

SB1644



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1644

Introduced 2/15/2019, by Sen. Jason A. Barickman

SYNOPSIS AS INTRODUCED:

115 ILCS 5/4.5

Amends the Illinois Educational Labor Relations Act. Provides that certain provisions concerning the subjects of collective bargaining apply to all educational employers, rather than just educational employers whose territorial boundaries are coterminous with those of a city having a population in excess of 500,000.

LRB101 08021 AXK 53082 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Educational Labor Relations Act is
5 amended by changing Section 4.5 as follows:

6 (115 ILCS 5/4.5)

7 Sec. 4.5. Subjects of collective bargaining.

8 (a) Notwithstanding the existence of any other provision in
9 this Act or other law, collective bargaining between an
10 educational employer ~~whose territorial boundaries are~~
11 ~~coterminous with those of a city having a population in excess~~
12 ~~of 500,000~~ and an exclusive representative of its employees may
13 include any of the following subjects:

14 (1) (Blank).

15 (2) Decisions to contract with a third party for one or
16 more services otherwise performed by employees in a
17 bargaining unit and the procedures for obtaining such
18 contract or the identity of the third party.

19 (3) Decisions to layoff or reduce in force employees.

20 (4) Decisions to determine class size, class staffing
21 and assignment, class schedules, academic calendar, length
22 of the work and school day with respect to a public school
23 district organized under Article 34 of the School Code

1 only, length of the work and school year with respect to a
2 public school district organized under Article 34 of the
3 School Code only, hours and places of instruction, or pupil
4 assessment policies.

5 (5) Decisions concerning use and staffing of
6 experimental or pilot programs and decisions concerning
7 use of technology to deliver educational programs and
8 services and staffing to provide the technology.

9 (b) The subject or matters described in subsection (a) are
10 permissive subjects of bargaining between an educational
11 employer and an exclusive representative of its employees and,
12 for the purpose of this Act, are within the sole discretion of
13 the educational employer to decide to bargain, provided that
14 the educational employer is required to bargain over the impact
15 of a decision concerning such subject or matter on the
16 bargaining unit upon request by the exclusive representative.
17 During this bargaining, the educational employer shall not be
18 precluded from implementing its decision. For a school district
19 or community college district whose territorial boundaries are
20 coterminous with those of a city having a population in excess
21 of 500,000, if ~~it~~, after a reasonable period of bargaining, a
22 dispute or impasse exists between the educational employer and
23 the exclusive representative, the dispute or impasse shall be
24 resolved exclusively as set forth in subsection (b) of Section
25 12 of this Act in lieu of a strike under Section 13 of this Act.
26 Neither the Board nor any mediator or fact-finder appointed

1 pursuant to subsection (a-10) of Section 12 of this Act shall
2 have jurisdiction over such a dispute or impasse.

3 (c) A provision in a collective bargaining agreement that
4 was rendered null and void because it involved a prohibited
5 subject of collective bargaining under this subsection (c) as
6 this subsection (c) existed before the effective date of this
7 amendatory Act of the 93rd General Assembly remains null and
8 void and shall not otherwise be reinstated in any successor
9 agreement unless the educational employer and exclusive
10 representative otherwise agree to include an agreement reached
11 on a subject or matter described in subsection (a) of this
12 Section as subsection (a) existed before this amendatory Act of
13 the 93rd General Assembly.

14 (Source: P.A. 97-7, eff. 6-13-11; 97-8, eff. 6-13-11.)