

STATE OF ILLINOIS
ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

via cert mail
received
04.05.17

Chicago Board of Education,)	
)	
Complainant)	
)	
and)	Case No. 2017-CB-0027-C
)	
Chicago Teachers Union, Local No. 1,)	
IFT-AFT, AFL-CIO,)	
)	
Respondent)	
)	

COMPLAINT AND NOTICE OF HEARING

Complainant, Chicago Board of Education, filed an unfair labor practice charge with the Illinois Educational Labor Relations Board (IELRB or Board) in the above-captioned case, alleging Respondent, Chicago Teachers Union, Local No. 1, IFT-AFT, AFL-CIO, violated Section 14(b) of the Illinois Educational Labor Relations Act (Act), 115 ILCS 5/1, *et seq.* (2016), *as amended*. After an investigation conducted in accordance with Section 15 of the Act, the Executive Director determined the charge involves dispositive issues of law or fact and issues this complaint for hearing, pursuant to the Act and Section 1120.30 of the IELRB's Rules and Regulations (Rules), 80 Ill. Admin. Code §§1100-1135.

Complainant alleges as follows:

1. Complainant filed the unfair labor practice charge in this matter on March 15, 2017, and a copy thereof was served on Respondent.
2. At all times material, the Chicago Board of Education was an educational employer within the meaning of Section 2(a) of the Act and subject to the jurisdiction of the Board.
3. At all times material, Chicago Teachers Union, Local No. 1, IFT-AFT, AFL-CIO (Union), was a labor organization within the meaning of Section 2(c) of the Act.
4. At all times material, the Union was the exclusive representative within the meaning of Section 2(d) of the Act, of a bargaining unit comprised of certain persons employed by the Chicago Board of Education (CBE), including those in the title or classification of Teacher.
5. At all times material, the Union and the CBE have been parties to a collective bargaining agreement (CBA) for the unit referenced in paragraph 4, with a term from July 1, 2015 to June 30, 2019.
6. Article 47 of the CBA referenced in paragraph 5, provides in pertinent part as follows: "during the term of this agreement, the Union agrees not to strike nor to picket in any manner which would tend to disrupt the operation of any public school in the City of Chicago or of the administrative offices or any other facility of the [CBE]."
7. On March 8, 2017, the Union met and took action to prepare for a strike on May 1, 2017.

8. Respondent's actions, as described in paragraph 7, breached the parties' CBA so as to indicate repudiation or renunciation of its terms.
9. To date, the Union has failed to comply with the prerequisites to a strike, set out in Section 13 of the Act.
10. By its acts and conduct as described in paragraphs 7, 8, and 9, Respondent violated Section 14(b)(3) of the Act.

WHEREFORE, Complainant requests that the IELRB grant any and all relief it finds appropriate in accordance with Section 15 of the Act.

RESPONDENT IS HEREBY NOTIFIED that pursuant to Section 1120.30(d) of the Rules, it must file copies of its answer to the complaint with the IELRB and serve a copy on Complainant no later than 15 days after service hereof, and that pursuant to Section 1120.30(d)(3) of the Rules, failure to timely file an answer shall be deemed to be an admission of all material facts or legal conclusions alleged in the complaint and a waiver of hearing. The filing of any motion or other pleading will not stay the time for filing an answer.

ALL PARTIES ARE HEREBY NOTIFIED that a hearing will be held at 9:30 a.m. on May 25 and 26, 2017, and on consecutive business days thereafter, until completed, at 160 North LaSalle Street, Suite S-501, Chicago, Illinois, before Ellen M. Strizak, an administrative law judge for the Illinois Educational Labor Relations Board, upon all disputed issues, at which time and place Complainant has the obligation to present all evidence in support of its positions, and all parties have the right to appear in person and provide testimony, other evidence, and oral and written arguments. The public hearing will be conducted pursuant to Section 15 of the Act, and Sections 1100, 1105 Subpart B, and 1120 of the Rules. As part of its case processing, the agency provides for mediation of the dispute underlying the unfair labor practice charge, prior to hearing. If you decide to pursue an informal mediation conference, as a means to resolve this charge, please sign and date the enclosed mediation form and return it as instructed. The Board mediator assigned to this matter will contact the parties to arrange the mediation session.

Issued in Chicago, Illinois, this 3rd day of April, 2017.

**STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD**



**Victor E. Blackwell
Executive Director**

**-STATE OF ILLINOIS
ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD**

AFFIDAVIT OF SERVICE

Chicago Board of Education,)	
)	
Complainant)	
)	
and)	Case No. 2017-CB-0027-C
)	
Chicago Teachers Union, Local No. 1,)	
IFT-AFT, AFL-CIO,)	
)	
Respondent)	
)	

DATE: April 3, 2017

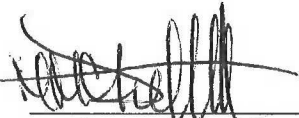
COMPLAINT AND NOTICE OF HEARING

I, the undersigned employee of the Illinois Educational Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) by US certified mail at 100 West Randolph Street, Chicago, Illinois, upon the following persons, addressed to them at the following addresses:

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Robert E. Bloch
Mr. Josiah A. Groff
Dowd, Bloch & Bennett
8 South Michigan Avenue
19th Floor
Chicago, Illinois 60603-3357

Mr. James C. Franczek
Ms. Sally J. Scott
Franczek Radelet P.C.
300 South Wacker Drive
Suite 3400
Chicago, Illinois 60606



Melissa L. McDermott
IELRB Employee

Illinois Educational Labor Relations Board
160 North LaSalle Street, Suite N-400
Chicago, Illinois 60601
Telephone: (312) 793-3170