

REPORT DIGEST

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD FINANCIAL AND COMPLIANCE AUDIT FOR THE TWO YEARS ENDED JUNE 30, 1995

SYNOPSIS

- The Board violated the Illinois Educational Labor Relations Act by using mail ballots to conduct elections in which employees chose whether they wanted union representation.

{Expenditures and Activity Measures are summarized on the reverse page.}

INTRODUCTION

The Illinois Educational Labor Relations Board was created by the Illinois Educational Labor Relations Act. The Board consists of a chairman and two members appointed by the Governor with the advice and consent of the Senate. The Board has jurisdiction over collective bargaining matters between educational employees and public school educational employers. The Board's primary responsibilities under the Act are to process representation petitions, including conducting elections; to process unfair labor practice charges; and to process mediation/arbitration requests.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

MAIL BALLOT ELECTIONS

The Board violated the Illinois Educational Labor Relations Act (IELRA) by using mail ballots to conduct elections in which employees chose whether they wanted union representation. During the audit period, the Board estimated 12 mail ballot elections were conducted in unit determination representation cases. Mail ballot elections were conducted in unit determination representation cases when the following three conditions were met:

- 1)both parties consented to having a mail ballot election;
- 2)there were twelve or fewer voters; and
- 3)there was a considerable distance to the election site.

The use of mail ballot elections is contrary to State statute which states, "No mail ballots are permitted except where a specific individual would otherwise be unable to cast a ballot." (115 ILCS 5/8).

The Board responded it plans to continue the use of mail ballot elections under limited circumstances. According to the Board, the limited use of mail ballot elections saves Illinois taxpayers money by eliminating travel costs and saves Board employees' valuable work time that would otherwise be spent traveling to the site of an election. The Board responded further, that it is the Board's position that Section 8 of the IELRA does not prohibit the use of mail ballots under limited circumstances. (Finding 1, page 13)

We disagreed with the Board's position that Section 8 of the IELRA does not prohibit the use of mail ballots under limited circumstances. We noted the only exception to on-site balloting in the IELRA and the Board's rules is for the convenience of an individual who would otherwise be unable to vote. There is no exception which permits mail ballot elections for the convenience of the Board. We also noted neither the IELRA nor the Board's administrative rules establish procedures governing the conduct of mail ballot elections.

The response to our finding and recommendation was provided by Ms. Julie Hughes, General Counsel.

AUDITORS' OPINION

Our auditors state the financial statements of the Illinois Educational Labor Relations Board Fair Share Trust Fund are fairly presented as of and for the years ended June 30, 1995 and 1994.

WILLIAM G. HOLLAND, Auditor General

WGH:GSS:pp

SUMMARY OF AUDIT FINDINGS

<u>Number of</u>	<u>This Audit</u>	<u>Prior Audit</u>
Audit findings	12	
Repeated findings	00	
Prior recommendations implemented or not repeated	2	N/A

SPECIAL ASSISTANT AUDITORS

McGreal, Johnson and McGreal served as special assistant auditors for this audit.

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD
FINANCIAL AND COMPLIANCE AUDIT
For The Two Years Ended June 30, 1995

EXPENDITURE STATISTICS	FY 1995	FY 1994	FY 1993
●Total Expenditures (All Funds)	\$1,129,111	\$1,076,879	\$1,098,742
<u>OPERATIONS TOTAL</u>	\$1,129,111	\$1,076,879	\$1,098,742
% of Total Expenditures	100%	100%	100%
Personal Services	\$813,858	\$786,103	\$754,881
% of Operations Expenditures	72%	73%	69%
Average No. of Employees	20	20	20
Other Payroll Costs (FICA, Retirement)			
% of Operations Expenditures	\$123,575 11%	\$120,895 11%	\$115,880 10%
Contractual Services	\$115,420	\$100,687	\$152,878
% of Operations Expenditures	10%	9%	14%
All Other Operations Items	\$76,258	\$69,194	\$75,103
% of Operations Expenditures	7%	7%	7%
<u>GRANTS TOTAL</u>	\$0	\$0	\$0
% of Total Expenditures	0%	0%	0%
●Cost of Property and Equipment	\$364,526	\$362,073	\$352,876

SELECTED ACTIVITY MEASURES	FY 1995	FY 1994	FY 1993
●Representation Cases Filed	95	120	115
●Unfair Labor Practice Cases Filed	608	686	778
●School Strikes	8	10	13

AGENCY DIRECTOR(S)
During Audit Period: John Albrecht (until 8/95), Julie Hughes (Acting) Currently: Victor Blackwell