

# HB1851



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1851

by Rep. Marlow H. Colvin

### SYNOPSIS AS INTRODUCED:

115 ILCS 5/4.5

Amends the Illinois Educational Labor Relations Act. Makes a technical change in a Section concerning subjects of collective bargaining.

LRB097 08974 NHT 49107 b

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 ~~the~~ existence of any other  
9 provision in this Act or other law, collective bargaining  
10 between an educational employer whose territorial boundaries  
11 are coterminous with those of a city having a population in  
12 excess of 500,000 and an exclusive representative of its  
13 employees may 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, hours  
22 and places of instruction, or pupil assessment policies.

23 (5) Decisions concerning use and staffing of

1 experimental or pilot programs and decisions concerning  
2 use of technology to deliver educational programs and  
3 services and staffing to provide the technology.

4 (b) The subject or matters described in subsection (a) are  
5 permissive subjects of bargaining between an educational  
6 employer and an exclusive representative of its employees and,  
7 for the purpose of this Act, are within the sole discretion of  
8 the educational employer to decide to bargain, provided that  
9 the educational employer is required to bargain over the impact  
10 of a decision concerning such subject or matter on the  
11 bargaining unit upon request by the exclusive representative.  
12 During this bargaining, the educational employer shall not be  
13 precluded from implementing its decision. If, after a  
14 reasonable period of bargaining, a dispute or impasse exists  
15 between the educational employer and the exclusive  
16 representative, the dispute or impasse shall be resolved  
17 exclusively as set forth in subsection (b) of Section 12 of  
18 this Act in lieu of a strike under Section 13 of this Act.

19 (c) A provision in a collective bargaining agreement that  
20 was rendered null and void because it involved a prohibited  
21 subject of collective bargaining under this subsection (c) as  
22 this subsection (c) existed before the effective date of this  
23 amendatory Act of the 93rd General Assembly remains null and  
24 void and shall not otherwise be reinstated in any successor  
25 agreement unless the educational employer and exclusive  
26 representative otherwise agree to include an agreement reached

1 on a subject or matter described in subsection (a) of this  
2 Section as subsection (a) existed before this amendatory Act of  
3 the 93rd General Assembly.

4 (Source: P.A. 93-3, eff. 4-16-03.)