**Section 1130.20 Notices and Timetable for Bargaining**

a) Newly Certified Representatives

In units for which exclusive representatives have been newly certified, with respect to collective bargaining between an educational employer that is not a public school district organized under Article 34 of the School Code [105 ILCS 5/Art. 34] and an exclusive representative of its employees, this subsection (a) shall apply. For purposes of this subsection (a), newly certified representatives are representatives that have not yet reached a collective bargaining agreement after their certification under the Illinois Educational Labor Relations Act [115 ILCS 5].

1) *Upon demand of either party, collective bargaining between the employer and an exclusive collective bargaining representative must begin within 60 days* after *the date of certification of the* exclusive *representative by the Board. Once commenced, collective bargaining must continue for at least a 60 day period, unless a contract is entered into.* [115 ILCS 5/12(a)]

2) If no agreement has been reached within 90 days prior to the scheduled start of the forthcoming school year, the exclusive representative and the employer shall file a notice with the Board. In addition to the requirements of subsection (d), this notice shall include a statement on whether mediation has been used.

3) If no agreement has been reached within 45 days after bargaining was initiated, the parties shall file a notice with the Board. In addition to the requirements of subsection(d), this notice shall state that no agreement has been reached and whether the parties have agreed to mediation using privately selected *individuals or organizations such as the Federal Mediation and Conciliation Service or the American Arbitration Association* [115 ILCS 5/12(a)]. If, by this date, mediation has not been initiated, the Board shall invoke mediation upon request of a party.

4) If no agreement has been reached 45 days prior to the scheduled start of the forthcoming school year, the parties shall file a notice with the Board. In addition to the requirements of subsection (d), this notice shall state that no agreement has been reached and whether the parties have agreed to mediation using privately selected *individuals or organizations such as the Federal Mediation and Conciliation Service or the American Arbitration Association* [115 ILCS 5/12(a)]. If, by this date, mediation has not been initiated, the Board shall invoke mediation upon request of a party.

b) Existing Representatives

In units represented by existing exclusive representatives, with respect to collective bargaining between an educational employer that is not a public school district organized under Article 34 of the School Code and an exclusive representative of its employees, the rules in this subsection (b) shall apply:

1) Upon demand of either party, collective bargaining must begin within 60 days after the receipt of the demand to bargain by the other party. *Once commenced, collective bargaining must continue for at least a 60 day period, unless a contract is entered into* [115 ILCS 5/12(a)].

2) If no agreement has been reached within 90 days prior to the scheduled start of the forthcoming school year, the exclusive representative and the employer shall file a notice with the Board. In addition to the requirements of subsection (d), this notice shall include a statement on whether mediation has been used.

3) If no agreement has been reached 45 days prior to the scheduled start of the forthcoming school year, the parties shall file a second notice with the Board. In addition to the requirements of subsection (d), this notice shall state that no agreement has been reached and whether the parties have agreed to mediation using privately selected *individuals or organizations such as the Federal Mediation and Conciliation Service or the American Arbitration Association* [115 ILCS 5/12(a)]. If, by this date, mediation has not been initiated, the Board shall invoke mediation upon request of a party.

c) All notices filed under this Section may be filed jointly, signed by both parties. If the notice is not filed jointly, each party shall file a separate notice and serve a copy on the other party. Notices under this Section will be considered filed on the date they are received by the Board.

d) All notices filed under this Section shall be on a form developed by the Board and shall contain the following:

1) the name, affiliation, if any, and address of the exclusive representative;

2) the name and address of the employer;

3) the expiration date of the existing collective bargaining agreement, if any;

4) the date of the scheduled start of the forthcoming school year; and

5) a brief report on the status of negotiations, including the date negotiations began.

(Source: Amended at 41 Ill. Reg. 10635, effective August 1, 2017)