**Section 1120.90 Processing of Employee Dues in Unfair Labor Practice Charges Involving Unlawfully Collected Dues**

a) Unfair labor practice charges that an employee organization has unlawfully collected dues from an educational employee in violation of the Act shall be filed and processed in accordance with this Section.

b) *In cases in which an educational employee alleges that an employee organization has unlawfully collected dues, the educational employer shall continue to deduct the employee’s dues from the employee's pay, but shall transmit the dues to the Board for deposit in an escrow account maintained by the Board* (Section 11.1(g) of the Act), notwithstanding that the employee organization may maintain an escrow account in accordance with subsections (c)-(e) and the employee organization has notified the employer of that account.

c) An employee organization may maintain an escrow account for the purpose of holding dues deductions to which employees have objected. If the escrow account is maintained, the employee organization must notify the employer of that account.

d) If the employee organization maintains an escrow account in accordance with subsection (c), the employer shall transmit the entire amount of dues to the employee organization, and the employee organization shall hold them in escrow.

e) An escrow account maintained by an employee organization shall meet the following standards:

1) The account shall be maintained in a federally insured financial institution.

2) The account shall earn interest of at least the rate provided by commercial banks for regular passbook savings accounts.

3) If the account combines the dues of more than one objector, separate records shall be kept of each objector's dues, prorating the interest earned on the account.

4) The escrow account may contain the fees of objecting employees in different bargaining units.

5) Any charges resulting from a financial institution for the cost of maintaining an escrow account shall be borne by the employee organization.

f) For the purpose of this Section, "employee organization" includes local exclusive representatives and their State, national, international, and parent organizations and affiliates.

(Source: Added at 47 Ill. Reg. 19324, effective December 21, 2023)