

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.)