

Collective Bargaining Facts

1. What is Impasse and what action does that trigger?
 - a. Impasse occurs when either or both sides in a bargain believe they cannot find a resolution that is acceptable to address the issue. Remember that collective bargaining does not always yield the best solution, but rather, the best solution that both sides can agree to at the given time. The declaration of impasse triggers statutory timelines and requirements.
2. Who is the mediator and what do they do?
 - a. Either before or definitely after the declaration of impasse a mediator is brought in to help resolve the bargain. The mediator is a trained employee of an outside agency, either the Federal Mediation and Conciliation Service (FMCS) or the American Arbitrator Association (AAA), whose role is to serve as a go between and try to help the two sides find resolution. They do not craft a solution.
3. What happens if we don't agree even with a mediator?
 - a. The parties can certainly agree to continue to bargain. Additionally if impasse has been officially declared then the statutory timelines are enacted. Within the timelines are the responsibilities for the parties to file an intent to strike (if one has been authorized by the membership), the posting of the final positions by the Illinois Educational Labor Relations Board (IELRB) on its website, and the possibility of the district imposing its last offer.
4. What other legal actions can we take besides a strike?
 - a. Members always have the right to bring their issues directly to the school board and utilize the 3 minutes afforded any member of the public. Collectively members can attend board of education meetings en masse as a show of support for the union, informational picketing can be used at strategic times and places, and union members can 'work to rule' which is to do no more and no less than the contract demands that they do in their jobs.
5. What has changed in the law since ETA last went on strike?
 - a. The impasse procedures and its related timelines and responsibilities have been altered by the Illinois legislature (see other side of this document). There is plenty of information available on the IEA website under the Members Only section.
6. If we file intent to strike, what happens next?
 - a. Assuming that the membership authorizes a strike the leadership of the ETA will file the intent to strike notice. Filing of the notice does not obligate the union to proceed with job action but it is a requirement before doing so.
7. If ETA voted to strike, does the District still have to pay me and what happens to my insurance?
 - a. The district is under no obligation to pay teachers while they are on strike. Historically the district has paid the teachers but remember that was a long time ago and payroll systems have been computerized and turning off/on a pay cycle is much easier now than twenty years ago. Insurance is altogether another matter and there would need to be a discussion and agreement between the union and the district on this matter. Typically insurance is not stopped for a variety of reasons and depending upon when a strike were to commence some or all of the duration of a strike may already be 'covered' through the premium payment.
8. What ends the strike?
 - a. A strike ends when the bargaining teams are able to reach a Tentative Agreement – the very thing that could not be reached prior to exercising the right to strike.
 - b. A strike could be called off if significant progress has been made or an impasse has been broken. This is not the typical end of a strike.