

# The process of organizing an ISU faculty union

- **NO VOTE will be necessary when a majority of faculty to be represented show their support through signed ISU FA membership forms** (with dues deferred until bargaining gets underway). After a majority of ISU faculty become ISU FA members, a ‘Majority Interest Petition’ (MIP) can be filed by IEA with the Illinois Educational Labor Relations Board (IELRB). **See more info below from the IELRB’s FAQ**
  - **The forms are not seen by our employer**, only by the labor board. The decision to share with others your support of the ISU FA is completely yours.
  - **The union has the legal responsibility to represent the minority who may not have joined** – all faculty are covered by contract provisions, member or not, and membership will remain voluntary.
  - **A Fair Share provision is NOT automatic. It must be negotiated** if the employer chooses to even discuss it in bargaining. This is the only instance in which non-members would pay roughly the equivalent of dues (but have no voice in the FA – unable to nominate, run or vote for officers, unable to vote up or down on tentative bargaining agreements, and so on. **See more info below from the IELRB’s FAQ**
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## FAQ excerpts

### Illinois Educational Labor Relations Board (IELRB)

#### Union Representation through ‘Majority Interest’

**Q:** *Who may file a representation petition with the Illinois Educational Labor Relations Board (IELRB)?*

**A:** Petitions may be filed by an employee, a group of employees or a labor organization acting on employees’ behalf.

**Q:** *What is a ‘showing of interest’ in a Majority Interest Petition (MIP)?*

**A:** In the case of majority interest petitions, the showing of interest shall consist of current dues cards, petitions or other evidence demonstrating that more than 50 percent of the proposed bargaining unit wish to be represented for collective bargaining by the petitioned-for employee organization. Authorization cards and petitions must be signed and dated by the employee, and are effective for six months from the date signed.

**Q:** *What is a ‘majority interest petition?’*

**A:** The IELRA was changed, effective January 1, 2004, to provide that an educational employer shall voluntarily recognize a labor organization for purposes of collective bargaining if the organization appears to represent a majority of employees in the unit. The Act provides for the posting of a notice to the employees explaining their rights in connection with this procedure, as well as the holding of an election if another labor organization intervenes in the proceedings with a minimum 15 percent showing of interest. The procedure for the processing of majority interest petitions is set forth in Section 1110.105 of the IELRB’s rules.

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## **‘Fair Share’**

**Q:** *What is fair share?*

**A:** A collective bargaining agreement entered into with an exclusive representative may include a provision requiring employees covered by the agreement who are not members of the organization to pay a fair share fee to the organization for services. The exclusive representative shall certify the amount of the fair share fee, which shall not exceed the amount of regular dues. The fair share amount shall be deducted from the non-member employee’s earnings and paid to the exclusive representative. The fair share fee shall not include any fees for contributions to candidates for public office.

**Q:** *What if my religious beliefs preclude me from any association with the organization?*

**A:** Fair share provisions must safeguard the non-member employees’ right to not associate and thereby not contribute to certain groups based on their bona fide religious tenets or teachings of a church or religious body of which the employee is a member. However, these employees may be required to pay an amount equal to the fair share fee to a nonreligious charitable organization mutually agreed upon by the employee and the exclusive representative. If the employee and exclusive representative are unable to agree on a charity, the IELRB has established an approved list of charitable organization.

**Q:** *What happens to the money deducted from earnings while the fair share fee objection is being processed?*

**A:** The employer shall continue to deduct the fair share fee from the employees’ earnings, but the money is held in an interest-bearing escrow account by either the IELRB or the exclusive representative.

**Q:** *How are fair share fee objections processed by the IELRB?*

**A:** The Board consolidates for hearing all fair share fees involving an exclusive representative affiliated with a common employee organization. If a hearing is held, the hearing commences within 60 days of the last day for filing objections. Subsequent to the close of the hearing, an administrative law judge issues a written decision, a summary of which is sent to all objectors. The IELRB’s rules governing fair share objections hearing and appeal procedures may be found at Section 1125.80.