

1 AN ACT in relation to 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  
5 is amended by changing Section 8 as follows:

6 (115 ILCS 5/8) (from Ch. 48, par. 1708)

7 Sec. 8. Election - certification. Elections shall be by  
8 secret ballot, and conducted in accordance with rules and  
9 regulations established by the Illinois Educational Labor  
10 Relations Board. An incumbent exclusive bargaining  
11 representative shall automatically be placed on any ballot  
12 with the petitioner's labor organization. An intervening  
13 labor organization may be placed on the ballot when supported  
14 by 15% or more of the employees in the bargaining unit. The  
15 Board shall give at least 30 days notice of the time and  
16 place of the election to the parties and, upon request, shall  
17 provide the parties with a list of names and addresses of  
18 persons eligible to vote in the election at least 15 days  
19 before the election. The ballot must include, as one of the  
20 alternatives, the choice of "no representative". No mail  
21 ballots are permitted except where a specific individual  
22 would otherwise be unable to cast a ballot.

23 The labor organization receiving a majority of the  
24 ballots cast shall be certified by the Board as the exclusive  
25 bargaining representative. If the choice of "no  
26 representative" receives a majority, the employer shall not  
27 recognize any exclusive bargaining representative for at  
28 least 12 months. If none of the choices on the ballot  
29 receives a majority, a run-off shall be conducted between the  
30 2 choices receiving the largest number of valid votes cast in  
31 the election. The Board shall certify the results of the

1 election within 6 5 working days after the final tally of  
2 votes unless a charge is filed by a party alleging that  
3 improper conduct occurred which affected the outcome of the  
4 election. The Board shall promptly investigate the  
5 allegations, and if it finds probable cause that improper  
6 conduct occurred and could have affected the outcome of the  
7 election, it shall set a hearing on the matter on a date  
8 falling within 2 weeks of when it received the charge. If it  
9 determines, after hearing, that the outcome of the election  
10 was affected by improper conduct, it shall order a new  
11 election and shall order corrective action which it considers  
12 necessary to insure the fairness of the new election. If it  
13 determines upon investigation or after hearing that the  
14 alleged improper conduct did not take place or that it did  
15 not affect the results of the election, it shall immediately  
16 certify the election results.

17 Any labor organization that is the exclusive bargaining  
18 representative in an appropriate unit on the effective date  
19 of this Act shall continue as such until a new one is  
20 selected under this Act.

21 (Source: P.A. 83-1014.)