 era (1967 to 1995) saw near-constant labor instability. During this period there were 21 contracts, nine strikes, and eight strike threats.

By contrast, in the 24 years since the passage of Section 4.5, there have been two strikes – in 2012 and 2019 – that, while regrettable, are reflective of relative stability, labor peace, and improved finances. During this same period, student achievement has grown markedly and CPS has improved by leaps and bounds. A 4.5 repeal invites a return to the instability of the past.

Finally, I feel a strong moral obligation to build a pipeline to return to in-person learning. It is essential for our children’s future, especially those in our Black and brown communities, where some failure rates are up *four times* where they were at this point last year. CPS’ reopening plan is premised on providing options to CPS parents. And, importantly, if parents do not want their children to return to in-person learning, they can and have opted out. Indeed, 77,000 CPS students have opted in so far. Remote learning works for some but not at all for others, particularly for our youngest learners and our students with diverse learning needs.

The health and safety of our teachers, staff, children and parents is imperative to our reopening plan. I and CPS leadership certainly understand the concerns of teachers and other school community members during this pandemic, which is why we have endeavored to mitigate

COVID-related risks throughout the system. For example, we have met or exceeded the mitigation efforts put in place by other Chicago school systems, such as the Chicago Archdiocese schools, which have had some form of in-person learning for months. It is also important to note that school staff as well as principals have been in CPS schools since the start of the school year and CPS has continuously worked with those individuals to address any concerns. Consistent with the mandates of Section 4.5, the process that it created, and the school district's efforts to resolve issues of reopening in good faith, CPS has now met with the CTU leadership in 51 bargaining sessions concerning reopening. The plan put forth by CPS was created in consultation with the Chicago Department of Public Health and hews closely to the reopening protocols in place in other school districts across the State and those supported by the American Federation of Teachers.

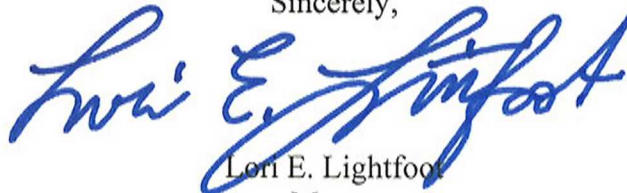
In response, CTU leadership has recently added noneducational items to its list of reopening demands – including the defunding of the Chicago Police Department and rent abatement legislation – and sought an injunction that would prevent hundreds of thousands of students from returning to classrooms or even having the option to do so.

Now is not the time to change the rules of engagement. CPS and CTU agreed on a 5-year contract in 2019. It would be unprecedented for the General Assembly to make substantial changes to the bargaining relationship during the terms of this agreement. Moreover, to repeal 4.5 at this sensitive moment injects uncertainty into reopening negotiations when we can least afford it. Both CPS and CTU leadership need to come to the table in good faith. The General Assembly's elimination of Section 4.5 at this critical juncture will irreparably change that dynamic.

I am opposed to this change. I recognize that this amendment has broad support, but the circumstances have changed dramatically since many of you signed on as co-sponsors several years back.

Nonetheless, I ask that if you are to consider amending Section 4.5 to address outstanding concerns, I respectfully urge you to ensure that the implementation of those changes is delayed until the expiration of the current contract, rather than risk sending the school district into a period of further chaos. There is language already drafted that will accomplish that important point – tie any changes to the expiration of the 5-year, historic contract that just went into effect in 2019. My team stands ready to discuss this legislation and work collaboratively with you and all stakeholders to find a workable and fair solution.

Sincerely,



Lori E. Lightfoot  
Mayor