

1 AN ACT concerning educational 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 Educational Labor Relations Act
5 is amended by changing Section 4.5 as follows:

6 (115 ILCS 5/4.5)

7 Sec. 4.5. Prohibited subjects of collective bargaining.

8 (a) Notwithstanding the existence of any other provision
9 in this Act or other law, collective bargaining between the
10 board of education of a public school district organized
11 under Article 34 of the School Code ~~an-educational-employer~~
12 ~~whose-territorial-boundaries-are-coterminous-with-these-of--a~~
13 ~~city--having--a--population--in--excess--of--500,000~~ and an
14 exclusive representative of its employees shall not include
15 any of the following subjects:

16 (1) Decisions to grant or deny a charter school
17 proposal under Section 27A-8 of the Charter Schools Law,
18 to renew or revoke a charter under Section 27A-9 of the
19 Charter Schools Law, or to grant or deny a leave of
20 absence to an employee of a school district to become an
21 employee of a charter school, and the impact of these
22 decisions on individual employees or the bargaining unit.

23 (2) Decisions to contract with a third party for
24 one or more services otherwise performed by employees in
25 a bargaining unit, the procedures for obtaining such
26 contract or the identity of the third party, and the
27 impact of these decisions on individual employees or the
28 bargaining unit.

29 (3) Decisions to layoff or reduce in force
30 employees (including but not limited to reserve teachers
31 or teachers who are no longer on an administrative

1 payroll) due to lack of work or funds, including but not
 2 limited to decline in student enrollment, change in
 3 subject requirements within the attendance center
 4 organization, closing of an attendance center, or
 5 contracts with third parties for the performance of
 6 services, and the impact of these decisions on individual
 7 employees or the bargaining unit.

8 (4) Decisions to determine class size, class
 9 staffing and assignment, class schedules, academic
 10 calendar, hours and places of instruction, or pupil
 11 assessment policies, and the impact of these decisions on
 12 individual employees or the bargaining unit.

13 (5) Decisions concerning use and staffing of
 14 experimental or pilot programs, decisions concerning use
 15 of technology to deliver educational programs and
 16 services and staffing to provide the technology, and the
 17 impact of these decisions on individual employees or the
 18 bargaining unit.

19 (b) The subject or matters described in subsection (a)
 20 are prohibited subjects of bargaining between the board of
 21 education of a public school district organized under Article
 22 34 of the School Code ~~an--educational--employer~~ and an
 23 exclusive representative of its employees and, for the
 24 purpose of this Act, are within the sole authority of the the
 25 board of education of that school district ~~educational~~
 26 ~~employer~~ to decide.

27 (c) This Section shall apply to collective bargaining
 28 agreements that become effective after the effective date of
 29 this amendatory Act of 1995 and shall render a provision
 30 involving a prohibited subject in such agreement null and
 31 void.

32 (Source: P.A. 89-15, eff. 5-30-95.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.