**Section 1230.190 Petitions for Strike Investigations**

a) *If a strike*, *which* *may constitute a clear and present danger to the health and safety of the public is about to occur or is in progress, the public employer concerned may* file with the Board a petition for a strike investigation (Section 18(a) of the Act).

b) A petition for a strike investigation shall be on a Board-designated form and shall contain:

1) the name, address and telephone number of the petitioner;

2) the name, address, telephone number and affiliation, if any, of the labor organization that is threatening or conducting the strike;

3) the name, address and telephone number of the parties' representatives;

4) the date that the strike began or is threatened to begin;

5) a detailed description of the danger posed by the strike to the public health and safety.

c) Petitioner shall attach to its petition copies of all relevant evidence, including affidavits, of the existence of a strike or the threat of a strike, and of the existence of a *clear and present danger to the health and safety of the public.* (Section 18 of the Act)

d) The employer shall serve a copy of the petition on the labor organization prior to or simultaneously with its filing with the Board. Service shall be in person or by overnight delivery.

e) The Board shall investigate the petition. If there are disputed issues of material fact, the Board shall hold an expedited hearing. The Board shall issue its findings within 72 hours following the filing of the petition.

f) If the Board finds that there is no strike or threat of a strike, or that there is no *clear and present danger to the health and safety of the public* (Section 18 of the Act), or that the employer is otherwise not entitled to relief pursuant to Section 18 of the Act, the Board shall serve its findings on the parties. The employer may refile its petition for a strike investigation only if it alleges that circumstances have changed since the filing of the Board's findings.

g) If the Board finds that there is a strike or a threat of a strike that poses a *clear and present danger to the health and safety of the public* (Section 18 of the Act), and the Board finds that the employer is otherwise entitled to relief pursuant to Section 18 of the Act, the Board shall serve its findings on the parties.

h) Whenever a court enjoins a strike and orders interest arbitration in accordance with Section 14 of the Act, Section 1230.80 through 1230.110 of this Part shall govern the arbitration.

(Source: Amended at 27 Ill. Reg. 7456, effective May 1, 2003)