

1 AN ACT concerning public labor relations.

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

4 Section 5. The Illinois Public Labor Relations Act is  
5 amended by changing Sections 3 and 9 as follows:

6 (5 ILCS 315/3) (from Ch. 48, par. 1603)

7 Sec. 3. Definitions. As used in this Act, unless the  
8 context otherwise requires:

9 (a) "Board" means the Illinois Labor Relations Board or,  
10 with respect to a matter over which the jurisdiction of the  
11 Board is assigned to the State Panel or the Local Panel under  
12 Section 5, the panel having jurisdiction over the matter.

13 (b) "Collective bargaining" means bargaining over terms  
14 and conditions of employment, including hours, wages, and  
15 other conditions of employment, as detailed in Section 7 and  
16 which are not excluded by Section 4.

17 (c) "Confidential employee" means an employee who, in  
18 the regular course of his or her duties, assists and acts in  
19 a confidential capacity to persons who formulate, determine,  
20 and effectuate management policies with regard to labor  
21 relations or who, in the regular course of his or her duties,  
22 has authorized access to information relating to the  
23 effectuation or review of the employer's collective  
24 bargaining policies.

25 (d) "Craft employees" means skilled journeymen, crafts  
26 persons, and their apprentices and helpers.

27 (e) "Essential services employees" means those public  
28 employees performing functions so essential that the  
29 interruption or termination of the function will constitute a  
30 clear and present danger to the health and safety of the  
31 persons in the affected community.

1 (f) "Exclusive representative", except with respect to  
2 non-State fire fighters and paramedics employed by fire  
3 departments and fire protection districts, non-State peace  
4 officers, and peace officers in the Department of State  
5 Police, means the labor organization that has been (i)  
6 designated by the Board as the representative of a majority  
7 of public employees in an appropriate bargaining unit in  
8 accordance with the procedures contained in this Act, (ii)  
9 historically recognized by the State of Illinois or any  
10 political subdivision of the State before July 1, 1984 (the  
11 effective date of this Act) as the exclusive representative  
12 of the employees in an appropriate bargaining unit, or (iii)  
13 after July 1, 1984 (the effective date of this Act)  
14 recognized by an employer upon evidence, acceptable to the  
15 Board, that the labor organization has been designated as the  
16 exclusive representative by a majority of the employees in an  
17 appropriate bargaining unit.

18 With respect to non-State fire fighters and paramedics  
19 employed by fire departments and fire protection districts,  
20 non-State peace officers, and peace officers in the  
21 Department of State Police, "exclusive representative" means  
22 the labor organization that has been (i) designated by the  
23 Board as the representative of a majority of peace officers  
24 or fire fighters in an appropriate bargaining unit in  
25 accordance with the procedures contained in this Act, (ii)  
26 historically recognized by the State of Illinois or any  
27 political subdivision of the State before January 1, 1986  
28 (the effective date of this amendatory Act of 1985) as the  
29 exclusive representative by a majority of the peace officers  
30 or fire fighters in an appropriate bargaining unit, or (iii)  
31 after January 1, 1986 (the effective date of this amendatory  
32 Act of 1985) recognized by an employer upon evidence,  
33 acceptable to the Board, that the labor organization has been  
34 designated as the exclusive representative by a majority of

1 the peace officers or fire fighters in an appropriate  
2 bargaining unit.

3 (g) "Fair share agreement" means an agreement between  
4 the employer and an employee organization under which all or  
5 any of the employees in a collective bargaining unit are  
6 required to pay their proportionate share of the costs of the  
7 collective bargaining process, contract administration, and  
8 pursuing matters affecting wages, hours, and other conditions  
9 of employment, but not to exceed the amount of dues uniformly  
10 required of members. The amount certified by the exclusive  
11 representative shall not include any fees for contributions  
12 related to the election or support of any candidate for  
13 political office. Nothing in this subsection (g) shall  
14 preclude an employee from making voluntary political  
15 contributions in conjunction with his or her fair share  
16 payment.

17 (g-1) "Fire fighter" means, for the purposes of this Act  
18 only, any person who has been or is hereafter appointed to a  
19 fire department or fire protection district or employed by a  
20 state university and sworn or commissioned to perform fire  
21 fighter duties or paramedic duties, except that the following  
22 persons are not included: part-time fire fighters, auxiliary,  
23 reserve or voluntary fire fighters, including paid on-call  
24 fire fighters, clerks and dispatchers or other civilian  
25 employees of a fire department or fire protection district  
26 who are not routinely expected to perform fire fighter  
27 duties, or elected officials.

28 (g-2) "General Assembly of the State of Illinois" means  
29 the legislative branch of the government of the State of  
30 Illinois, as provided for under Article IV of the  
31 Constitution of the State of Illinois, and includes but is  
32 not limited to the House of Representatives, the Senate, the  
33 Speaker of the House of Representatives, the Minority Leader  
34 of the House of Representatives, the President of the Senate,

1 the Minority Leader of the Senate, the Joint Committee on  
2 Legislative Support Services and any legislative support  
3 services agency listed in the Legislative Commission  
4 Reorganization Act of 1984.

5 (h) "Governing body" means, in the case of the State,  
6 the State Panel of the Illinois Labor Relations Board, the  
7 Director of the Department of Central Management Services,  
8 and the Director of the Department of Labor; the county board  
9 in the case of a county; the corporate authorities in the  
10 case of a municipality; and the appropriate body authorized  
11 to provide for expenditures of its funds in the case of any  
12 other unit of government.

13 (i) "Labor organization" means any organization in which  
14 public employees participate and that exists for the purpose,  
15 in whole or in part, of dealing with a public employer  
16 concerning wages, hours, and other terms and conditions of  
17 employment, including the settlement of grievances.

18 (j) "Managerial employee" means an individual who is  
19 engaged predominantly in executive and management functions  
20 and is charged with the responsibility of directing the  
21 effectuation of management policies and practices. No  
22 employee may be considered a "managerial employee" because he  
23 or she belongs to a classification of employees to whom  
24 executive and management functions may be delegated without  
25 proof that the employee has actually been delegated executive  
26 and management functions on a regular basis. No employee may  
27 be considered a "managerial employee" because he or she  
28 performs professional duties. In determining an employee's  
29 status as a "managerial employee", the Board shall consider  
30 the employee's actual job duties and responsibilities and the  
31 extent to which the employee has actual authority concerning  
32 the overall operations and governance of the employee's  
33 office or workplace.

34 (k) "Peace officer" means, for the purposes of this Act

1 only, any persons who have been or are hereafter appointed to  
2 a police force, department, or agency and sworn or  
3 commissioned to perform police duties, except that the  
4 following persons are not included: part-time police  
5 officers, special police officers, auxiliary police as  
6 defined by Section 3.1-30-20 of the Illinois Municipal Code,  
7 night watchmen, "merchant police", court security officers as  
8 defined by Section 3-6012.1 of the Counties Code, temporary  
9 employees, traffic guards or wardens, civilian parking meter  
10 and parking facilities personnel or other individuals  
11 specially appointed to aid or direct traffic at or near  
12 schools or public functions or to aid in civil defense or  
13 disaster, parking enforcement employees who are not  
14 commissioned as peace officers and who are not armed and who  
15 are not routinely expected to effect arrests, parking lot  
16 attendants, clerks and dispatchers or other civilian  
17 employees of a police department who are not routinely  
18 expected to effect arrests, or elected officials.

19 (l) "Person" includes one or more individuals, labor  
20 organizations, public employees, associations, corporations,  
21 legal representatives, trustees, trustees in bankruptcy,  
22 receivers, or the State of Illinois or any political  
23 subdivision of the State or governing body, but does not  
24 include the General Assembly of the State of Illinois or any  
25 individual employed by the General Assembly of the State of  
26 Illinois.

27 (m) "Professional employee" means any employee engaged  
28 in work predominantly intellectual and varied in character  
29 rather than routine mental, manual, mechanical or physical  
30 work; involving the consistent exercise of discretion and  
31 adjustment in its performance; of such a character that the  
32 output produced or the result accomplished cannot be  
33 standardized in relation to a given period of time; and  
34 requiring advanced knowledge in a field of science or

1 learning customarily acquired by a prolonged course of  
2 specialized intellectual instruction and study in an  
3 institution of higher learning or a hospital, as  
4 distinguished from a general academic education or from  
5 apprenticeship or from training in the performance of routine  
6 mental, manual, or physical processes; or any employee who  
7 has completed the courses of specialized intellectual  
8 instruction and study prescribed in this subsection (m) and  
9 is performing related work under the supervision of a  
10 professional person to qualify to become a professional  
11 employee as defined in this subsection (m).

12 (n) "Public employee" or "employee", for the purposes of  
13 this Act, means any individual employed by a public employer,  
14 including interns and residents at public hospitals, but  
15 excluding all of the following: employees of the General  
16 Assembly of the State of Illinois; elected officials;  
17 executive heads of a department; members of boards or  
18 commissions; employees of any agency, board or commission  
19 created by this Act; employees appointed to State positions  
20 of a temporary or emergency nature; all employees of school  
21 districts and higher education institutions except  
22 firefighters and peace officers employed by a state  
23 university; managerial employees; short-term employees;  
24 confidential employees; independent contractors; and  
25 supervisors except as provided in this Act.

26 Notwithstanding Section 9, subsection (c), or any other  
27 provisions of this Act, all peace officers above the rank of  
28 captain in municipalities with more than 1,000,000  
29 inhabitants shall be excluded from this Act.

30 (o) "Public employer" or "employer" means the State of  
31 Illinois; any political subdivision of the State, unit of  
32 local government or school district; authorities including  
33 departments, divisions, bureaus, boards, commissions, or  
34 other agencies of the foregoing entities; and any person

1 acting within the scope of his or her authority, express or  
2 implied, on behalf of those entities in dealing with its  
3 employees. "Public employer" or "employer" as used in this  
4 Act, however, does not mean and shall not include the General  
5 Assembly of the State of Illinois and educational employers  
6 or employers as defined in the Illinois Educational Labor  
7 Relations Act, except with respect to a state university in  
8 its employment of firefighters and peace officers. County  
9 boards and county sheriffs shall be designated as joint or  
10 co-employers of county peace officers appointed under the  
11 authority of a county sheriff. Nothing in this subsection  
12 (o) shall be construed to prevent the State Panel or the  
13 Local Panel from determining that employers are joint or  
14 co-employers.

15 (p) "Security employee" means an employee who is  
16 responsible for the supervision and control of inmates at  
17 correctional facilities. The term also includes other  
18 non-security employees in bargaining units having the  
19 majority of employees being responsible for the supervision  
20 and control of inmates at correctional facilities.

21 (q) "Short-term employee" means an employee who is  
22 employed for less than 2 consecutive calendar quarters during  
23 a calendar year and who does not have a reasonable assurance  
24 that he or she will be rehired by the same employer for the  
25 same service in a subsequent calendar year.

26 (r) "Supervisor" is an employee whose principal work is  
27 substantially different from that of his or her subordinates  
28 and who has authority, in the interest of the employer, to  
29 hire, transfer, suspend, lay off, recall, promote, discharge,  
30 direct, reward, or discipline employees, to adjust their  
31 grievances, or to effectively recommend any of those actions,  
32 if the exercise of that authority is not of a merely routine  
33 or clerical nature, but requires the consistent use of  
34 independent judgment. Except with respect to police

1 employment, the term "supervisor" includes only those  
2 individuals who devote a preponderance of their employment  
3 time to exercising that authority, State supervisors  
4 notwithstanding. In addition, in determining supervisory  
5 status in police employment, rank shall not be determinative.  
6 The Board shall consider, as evidence of bargaining unit  
7 inclusion or exclusion, the common law enforcement policies  
8 and relationships between police officer ranks and  
9 certification under applicable civil service law, ordinances,  
10 personnel codes, or Division 2.1 of Article 10 of the  
11 Illinois Municipal Code, but these factors shall not be the  
12 sole or predominant factors considered by the Board in  
13 determining police supervisory status.

14 Notwithstanding the provisions of the preceding  
15 paragraph, in determining supervisory status in fire fighter  
16 employment, no fire fighter shall be excluded as a supervisor  
17 who has established representation rights under Section 9 of  
18 this Act. Further, in new fire fighter units, employees  
19 shall consist of fire fighters of the rank of company officer  
20 and below. If a company officer otherwise qualifies as a  
21 supervisor under the preceding paragraph, however, he or she  
22 shall not be included in the fire fighter unit. If there is  
23 no rank between that of chief and the highest company  
24 officer, the employer may designate a position on each shift  
25 as a Shift Commander, and the persons occupying those  
26 positions shall be supervisors. All other ranks above that  
27 of company officer shall be supervisors.

28 (s) (1) "Unit" means a class of jobs or positions that  
29 are held by employees whose collective interests may  
30 suitably be represented by a labor organization for  
31 collective bargaining. Except with respect to non-State  
32 fire fighters and paramedics employed by fire departments  
33 and fire protection districts, non-State peace officers,  
34 and peace officers in the Department of State Police, a



1 bargaining unit determined by the Board shall not include  
2 both employees and supervisors, or supervisors only,  
3 except as provided in paragraph (2) of this subsection  
4 (s) and except for bargaining units in existence on July  
5 1, 1984 (the effective date of this Act). With respect  
6 to non-State fire fighters and paramedics employed by  
7 fire departments and fire protection districts, non-State  
8 peace officers, and peace officers in the Department of  
9 State Police, a bargaining unit determined by the Board  
10 shall not include both supervisors and nonsupervisors, or  
11 supervisors only, except as provided in paragraph (2) of  
12 this subsection (s) and except for bargaining units in  
13 existence on January 1, 1986 (the effective date of this  
14 amendatory Act of 1985). A bargaining unit determined by  
15 the Board to contain peace officers shall contain no  
16 employees other than peace officers unless otherwise  
17 agreed to by the employer and the labor organization or  
18 labor organizations involved. Notwithstanding any other  
19 provision of this Act, a bargaining unit, including a  
20 historical bargaining unit, containing sworn peace  
21 officers of the Department of Natural Resources (formerly  
22 designated the Department of Conservation) shall contain  
23 no employees other than such sworn peace officers upon  
24 the effective date of this amendatory Act of 1990 or upon  
25 the expiration date of any collective bargaining  
26 agreement in effect upon the effective date of this  
27 amendatory Act of 1990 covering both such sworn peace  
28 officers and other employees.

29 (2) Notwithstanding the exclusion of supervisors  
30 from bargaining units as provided in paragraph (1) of  
31 this subsection (s), a public employer may agree to  
32 permit its supervisory employees to form bargaining units  
33 and may bargain with those units. This Act shall apply  
34 if the public employer chooses to bargain under this

1 subsection.

2 (Source: P.A. 90-14, eff. 7-1-97; 90-655, eff. 7-30-98;  
3 91-798, eff. 7-9-00.)

4 (5 ILCS 315/9) (from Ch. 48, par. 1609)

5 Sec. 9. Elections; recognition.

6 (a) Whenever in accordance with such regulations as may  
7 be prescribed by the Board a petition has been filed:

8 (1) by a public employee or group of public  
9 employees or any labor organization acting in their  
10 behalf demonstrating that 30% of the public employees in  
11 an appropriate unit (A) wish to be represented for the  
12 purposes of collective bargaining by a labor  
13 organization as exclusive representative, or (B)  
14 asserting that the labor organization which has been  
15 certified or is currently recognized by the public  
16 employer as bargaining representative is no longer the  
17 representative of the majority of public employees in the  
18 unit; or

19 (2) by a public employer alleging that one or more  
20 labor organizations have presented to it a claim that  
21 they be recognized as the representative of a majority of  
22 the public employees in an appropriate unit, the Board  
23 shall investigate such petition, and if it has reasonable  
24 cause to believe that a question of representation  
25 exists, shall provide for an appropriate hearing upon due  
26 notice. Such hearing shall be held at the offices of the  
27 Board or such other location as the Board deems  
28 appropriate. If it finds upon the record of the hearing  
29 that a question of representation exists, it shall direct  
30 an election in accordance with subsection (d) of this  
31 Section, which election shall be held not later than 120  
32 days after the date the petition was filed regardless of  
33 whether that petition was filed before or after the

1 effective date of this amendatory Act of 1987; provided,  
2 however, the Board may extend the time for holding an  
3 election by an additional 60 days if, upon motion by a  
4 person who has filed a petition under this Section or is  
5 the subject of a petition filed under this Section and is  
6 a party to such hearing, or upon the Board's own motion,  
7 the Board finds that good cause has been shown for  
8 extending the election date; provided further, that  
9 nothing in this Section shall prohibit the Board, in its  
10 discretion, from extending the time for holding an  
11 election for so long as may be necessary under the  
12 circumstances, where the purpose for such extension is to  
13 permit resolution by the Board of an unfair labor  
14 practice charge filed by one of the parties to a  
15 representational proceeding against the other based upon  
16 conduct which may either affect the existence of a  
17 question concerning representation or have a tendency to  
18 interfere with a fair and free election, where the party  
19 filing the charge has not filed a request to proceed with  
20 the election; and provided further that prior to the  
21 expiration of the total time allotted for holding an  
22 election, a person who has filed a petition under this  
23 Section or is the subject of a petition filed under this  
24 Section and is a party to such hearing or the Board, may  
25 move for and obtain the entry of an order in the circuit  
26 court of the county in which the majority of the public  
27 employees sought to be represented by such person reside,  
28 such order extending the date upon which the election  
29 shall be held. Such order shall be issued by the circuit  
30 court only upon a judicial finding that there has been a  
31 sufficient showing that there is good cause to extend the  
32 election date beyond such period and shall require the  
33 Board to hold the election as soon as is feasible given  
34 the totality of the circumstances. Such 120 day period

1           may be extended one or more times by the agreement of all  
2           parties to the hearing to a date certain without the  
3           necessity of obtaining a court order. Nothing in this  
4           Section prohibits the waiving of hearings by stipulation  
5           for the purpose of a consent election in conformity with  
6           the rules and regulations of the Board or an election in  
7           a unit agreed upon by the parties. Other interested  
8           employee organizations may intervene in the proceedings  
9           in the manner and within the time period specified by  
10          rules and regulations of the Board. Interested parties  
11          who are necessary to the proceedings may also intervene  
12          in the proceedings in the manner and within the time  
13          period specified by the rules and regulations of the  
14          Board.

15          (b) The Board shall decide in each case, in order to  
16          assure public employees the fullest freedom in exercising the  
17          rights guaranteed by this Act, a unit appropriate for the  
18          purpose of collective bargaining, based upon but not limited  
19          to such factors as: historical pattern of recognition;  
20          community of interest including employee skills and  
21          functions; degree of functional integration;  
22          interchangeability and contact among employees; fragmentation  
23          of employee groups; common supervision, wages, hours and  
24          other working conditions of the employees involved; and the  
25          desires of the employees. For purposes of this subsection,  
26          fragmentation shall not be the sole or predominant factor  
27          used by the Board in determining an appropriate bargaining  
28          unit. Except with respect to non-State fire fighters and  
29          paramedics employed by fire departments and fire protection  
30          districts, non-State peace officers and peace officers in the  
31          State Department of State Police, a single bargaining unit  
32          determined by the Board may not include both supervisors and  
33          nonsupervisors, except for bargaining units in existence on  
34          the effective date of this Act. With respect to non-State

1 fire fighters and paramedics employed by fire departments and  
2 fire protection districts, non-State peace officers and peace  
3 officers in the State Department of State Police, a single  
4 bargaining unit determined by the Board may not include both  
5 supervisors and nonsupervisors, except for bargaining units  
6 in existence on the effective date of this amendatory Act of  
7 1985.

8 In cases involving an historical pattern of recognition,  
9 and in cases where the employer has recognized the union as  
10 the sole and exclusive bargaining agent for a specified  
11 existing unit, the Board shall find the employees in the unit  
12 then represented by the union pursuant to the recognition to  
13 be the appropriate unit.

14 Notwithstanding the above factors, where the majority of  
15 public employees of a craft so decide, the Board shall  
16 designate such craft as a unit appropriate for the purposes  
17 of collective bargaining.

18 The Board shall not decide that any unit is appropriate  
19 if such unit includes both professional and nonprofessional  
20 employees, unless a majority of each group votes for  
21 inclusion in such unit.

22 (c) Nothing in this Act shall interfere with or negate  
23 the current representation rights or patterns and practices  
24 of labor organizations which have historically represented  
25 public employees for the purpose of collective bargaining,  
26 including but not limited to the negotiations of wages, hours  
27 and working conditions, discussions of employees' grievances,  
28 resolution of jurisdictional disputes, or the establishment  
29 and maintenance of prevailing wage rates, unless a majority  
30 of employees so represented express a contrary desire  
31 pursuant to the procedures set forth in this Act.

32 (d) In instances where the employer does not voluntarily  
33 recognize a labor organization as the exclusive bargaining  
34 representative for a unit of employees, the Board shall

1 determine the majority representative of the public employees  
2 in an appropriate collective bargaining unit by conducting a  
3 secret ballot election. Within 7 days after the Board issues  
4 its bargaining unit determination and direction of election  
5 or the execution of a stipulation for the purpose of a  
6 consent election, the public employer shall submit to the  
7 labor organization the complete names and addresses of those  
8 employees who are determined by the Board to be eligible to  
9 participate in the election. When the Board has determined  
10 that a labor organization has been fairly and freely chosen  
11 by a majority of employees in an appropriate unit, it shall  
12 certify such organization as the exclusive representative.  
13 If the Board determines that a majority of employees in an  
14 appropriate unit has fairly and freely chosen not to be  
15 represented by a labor organization, it shall so certify. The  
16 Board may also revoke the certification of the public  
17 employee organizations as exclusive bargaining  
18 representatives which have been found by a secret ballot  
19 election to be no longer the majority representative.

20 (e) The Board shall not conduct an election in any  
21 bargaining unit or any subdivision thereof within which a  
22 valid election has been held in the preceding 12-month  
23 period. The Board shall determine who is eligible to vote in  
24 an election and shall establish rules governing the conduct  
25 of the election or conduct affecting the results of the  
26 election. The Board shall include on a ballot in a  
27 representation election a choice of "no representation". A  
28 labor organization currently representing the bargaining unit  
29 of employees shall be placed on the ballot in any  
30 representation election. In any election where none of the  
31 choices on the ballot receives a majority, a runoff election  
32 shall be conducted between the 2 choices receiving the  
33 largest number of valid votes cast in the election. A labor  
34 organization which receives a majority of the votes cast in

1 an election shall be certified by the Board as exclusive  
2 representative of all public employees in the unit.

3 (f) Nothing in this or any other Act prohibits  
4 recognition of a labor organization as the exclusive  
5 representative by a public employer by mutual consent of the  
6 employer and the labor organization, provided that the labor  
7 organization represents a majority of the public employees in  
8 an appropriate unit. Any employee organization which is  
9 designated or selected by the majority of public employees,  
10 in a unit of the public employer having no other recognized  
11 or certified representative, as their representative for  
12 purposes of collective bargaining may request recognition by  
13 the public employer in writing. The public employer shall  
14 post such request for a period of at least 20 days following  
15 its receipt thereof on bulletin boards or other places used  
16 or reserved for employee notices.

17 (g) Within the 20-day period any other interested  
18 employee organization may petition the Board in the manner  
19 specified by rules and regulations of the Board, provided  
20 that such interested employee organization has been  
21 designated by at least 10% of the employees in an appropriate  
22 bargaining unit which includes all or some of the employees  
23 in the unit recognized by the employer. In such event, the  
24 Board shall proceed with the petition in the same manner as  
25 provided by paragraph (1) of subsection (a) of this Section.

26 (h) No election shall be directed by the Board in any  
27 bargaining unit where there is in force a valid collective  
28 bargaining agreement. The Board, however, may process an  
29 election petition filed between 90 and 60 days prior to the  
30 expiration of the date of an agreement, and may further  
31 refine, by rule or decision, the implementation of this  
32 provision. Where more than 3 years have elapsed since the  
33 effective date of the agreement, the agreement shall continue  
34 to bar an election, except that the Board may process an

1 election petition filed between 90 and 60 days prior to the  
2 end of the fourth year of such an agreement, and between 90  
3 and 60 days prior to the end of each successive year of such  
4 agreement. ~~No--collective--bargaining--agreement---bars---an~~  
5 ~~election--upon--the--petition--of--persons--not--parties--thereto~~  
6 ~~where--more--than--3--years--have--elapsed--since--the--effective--date~~  
7 ~~of--the--agreement.~~

8 (i) An order of the Board dismissing a representation  
9 petition, determining and certifying that a labor  
10 organization has been fairly and freely chosen by a majority  
11 of employees in an appropriate bargaining unit, determining  
12 and certifying that a labor organization has not been fairly  
13 and freely chosen by a majority of employees in the  
14 bargaining unit or certifying a labor organization as the  
15 exclusive representative of employees in an appropriate  
16 bargaining unit because of a determination by the Board that  
17 the labor organization is the historical bargaining  
18 representative of employees in the bargaining unit, is a  
19 final order. Any person aggrieved by any such order issued  
20 on or after the effective date of this amendatory Act of 1987  
21 may apply for and obtain judicial review in accordance with  
22 provisions of the Administrative Review Law, as now or  
23 hereafter amended, except that such review shall be afforded  
24 directly in the Appellate Court for the district in which the  
25 aggrieved party resides or transacts business. Any direct  
26 appeal to the Appellate Court shall be filed within 35 days  
27 from the date that a copy of the decision sought to be  
28 reviewed was served upon the party affected by the decision.

29 (Source: P.A. 87-736; 88-1.)

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.