

STATE OF ILLINOIS ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD AMENDED CHARGE AGAINST EMPLOYEE ORGANIZATION OR ITS AGENTS	
1. EMPLOYEE ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT	
	b. Union Representative to Contact Robert E. Bloch
d. Address (<i>street, city, state and ZIP code</i>) Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich, 8 S. Michigan, 19 th Fl., Chicago, IL 60603	
e. The above-named organization(s) or its agents has (<i>have</i>) engaged in and is (<i>are</i>) engaging in unfair labor practices within the meaning of section 14(b), subsection(s) (1), (3), Section 3(a), Section 10, and Section 13(b) of the Illinois (<i>list subsections</i>) Educational Labor Relations Act, and these unfair labor practices are unfair labor practices within the meaning of the Act.	
	7. Employer Representative to Contact Joseph T. Moriarty
11. DECLARATION	



**Amended Charge Number 2016-CB-0018-C
Attachment**

I. Parties:

1. The Chicago Board of Education (CBOE) is an educational employer within the meaning of Section 2(a) of the Illinois Educational Labor Relations Act, 115 ILCS 5/2(a).

2. The Chicago Teachers Union (CTU) is a labor organization and the exclusive representative of educational employees employed by CBOE as defined Sections 2(c) and (d) of the Act, 115 ILCS 5/2(c) and (d).

II. The Alleged Unfair Labor Practices

3. On April 1, 2016, the CTU declared a 1-day strike in violation of Section 13(b) of the Illinois Educational Labor Relations Act, 115 ILCS 5/1, et seq.

4. Section 13(b) of the Act details specific requirements that must be met before a lawful strike may take place. Any strike, regardless of the reason, that occurs prior to the completion of all of the Section 13(b) requirements is illegal and violates Sections 13(b) and 14(b)(3) of the Illinois Educational Labor Relations Act, 115 ILCS 5/1.

5. In advance of that illegal strike, CTU advised its membership that failing to participate in the strike would result in punitive actions, including membership suspension and fines.

6. On April 1, 2016, the CBOE filed an unfair labor practice charge (Case No. 2016-CB-0016-C) in which it alleged that the April 1, 2016 strike was illegal.

7. On April 13, 2016, the IELRB issued a complaint in Case No. 2016-CB-0016-C, which is set for hearing in September 2016.

8. On April 21, 2016, the IELRB found that the CPS had a substantial likelihood of success on the merits of the complaint and granted CBOE's request that the IELRB seek injunctive relief to prohibit future illegal strikes of the kind the CTU engaged in on April 1, 2016.

9. Since April 1, 2016, the CTU, through its officers, agents and proxies, including but not limited to Michael Brunson, have restrained and coerced the CBOE employees in the bargaining unit who worked on April 1 and thereby refused to participate in the Union's unlawful strike on April 1, 2016, by:

- a. threatening to expose employees and hold them up to ridicule by their colleagues;
- b. denying them rights as members of the CTU;
- c. advising employees that they must forfeit their pay for April 1, 2016 to CTU; and

- d. threatening that another non-profit organization under their control would withhold future funding for extracurricular activities.

10. The April 1, 2016 strike was unlawful. Therefore, employees who withheld their labor in furtherance of the strike also violated the Act. The employees who worked on April 1 did not violate the Act, and the CTU had no legal authority to prevent employees from going to work on April 1, 2016.

11. In its May 20, 2016 Opinion and Order, the Illinois Educational Labor Relations Board observed that the CTU failed to recognize its April 1, 2016 strike was likely illegal and could not be repeated. By coercing and disciplining employees who refused to participate in the illegal strike, the CTU defies the IELRB and continues in its misguided and erroneous position that the strike was not illegal.

12. The CTU's discipline and fines against employees who engaged in protected activity by refusing to participate in the CTU's unlawful strike were taken in furtherance of the CTU's illegal act and must, therefore, also be found to be an unlawful furtherance of the illegal strike.

13. The CTU's unlawful conduct in furtherance of the CTU's illegal strike violates Sections 3(a), 10, 13 (b), and 14(b)(1) and (b)(3) of the Act.

III. Remedies Sought

- a. Any other relief the Illinois Educational Labor Relations Board deems appropriate.